Portugal and the European Convention

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Abstract

A constant feature of the politics of European integration in Portugal has been the reactive position of negotiators supported by reactive political parties that resist any substantial institutional changes until policy makers at the top political level decide to adapt to the new rules. The fear of being left out of the political core of European integration is sufficient to silence the voicing of the customary resistance to change. Throughout the convention, public opinion was either receptive or indifferent to most proposed changes (and in any case not well informed), helping the politicians at the top to accept them all after a period of fierce resistance to any major institutional changes.

Keywords: Portugal, European convention, political reactive adaptation, public debate, undefined integration model.

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1. INTRODUCTION

A constant feature of the politics of European integration in Portugal has been the reactive position of negotiators (the administration in general, including cabinet members with a lower political profile), supported by reactive political parties that resist any substantial institutional change until the important decisions are taken at the top political level (see Torres, 2000). Chief negotiators (in general the prime ministers) and reactive politicians adapt then in general quite quickly to the new rules, silencing the voicing of the customary discomfort (resistance to change) within the administration at large also in name of the national interest. The fear of being left out of the European integration process or, more recently, of being out of its political core is in general sufficient to trigger a change in attitudes.

Most of the time, public opinion is either receptive or indifferent to such changes (and in any case not well informed), helping the politicians at the top to accept those proposed changes. We find that this model of behaviour applied once more to the European convention.

Only in particular moments, namely during the European exchange rate crisis cum recession of 1992-93 and at the time of the referenda of the Maastricht Treaty, has such resistance to change been politically explored. In fact, in the early 1990s one particular party (CDS/PP), seized by its youth, became an anti-European party. That anti-European stance had substantial backing from the written press (many opinion makers and journalists), the media, and ran across all the other parties and, eventually, public opinion.

Such special moments in time apart, there has been no strong political cleavage on European Union (EU) affairs in Portugal. Most of the time public opinion has no strong views on Europe and accepts many of the proposed institutional changes most feared by national politicians and the administration at large; the European convention was a case in point. Public opinion by and large regards the ‘Europeanization’ of politics as positive. In fact, in Portugal, as in Italy and Greece, people tend to trust the EU more than the UN and national governments; in all other EU countries the UN, or the national government, come out first (Eurobarometer 57, 4).

One can then state that while politicians in Portugal fear EU institutional change and the deepening of the European integration process, public opinion is in general much more relaxed about it. Notwithstanding, mind the contradiction, the Portuguese public opinion may then react more than the Portuguese polity to the implementation of specific EU policies (Torres, 2002a). In fact, while Italy, Greece and Spain also score above the average (at the top of the scale) concerning both the average level of support for EU decision-making (for 26 policy areas) and the number of policy areas where EU decision-making is more popular than national decision-making, the same is not true for Portugal (Eurobarometer 56, 4.1).

In the next section we analyze briefly, illustrated by examples, the recurrent features of the Portuguese stance on European institutional changes, summarizing what has been the position of the main political parties with respect to Europe and the convention. The third section focuses on the Portuguese political debate on the future of Europe, namely
on the parliamentary debate in the aftermath of the Nice treaty and on the parliament’s and the government’s preparations for the convention. The fourth section analyzes the evolution of these two main actors’ positions throughout the convention. In section 5 we look at the role of other actors in the convention. Section 6 deals with the promotion of the public debate on the convention among the civil society in general and the youth in particular and with the scarce visibility and coverage of the convention in the press and the media together with the evolution of public opinion. Finally, in section 7, we present our concluding remarks.

2. PORTUGAL’S STANCE ON EUROPEAN INTEGRATION SINCE ACCESSION

In an initial phase, from 1986 to 1991, the Portuguese administration concentrated on structural funds and on transition periods and derogations. With the country’s first EU presidency in the first semester of 1992 the government understood the importance of being with the political core of Europe and Portugal joined the exchange rate mechanism of the European monetary system (EMS) in April 1992.

Experience suggests that the European integration process – and in particular the need to perform sufficiently well to be part of the inner political core, especially at the time of each country’s presidency - provides member countries with a good incentive to leap forward and embark on a more proactive policy stance. This is especially the case for countries for which European integration is at the centre of their development strategy. In this context, the Portuguese EU presidencies (1992 and 2000) are illustrative, the most striking example being the so-called Lisbon process agreed at the Lisbon summit in March 2000.

Yet, in between presidencies the Portuguese polity seems to lose any interest in what the EU should become, turning to a fierce national resistance to any European institutional changes to which it adapts in the wake of the eventually established EU consensus. This is exactly what happened with the compromise achieved at the end of the European convention.

Even during the entire macroeconomic convergence phase to economic and monetary union (EMU) in the 1990s, however, few politicians presented it as a desirable political reform instead of an external constraint (see Jones et al, 1998). For a long time, most politicians, bureaucrats and even economists just referred to it, initially, as an objective rather unlikely to be realised and, later on, as an unavoidable development within the European Union. In many instances, the EMU project was regarded as an unavoidable external constraint that went together with an exogenous political objective to which their political leaders had converged (Torres, 2002a).

The issue of reinforced co-operation is also a good example: it was initially strongly rejected by Portuguese negotiators but, after discussions at the highest political level - heads of state and government -, it was first accepted during the 1996 intergovernmental conference (IGC), and later even endorsed and presented as the Portuguese presidency’s contribution to the 1999 IGC by the very same government (and negotiators).

The sudden change with respect to the endorsement of the convention method for the next IGC provides yet another example. Just some months before the formal beginning
of the convention the parliamentary standing committee on EU affairs had rejected almost unanimously to even mention the possibility of the adoption of the convention method for the following IGC. Only when it was obvious that their European party families would fully endorse it, the two main political parties and their respective members of parliament (MPs) defended the convention method.

In fact, with EMU, the new European co-decision process, the enlargement process and the prospect of a closer political union for a limited number of countries within the EU, it became more difficult - or politically much less attractive – for EU countries in general and cohesion countries in particular to postpone any decisions on the future of common European institutions and policies.

The above examples illustrate that Portugal tends to fall in line with the core countries without much own input nor strategy. Public opinion has been essentially accommodating.

2.1 The Main Political Parties and their Overall Position on European Integration

Since 1975 there have been four main political parties with parliamentary seats - from left to right: the Communist Party (PCP – integrated in the Communist and Allies Group of the European Parliament), the Socialist Party (PS – integrated in the Socialist Group of the European Parliament), the Social Democratic Party (PSD – integrated in the European People’s Party, EPP, of the European Parliament) and the Christian Democrats (CDS-PP – integrated in the Union for Europe of the European Parliament). At present, there are also two small parties in the national parliament: the Block of the Left (BE) and the Ecologist and Greens (PEV); none of these two parties has any representatives elected to the European Parliament.

The PSD joined the EPP only in the late 1990s. It won the last elections held in March 2002 with a simple majority and formed a coalition with CDS-PP. Since then and throughout the entire convention it has been working, as it had never done before, very closely with its Spanish counterpart, Aznar’s PP. Since the fall of the executive in the beginning of 2002, the PS is perceived to have turned to the left but has basically maintained its European stance. None of these two parties was active as such throughout the convention.

The four smaller parties were left out of the convention. The CDS-PP that had been expelled from the EPP in 1993 after an anti-European (Maastricht) campaign strongly opposed European integration on the grounds of national sovereignty. It has modified its stance over the last couple of years, especially since it became the junior partner of PSD in Government in 2002. The PCP has come to accept Portugal’s integration in the EU but it remains, as always, firmly opposed to any further deepening; the party repeatedly complained about not being involved in the convention but did not present any alternatives to what was the reactive stance of the two main parties and the government throughout the convention. The BE is not represented in the standing committee on European affairs and foreign policy and has affirmed itself during the convention, not without some internal opposition, as a ‘critical’ pro-European party, following the social movements against ‘neo-liberal European integration’. The PEV is the junior member of an electoral coalition with the PCP and it is not perceived as an autonomous party.
The two main parties - PS and PSD – claim to be in favour of further European integration and have identical programmes with respect to it. In each party there are several tendencies in their position towards European integration but without specific and clear-cut positions. Therefore, no disruptions on the convention were to be expected nor materialized, neither at the time of the transition between governments (very smooth indeed) nor at the level of parliament representatives.

3. THE POLITICAL DEBATE IN THE RUN-UP TO THE CONVENTION

3.1 The Political Debate on the Future of Europe in the Aftermath of the Nice Treaty

The parliamentary debate on the future of Europe started already during the ratification of the Nice Treaty. The parliamentary standing committee on European affairs followed closely the IGC negotiations on the Nice Treaty and decided to deal not only with the treaty itself but also to debate the future of Europe - a process that had been established in the Nice Treaty.

Immediately after the signature of the Nice Treaty, the committee held two meetings with the minister of foreign affairs and with the SSEA and another meeting with Portuguese MEPs to discuss the Mendez de Vigo and Seguro European Parliament (EP) report.

In March 2001, the committee decided to draw up a list of questions and reflection issues on the future of Europe with a view to finding out about the opinions and positions of several universities, social partners and NGOs. Throughout the rest of the year the committee remained active on the question of the future of Europe: it organised a round-table to which the current and all the ex-ministers of foreign affairs since the accession and all the ex-chairpersons of the committee on European affairs were invited; held meetings with other European members of government and parliament; received opinions from several different law and social sciences schools and also contributions from local associations, NGOs and individual citizens (all the opinions and contributions were put on the parliament’s web site); and organized a public hearing at which some academic papers were discussed. Last but not least, the committee also maintained regular meetings with representatives, members of government and ambassadors of all accession countries.

As pointed out above, the sudden preference for the convention method in the PSD and the PS came after strong opposition from both parties. Just some months before the beginning of the convention the parliamentary standing committee on EU affairs had rejected almost unanimously – only one independent MP defended it - to even mention the possibility of the adoption of the convention method for the following IGC. Only once it was obvious that their European party families would fully endorse it, these two parties converged on that line of thought, adopting, as in many other aspects of the European integration process, a totally reactive stance. The MPs just followed party discipline and the two main parties only initiated a more substantial internal debate on the convention in May 2003, that is, shortly before it drew to a close.  

As the convention started, it became almost obligatory (politically correct) to defend its method as a good thing, stressing the need to overcome the bad impression left by the
Nice power-focused negotiations especially in parliament. In spite of that rhetoric, however, during the convention, the government and its representatives defended the Nice results against the Praesidium’s proposed institutional changes. The parliamentary representatives did not voice any discomfort with that position.

Already before the Maastricht Treaty the Portuguese parliament already felt that MPs should be informed about all European draft documents, as shown by the adoption of Law 28/87. However, there have been several problems with the implementation of the laws on parliamentary review and evaluation of EU affairs, either on the part of the parliament or of the government.

The main problems of parliamentary intervention in EU Affairs are related to the time factor (the parliamentary procedure for scrutiny of EU questions does not keep pace with the European rhythm of decision-making), complexity (the European legislation is by and large very technical and the parliament often fails to understand the political implications for the country whereas the government, through its administration, enjoys a huge informational advantage over parliament), legitimacy (if the parliament relies only on the information given by the government what is its added value?) and specialization (European legislation is not an external affairs question but should be dealt with as an integral part of the national legal system, requiring the involvement of the entire parliament, namely of all the standing committees).

In Portugal, the lack of a long-established parliamentary tradition and the predominance of the executive, the consensus on the EU of almost all the main parties and of public opinion, the existence of an absolute majority for most of the first ten years of EC membership, the scarce technical parliamentary resources and the low visibility of parliamentary activity related to EU affairs contributed to a very soft parliamentary intervention (see Fraga, 2001).

Furthermore, from the parliament’s perspective, the institutional and procedural mechanisms required for a strong intervention – EU affairs are technical, complex and time-consuming – represent for MPs a very high cost compared to a very low benefit, given that parliamentary intervention has no immediate results or might have no results at all, media coverage is very low and EU affairs win no votes in national elections.

Consequently, the Portuguese parliament and its members have few reasons to have a strong and clear position in this debate or even to pay attention to European developments. This was clearly demonstrated throughout the convention, as discussed below.

3.2 The run-up to the convention

In the run-up to the convention, little attention was given to its preparation due to the special conditions of government transition. At the time when the first representative of the Portuguese government was appointed to the convention, the socialist party (PS) was still in government, with national elections already scheduled for 17 March 2002. The director-general of European affairs at the ministry for foreign affairs, a former ambassador to Ireland, was nominated with the agreement of the then opposition party, PSD, currently leading the governmental centre-right coalition with the CDS-PP. At the time, the ambassador could count on the secretary of state for European affairs (SSEA)
for back-up for his dual function of director-general at the ministry and of government representative at the European Convention.

The new government was empowered on 6 April 2002. On 22 May, the new prime minister informed President Giscard d’Estaing that he had appointed Professor Ernâni Lopes (a former finance minister of the PS/PSD grand coalition in 1983-85 and chief negotiator of Portugal’s entry into the European Community) as the new government representative and the deputy director-general of European affairs as his alternate.

The new government representative at the convention was given an office in the premises of the SSEA, with the initial idea of establishing a task force comprising three advisors - two from the cabinet of the secretary of state for European affairs and one from parliament - who were to coordinate the work of both government and parliament representatives. However, the idea was not put in practice due to the reorganization of the SSEA. No special task force or advisory bodies were created, and even less so a new member of cabinet. Instead, different departments of the secretary of state coordinated by the alternate member in the convention provided support for the work of the government representative. This lack of formal support is indeed quite characteristic of Portuguese organization with respect to European affairs that draws a lot on informal networking among the few people working in the field.5

While the socialist government was not especially concerned with the convention at the time when the convention took up its work, due to the imminent elections, there were nevertheless already some general guidelines stemming from the negotiations of the Nice Treaty. However, those guidelines were not taken as proposals for the convention. The same is true for the first months of the new PSD-CDS/PP government that followed the previous PS government.

4. THE MAIN ACTORS’ POSITIONS THROUGHOUT THE CONVENTION

4.1 The Position of the Government and of its Representatives

Only on 18 June 2002 the minister of foreign affairs (the SSEA works within the ministry for foreign affairs) presented the basic government guidelines for the convention to the new parliamentary standing committee on EU affairs and foreign policy. He stated that the government preferred the work of the convention to result in an open text with different options instead of a final (constitution-type) text. The minister put forward five principles to be defended by the Portuguese Government:

1. the principle of equality among member states;
2. the principle of economic and social cohesion;
3. the preservation of the current inter-institutional balance with the safeguarding of the community method and the refusal of any kind of directorates;
4. a gradualist approach to deeper integration so that public opinion could understand a closer union;
5. and the promotion of trust between member states that had been negatively affected by the Nice results.
Finally, the minister defended that the IGC should only start its work in 2004 in order to allow for a six-month reflection period after the end of the convention.

Portugal and other cohesion countries usually uphold the principle of social cohesion at the time of discussions on institutional changes or policy reforms such as EMU, Agenda 2000 and Common Agricultural Policy (CAP) reform. This is a precautionary stance of these countries to safeguard their immediate financial interests but it may also reflect their vision of a cohesive Europe. All the other four principles are merely reactive and do not represent any particular vision of Europe or model of institutional reform. They simply represent the defence of the status quo and the lack of any long-term strategy of how the EU (and Portugal) should develop. This fear of any future developments has been a recurrent feature of the Portuguese position on European institutional reform and of the entire European integration process.

One day after the minister of foreign affairs, the government representative at the convention went to the same parliamentary committee to present basically the same guidelines in his own wording, with the exception of the omitted need for a gradualist approach to a deeper integration. He moreover pointed out that Portugal should have a role to play with respect to the coordination between the EU and the Africa-Brazil axis. While the reference to the Africa-Brazil axis is the traditional ‘universal vocation’ argument constantly advanced by most Portuguese politicians and diplomats when discussing the process of European integration, it was not really a point in the agenda of the convention and therefore it was not referred to again.

Besides the also traditional solidarity argument (the principle of economic and social cohesion), the other main principles reinforced the idea of a very reactive position as a starting point to any potential institutional changes proposed at the convention. As far as public debate was concerned, he explained that he intended to work on the promotion of the public debate on convention matters mainly through press conferences after each plenary session, meetings with the social partners, political parties and civil society.

After these first meetings there were four more meetings with the parliamentary committee: one with the minister and the secretary of state (22 October 2002) and another three with the government representative in the convention (20 November 2002, 12 May 2003 and 30 June 2003).

From these meetings and from several interventions made in the Convention, interviews to newspapers and public conferences, it emerged that the government’s position, as expressed by its representative, was quite consistent; it became more detailed but its main principles did not change throughout the entire convention.

Nevertheless, as the convention working groups were approving their reports, the need arose to accept or refuse some proposals. One can divide the Portuguese positions in four main categories:

A) Defence:

1. reinforcement of the Commission’s role, provided that it maintained one commissioner per member state;
B) Acceptance:

1. acceptance of an explicit recognition of the legal personality of the Union;
2. acceptance of the simplification of decision procedures, taking into account the specificities of the common foreign security policy (CFSP) and of the common foreign defence policy (CFDP);
3. acceptance of reducing the number of legal acts and clarifying their hierarchy;
4. acceptance of the reinforcement of the role of national parliaments through the ex-ante control of their own governments, the renovation of the conference of European affairs committees of the EU (COSAC), and the ‘early warning mechanism’ for the control of subsidiarity, but some reserves in regard to the idea of creating a congress of the European people;
5. acceptance of the insertion of the charter of fundamental rights in the treaty and of EU accession to the European convention of Human Rights;
6. acceptance of the election of the European Commission president by the European Parliament from a list put forward by the Council;
7. acceptance of the merger of treaties, without a significant modification of the inter-institutional balance;

C) Maintenance:

1. preference for the maintenance of the current articles on monetary policy and for the coordination of economic policies;
2. preference for the maintenance of the social policy articles and defence of the inclusion in the Treaty of the Union’s aim of modernisation of the European social model;
3. preference for the preservation of the name ‘European Union’ and of the expression ‘ever closer Union’;
4. preference for the maintenance of article 308 (former article 235) as it stood;

D) Rejection:

1. rejection of a catalogue or list of competencies of the Union;
2. preservation of the rotating presidencies of the Council;
3. refusal (‘never ever’) of an elected president of the Council;
4. rejection of any other model than the maintenance of one commissioner per member state.

Throughout the convention the government representative stuck to his position, being one of the main promoters of the position of the so-called group of 16. This group consisted of all small countries with the exception of Benelux (traditionally at the centre of European institutional reform and integration) and Greece (the country with the EU presidency during the most important six months of the convention): six EU members, namely Austria, Denmark, Finland, Ireland, Portugal, Sweden; and ten candidate countries, namely Bulgaria, Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Slovakia and Slovenia. The group of 16 presented its opposition to an elected president of the Council several times and as well to the reduction of the number of commissioners. The government’s representative also stuck alone against an explicit catalogue of competencies of the Union, based on
methodological grounds only. He also presented two proposals for new articles: one on tourism and the other one on sports. None was accepted.\footnote{7}

Note that all Portuguese strong positions (see above D–Rejection) – basically the rejection of a catalogue or list of competencies of the Union, the preservation of the rotating presidencies of the Council and refusal (‘\textit{never ever}’) of an elected president of the Council and the maintenance of one commissioner per Member State – were rejected in the convention’s final draft treaty establishing a constitution for Europe.

In addition, the Government, after having stated in the beginning of the convention that trust between member states was negatively affected by the Nice summit, ended up defending it as a way of avoiding the institutional changes proposed by the Praesidium. Moreover, the foreign affairs minister who defended that the IGC should only start its work in 2004 in order to allow for a six-month reflection period after the end of the convention accepted the \textit{fait accompli} of starting it in October 2003.

In the process, the Portuguese government (especially the prime minister and the SSEA) appeared much more conciliatory than the Portuguese representatives at the convention. The government left the tough positions to its formal representatives, accepting in the end all the proposals of the Praesidium and even qualifying them as a good starting point for the IGC.

In fact, it was to be expected that the country’s polity, as in many other occasions in the past, would initially adopt a reactive stance but would in the end adapt to the decisions taken by the core. The comparatively more pragmatic views of the prime minister during the convention, namely on the Franco-German proposals before the Iraqi crisis had erupted, with respect to most Portuguese members of the convention already pointed to that possible development. Shortly after the convention was over, the prime minister even defended, in Berlin, that the forthcoming IGC should not re-open the entire convention final draft treaty establishing a constitution for Europe but just improve some points that concern the functions of the future president of the council.

\subsection*{4.2 The Parliament’s Representatives at the Convention}

The two representatives of the parliament were appointed by the conference of parliamentary groups and not by the then committee on European affairs. With national elections already scheduled for March 2002, the committee could not take that decision (it was limited to day-to-day matters). The conference of parliamentary groups appointed two members from the two main parties, PS and PSD, and two alternates from the same parties.\footnote{8} There was no representation of any of the smaller parties. PCP and the small BE criticized the approach to the convention on the grounds that the PSD and PS do not differentiate themselves with respect to EU affairs.

During 2002/03, as mentioned above, there were four meetings of the parliamentary standing committee on European affairs and foreign policy with the government representatives at the convention. The committee also held monthly meetings in which the parliamentary members of the convention described their activities. However, the attendance of these meetings was extremely low with present MPs, besides the members of the convention and its chairman, ranging from one to ten. There were also two plenary debates on 26 June 2002 and 12 June 2003.
The amendments to the Praesidium proposals by the parliamentary members of the convention were not very different from the ones presented by the government. There was no resolution expressing the parliament’s views on the issues discussed in the convention. The contributions to the reports of the convention working groups and the interventions of the Portuguese members of the convention in its plenary sessions did not bind the Portuguese parliament and were made on a purely individual basis.

With respect to those amendments, the Portuguese MPs behaved in various ways: for the amendments of articles 1-16 the four MPs subscribed to the same proposals while for all the other amendments the government, the PSD and the PS each presented an own proposal. Only for the amendments of the articles on institutions and external action (which included commercial policy, cooperation and CFDP) did the PSD endorse the proposal of the representative of the government it supports; the PS presented its own text.

The parliament’s representatives only presented two proposals for new articles: one on the open method of coordination (OMC) by the PS, drawing on its former government’s legacy, subscribed by the PSD and the government representatives; the other, presented only by the PSD’s alternate member, on the role of national parliaments following the CFSP.

All parliamentary representatives have also agreed (following the government’s general position on agriculture) on the principle that the CAP should be clearly an ‘exclusive competency’. The government representative maintained his objection to any ‘exclusive competencies’, explaining that it was based on methodological grounds only.

No divisions or own proposals came from parliament whose representatives fulfilled their obligations, participating in the convention’s plenary sessions and working groups and reporting their work to a parliament not at all mobilized by the convention.

The Portuguese representatives at the convention kept, on the one hand, strong reserves on formal issues, such as maintaining the six-month rotating presidency and the current procedure for the election of the president of the European Commission by the European Council with the approval by the European Parliament (EP) and upholding the principle of one commissioner per member state. On the other hand, they were either quite open on some substantive issues, such as external representation by the Commission, co-decision, qualified majority-voting in community affairs, justice and home affairs and security, or rather undecided / ambiguous with respect to some other substantive matters, such as European Commission accountability and enhanced cooperation.

Still, it was to be expected that both the government and the two main political parties, and all the parliament representatives, would come to accept - as they did at the end of the convention - , along the lines of other issues in the past, the end of the rotating presidency, changes in the current procedure of the election of the Commission’s president and also the end of the principle of one commissioner per member state.  

5. THE ROLE OF OTHER ACTORS
5.1 The Role of Main Interest Groups and NGOs

In Portugal there is no strong associative mentality. Therefore the role of interest groups and NGOs is negligible with a view to European institutional reform. There were only a few exceptions, such as gender associations, that showed some interest in the convention.

The academic discourse was not very rich either, chiefly because law schools show very little interest in EU affairs and because there are very few modern schools of political science in the country that are mostly moreover very much absent from the European debate. Furthermore, there are very few (albeit with an increasing tendency) political and other social scientists participating in the European academic debate. Economists are in general much more internationalised (publishing in scientific journals and participating in academic conferences) but have not shown a strong interest in the debate on the future of Europe nor in EU issues. The few existing exceptions are not understood by and/or do not interact much with most opinion makers. That may explain why an issue such as the question of which tasks should be centralised at the EU level and which should be left to the national or regional level, of much concern to Portuguese public opinion and to the academic debate in Europe among economists and political scientists (see for example Berglöf et al. 2003), passed unnoticed in the Portuguese public debate.

Contrary to what happened in other EU or accession countries (especially in Poland) the religious debate about the convention was practically non-existent in Portugal. All parliament representatives agreed on the principle that no religious mention should be included in the treaty, as already defended in the discussions about the Charter of Fundamental Rights. Although some members of the Catholic Church raised the issue, obliging the prime minister to agree with the principle of having a religious mention included in the treaty, the church hierarchy was not perceived to push much for any more specific positions in the convention.

One MEP, José Pacheco Pereira (PSD and EPP), very critical of the entire convention and of European politics in general, also defended in his quality of opinion maker (and one can say for the sake of controversy and of challenging political correctness and not really representing any religious interests) the inclusion of a religious mention in the treaty. In any event, there was no real debate about that issue and the representatives at the convention seemed happy (or deliberately chose to ignore the debate in spite of their different religious backgrounds) with the text agreed in the preamble of the draft treaty. This fact shows once more how little attention public opinion paid to the convention: not even the more religious MPs bothered to raise or even discuss an issue that would have commanded some support among Portugal’s large catholic population.

5.2 The Role of Regions and Sub-National Politics in General

Despite being a unitary/centralized state Portugal has two autonomous regions, Madeira and Azores, that possess their own legislative assemblies and executives, albeit with limited power. The committee on European affairs and foreign policy held a debate with representatives of Madeira and Azores on 11 February 2003. It became clear that the
main questions of interest to these two regions regarded the implementation of the ultra-peripheral regions statute.

The main issue was the introduction in the Treaty of the European Union of the expression ‘territorial cohesion’, changing the principle of economic and social cohesion into the principle of economic, social and territorial cohesion. All Portuguese representatives, following the customary pressure by these regions’ respective party sections on their party leaderships and the usual practice of defending what is consensually identified as national or sub-national interests, expressed that view in the plenary session of 6 and 7 February. The principle of territorial cohesion was established in the convention’s draft constitutional text (article I-3º § 3).

On the other hand, the local municipalities also exerted some pressure, reflected only in the representatives’ plenary speeches (no articles were presented), with a view to increasing the role of the Committee of Regions and to preserve structural funds, without any success.

6. THE PUBLIC DEBATE ABOUT THE CONVENTION

6.1 The Promotion of the Public Debate on the Convention and the Future of Europe

Besides the government and parliament representatives, there were other Portuguese in the Convention (most of them former members of government): the European Commissioner for justice and home affairs, three MEPs (PS, PSD and CDS/PP) and an observer from the European Social Partners that happened to be also a national MP. Commissioner António Vitorino, a prominent member of the PS, although representing the European Commission at the convention, was often referred to in the press as one of the Portuguese representatives – sometimes the Portuguese representative with most influence – at the convention; he was also very active in national debates.

The promotion of the public debate was of concern to all Portuguese representatives at the convention who participated in all kinds of conferences and seminars promoted by universities, trade unions, confederations, different organizations and the media. The principle for organising debates was partnership, meaning that the representation of the European Parliament, the representation of the European Commission, the SSEA and the Portuguese parliament got together with different institutions and the specialized media to organize debates in different places, in general universities, throughout the country. In practice, and from October 2002 onwards, one can say that there were regular seminars or conferences, sometimes several per week, mainly at universities.

Several main initiatives may be illustrative in this context. The representations in Portugal of the European Parliament and of the European Commission, through the Institute for International and Strategic Studies and with the support of most Portuguese universities, were involved in an initiative called ‘The national debate on the future of Europe’. The initiative took off at the Institute for European Studies of Universidade Católica in Lisbon, the oldest of its kind in Portugal, in October 2002 and included several debates at the most important universities and institutes distributed all over the country, followed by the presentation of the theses that emerged on the future of Europe at a final two-day congress in Lisbon in the beginning of March 2003. It also organized
an international conference on the ‘Future of Europe: views from the outside’ and its reflection group on enlargement and institutional reform held periodical meetings – the idea being to act as a discussion platform for the major current issues on the European agenda.

The representation in Portugal of the European Parliament implemented as well a series of debates on the future of Europe, one of them called ‘Let’s talk about the convention?’, together with one national newspaper and one national radio station and organized a series of debates at the regional level with the participation of local authorities and MEPs. The SSEA, with the support of both representations and of the European Information Centre Jacques Delors, also organized different seminars and debates in various universities.

The Portuguese president of the republic showed some interest in these matters, too, and, with the support of the representations of the European Commission and the European Parliament and of the European Information Centre Jacques Delors, organized several debates. Moreover, the president’s cabinet also organized seminars with the presidents of Italy, Slovenia, Hungary and Ireland and with the vice-president of the convention, Jean-Luc Dehaene. Since his re-election the president has followed the examples of other European statesmen and decided to put forward his views on the future of Europe, independently of the government or of his own party. The ministry of education led the ‘Spring of Europe Initiative’ and was very keen on the success of the event. It held several meetings in conjunction with institutions/agencies linked to European affairs, culminating in a national ceremony to publicise it. Nevertheless, the initiative was not very visible in the media.

Universities, public and private institutions, political groups, economic agents, journalists and civil society were represented in these initiatives but they drew on a small group of people. The aim of discussing proposals with the Portuguese government, the national parliament and the political parties never materialized.

Notwithstanding all the information on the convention (speeches, reports, etc.) that was made available on the parliament’s web site with a forum for the citizens (although very few people knew about its existence and it was allegedly not user-friendly), not a single contribution arrived at the site. Contrary to previous experiences, namely the debate on the future of Europe in 2000 and 2001, the committee did not receive a single contribution either from local associations and NGOs nor from individual citizens. As for the government there was neither a dedicated web site on the future of the European Union nor any information on the convention on the government’s web site.

Summing up, although there were many initiatives to promote the debate on the future of Europe this does not mean that the debate trickled down and came to involve civil society in Portugal. The different actors behind the initiatives were sometimes just competing for some media attention with in general no follow-up of individual initiatives. The result was that they did not manage to mobilize civil society and public opinion and, with the exception of some references in the specialized press, were basically ignored by the media.
6.2 The Mobilization of the Youth

The mobilization of the youth may be another way of assessing whether the debate was addressing substantive issues and mobilized the society or ended up to be symbolic politics without real substance.

In spite of the fact that there has been a problem of motivation and comprehension of the EU by its citizens, some events showed an interesting level of mobilization amongst the youth. Upon the initiative of the European convention, in its hearings phase, a European youth convention was convened in July 2002 with the aim of producing a contribution to the debate on the future of Europe. What came across at this youth convention which gathered 210 young people in the European Parliament in Brussels was that the youth was aware of the European project, even if it was still distant and complex, and, more importantly, that they not only knew what their specific concerns were (education, employment, culture, etc.) but that they were willing to participate actively as far as decisions in these domains were concerned.

In Portugal, the representatives in the European youth convention took up the challenge launched by the European convention and convened a Portuguese youth convention that took place in the Portuguese parliament on 28 and 29 November 2002. This event got started with a tour made by the eight Portuguese that had been present at the European youth convention to every region in Portugal to share their experience and to call for candidates for the Portuguese convention. The Portuguese youth convention gathered 63 young ‘conventioneers’ (three from each Portuguese region and 3 from the Portuguese communities abroad).

Whereas it is difficult to assess whether the debate mobilized citizens in general or whether it resumed to a mere cosmetical operation, it is possible to affirm that such a debate was important, especially amongst the youth: participants seemed to have seen the debate as an opportunity for bringing the European union closer to its citizens in general, and to the youth in particular. This is illustrated by the fact that the Portuguese youth convention was followed up upon at different levels. It had a snowball effect spreading to several universities and districts that organized their own regional conventions, with the support of local schools and the European Parliament.

6.3 Visibility and Coverage of the Convention in the Written Press and by the Media

The so-called civil society is known to be quite weak in Portugal, in the sense of being dominated by the government and by political parties (active only on very specific issues). Public opinion had a rather open attitude in regard to institutional reform leading to a European constitution.12

The Convention was first seen in Portugal as a political forum that was preparing a text with several options, a type of ‘expert committee’ to pave the way for an IGC. The coverage was initially very scarce although by the end of 2002 attention seemed to have increased thanks to the importance of the on-going debate on institutional reform. With the statements by President Giscard d’Estaing on the need for a European constitution, the Portuguese media focused their attention on the positions of the governments of the bigger member states. After Giscard’s presentation of the draft constitutional text and after several countries had nominated as their government representatives their ministers
for EU or foreign affairs, media coverage became more focused on the development of the convention. Coverage resumed essentially to the written press while television and radio stations basically ignored the convention. Two main daily national newspapers (Diário de Notícias and Público) had journalists who covered the work of the convention and analysed each plenary session. Some Portuguese members of the convention also wrote about it in newspapers.

The main discourse that surfaced in the press (journalists and people from opposition parties) was the lack of a Portuguese clear position on institutional reform (‘lack of debate, lack of ideas’). There was a general criticism of Portugal’s reactive attitude - a small country with no ideas that would accept whatever the others (the big countries) were willing to give. The emerging discourse was more one of ‘being against’ some proposals, as in the case of the Franco-German memorandum, rather than one of putting forward new ideas and proposals.

Opinion makers or elites (composed mainly of academics, former politicians and journalists dealing with EU affairs) have been rather sceptical and/or critical about European integration in general. As far as the convention was concerned they were divided between those attacking the idea of a federal Europe (and the Franco-German stance more than the Franco-German proposals), as often before, and those attacking the government, the main political parties and the parliament for not having a single idea on the future of Europe or at least a strategy for the convention.

More specific topics were also addressed, notably: the composition of the European Commission (the eventual loss of the Portuguese commissioner); the external representation of the Union, Mr double-hat, CFSP/CFDP; social cohesion and the principle of solidarity; the coordination of economic policies and the budget deficit and the stability and growth pact; the loss of structural funds, the reform of the common agricultural policy and fisheries; and, especially, the concern with a directorate of the big member states in one way or another. Equality of member states remained the catchword in the public debate as far as the convention was concerned.

6.4 Public Reaction: Opinion Polls and Surveys

Throughout the convention, Portuguese public opinion was not critical of further EU integration although it maintained its concerns over the extension of EU decision-making. The intellectual debate and its critical positions on the lack of ambition and reactive attitudes of the politicians seem not to influence public opinion nor did it really encompass the debate on EU decision-making. There is a clear separation between the discourse of the elites (opinion makers, journalists) and the citizens.

Generally speaking, Portuguese public opinion is in favour of EU integration. Not only have the structural funds contributed to the country’s economic growth (although there have been some serious distributional imbalances and sustainability problems with the sudden enrichment of parts of the population derived from structural funds cum lower euro interest rates) but also because of the idea that Portugal gained a voice in an international framework that gathers big European countries. As put by Alesina and Tavares (2003:103), such a capacity to design the rules of the game and influence policy is one of the main reasons why small countries joined the EU. This is especially
important if one takes into account the geo-strategic shift towards Europe that Portugal made after losing its colonies in 1975.

Furthermore, while the Portuguese mistrust their political class somewhat, people tend to bear in mind the role of EC accession in the consolidation of the Portuguese democracy (see Bandeira, 1998) and economic growth. Accession took place on 1 January 1986 shortly after the PSD had won the elections and governed alone for a period of ten years (1985-95) that coincided with political stability and economic prosperity in the country, with the exception of the period 1992-95 marked by a rather anti-European (anti-Maastricht) attitude of the so-called elites (opinion makers).

For all these reasons the Portuguese look at European integration positively, accommodating most European integration efforts. Comparative Eurobarometer data on support for the EU, perceived benefits from membership and the EU as a guarantee for democracy, is illustrative in this context: the large percentages of people who support European membership and who think that Portugal has benefited from its membership - always above 60 per cent in all Eurobarometers - in addition to the high share (68 per cent in Eurobarometer 58) of the Portuguese who think that the EU is fairly or very effective in guaranteeing the principles of democracy in Europe.

The consensus in favour of a stronger EU and stronger EU intervention in most areas is not explained by the distrust of national politicians alone, but derives mainly from the positive approach to the EU of the main political parties paired with lack of information. It is striking that Portugal, since 1999 when this question was first made, has been always one of the countries with a more strongly felt lack of information (84 per cent against a EU average of 77 per cent - Eurobarometer 58). The above-referred initiatives to promote public debate in the context of the convention apparently did not change that picture.

As far as institutional reform is concerned that attracted comparatively large attention from the Portuguese, with 71 per cent holding that it should be an EU priority (19 points more than the EU average - Eurobarometer 59), the lack of information on the Convention is conveyed by the low percentages of those who knew what the Convention actually was: only 33 per cent stated that the Convention was working on proposals to reform the EU; 36 per cent knew that the government was represented in the Convention; 27 per cent knew that the parliament was also represented; 20 per cent knew that the governments of the new member states were represented and 19 per cent knew that the Convention was to complete its work in 2003.

Notwithstanding the lack of information, according to Eurobarometer 59 more than 60 per cent of the population support the idea of a European Constitution and believe that decisions in a great number of policy areas should be taken jointly within the EU, instead of by the national government alone. Public opinion here goes further than national policy makers. Between 55 per cent and 62 per cent think that there should be a commissioner by member state (although Portugal has the lowest percentage in favour of this principle) and 43 per cent think that the presidency of the European Council should be extended beyond its current six-month period.

In sum, Portuguese public opinion seems to approve basically all institutional changes proposed by the Praesidium and/or the EU core countries, ignoring all the major
concerns and strong positions of the Portuguese representatives in the convention. The only issue where public opinion seemed to have strong reserves (only 26 per cent in favour, according to Eurobarometer 59) was the possibility of a Member State giving up its veto rights or limit this possibility to very few essential areas, being therefore against more decisions taken by Qualified Majority Voting (QMV). This attitude is consistent with previous polls on EU decision-making already referred to in the introduction. Interestingly, the government, the Portuguese representatives and the main political parties were rather open (in community affairs, justice and home affairs and security) or rather undecided / ambiguous on the issues of extended qualified majority-voting.

7. CONCLUSION

The convention has confirmed again that Portugal eventually falls in line with the core countries of the European integration process without much input nor strategy on how it should proceed or where it should lead. Throughout the convention Portuguese public opinion was either receptive or indifferent to most of the core’s proposed changes coming from the Praesidium and/or from the French-German tandem. Its generally favourable attitude towards the European integration process (as a substitute for the lack of trust in national institutions) accommodates most of the institutional changes necessary for its deepening. Without their obsession with structural funds for physical (road) infra-structures that characterized the first years of integration, the government and the two major political parties seem to have lost any points of reference in the discussions about the future of Europe. The Nice treaty was a first instance where Portugal appeared defending the position of the smaller countries against the perceived danger of directorates from the big countries, contrasting markedly with the prime minister’s supranational stance during most of the Portuguese presidency six months before.

It seems that the Portuguese polity is out of tune with its public opinion, disregarding its major fears concerning the extension of EU decision-making and artificially amplifying its own fears of a directorate of the larger countries. Therefore, in spite of siding with the other non-core small countries (the so-called group of 16) throughout the entire convention, Portugal eventually reverted to its old pattern and fell in line with the European core at the very end of the convention. It is to be expected however that the rather rhetoric issue of small countries versus big countries will come to the forefront of the Portuguese political debate on the future of Europe already at the time of the next IGC. Without a political debate on more substantive (so far politically neglected) issues such as which tasks should be centralised at the EU level and which should be left to the national or regional level and, more importantly, what Europe (model of society) Portugal wants to live in, the Portuguese adaptation to European institutional changes looks to continue following the same reactive pattern.

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1 Depending on the perspective, the only way of tying Germany into the European Union, of achieving more political integration or, simply, of maintaining access to EU structural funds.

2 At that time the committee on European affairs and the committee on foreign affairs were still independent committees. They were only merged in the current legislature, allegedly for cost reasons.

3 Some agreed afterwards with the independent MP (one of the authors of this paper) that they were just avoiding conflicting views with their respective government or party.

4 The only way to link the national parliament to European issues at the table of the Council of Ministers was by establishing a specific relation with the government. With the co-decision procedure, however, national parliaments have found other channels to participate in that process. See Torres (2002b) for a discussion and several examples.
Professor Lopes was nominated Chairman of Portugal Telecom in February 2003, continuing to serve as the Government representative in the Convention. That situation contrasted with the nomination from Germany and France of their Foreign Affairs Ministers as government representatives in the convention.

6 See Král et al (2003) for a detailed account of the small countries’ position throughout the convention.

7 Those proposals passed unnoticed in the press, with the exception of a sports daily.

8 The parliamentary representatives were: Alberto Costa (PS) and Eduarda Azevedo (PSD), at the time chairman of the European affairs committee and PSD spokeswoman at the committee, respectively; and António Nazaré Pereira (PSD) and Guilherme d’Oliveira Martins (PS) as alternate members.

9 With respect to the CAP, the Portuguese government (and the two main political parties) have consistently complained about its inadequacy in the light of the Portuguese interests and situation. Yet, when it comes to the adoption of possible changes to such an unsustainable (and harmful) policy, the Portuguese government becomes extremely conservative and resistant, sticking to the defence of the status quo (as it did again at the end of both the convention and the Greek presidency). In this case there is no convergence to the reform because such reform is blocked from the outset.

10 For an analysis of these formal and more substantive issues in regard to the convention and therefore as far as EU leadership is concerned in terms of its effectiveness, democratic quality and institutional balance, see Coussens and Crum (2003). That analysis provides a link between these two types of issues that may help to explain the Portuguese expected and indeed materialized convergence as the convention proceeded.

11 See for example his speech delivered to the Alumni of the European University Institute in Florence, widely discussed in the Portuguese press and covered by the media (namely because of its critiques of the Stability and Growth Pact) on 4 October 2002.

12 The Portuguese weekly newspaper Expresso published a survey on 1 November 2002, in which 51 per cent of the Portuguese were in favour of a European constitution (32 per cent were against) and 69 per cent were in favour of an elected president of the EU (only 13 per cent were against). Those results came as a surprise and contrasted markedly with the strong and consensual cross-party resistance to the institutional changes discussed at that time.