

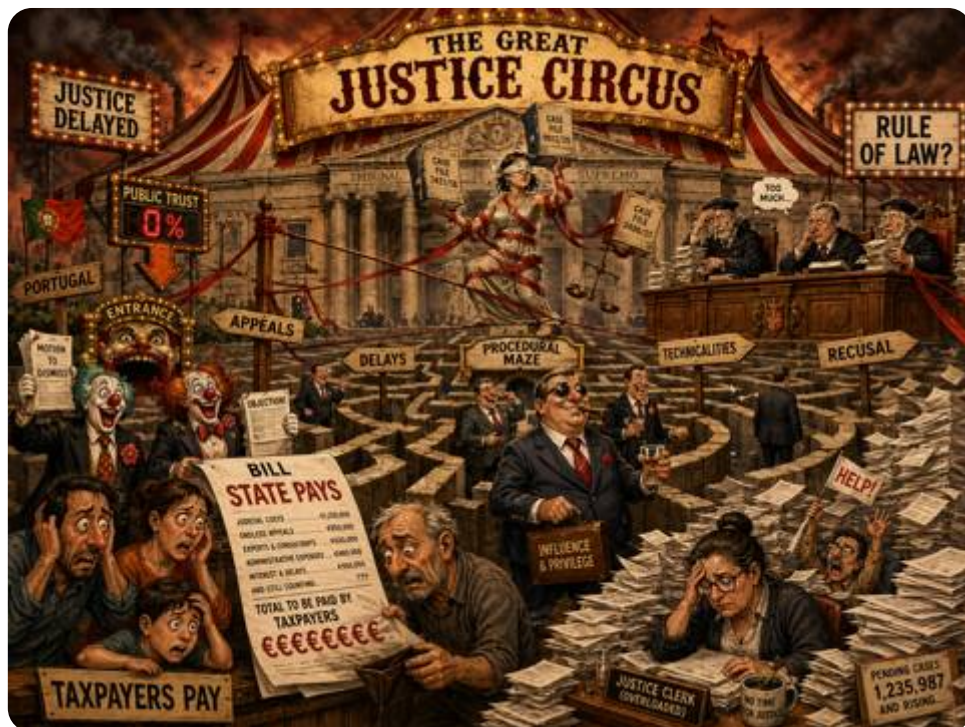
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Portugal: The Justice That Delays, Fails, and Still Sends the Bill to the People

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Delays, Fails, and Still Sends the Bill to the People

Portugal still calls itself a democracy. The problem is that a democracy is not measured only by elections, ceremonies and solemn speeches. It is measured by its courage to judge power.

Opening Note:

When justice fails, when no one is held accountable, when proceedings drag on for years and when the final bill always reaches the same recipient, the taxpayer, we are no longer dealing with a mere judicial problem. We are facing a democratic crisis.

Portugal still calls itself a democracy. Formally, it is one. It has elections, courts, Parliament, a Constitution, political parties, solemn speeches, flag ceremonies and those official phrases that always smell of institutional varnish. But a democracy is not measured only by the ritual of voting or by the republican decoration of public rooms. It

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And this is where Portugal begins to look less like a rule-of-law state and more like an administrative tragicomedy wearing a robe.

The State fails, no one answers, the people pay

The Portuguese State's conviction to pay 15,000 euros to José Sócrates for violation of judicial secrecy in Operation Marquês is just another episode in this theatre of absurdity. This is not about defending violations of judicial secrecy. Judicial secrecy must be respected. The presumption of innocence must be protected. The State cannot investigate through selective leaks, convenient headlines or trials conducted by television news.

But it is equally unacceptable for Portuguese justice to operate as a machine that fails in sequence, holds no concrete person accountable and then turns the invoice into a national collection. This is not justice. It is the transfer of damage to the usual victims.

The scandal lies here: if judicial secrecy was violated, then there were responsible parties. Someone failed.

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State pays, those who work pay. Those who contribute pay. Those who see their wages amputated by taxes pay. Those who wait for medical appointments pay. Those who pay fees, fines, interest and contributions pay, while still being lectured on budgetary responsibility.

Always the taxpayer. That fiscal beast of burden that sustains the machine, its errors, its luxuries, its incompetence and now even the compensation resulting from its own failures.

Justice as a labyrinth for the powerful

The case becomes even more grotesque because it involves one of the most prominent political figures in Portuguese democracy: a former prime minister, at the centre of one of the most symbolic cases of the regime's moral degradation. Operation Marquês is not just any case. It is an X-ray of the indecent marriage between political power, money, influence, banking, major economic groups and the almost geological slowness of Portuguese justice.

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erosion.

And erosion has consequences. Every delaying tactic that succeeds, every procedural incident used as a weapon of exhaustion, every public attack on justice, every attempt to shift the trial from the alleged crime to the judges themselves, opens a dangerous door. Other powerful defendants, other well-advised suspects, other professionals of procedural survival will look at this and learn the lesson: justice can be fought not only in the case file, but through time, public suspicion, endless motions and the symbolic intimidation of the institution.

In the end, there may even be room to ask for compensation.

Two countries before the law

Portuguese democracy is therefore offering the country a perverse manual: for ordinary citizens, the law is vertical, dry, swift and without anaesthetic; for the powerful, the law is elastic, baroque, negotiable, full of corridors, trapdoors and waiting rooms.

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claim moral damages.

Portuguese justice cannot remain strong enough to discipline the weak and confused enough to exhaust the strong. Because when the law becomes a wall for some and a maze for others, we are no longer facing democratic equality. We are facing legal theatre.

FACT BOX

- The European Commission acknowledges, in its 2025 Rule of Law Report, that Portugal has made progress in some areas of justice, but still faces delays in the investigation, prosecution and trial of high-level corruption cases.
- The OECD, in its Anti-Corruption and Integrity Outlook 2026, notes that Portugal fulfils 82% of the regulatory criteria on judicial integrity, but only 56% in practice.
- Transparency International gives Portugal a score of 56 out of 100 in the 2025 Corruption Perceptions Index, placing the country 46th among 182 countries.

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further recommendations remain to be

implemented regarding central government and law enforcement.

The international diagnosis confirms the smell of decay

The European Commission, in the Portuguese chapter of the 2025 Rule of Law Report, acknowledged progress in human resources and in some reforms, but also recorded what has long been felt inside the country: difficulties remain in the timely investigation, prosecution and trial of high-level corruption cases. It also noted that lobbying remains unregulated and that the national anti-corruption strategy required serious evaluation.

In other words, the problem is not merely popular perception or coffee-shop complaint. It is an institutional diagnosis from outside, because sometimes Portugal needs Brussels to whisper into its ear what the street has been shouting for decades.

The OECD also provides an uncomfortable picture. Portugal performs relatively well in terms of formal rules

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Scandinavian; in practice we trip over the carpet of the public office.

Transparency International places Portugal in a mediocre position regarding perceived corruption. It is not collapse, but it is not exactly a medal either. It is that very Portuguese moral middle ground: enough to avoid absolute international shame, not enough to inspire serious confidence.

High-level corruption as the true test of democracy

The essential question is not whether the judicial machine improves in ordinary cases. The question is whether the machine works when it touches the powerful. And there the answer remains sombre. Because a justice system that can resolve small disputes but stumbles, drags on or loses itself in major corruption cases protects the appearance of the rule of law, not necessarily its substance.

High-level corruption is the true stress test of a democracy. It is not in speeches commemorating the 25th of April, official ceremonies or ministerial communiqués

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That is where we see whether democracy has a backbone or merely protocol.

If major cases drag on until exhaustion, if they prescribe, fragment, drown in procedural incidents, spend years without an effective trial, if powerful defendants turn courts into political stages and if, in the end, there is still compensation paid by the State, then the ordinary citizen understands the message. And the message is devastating: there is justice for those without power and damage management for those who once had it.

When trust dies, democracy rots

A true democracy does not survive only through ballot boxes. It survives through trust. And trust requires justice that is swift, independent, technically competent, understandable, transparent and capable of confronting power without trembling.

When citizens look at justice and see endless delays, statutes of limitation, mega-cases falling apart, compensation paid by the State, leaks of information without concrete culprits, corruption investigated for

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phrase remains: “they are all the same.” Democratic resignation remains. The poor people remain, paying taxes, fees, fines, interest, contributions, austerity, bank rescues, administrative incompetence and judicial compensation, while hearing sermons about responsibility, restraint and respect for institutions.

But institutions must also respect the people.

We do not need more committees: we need justice

Portugal needs a profound reform of justice. Not another committee. Not another working group. Not another report with a blue cover and anaesthetic language. It needs real deadlines. Real resources. Real accountability. Real transparency.

It needs procedural law that protects fundamental rights without allowing cleverness to turn the process into a swamp. It needs clear rules for mega-cases. It needs anti-corruption efforts with technical, financial and human muscle. It needs regulation of lobbying. It needs serious evaluation of anti-corruption strategies. It needs disciplinary and criminal accountability when judicial

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fully democratic. It may continue to vote, legislate, inaugurate public works and deliver speeches about April. But inside, it begins to rot. And a rotting democracy does not necessarily fall with tanks in the streets. Sometimes it falls more slowly: it falls when citizens stop believing that the law is equal for all.

“Portugal still calls itself a democracy. Then prove it. Not with speeches. Not with ceremonies. Not with selective outrage. Prove it by delivering justice before justice finally becomes the most expensive national joke.”

Editorial Note

This article does not defend mob trials, violations of judicial secrecy or attacks on the rule of law. It defends precisely the opposite: clean, serious, transparent, swift justice, equal for all.

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accountable and in the moral obscenity of always sending the bill to the same recipient: the taxpayer.

A democracy that protects rights but cannot judge power becomes an incomplete democracy. And an incomplete democracy may keep the façade, the ballot boxes and the speeches, but it loses what matters most: the trust of its citizens.

International References

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Final Note — The 25th of April That Has Yet to Reach Justice

Even António Barreto, a former protagonist of Portuguese democracy and a figure with a political background linked to the Socialist Party, has already stated what many pretend not to hear: the 25th of April has yet to reach Justice. The sentence is devastating because it does not come from a nostalgic defender of authoritarianism, nor from a reactionary lost in the calendar. It comes from someone who knows the democratic construction from within and who, precisely for that reason, understands the scale of the failure.

The comparison with justice under the former regime must be made with precision. No one is defending PIDE, censorship, the plenary courts, political prisoners or the political justice of the dictatorship. That would mean replacing truth with caricature, a sport widely practised in Portugal by professionals of ideological froth. But

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effective, swift, serious and respected.

And when a democracy loses the ability to deliver justice, it ceases to be merely an imperfect democracy. It becomes a mutilated democracy. It has elections, speeches, parties and ceremonies. But it lacks a backbone. It lacks the essential guarantee that the law applies equally to all.

Without that, the rule of law becomes a façade with official lighting, while behind the scenes the powerful enter through the labyrinth and the people remain at the door with the bill in their hands.

References: António Barreto — parliamentary biography at the Assembly of the Republic:

[Parlamento.pt](#); interview cited by ZAP from *Nascer do Sol*: [ZAP](#) / [Nascer do Sol](#).



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