

# The new metropolitan governments in Portugal: Realignment of local, regional and central powers

*Armando Pereira*

The Portuguese political and administrative system is characterized by a structure of traditionalist and centralist features, which are embedded in napoleonic trends. Nevertheless, although this system maintains such basic features, it is nowadays being interpenetrated by some more modern ways of organizing things and people and by decentralized units and institutions. These new units are essentially turned towards programmes and projects and have a clear emphasis in management. This is therefore a compromise required to meet the new challenges of the Portuguese society and of the European integration.

Within this political and administrative system one of the newest institutions which have just been created is the metropolitan government, although having a constitutional provision from some years ago. Therefore, two metropolitan units have been recently organized — “Metropolitan Areas” — which correspond to the main areas of demographic concentration in the country: Lisbon and Porto. In this article, a brief description is given on the features of these new entities, the context in which they were created, how strong they are as units of government, and in what extent they are merely associations of local authorities or a regional form of government and administration. Moreover, the present general context of the Portuguese political and administrative system, the local government organization, and the regionalist hopes and fears are also briefly presented. All this to conclude how the balance of local, regional and national powers may be changing or may be not.

## 1. LOCAL POWER WITHIN THE PORTUGUESE POLITICAL AND ADMINISTRATIVE SYSTEM — PRESENT STATUS

The political organization and the basis for the present administrative apparatus are enlist-

ed in the fundamental law of the country — the Constitution of the Portuguese Republic, of 1976. On the constitutional point of view, a certain sense of generosity, innovation and political boldness clearly stands out, mainly in what concerns some fundamental goals, as for instance:

- a) the guarantee of rights and freedoms;
- b) the reinforcement of democratic-political institutions;
- c) the decentralizing process and local devolution;
- d) the need for territorial and administrative reorganization.

The constitutional spirit and disposition of decentralization and administrative innovation became real in some specific fields of action, such as the grant of autonomy to the insular regions of Madeira and Azores, along with the creation in the country of a local democratic power and, as a consequence, the reinforcement of their autonomous capacity, mainly at the municipal level (“municipalities”).

Nevertheless, the steps needed for the “decentralization” and the “de-concentration” of state services (as it is called in Portugal and in the South-European countries) haven’t been carried out so easily as it might be thought. In fact, this is a field where politicians and other officials have been less daring. Therefore, in this context, some unsuccessful situations stand out, as for instance:

- a) the scattering of the administrative apparatus, by racionalizing the administration and the public services, either by their restructuring at a central level or by their appropriate distribution in the territory (“de-concentration”);
- b) the freeing of the political and administrative system from the impending legal-bureaucratic die that generally characterizes it (the primacy of juridical security over efficiency, effectiveness, management and results);
- c) the making real of the democratic institu-

- tions of regional nature, postulated in the Constitution ("Administrative Regions");
- d) the settling down of units and institutions, of which a political-constitutional decision of abolishment had already been taken in 1976 (the administrative units "Districts" and their heads, the "Prefects");
  - e) the giving of new steps towards the reinforcement of local government institutions (that is, to strengthen the autonomous capacity of local governments and particularly that of the municipalities).

Nowadays in Portugal there are basically two levels of government — the central and the local. The local government units — described in the country as "local autarchies" — are specially the municipalities — which are political and administrative units of great tradition and considerable dimensions. Actually, they have an average area of 301 km<sup>2</sup> and about 33,892 inhabitants. Each municipality is composed by several "parishes", which are also units of local government, although of very small average dimension (22 km<sup>2</sup> and 2,457 inhabitants) and, as a consequence, having little power and economic capacity. Both the municipalities and the parishes are organized under national associations, of which the national association of the municipalities is the one which has more power and which keeps a more formalized and regular representative dialogue with the central government.

The organic structure of the municipalities and of the parishes consists of two separate bodies or councils — the deliberative and the executive. As far as the municipalities are concerned, these bodies are direct and separately elected. Nonetheless, according to the latin tradition of presidential type of local government, that is of "strong executive", it is the leader of the municipal executive — and not the head of the deliberative board — the person who according to the law, and in practical terms, represents the municipality. In fact, as mayor, he is one who, in mandates of four years, rules the local political life. Due to his importance, the Portuguese mayor ("President of the Municipal Chamber") is by far the most representative political figurehead, at the local level. Opposite to what happens in the United Kingdom and in other countries, the MPs do not have such an influence in the locality, that is in the territory of each municipality.

It is worth mentioning that the main issues at the political level concerning the dialectic "lo-

cal government — central government" at the moment, in Portugal, are:

- a) the debate on the nature and on the adjustments of the economic resources amounts transferred yearly from the national budget to the municipalities;
- b) the conditions — technical but mainly financial ones — for the transfer of new possible competences to local governments;
- c) the episodic questions on the legal supervision of local authorities, control of municipal expenses and regulation for the hiring and paying of local employees — in a perspective of reduction and discipline of public expenditure;
- d) the making real, on a national level, of the "municipal plans" — one in each municipality — which will mainly rule the urbanistic discipline and the local development options;
- e) the co-ordination and the making compatible of local options and national ones, concerning investments in infra-structures supported by European Community funds;
- f) the debate and realignment of forces, on the field of the dicotomy "centre-periphery", due to pressures of local power, grouped in regional areas (pro-regionalizing pressure) and recently formalized in partial terms in the two metropolitan governments just institutionalized (Metropolitan Areas of Lisbon and Porto).

## 2. EVOLUTION OF THE REGIONALIZING PROCESS IN PORTUGAL

Portugal is an unitarian state, formed about 850 years ago and its borders have been fairly stable almost since they were settled. In fact, in the country there are not significant differences as to ethnics, language and so. As such, there were never many regionalist pressures, except since a little more than a century ago in the islands of Madeira and Azores. Almost all the Portuguese colonies in Africa were granted their independence about 1975, after the socio-political upheaval in Portugal in April 1974, which led to the change in the regime.

It can be said that, relating to the regions as stable and democratic territorial organizations, the regional component does not have a very strong tradition in the Portuguese political and administrative system which, at the territorial level, essentially shows a municipal tradition.

Nevertheless, throughout the centuries, different administrative formulations of a regional nature were established and maintained in the country (firstly the "counties" and mainly the "provinces"). When the era of the counties was over, in the fifteenth and sixteenth centuries, the territory was divided for administrative purposes in provinces (six on the whole), and this regional structure was kept in force, more or less, until the liberal reform of the last century — after the 20s. From then on, until 1959, these regional units survived episodically, making some very clear morfological, economic-productive and cultural differences become real in administrative terms. Moreover, within this reform and according to the napoleonic influence, smaller areas than the provinces were established for administrative purposes ("Districts"), whose head was the "Civil Governor" (or "Prefect" in the French administrative terminology).

With the change of the regime and the new Constitution, in 1976, the country made an option, under a large consensus, not only for democratization of the political institutions but also for decentralization.

The national aim of decentralization was regarded as an urgent need, due to the deeply centralized Portuguese political and administrative system. The coming into force of the decentralizing process was made particularly in three fields of action:

- a) in the organization of the local democratic power, based on the territorial units that already existed locally — the municipalities and the parishes;
- b) in the grant of political-administrative autonomy to the islands of Madeira and Azores, nowadays called "Autonomous Regions", for that reason;
- c) In the definition in the mainland's territory, of an intermediate level of government and administration of regional scope, between the central government and the local government — the "Administrative Regions" — which, when they were created, would replace the intermediate administrative units already existing — the Districts — and, concomitantly, the representatives of the central government in those territorial areas (the Prefects) would disappear.

As such, in Portugal, the future Administrative Regions are the intermediate level of government, constitutionally pre-figurative. Nonetheless, up to this moment, its implemen-

tation has not come into force completely, which makes it a non-yet attained decentralizing goal. The perspective of regional decentralizing and the political-legislative arrangements concerning the creation of Administrative Regions, called in Portugal the "process of regionalization", have been a matter for great discussions, due to the fact that the creation of these regional governments has upholders and opponents. Both support their points of view either in clear politically based arguments or in essentially technical and administrative considerations.

This debate has often a regionalist claim nature, opposite to the prevailing perspective, of a central character, although the latter is sometimes justified by arguments of resource economy, administrative effectiveness, and defence of the unity of the state. As such, this debate often goes beyond the barriers of the political groups and party loyalties. The tendency is, from the opposition, to set a great pressure in order to force the creation of the Administrative Regions. On the contrary, the government (either socialist, or social-democrat as it is the case at the present) tends to put more resistance to the development of this process.

The reasons mentioned by each of the parts, in the debate for regionalization, as well as the way this process is being developed in the country up to this moment, are interesting topics from the point of view of Politics and Science of Administration. But, such an analysis is beyond the scope of this article, which essentially proposes to conjugate the problems of local government and those of regions with the creation of metropolitan governments.

As far as regionalization is concerned, it is worth referring that, in the past sixteen years under a constitutional democratic regime, the making real of this desideratum has gone through cyclic fluctuations. As such, a coincidence between the regionalist enthusiasm and the compliance of central power stood out sometimes, leading to a renewed impetus in the regional process. There were other occasions in which a certain gloom came over the development of this process, as a result of active and dissuading positions brought forward by the political leaders in charge, at a national level, in order to hold those regionalist claims.

Thus, the year of 1976 can be mentioned to as an example of a peak in the regionalizing process in Portugal. This is the year of the publication of the new Constitution, which une-

quivocally points out the creation of the regions as one of the options to the democratization and decentralization of the country. The changes made in governments during the second half of the 70s have not propitiated the stability needed to the implementation of the regional objectives. But, it was on the beginning of the 80s that the political, technical and administrative debate saw meaningful progress and it was the farthest in the perspective of the creation of the Administrative Regions. By this time, the national executive and other governing bodies committedly involved themselves in the development of the process. However, once more it was interrupted due to governmental changes.

During the 80s, the prevailing thesis in Portugal was clearly conservative, that is, one of carefully progressing, thinking over the matter, and preventing possible deeper regional divisions. It is worth noticing how the integration of the country in the European Community has been a justifying factor, in this context, in both senses. On the one hand, it is presented that, at the moment of the Portuguese integration in a vaster space, where the regional component is stressed — "The Europe of the Regions" — it makes sense, internally, to give more emphasis to the regions. On the other hand, the European argument is opposite, and it is said that at the moment the priority for the country is the total concentration of resources and powers in European integration, and such resources should not be scattered in a barren and divisionist discussion such as regionalization.

Meanwhile, the debate over the creation of the Administrative Regions, mostly in the second half of the 80s, continued in a parliamentary scope, essentially led by the opposition to the social-democrat government. All in all, the period of 1988/89 was fertile as to the production of legislative bills on Administrative Regions. Nevertheless, once again, this enthusiasm was cooled down in 1990 by direct interference of the Prime Minister and leader of the party.

However and finally, the political groups represented in the Portuguese Parliament came to an agreement on some principles and methods relating to the regionalization. As such, in the second half of 1991, an important step was taken by means of the publication of the so-called "Law of the Administrative Regions". This fact does not mean that finally the regions were created and that their geograph-

ic limits were determined. However the principles which must be taken into account in the regionalization process were actually settled and the competences and organs of the Administrative Regions were defined.

It's worthwhile referring that one of the greatest difficulties of the whole process has been the disagreements concerning the geographic definition of the regions, that is, their space limits, and particularly as far as some regions of the territory are concerned. On the other hand, during certain periods of time the leadership of local power has belonged to the opposition of central government, as in the present mandate, and this fact has been a negative point on the development of the regional process. Additionally, the communist influence, which is centered mainly in a specific area of the south of the country, has given a contribution to demobilize some political leaders of their regional decentralizing determination.

It is interesting to follow the role played by local authorities in this process, either at the individual level or as to an associative position. Actually, in the first phase of the process and on the debates over regionalization, the local political responsables used to see it in a negative way, as something which was against their interests, as local authorities. Actually, when the democratic local power tried its first steps, it was thought that the Administrative Regions could be a new and tighter guardianship of local power. They would cut down its competences and so diminish the influence of the municipal leadership. However, more recently, that is, after the second half of the 80s, this position began to reverse and, little by little, the local dialectic began to be more favourable to the creation of the regions. The local politicians began to make declarations of faith on behalf of regionalization, regarding it as something dignifying the local authorities and a way of giving them a broader institutional intervention, beyond the limited municipal scope.

### 3. REGIONAL PROCESS AND METROPOLITAN AREAS

The political agreement achieved in the Portuguese Parliament in the second half of 1991, which resulted in the Law on Administrative Regions, came along with another important parliamentary decision which made possible the

*de jure* creation of the metropolitan governments — Metropolitan Areas — of Lisbon and Porto. The publication of the law concerning metropolitan governments was the culmination of a long debate on the meaning, interest and viability of the level of metropolitan administration in Portugal, and also of its relationship with the regionalizing process and the Administrative Regions themselves.

It must be taken into account, firstly, that the metropolitan territorial organization is a constitutional entity, or an administration unit covered by the basic law of the country. However, the constitutional provision is made in a diffuse way naturally because the features of these entities were not definitively specified. As such, what is prescribed is that "in big urban areas other forms of autarchic territorial organization" may be settled, that implies the creation of specific forms of government in a supramunicipal extent.

Actually, in a more or less consensual way, the starting point has always been the creation of political and administrative structures of metropolitan scope to the big urban areas of Lisbon and Porto, which are the largest demographic conurbations in the country. Although these geographical areas have been under the rule of local government units (municipalities) the problem was to know whether such metropolitan entities should or not be units of self-government, that is, if they should or not be themselves an upper level than the municipal government and administration, or merely be grouped as an "association of municipalities". On the other hand, there was always the question whether, in case of self-governments of an upper level than municipalities came through, would such metropolitan units be constituted by law as Administrative Regions, or would they be contained in Administrative Regions of a bigger demographic area.

This consciousness of the need for the metropolitan institutions of government which would allow the co-ordination of the municipal actions and particularly the relationship between the municipalities and the central public services, located in the main urban concentrations of the country, had already given rise to the creation of a specific institution of a supramunicipal level. This happened in Porto, as a good example of a big area, where a million people are living. Here, this provisional entity was created, essentially as unit of co-ordi-

nation: the Metropolitan Coordinator Council. This was a first approach, to the Metropolitan Area of Porto, the self-governing entity created later on. The Metropolitan Coordinator Council comprised representatives of the municipalities and of different public services, under the direction for this purpose of a public service at a regional level — the Commission of Coordination of the Northern Region. On the other hand, as a technical support of this metropolitan structure, a "co-ordination technical team" was set up. This team was expected to prepare the required dossiers, mainly those ones related to strategic investments, and the proposals for their financing.

This way of grouping the municipalities — that is, local governments and public services — is an effort to solve the basic problems of the big urban concentrations and concretely of this one. It is also to ascertain that the mere form of association of municipalities, even having multiple vocation, is not the appropriate answer to the problems of the metropolitan conurbations. In the above mentioned territorial area there are great difficulties and needs on the levels of dwelling, garbage processing, environmental problems, water impounding and supply, waste water and effluents treatment, road networks, traffic and urban transports.

The big problems of the urban concentration of Lisbon are approximately the same as Porto's. They are two concentrations of, respectively, 2.7 and 1.2 million inhabitants and a surface of 3,128 km<sup>2</sup> and of 815 km<sup>2</sup> and so with an average of 864 inhabitants/km<sup>2</sup> in Lisbon and 1,491 inhabitants/km<sup>2</sup> in Porto. Therefore, the Lisbon area is more vast, comprising 18 municipal governments, or municipalities, and 203 parishes, while Porto has 9 municipalities and 130 parishes, which means a greater populational concentration in this smaller area.

In spite of the above mentioned difference between surface and population in the territorial areas of Lisbon and Porto, there is no differences on the scope of the attributions and competences of both metropolitan governments. In fact, the law stipulates the same functions for both entities, that is: to guarantee the articulation of municipal investments which have however a supramunicipal scope; to assure the articulation between municipal activity and that of the state services, mainly relating to infrastructures; to have a part in the working up of the territorial plans of the municipalities; and to have a word as to the central administration

investments or those projects financed by the European Community.

The difference between Lisbon and Porto has mainly to do with the size of the boards in each case. The organic structure of the Metropolitan Areas, which is similar to the municipalities, comprises a deliberative body — The Metropolitan Assembly — its members being elected to office by the deliberative body of the municipalities (Municipal Assembly). On the other hand, the mayors of the municipalities are the members of the executive — the Metropolitan Junta. As such, the Metropolitan Assembly of Lisbon comprises 50 members while the Metropolitan Assembly of Porto has 27 members. In both cases, the members are indirectly elected, that is, they are elected by the Municipal Assemblies. As to the Metropolitan Junta, which comprises the municipal mayors, it is composed of 18 members in Lisbon and 9 in Porto.

Each of the Metropolitan Areas has an executive structure a smaller body, coming forth from the Metropolitan Board, which is called the Permanent Committee. In Lisbon it comprises 1 President and 4 Vice-Presidents and in Porto 1 President and 2 Vice-Presidents.

Therefore, the solution of the metropolitan governments in Portugal is on the way, but it is still incipient, and it does not dispose of political maturity and of a strong administrative structure. The Metropolitan Area is thus a kind of regional government raising from the municipalities, which are the basic entities of the Portuguese local administration. But it can not be said that effectively this is an association of municipalities, even if formal and of multiple vocation, in which the municipalities, as its members, aim to solve common problems, share resources and articulate and co-ordinate supramunicipal projects of metropolitan scope. The Metropolitan Area is a type of an autarchic entity, which comes from the municipalities and operates on intermunicipal and supramunicipal levels, with a metropolitan scope. Basically, it has a sub-regional vocation, and presently it is difficult to say whether the Metropolitan Areas will become real Administrative Regions or not.

As to the goals that the creation of these entities had in mind, it is fundamental the make-up and functioning of another body, besides the metropolitan executive and deliberative ones — the so-called Metropolitan Council. There is a great expectation about this organic body of

the Metropolitan Areas, although it is just an advisory (consultative) organ. It comprises the mayors, which are the members of the Metropolitan Junta, the President of the Commission of Coordination of the Northern Region, the public service of regional vocation, and the heads of the rest of the public services which action plays a role in the Metropolitan Area. Such responsables of the public services of the state are being formally appointed by the respective members of the central government.

In fact, the Metropolitan Council, where the responsables for the different sector services meet the metropolitan executive politicians, is hoped to be the board in which the agreement and co-ordination between the different levels of administration are effectively achieved. The performance of this board of co-ordination of the public services within the metropolitan territory may be an useful experience to other developments of co-ordination, at a regional level, on the context of the future Administrative Regions.

#### **4. DEVELOPMENT OF THE METROPOLITAN CONSCIOUSNESS: REALIGNMENT OF POWERS**

The institutionalization of the Metropolitan Areas of Lisbon and Porto is thus being developed. As such, the elections of the members of the Metropolitan Assemblies were held in both cases, and the members are already seated in office. Relating to the Metropolitan Juntas, they also start their activities.

Only the Metropolitan Council is not completely set up, both in Lisbon and Porto, because the responsables of the public services or of the public companies have to be appointed by their ministers. The fastest or the slowest way how these appointments are made is obviously dependent on the point of view of these politicians about metropolitan governments. There are those who have a less favourable opinion of the Metropolitan Areas and of their future. They tend to see in this new political and administrative structure a reinforcement of local or regional power and so they acknowledge an increase in the difficulties to carry out central policies without the interference of local authorities. At a central level, such authorities are not enthusiasts about the appointment of the responsables of these peripheral depart-

ments for their integration in the metropolitan structure.

Another way these politicians have of opposing the leading role of metropolitanism and the interference of new authorities in the formulation and implementation of political measures in their sectorial areas is, perchance, to delimit narrowly the field of action of their representatives in the metropolitan organ. In this case they emphasize the vertical articulation between the central department and the territorial service.

Meanwhile, the main role played by local responsables at a regional-metropolitan level is clearly becoming more important. In fact, they are now invested with more vast functions, of a supramunicipal scope, and even of a regional weight. These responsables tend to be nowadays politically more interventionist and it seems that they will play a major part in the near future. But it should be said that this fact has a lot to do with the political coloration in those two urban concentrations.

In the Lisbon area, of the total 18 municipalities in the Metropolitan Area and in the Metropolitan Junta, 4 are social-democrats — the party embodying the government of the day, with absolute majority — 3 are socialists, although one is of a socialist/communist coalition (Lisbon), and 11 are communists or pro-communists. The weight at the local authorities level, in this area, and so the composition of the Metropolitan Junta, is deeply communist. This is the result of its vast influence in the industrial belt, at least up to the last elections. As such, the Permanent Committee of the Metropolitan Junta in Lisbon comprises 1 communist President and 1 communist Vice-President, while the other 3 Vice-Presidents are: 1 social-democrat and 2 socialists (of whom 1 from the socialist-communist coalition). In Porto the influence is mainly socialist — 6 socialists and 3 social-democrats. As such, the Permanent Committee of the Metropolitan Junta in Porto comprises 1 socialist President, 1 socialist Vice-President and 1 social-democrat Vice-President.

In this context, it is easily perceived that the relation or the dialectic “metropolitan government — central government” is not a simple process, due mainly to the existing political opposition. On the other hand, the Presidents of

the Metropolitan Juntas are presently, in both cases, local authorities nationally known as figureheads of the opposition, now as local authorities. In the meanwhile they feel a legitimation to perform a major political role. This fact is now allowing the conditions for the realignment of power between central government and local authorities. So, you can say that the party now in power, in creating the Metropolitan Areas, showed some political boldness, due to the fact of bringing along for itself some political inconveniences. In fact, this has created the conditions for the development of the “regional barons” in the opposition. This seems to be a contrary situation to the one in the United Kingdom, where Mrs. Thatcher abolished the metropolitan governments, in a similar context to the one in Portugal which led to the creation of the Metropolitan Areas of Lisbon and Porto.

In the Portuguese example, however, the role and the political power and influence of these autarchic responsables must not be overstated, due to the effective limitations of the Metropolitan Areas. In fact, these units are not yet entities with significant competences. The metropolitan governments in Portugal still have to wait on a little longer, have to stabilize and mature, until their political responsables may assert the strenght of their leadership in these regional areas, which, nevertheless, are very strong in economic, social, and political terms. Meanwhile, the responsables on power, in central government and Parliament, may not be so generous, indifferent and desinterested towards the creation and organization of the Metropolitan Areas, as it might be thought. In fact, they seem to follow closely the development of the political process on these regional areas. The social-democrats, being confident on the power of their present meaningful majority, seem to put all their hopes in the next local elections. Their expectation is that they might attain nextly a majority of votes at a local level as they have at the national one. And, in about one year time the local elections will be held. Thus, it is possible to regard the metropolitan political leadership of the day in a merely transitory perspective, as kind of an installation committee which will leave soon the power for the new, but effective, “leaders” — who however may eventually be the same.