The military and democratic consolidation: the Revolutionary Council (1976-1982)∗

David Castaño
Portuguese Institute of International Relations
Universidade Nova de Lisboa**

Abstract
The Portuguese revolutionary process has been studied and analyzed both by historians and political scientists. Less attention has been paid to the long process of consolidation of the democratic regime, also crossed by contradictions and tensions. After two turbulent years the country began a process of consolidation of the democratic institutions. However, the role played by the military in the fall of the previous dictatorial regime and the fragility of the new democratic institutions, did not allow their immediate withdrawal from political life. The President of the Republic was a military and the political parties had agreed to maintain an unelected sovereign body: the Revolutionary Council. This paper presents some elements that help to understand the success of democratic consolidation in Portugal, revealing in particular that this process should not be interpreted as confrontation between democratic civilian parties and the military and that the subordination to the civil power can also be encouraged by the military itself.

Keywords: Portugal; democratic consolidation; civil-military relations; armed forces; revolutionary council

Introduction
The Portuguese revolutionary process has been studied and analyzed both by historians and political scientists and is now well known1. Less attention has been paid to the long process of consolidation of the democratic regime, also crossed by contradictions and tensions, despite the success achieved in 1982, with the approval of the revision of the 1976 Constitution and the approval of the National Defense Act, two milestones of effective subordination of the military to the civil power2.

After two turbulent years in which different pathways for the future of the political and institutional framework of Portugal clashed, the country began a process of consolidation of the democratic institutions delineated between 1975/1976. However, the role played by the military in the fall of the previous dictatorial regime, the Estado Novo, and the fragility of the new democratic institutions, did not allow their immediate withdrawal from political life. The President of the Republic was a military and the

∗ This communication is an adapted version of my article “To the barracks: the President, the military and democratic consolidation in Portugal (1976-1980)”, European Review of History: Revue européenne d’histoire, DOI: 10.1080/13507486.2016.1155541
** Post-Doctoral Researcher, FCT grant 75787/2011.
1 On the military’s role in this process and its antecedents see, for example: (Schmitter, 1975, 5-33); (Graham, 1979, 221-256).
2 We follow the periodization proposed by António Costa Pinto, who divided the Portuguese Democratization process in three phases: overthrow of the authoritarian regime (April 1974 to March 1975); revolutionary crisis (March 1975 to July 1976); democratic consolidation (July 1976 to 1982). (Pinto, 2001, 65-90).
polITICAL PARTIES HAD AGREED TO MAINTAIN AN UNELECTED SOVEREIGN BODY: THE REVOLUTIONARY COUNCIL, WHICH WOULD ONLY BE EXTINGUISHED IN 1982.

In this paper I intend to analyze the role of the military, more concretely of the Revolutionary Council. Based on primary sources that only became available a few years ago, namely the Revolutionary Council files, I will present some elements that help to understand the success of democratic consolidation in Portugal, revealing in particular that this process should not be interpreted as confrontation between democratic civilian parties and the military and that the subordination to the civil power can also be encouraged by the military itself.

The President and the Council of the Revolution

Ramalho Eanes was elected President of the Republic, by direct universal suffrage, in June 1976. It was the culmination of a rapid rise that began when Eanes assumed the leadership of the group responsible for the victory of 25th November 1975 operations against the military left, which led him to the leadership of the army and then to the presidential race.

During the electoral campaign he had the support of the most voted parties in the parliamentary elections held two months earlier (Socialist Party – PS; Popular Democratic Party – PPD and Social Democratic Centre – CDS) and also had significant support in the Armed Forces, especially in the most important branch, the Army.

A year after the hot summer of 1975, which almost led the country to a civil war, Portugal had a Constitution, a President, an Assembly and a government. The revolutionary period was over, but now began another phase, the phase of democratic consolidation. The Constitution, approved in early April 1976, fulfilling what was agreed between the political parties and the military responsible for the former regime fall, established the existence of a sovereign body, the Revolutionary Council (RC), which besides working as a presidential council, should ensure compliance of the Constitution and the fidelity to the spirit of the Portuguese revolution. The Council also held exclusive competence to legislate on the organization, functioning and discipline of the Armed Forces, and was entitled to approve international treaties or agreements that involved the military affairs. Summarizing, the RC was the only ‘political and legislative body in military matters’.

The RC was constituted by the President of the Republic, who chaired, the Chief of General Staff of the Armed Forces (CGS), the vice-Chief of General Staff, by the heads of the three branches of the military, and 14 officers (8 from the Army, 3 from the Navy, 3 from the Air Force). Besides being the advisory body of the PR and the only body with political and legislative powers in military affairs, as guarantor of observance of the
Constitution, the RC should rule on the constitutionality of any diplomas before they were promulgated or signed and ensure the issuance of the necessary measures to implement the constitutional requirements by drawing up recommendations. The RC also had the power to assess the constitutionality of any published diplomas and to declare their unconstitutionality, and also had authority to rule on the appointment and dismissal of the Prime Minister and on the right of suspensive veto of the PR.

To assist the RC in the assessment of constitutionality a Constitutional Commission was created. This commission was composed of: a RC member, as president and entitled a casting vote, four judges and four citizens of recognized merit. The function of the Commission was to draw up opinions on the constitutionality of the diplomas that were going to be examined by the RC, but their opinions were not mandatory, which meant that the RC was not obliged to follow their recommendations.

The Constitution gives wide powers to the military. Furthermore, the President was a military and we should also bear in mind that the President conciliated three types of legitimacy that gave him a high range of powers. Beyond the electoral legitimacy conferred by the vote, direct and universal, and the revolutionary legitimacy, which was conferred by the fact that, as PR, he presided over the RC, Eanes still had a functional legitimacy because he accumulated the presidency with the leadership of the Armed Forces. A former presidential adviser argued later that these three types of legitimacy overlapped and balanced and that they did not have a leverage effect since, in his opinion, these powers could only be exercised in fullness in a national emergency, a situation that never happened. While it is true that these powers have never been exercised in full power, their concentration would prove to be crucial in the democratic consolidation process.

A month after the presidential election, Ramalho Eanes defended that he should take “temporarily” the head of the General Staff of the Armed Forces because in his opinion this was the way to ensure the restructuring of the Armed Forces. However, this idea found some opposition in the military circles. For instance, Pinheiro de Azevedo, former Prime Minister and one of the presidential candidates defeated by Eanes, criticized this option, considering that it would be “very serious to provide the President of the Republic with military force” and the “power to appoint the chiefs of the General Staffs”. Another defeated candidate, Otelo Saraiva de Carvalho, who had led the populist current of the MFA, and who continued to defend “a radical and revolutionary solution”, said that

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4 This combination of three types of legitimacy was identified by Bruneau and Macleod, 1986,120.
5 Aguiar, 1996, 1247-1248.
6 Diário de Lisboa, 5-7-1976, p. 1.
7 Idem.
Eanes could “became a dictator” due to the accumulation of functions. Despite these criticisms, when on July 14, 1976, Ramalho Eanes took office as President, he also assumed the post of Chief of the General Staff of the Armed Forces. Five days later, Eanes appointed Rocha Vieira, an official very close to him, as Chief of Staff of the Army (CSA). On that occasion, the President argued that the fundamental purpose of the army was to “ensure the democratic rule of law” and that the new Chief of Staff was the right person to prevent the politicization of the military. In turn, the new Chief advocated that an “united, strong and effective” army was one of the basic conditions for democratic life.

The decisive moment, that shows the importance of the convergence of the three types of legitimacy in Ramalho Eanes figure, manifested itself shortly afterwards, in early August 1976, when the President submitted a proposal to restructure the RC.

With the argument that it was necessary to stabilize the Armed Forces and defend the RC from attacks and criticisms, Eanes maintained that the board members who exercised military functions would have to choose to stay in the RC, only as counselors, or continued at the head of military commands. From this moment the accumulation of functions would be impossible, which meant that five of the eighteen RC members would have to choose between one of the options presented to them. Two of the counselors who were in this situation preferred to remain in their military commands and left the RC, the other three have opted for their seats as counselors, and for one of them, Vasco Lourenço, commander of the Lisbon Military Region, an exception was opened because it was considered that this command would have to be filled by a RC element, which allowed him to continue to exercise political functions, as a counselor, and military functions as commander of the Military Region.

These changes were not well received by all RC members. Two weeks before, one of the counselors had defended an opposite measure: that to face the attacks directed to the Council by various political forces and in order to give an answer “demonstrative of the strength and cohesion” of the RC, the counselors in command of military regions were awarded with the rank of general. Other of the critics, would later claim that this solution had weakened the RC institutional weight as a political-military body, because this measure had cut the RC connection to the Armed Forces through the Council.

8 Diário de Lisboa, 12-7-1976, p. 5.
10 Rocha Vieira was also one of the military responsible for the success of the November 25.
elements who held an effective command. In the opinion of this counselor, the solution advocated by the President aimed to isolate the RC of the military structure14.

**Different views on the role of the Revolutionary Council**

In fact, what was in question here were two distinct views on the RCs role in the process of democratic consolidation. On one side we find the President and the heads of the armed forces who advocated that separation of functions. On the other we find those who defended a greater involvement of the military in the conduction of the political destinies of the country, through an interventionist RC, able to utilize its maximum power, according to the functions that were constitutionally assigned to it.

These divergences were noted on several occasions. Following the changes introduced in the RC and in the military commands motivated by the separation imposed by Eanes, one of the counselors, after having referred to the existence of divisions in the Armed Forces, said that “there was a feeling” that the administrative and bureaucratic machinery of the army was favoring ‘the conservative forces’ and chasing the military who had done the April 25. In his view this situation was creating two opposing camps, putting on one side the military who had made the coup, the “captains”, and on the other those who were not involved, the “colonels”15.

Another sign of the existence of different views on the RC’s role in the new constitutional framework was given at the inaugural ceremony of the Constitutional Commission, chaired by Melo Antunes. This counselor, who had also played a key role in the fight against the more radical wing of the MFA in the hot summer of 1975, said that the Council of the Revolution was ‘the incarnation of the revolutionary spirit of the April 25’ and that the Council could not “betray” this “primal urge” that had animated the captains of the Armed Forces Movement, arguing that the RC should not take a neutral position while “the struggle for the structural transformation of the society” persisted. But the President of the Republic, after criticizing those who considered themselves as the “exclusive defenders” of the Constitution and those who insinuated “the weaknesses of the new institutions to subvert them”, stressed that the Constitutional Commission was similar to the existing constitutional courts in other countries, and bucked the “military image” that some sectors sought to assign to the CC, noting that although headed by a military man, was comprised of jurists whose integrity was unquestioned16.

On the third anniversary of April 25 the divergences about the role of the military and the Council of the Revolution in the Portuguese political life returned to be noticed. In

an interview to the Hungarian news agency, the president of the Constitutional Commission noted that the Portuguese Constitution advocated the construction of a socialist society and that this aim could only be achieved through a real alliance between the left wing parties, political groups that are active on the left and “even the elements of the Armed Forces who were initially responsible for the coup of April 25 and that remain a very important ferment in the Portuguese Revolution”17. However, the official statement that marked the anniversary, which was approved by the majority of the RC, made no reference to socialism as a goal to achieve, reaffirming only that “the will of the Portuguese people freely expressed” was “the source of the legitimate power” with which the Armed Forces identified themselves18.

This attitude of Melo Antunes was deeply debated by the RC. The newly appointed vice-Chief of the General Staff, also an officer very close to Eanes, said that if they were true, the statements of Melo Antunes contradicted the position taken by the Chief of the General Staff and himself. In fact, at the inauguration of the vice-Chief, which took place in early April 1977, Eanes said the Armed Forces should “ensure the full and permanent protection of the rights of the citizens” and “respect the objectives that only the people could set through their legitimate representatives”, reason which led him to argue that the military shouldn’t serve the parties but only the people they were are part of. On the same line, his deputy, argued that in the Armed Forces there was no left or right, because these “as parts of the political spectrum, are inherent to any democratic society” and the military was “the ultimate guarantor of the existence of the Portuguese society from left and from right” whose historic mission was “to ensure the survival of democracy”19. The president of the Constitutional Commission was then pressed to retreat and came publicly to state that his declarations only expressed his personal opinion and not the RC opinion20.

The chiefs of staff did not limit themselves to making speeches about the need to prevent and combat the politicization within the Armed Forces. In April 1977 the RC approved the Code of Military Justice and the rules of Military Discipline, two important instruments for the restoration of discipline in the Armed Forces and to the strengthening of authority of the traditional hierarchy. In the political field “a rigorous political non-partisanship” to all military became a requirement21.

The fractures inside the Council of the Revolution emerged on other occasions. For example, after the fall of the I Government, a minority executive of the Socialist Party,  

17 Diário de Lisboa, 25-4-1977, p. 15.
19 Diário de Lisboa, 7-4-1977, p. 2.
one of the counselors who advocated a more interventionist stance of the RC, argued that the second pact only “formally” had been applied, since the RC had moved away “the Portuguese political life” and that departure had left the democracy “at the mercy of cyclical arrangements of political parties” that had led the country to a political impasse\textsuperscript{22}. Later, the rejection by the parliamentary parties of the government of presidential initiative headed by an independent, placed once again the RC role as a sovereign body at the center of the discussion. Some counselors expressed regret that the role that the Armed Forces Movement had played in 1975 and 1976 could not be re-implemented, because in their view the process did not have “its normal development” and the RC was not in a position to mediate anything. On the same occasion criticisms were also heard on the RC’s failure to adopt a more active and “operational” stance as guarantor of the Constitution. A different opinion was expressed by the Chief of Staff of the Air Force, who rejected the possibility that the Council of the Revolution might adopt “avant-garde” positions and argued that it couldn’t give opportunity “to any force action based on the use of guns”\textsuperscript{23}. Shortly after, the counselors who advocated a more active posture of the RC in their quality of guarantor of the Constitution, denounced that in the Armed Forces there was a “deeply hostile” climate towards to the military identified with the left\textsuperscript{24}.

This situation was accompanied by a growing chorus of voices from the right wing that began to defend the anticipation of the constitutional amendment and the subsequent extinction of the RC. In December 1978, in the third Congress of the CDS, this position was held by a well known militant of this party, who said that the RC had ceased to be an “interim body” and had become a “postponed dead body” and that there were notorious evidences of its “absence of life”, even though there were no evidences “of his death”\textsuperscript{25}. The following month, to avoid being overtaken by the CDS, Sá Carneiro, who had temporarily moved away from the leadership of the party who had founded, the PPD-PSD, presented a proposal for a constitutional revision. Speaking to the media, Sá Carneiro was keen to stress that his proposal for the constitutional revision advocated not only the extinction of the RC, but the end of “any political role of the armed forces”, giving as an example the case of the appointment of the Chief of General Staff that in its proposal would be appointed by the PR but under government proposal\textsuperscript{26}.

\textsuperscript{22} Minutes of Meeting, 11-1-1978, The Council of the Revolution Archives, Reuniões, Actas, vol. 5, box 6, IAN/TT.
\textsuperscript{23} Minutes of Meeting, 20-9-1978, The Council of the Revolution Archives, Reuniões, Actas, vol. 6, box 7, IAN/TT.
\textsuperscript{24} Minutes of Meeting, 29-11-1978, The Council of the Revolution Archives, Reuniões, Actas, vol. 6, box 7, IAN/TT.
\textsuperscript{25} Diário de Lisboa, 9-12-1978, p. 10.
Faced with these criticisms, some members of the Council argued that the RC should publicize a stand against “the slanderous maneuvers” who intended to affect its reputation. However, the disclosure of such statement was not approved by the majority of the Council. At the next meeting, the matter returned to the debate and one of the counselors argued that the RC should discuss “a coherent strategy” for its action, questioning whether the “progressive erasing” that had been followed should not be revised in the light of the general situation of the Portuguese society. Others, referring to the political, economic and social developments of the country, said that the RC had not achieved, or even attempted, to correct this situation, regretting that the defense of the April revolution that was beginning to be criticized both in the civilian and military circles was not promoted, “without any complex.”

The victory of the coalition of the parties that defended the rapid extinction of the RC, in December 1979, aggravated the existing tensions within the Council. These tensions manifested themselves, among other occasions, on the controversy between the president of the Constitutional Commission and the Chief of Staff of the Air Force (CSAF) regarding the role that the RC should play in the political life of the country. If the CSAF criticized some RC members because, in its view, unlike the military institution, they professed “certain political objectives” and “often” tried to interfere directly or indirectly in the events, a situation which led to an “indisputable divorce between part of the RC and the military institution”, on the other hand, the president of the CC, argued that the Council of the Revolution could not fail to have, under penalty of complete abdication, an active participation in the country’s political life, since, according to the Constitution, the RC was an eminently political body.

Following this controversy that continued over several meetings of the RC between March and April 1980, the new Chief of Staff of the Army (CSA) said during the Army Day ceremonies that this branch had not suffered or been affected by the eroded political image of the RC, asserting that this image was the result of an “incorrect political practice” followed by some elements of the Council. The Chief of Staff also stressed that the military should remain exempt and should keep a ‘strict non-partisanship’.

(accessed August 22, 2015). This proposal was later published under the title, Uma Constituição para os anos 80.

29 The previous CEME was removed by the President after a dispute between the army chief and the commander of the Lisbon Military Region (LMR) who was also removed from this post. This controversy had its origin in the question of the promotion of the commander of the LMR and is an example of the tension between the heads of the armed forces and the captains of April 25. Bruneau and Macleod, 1986, 13.
30 Diário de Lisboa, 26-7-1989, p. 7.
It becomes clear that there was a deep division within the RC regarding the role that this sovereign body should play in democratic consolidation. This division put on one side the military chiefs, and the “historical” counselors who were carrying these functions since the institutionalization of the Armed Forces Movement and the creation of the Council\(^31\).

The president’s decision to force the counselors of the revolution to chose between staying in the RC or continue to perform command functions in the military structure, had consequences in two stages. In the short term those who chose to remain in the military commands were replaced in the RC by elements chosen by the branches. On the other hand, the counselors who were forced to leave military commands were replaced by officers less committed with the revolutionary process. Immediate was also the cut between the RC and the military commands, with the exception of the Chiefs of Staff, who integrated the Council by inherence, and not vice versa, which meant that ultimately, and as they were keen to emphasize on several occasions, they were in the RC to represent its branches and not to represent the RC in the branches\(^32\). In the medium term those who were commanding the military regions would also be replaced by officers who had not been directly involved in the creation of the MFA\(^33\).

Contrary to what defended the ‘captains’, the RC adopted a low-profile posture that would be constantly criticized by the military who had made the coup.

Another aspect to take into account is related to the issue of the nominations of senior military positions. In the same meeting in which Eanes defended the separation of political and military functions, he submitted to the Council two drafts of decree-law on this subject. One on the regulation of the form of replacement of the revolutionary counselors and the other on the nomination of the military chiefs\(^34\). The first attributed to the Chiefs of Staff a leading role in the appointment of new RC members, the second stipulated that the highest office of the Armed Forces was appointed by the President, after he heard the RC, and that the chiefs of the three services of the Armed Forces and the vice-Chief of the General Staff, were appointed by the President, on a proposal from the CGS, after hearing the RC\(^35\). Thus, the President, in addition to reserve for himself, in his dual capacity as PR and Chief of the General Staff, the appointment of the leadership of the Armed Forces, relegated to a secondary plan the RC, which had only to

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\(^{31}\) The existence of division in the military had already been noted by Thomas Bruneau and Alex Macleod, 1986, 13. However, The Council of the Revolution archives reveal that this division has reached the RC itself and has conditioned its action.

\(^{32}\) For example, statements of the Air Force Chief of Staff at the meeting of July 30, 1980. Minutes of Meeting, 30-7-1980, The Council of the Revolution Archives, Reuniões, Actas, vol. 8, box 9, IAN/TT.

\(^{33}\) Rezola, 2007, 366.


\(^{35}\) Decree-law no 668/76 and Decree-law no 669/76. Diário da República, 1st series, no 187, August 11, 1976.
be heard, and re-established the power of the traditional hierarchy of the Armed Forces over the RC, which until then was the main organ in the process of selection and appointment of military chiefs. The power which from that time stood concentrated in the President, was exercised shortly after (new appointments of military chiefs).

Other useful indicators of the little interventionist stance of the RC are found when we analyze the promotions and the legislative activity of the Council. In relation to promotions to general officer, of the two hundred seventy-five proposals, only four had their origin in the Council and of these two hundred seventy-one that came from the branches, only eight were rejected by the RC. Regarding the legislative process, it turns out that the preparation of draft legislation was mostly made in the General Staffs and then it was approved by the Council. On the other hand, the Military Chiefs also had extensive legislative powers that allowed them to publish ordinances that had not to go through the RC36.

Conclusion

After the presidential election of 1976, the RC gradually lost its revolutionary features. Despite the wide powers granted to it by the Constitution, the Council adopted a low interventionist stance. Only in the name the RC remain revolutionary. This was not insignificant. Its mere existence has served as an escape for many tensions that still existed within the Armed Forces. The anticipation of the extinction of the Council, advocated by some political leaders, would probably provoke a strong reaction with unpredictable consequences, by those who advocated a more active role of the RC.

As in Spain, where the existence of division in the military was an important element in the success of the democratic transition37, in Portugal the existence of differences among the military was also crucial. However, in the Portuguese case, the role played by the military in overthrowing the former authoritarian regime, in the decolonization and during the revolutionary process put them in a central position, unparalleled in other cases of successful transitions. This centrality made more difficult the withdrawal of the military. This division, which as stressed by Felipe Aguero, did not exist in South American transitions38, allowed that the President played a major role in the preparation of the military subordination to the civilian.

Therefore, the long process of democratic consolidation in Portugal should not be interpreted as a confrontation between civilians, desirous to put an end to military tutelage, and the military, who sought to keep their privileges at all costs, nor as a gradual

36 Ferreira, 1986, 234-237
37 Aguero, 2000, 67.
38 Aguero, 1995, 144.
process in which civil and military shared a common goal. The dividing line should be placed between those who defended the maintenance of the status quo, and the supporters of the military subordination to the civil power. Either on one side or the other there were civilian and military. Thus, this case confirms the validity of the model of 'shared responsibility' proposed by Douglas Bland. This author suggested “that military also shares responsibility for controlling the armed forces in the interest of the principle of civil control”, and argues that “if senior officers and commanders value civil control and the rule of law (...) then they will act to protect the civil authority by attacking civilian insurrections, controlling their units, restricting political activity in garrisons, and punishing officers who attempt to overthrow governments”\(^{39}\). That’s what happened in Portugal in the post-revolutionary period. If we do not analyze the role of the military as partners in this process, we can’t explain its success. This case shows how, paradoxically, the subordination to the civil power can receive an important contribution of the military who wish to remove politics from the barracks.

References


\(^{39}\) Bland, 1999, 14.


This publication presents the Proceedings of the 38th Annual Conference of ACIS - Association for Contemporary Iberian Studies, held from 7th to 9th September 2016 at the Universidade Católica Portuguesa, in Porto in collaboration with the University of East Anglia and University of Westminster.

Under the theme “Iberian Interconnections”, this edition gathers papers and panels which explore a wide range of Iberian themes and also expand the scope of the intra-Iberian geographical boundaries to other latitudes, focusing on Luso-Spanish interconnections and the numerous bridges to the wider Lusophone and Hispanic worlds in the linguistic, literary, cultural, artistic, social-historical, economic and political domains, including rich and multifaceted studies on multiculturalism, memory, representation and identity, tourism and propaganda, media, migration, dictatorial and democratic regimes, gender in cinema and the mining industry.

Esta publicación recoge las actas del 38º Congreso Anual de ACIS – Asociación de Estudios Iberos Contemporáneos – que tuvo lugar entre el 7 y el 9 de septiembre de 2016, en el Centro Regional de Oporto de la Universidad Católica Portuguesa, en colaboración con la Universidad de East Anglia y la Universidad de Westminster.

Con el título “Las interconexiones ibéricas”, esta edición reúne trabajos y paneles que exploran una amplia variedad de temas ibéricos, y extiende las fronteras geográficas intraibéricas a otras latitudes, centrándose en las interconexiones luso-españolas y los numerosos puentes para el mundo lusófono e hispánico en los dominios lingüístico, literario, cultural, artístico, histórico, social, económico y político, lo que incluye un rico y multifacético conjunto de estudios sobre el multiculturalismo, la memoria, la representación y la identidad, el turismo y la propaganda, los medios de comunicación, la emigración, los regímenes dictatoriales y democráticos, el género en el cine o la industria minera.

Esta publicación reúne las atas do 38º Congresso anual da ACIS – Association for Contemporary Iberian Studies que se realizou, entre os dias 7 e 9 de setembro de 2016, no Centro Regional do Porto da Universidade Católica Portuguesa com a parceria da Universidade de East Anglia e a Universidade de Westminster.

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