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HOW SIZE MATTERS: PORTUGAL AS AN EU MEMBER

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HOW SIZE MATTERS: PORTUGAL AS AN EU MEMBER

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‘At the European Union we have a seat at the table with big countries and we also have a microphone. But we must be careful about how others around the table will react before we speak,’

A small country ambassador to the European Union

‘There are two kinds of European countries: those that are small and know it and those that are small and don’t,’

A Belgian Prime Minister

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EXECUTIVE SUMMARY

Most European Union members are small states, lacking the hard resources of states with a big national economy or army. To advance their goals in an EU setting, small states must rely on smart power. This involves identifying issues of national concern early in the policymaking process; endorsing consensus positions early in the process of policy deliberation; and building alliances with countries with likeminded policy positions.

I. The EU is divided into 6 big states and 21 median size and smaller states. Portugal's population is 13 percent above the median EU country; its aggregate Gross Domestic Product is almost 90 percent below that of the four biggest members and its GDP per capita is 19 percent below the EU median.

- * Collectively, small states can prevent any single big state from dominating the EU.
- * However, each small state is at risk of being lost in a crowd of small states.

II. The policies of the European Union must reflect common interests of two dozen states. Portugal's representatives in Brussels and the government in Lisbon must coordinate the preparation of positions that are acceptable both in Lisbon and in Brussels.

- * Portugal needs to emphasise *common* interests that include the country's specific priorities rather than distinctive national interests.
- * Endorsement of policies in the Council requires a super-majority of 255 of its 345 votes and Portugal has 12 votes. EU decisions are usually arrived at by lengthy negotiations leading to a consensus. Policies are arrived at by a process of *bargaining*. As long as policy goals are shared, Portugal's small number of votes is not a handicap.
- * To influence policy, Portugal must join *coalitions* with more than a dozen other member states, large and small.
- * A consensus is produced by EU committee discussions involving national civil servants and Commission officials. Once the chair of a committee declares a consensus has been reached, it is very difficult for a small country to challenge this judgment. Government ministers only become involved if there are grounds for political disagreement.

- * A well staffed Permanent Representative's Office in Brussels is needed to formulate Portugal's position on an issue at early stages of a discussion in order to avoid having to accept a fait accompli.

III. The European Parliament is divided by party rather than by nationality. Portugal's 22 MEPs are divided between the two largest multi-national Party Groups, the European People's Party and the Socialist Group, and the small United-Left/Nordic Green Group. Decisions in the EP normally require endorsement by a coalition of the People's Party and Socialist Groups.

- * Politically able MEPs can leverage their influence by earning important posts in their multi-national Party Group.
- * EP decisions are usually taken by discussions in committees, Party Groups or negotiations with the European Commission. It takes time for individuals to learn how the complex multi-national EU system works. Portugal has a high turnover of MEPs: more than two-thirds of its MEPs elected in 2009 had not been members of the previous EP.
- * **High turnover** of MEPs is a consequence of individual and party decisions more than the result of shifts in the popular vote.

IV. Budget policy reflects different formulas for raising and spending revenue. National contributions to the EU budget are determined by a formula based on national income, while EU spending is determined by formulas based on the need for economic and rural development and agriculture. Portugal receives more than twice as much money from the EU as it contributes.

- * **EU expansion** to Eastern Europe and the Balkans increases the number of countries with stronger economic claims on EU funds than Portugal.

CONCLUSION:

Key requirements to exercise smart power include:

- * **Actively seeking more ties** with governments and public officials in Northern Europe and in Eastern Europe.
- * **Nominating EP candidates** who are prepared to spend two terms in the EP rather than leaving soon after learning to do their job there.
- * **Mobilizing popular understanding of the constraints and opportunities that EU membership places on national government.**

INTRODUCTION: PARADOXES OF RELATIVE SIZE

Small states join international organizations in order to deal with problems collectively that they cannot deal with effectively on their own. This is true of the European Union as it is of the United Nations. If being a big state means having the power to impose political decisions on other countries, then no member of the 27 - country EU is big, for none can determine EU policies on its own. However, states that have more resources find it easier to make their views known when they speak and to attract allies necessary to arrive at EU decisions. In a Union of half a billion people, small countries have fewer resources and must develop smart power in order to make their voices heard and be part of the coalitions that make EU policy.

In relations between countries, absolute measures of size are less meaningful than relative measures. In global terms France or Germany is small compared to China but in an EU setting each is large compared to Portugal. Historically, big states could act without paying attention to concerns of small states and small states were decision-takers with little or no influence on big decisions. A political definition of a small state is that it is the weak partner in its relations with other states (Steinmetz and Wivel, 2010: 6f). In the past, small states sought to protect themselves from domination by keeping out of the way of bigger states, as Portugal did during the Second World War.

The experience of war and economic incentives have encouraged smaller states to prefer being a junior partner in league with big states in intergovernmental institutions that make common policies to advance common goals. The European Union originated in intergovernmental treaties signed by three relatively large states, France, Germany and Italy, and three small states, Belgium, the Netherlands and Luxembourg. By contrast with NATO, which places small states behind the military shield of a superpower, EU treaties confer equal legal status on all member states. Every country has a veto on policies of exceptional importance and every country is subject to the judgment of the European Court of Justice. Such constraints can cause problems for a big country that has been accustomed to thinking of itself as a great power. Small states do not have that problem, because their policies have always had to take into account the influence of big states. By imposing obligations of membership on big as well as small states, the latter enjoy protection that they would be unable to achieve on their own. Moreover,

entitlement to EU funds is not determined by a country's size but by the social and economic characteristics that justify entitlement to EU money.

The European Union does not get rid of differences of national resources, but it has institutions in which bargaining is the norm. When representatives of 27 member states meet in Brussels, none is large enough to dominate all the others and EU rules result in policies emerging from joint discussions among big, medium-size and small EU member states. However, although small states have more votes than a strict population-based allocation would justify, in total the EU's most populous states have far more votes in the European Council and European Parliament than have representatives of states the size of Portugal or smaller. Since Portugal has been a member of the European Union for a quarter of a century, its public officials have had time to gain experience in working the EU system. The 11 smaller countries that joined the EU in 2004 or afterwards have not had so much experience.

The purpose of this Report is to explain how and when size matters for Portugal in the European Union's two key co-decisionmaking institutions, the EU's Councils and the European Parliament (EP). The prime minister represents Portugal in the European Council, which defines the general political direction and priorities of the European Union. In the Council (formerly the Council of Ministers), Portugal is represented by the Cabinet minister whose department is responsible for the policy under discussion. Although Members of the European Parliament (MEPs) are nationally elected, they vote in accord with the whip of multi-national Party Groups; thus, the MEPs that Portuguese divide their votes among three different Party Groups. In both institutions, each big state has more votes while each small state has disproportionately more votes in relation to their population

The hard resources of states tend to be fixed, and this is especially true for money and military force, both influenced by the size of a country's population. Large countries can use such hard power to persuade other countries to agree with their position. However, size is no guarantee of success. The recurring difficulties of Italy's political economy illustrate this. The inability of Britain to get its way in the European Union, even though it is one of the largest member states, shows that the hard power that goes with population size and a large aggregate GDP is insufficient to determine EU policies. Moreover, EU policies are not arrived at by what Churchill called 'war, war'; they are arrived at by 'jaw, jaw', that is, lengthy deliberations.

Because smaller countries lack hard power, they must compensate for their lack of hard resources by developing smart power, that is, alertness

in identifying issues of national concern and consensus positions; technical knowledge of how an EU proposal will affect their country; and political skill in networking and building coalitions that will support policies of mutual interest. Smart power involves adopting a national position that is close enough to that held by a sufficient number of other countries so that it can be incorporated in whatever decision emerges from the EU policy process. Smart power may also be used to neutralize proposals deemed objectionable to a country. Without the exercise of smart power, small EU member states are simply spectators when others arrive at agreements.

While all small states would like to punch above their weight in EU deliberations, they are not equally adept in doing so. Countries similar in population differ in the uses made of their resources. If a small country has the officials and population accustomed to dealing with individuals and institutions across national boundaries, this can compensate for low population. Switzerland is an outstanding example of a country that has a big displacement in the international economy even though its population is less than that of Portugal. The multi-national character of every EU meeting gives national representatives opportunities to build cross-national networks--provided they are used to this end rather than simply to re-iterate what is said in their national capital.

This paper is organised using a conceptual methodology of David Easton (1965) that distinguishes between policy inputs, the processing of inputs, and the outputs of public policy. Inputs to the EU's co-decision process come from national governments participating in the work of the European Council and from national electorates choosing national parties to represent them in the European Parliament. The institutions that process inputs from national, multi-national and trans-national sources--the Council and the Parliament--are bound by rules requiring majorities or super-majorities to form coalitions in which small states as well as big states are included. In both institutions, big states have more votes but the great majority of decisions are arrived at by consensus agreements in which votes are not cast but the shadow of votes can exert influence. The typical outputs of the co-decision process are laws, regulations and directives that are equally applicable to every member state, whatever its size, and have a major economic impact, for example, measures about the single Europe market. The money that the EU actually transfers to member states is allocated to social cohesion, regional development, and related programmes according to formulas that take into account economic needs.

Because a country's position in the European Union is relative to that of other countries, comparison is necessary to evaluate the resources that Portugal can make use of to exercise smart power. Therefore, the following pages contain tables that explicitly compare Portugal with the EU's other 26 member states, so that readers can see not only how small Portugal is compared to countries such as France or Germany, but also how it compares with prosperous and not so prosperous countries that are similar to it or smaller in population.

TAKING PORTUGAL'S MEASURE



In a Union of 27 countries, only one country can be at the very top of any ranking and one at the very bottom of any ranking; every other country is somewhere in between. Small states cannot expect to be at the top but do not want to be near the bottom. Portugal's relative size can be calculated by assigning the median EU country a score of 100 for a given value and dividing that of Portugal by the value of the median country. To be above the median a country requires a score greater than 100; a score less than 100 indicates the extent to which it is below the median.

In *population*, the European Union is an association of a few relatively big states and a large number of states that are not big, including some that are very small, such as Luxembourg and Malta. Each of the four biggest member states, Germany, France, Britain and Italy, has more than 60mn people, Spain has a population of 46mn and Poland, 38mn. Even though Portugal's population is not on this scale, it is nonetheless among the more populous EU member states; its population of 10.6mn population is 13 percent more than that of the median EU member, Sweden. Portugal's standing is due to almost one-third of EU member states having populations that are less than half that of Portugal (Table 1.1).

The size of a national economy is measured by its *Gross Domestic Product* (GDP); aggregate GDP reflects both its economic achievements and its population. Thus, a country such as Spain has an aggregate Gross Domestic Product that is much larger than that of Sweden, because Spain's population is much larger. Because it is not so big in population, Portugal's aggregate GDP is inevitably small compared to the EU's large member states. Because it has not been as economically developed as some old and smaller members, Portugal's GDP is less than half that of Belgium and Sweden. However, because Central and East European economies still show the effects of decades of Communist control, Portugal has the median total Gross Domestic Product in the EU system and it is more than double that of nine member states.

Table 1.1 Absolute and relative measures of hard resources

	Population ,000	Pop'n index	GDP/ ctry bns €	GDP/ ctry index	GDP/ cap pps €	GDP/ cap index
Germany	81,751	868	2,476.8	1435	28,800	119
France	65,075	691	1,932.8	1120	26,300	109
UK	62,435	663	1,706.3	989	27,400	113
Italy	60,626	644	1,556.0	902	24,600	102
Spain	46,152	490	1,051.3	609	24,500	101
Poland	38,200	406	354.3	205	15,300	63
Romania	21,413	227	124.1	72	11,400	47
Netherlands	16,654	177	588.4	341	32,500	134
Greece	11,329	120	227.3	132	21,900	90
Belgium	10,918	116	354.4	205	29,000	120
PORTUGAL	10,636	113	172.6	100	19,500	81
Czech Rep	10,532	112	149.3	87	19,400	80
Hungary	9,986	106	97.1	56	15,800	65
Sweden	9,415	100	346.5	201	30,100	124
Austria	8,355	89	286.2	166	30,800	127
Bulgaria	7,504	80	36.0	21	10,700	44
Denmark	5,560	59	235.6	137	31,000	128
Slovakia	5,435	58	65.9	38	18,000	74
Finland	5,375	57	180.3	104	28,200	117
Ireland	4,480	48	155.9	90	31,100	129
Lithuania	3,244	34	27.5	16	14,000	58
Latvia	2,229	24	17.9	10	12,500	52
Slovenia	2,050	22	35.4	21	20,700	86
Estonia	1,340	14	14.3	8	15,700	65
Cyprus	804	9	17.3	10	24,200	100
Luxembourg	511	5	40.2	23	66,300	274
Malta	417	4	6.1	4	20,200	83

Indexes calculated as each country's absolute value divided by the absolute value of the median EU country and multiplied by 100.

Sources: Population as 1 January 2011. Source: Eurostat;

<http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&language=en&pcod=e=tps00001&tableSelection=1&footnotes=yes&labeling=labels&plugin=1>

GDP per country in current EUR 2010 Source: Eurostat,

<http://epp.eurostat.ec.europa.eu/tgm/refreshTableAction.do?tab=table&plugin=1&pcode=tec00001&language=en>

GDP per capita Purchasing Power Standard 2010. Source: Eurostat,

<http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&plugin=1&language=en&pcode=tec00001>

Correlation between GDP/ctry (table 1.1.) and contributes to EU budget (table 4.1) is .965 sig. .000.

The prosperity of a country's citizens is measured by dividing its aggregate Gross Domestic Product by its population; this shows its GDP per capita. Doing so corrects for the effect that a large population can have on the national economy of a relatively poor country.¹ For example, Poland is a country that has more than four times the population of Portugal and double the aggregate GDP, but a per capita income that is a third less than that of Portugal. Portugal's GDP per capita places it below the median country, but still higher than that of nine Central and East European countries.

When European Union member countries are compared, Portugal is neither specially big nor specially small. Because the population of the EU is skewed with a few big countries and many quite small ones, Portugal's 10.8mn population places it in the middle along with Austria and Belgium among older member states, and the Czech Republic and Hungary among newer member states. Even though Portugal's economy is less developed than most of the older EU members, the enlargement of the EU has placed its GDP in aggregate and per capita in the middle third of states.

Change over time. Portugal's governors, like all that joined the European Union after it was launched in 1957, had to learn how to cope with this new level of governance. When Portugal joined in 1986, the EU was small; it had only ten member states and it shared with Spain the experience of membership being the final stage in the consolidation of democracy after a period of undemocratic rule. Unlike Spain, where Franco had authorized an opening to Europe in anticipation of the inevitable transition to a post-Franco

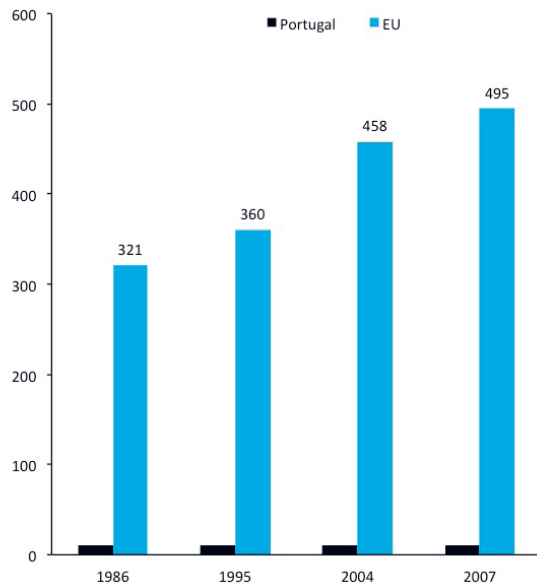
When European Union member countries are compared, Portugal is neither specially big nor specially small

1. The correlation between national population and GDP per capita is an insignificant, 0.03, and the same is true for the correlation between total GDP and per capita GDP, 0.16.

regime, Portugal had not. In Salazar's words, 'We are proudly alone' (Magone, 2000: 141). Since then, Portugal has had more than a quarter of a century's experience of being part of a multi-level system of governance.

Although the EU only had 12 member states after Portugal's entry, five had national populations up to five times that of Portugal. Hence, the country's population was only 3.0 percent that of the EU total (Figure 1.1). The European Union has more than doubled in membership since Portugal joined. It increased to 15 member states in 1995 with the admission of Austria, Finland and Sweden. Subsequent enlargements have brought the number of member states up to 27 (with Croatia due to become the 28th member in 2013) and increasing population to 500 million people. Since the population of Portugal has remained relatively constant, it now has barely just 2 percent of the EU's total EU population.

Figure 1.1 Portugal's Changing size in the EU



Portugal has barely just
2 percent of the EU's
total EU population

Source: <http://data.worldbank.org/indicator/SP.POP.TOTL>

Enlargement has substantially altered the scale and composition of the EU's deliberations. As a member of a much smaller EU, Portugal's representatives were not lost in a large array of small states. Today, instead of a dozen or two people meeting around a table, a large room is required to accommodate 27 national representatives plus EU staff and advisers. This rations the time and attention that can be given to any state, especially one of the 19 small states that are now present at EU meetings. When Portugal joined, it could expect to help set the agenda by holding the rotating Presidency of the European Council once every seven or eight years. There will now be at least a 14-year gap between the most recent Portuguese presidency and the next possible opening in 2021.

When Portugal joined the EU, national economies were much more national. The Single Europe Market was just being launched and the euro was an idea. The Single Market has created a steady stream of European Commission measures that affect the increasingly Europeanized economies of every member state. Without prompting by national representatives, the Commission may take into account all the relevant conditions of each of 27 member states, especially smaller states. In a complementary manner, the growing scope and penetration of EU policies in the past quarter-century has Europeanized significant areas of domestic policymaking. The increase in 'Euromestic issues', that is, those subject to action by both the EU and national governments, has increased the burden on member states to track what Brussels is doing when making its national policy.

In geopolitical terms, the admission of ten new member states from Central and Eastern Europe has placed Germany in a central position. The admission of two Mediterranean states, Cyprus and Malta, has also brought the EU closer to Turkey and North Africa. Atlantic nations such as Portugal are now challenged to make sure that this development does not result in a re-orientation of EU policies to the east. The Northern Europe/Southern Europe division between prosperous economies and less prosperous economies claiming EU economic assistance has been challenged by a division between ten countries of Eastern Europe and the market

economies of Western Europe. Nine post-Communist countries can cite a standard of living lower than Portugal to justify EU assistance (see Table 1.1).

Small states tend to have fewer priority issues than large states and their claims on the EU budget are small

Common characteristics of small states. Although small states differ in many ways, they often share politically significant characteristics. Small states tend to have fewer priority issues than large states and their claims on the EU budget are small in absolute terms compared to states the size of Poland or France. However, because small states are numerous, the cost of disbursing euros for economic development to a dozen or more states below the EU median is, in total, a lot more than doing so when the EU had less than half as many members.

The legal framework of the EU as a treaty between states gives every small state juridical equality. Every state has the right to be present in Council committees deliberating on EU policies. The consensus culture of the EU, affirmed in Article 15 of the Treaty of the European Union, creates an expectation that before decisions are taken, efforts will be made to accommodate concerns of small states, provided that a small state is realistic in what it seeks and does not make claims counter to the key position of the majority. In extreme cases, a small state can even wield a veto, as the Republic of Cyprus has done in the course of the EU's negotiations about the admission of Turkey. However, small states, like large, prefer to avoid a veto because it may make it more difficult to secure allies on other issues.

Small states have tended to support strong supra-national institutions, because procedures laid down in treaties tend to treat all states as formally equal. Thus, when the EU delegates discretion in applying laws, small states prefer this power to go to the European Commission, whose multi-national staff is expected to act in accord with procedural rules vesting rights in small states rather than giving discretion to the European Council, where the interests of big states have more weight (Schure and Verdun, 2008). By contrast, big states tend to prefer bargaining in informal meetings between the heads of a few states, whether a global G-7 or a bilateral meeting between the German Chancellor

and the President of France. When enlargement called into question the practice of having at least one citizen of each member state as a member of the European Commission, small states joined together to reject this proposal (Slapin, 2011: 111ff).

Insofar as a smaller country has fewer policy priorities, this can make it uncommitted on issues that specially concern big states, such as foreign and security policy. A consequence of neutrality is that the Presidency of the European Commission tends to rotate between the former prime minister of a small state, since 2004 Jose Manuel Barroso of Portugal, and a leading politician of a big state, such as Jacques Delors, rather than rotate just among big states. When the first standing President of the European Council was chosen, the big states preferred a former Belgian prime minister as head rather than the former prime minister of a big state.

MAKING A SMALL STATE'S VOICE HEARD IN THE POLICY PROCESS

Whereas international diplomacy can be conducted by a few large states or super-powers and decisions presented to small countries on a take-it-or-leave-it basis, the EU decision process requires big states to take into account the views of small states before a decision can be reached. However, EU enlargement has meant there is less time for each country to make its voice heard at EU meetings. Each country must compete with 26 other national representatives with opinions about a draft policy. A smaller country needs to use smart power to monitor deliberations and then decide whether there is a consensus in its favour or what it may do to try to remove unsatisfactory parts

The ability of states to be heard within the European Council varies with the importance of an issue. 'Big' political issues--what to do about a financial crisis or how to combine the free movement of Europeans and national concerns about immigration or terrorism--are the exception. The great majority of laws, regulations and directives that are the object of deliberation are 'little', affecting a very narrow sector of the economy, a low status government department, relatively few people or a limited number of countries or lack of partisan salience. They do not require the attention of national prime ministers meeting in the European Council. Most measures are handled in discussions among national civil servants, Commission officials and experts meeting in groups in which the quality of a participant's contribution counts for more than the population of a speaker's state. Whereas senior politicians tend to dismiss technical measures as of little or no importance, founders of the EU such as Jean Monnet saw the gradual and steady accumulation of a large number of little measures as promoting progress toward an ever closer Union. Hence, even if their minister is not personally concerned, officials

in national ministries need to keep a watching brief on the steady flow of measures coming from the Commission.

Processing lots of little and a few big policies. The European Commission is chiefly responsible for formulating proposals for EU action. The stimulus to draft policies on big issues can come from the European Council. On lesser issues it reflects the feedback the Commission receives from administering existing policies, pressures from external groups and its own expert assessments and consultations. The Commission is staffed by individuals who, regardless of their nationality, are expected to act independently of their country of origin. The Commissioner who heads each Directorate is nominated by a member state, but is expected to promote common EU goals. The current President of the European Commission, Jose Manuel Barroso, does not represent Portugal in Brussels but the European Union to all of its member states. Having a fellow national in the Commission can provide useful background understanding of policies. It nonetheless remains up to each member state to speak for itself in the EC process.

Proposals from the Commission are scrutinized by COREPER, the Committee of Permanent Representatives of each member state. Its membership consists of ambassador-level heads of the Office of Permanent Representative (PERMREP) of each member state. The first responsibility of COREPER is to divide proposals into big measures that raise issues of concern to national politicians and little ones deemed 'not political enough' to merit the attention of busy ministers. Three-quarters or more of policies formally requiring the approval of the Council are classified as not of sufficient political significance to require the attention of ministers. They are handled by discussions within COREPER and its working parties (Nugent, 2010: 152).

Smart power is needed to evaluate Commission proposals because the expansion of the EU's activities has been combined with procedural changes that reduce the time taken for its hundreds of recommendations to be translated into binding policies. A greater volume of faster (or at least, less slow moving) legislation increases pressure on

Smaller states need to affirm their national position on a policy at the earliest stages of its evolution

PERMREP officials from smaller states, because they need to state their national position on a policy at the earliest stages of its evolution. If a small state's position is only voiced after the main outlines of a proposal have been accepted, it is very difficult for it to undo it, whereas big states have sufficient political clout to do so.

Monitoring policy proposals requires a large and well qualified Permanent Representative's staff to network with counterparts from other member states, Commission staff and their national ministries. Having a mix of diplomats and officials from domestic departments much affected by EU policies, for example, ministries of trade and commerce, agriculture and finance, facilitates drawing on national ministry in Lisbon for advice on technical details and potential political problems. The PERMREP Office of Portugal has more than 50 senior professionals. The PERMREP's Office is very large by the standard of Portugal's embassies in other countries and reflects the importance of EU policies for national government policy. It is larger than that of many small states and, after taking into account population, large relative to a big country such as the United Kingdom.

Before a proposal can be approved it is subject to discussion in Brussels by supra-national civil servants of the European Commission and civil servants of member states. Officials monitor the great volume of materials that are part of the process of formulating policies; they seek guidance about what the government would like an EU decision to be; and they decide which measures require political attention by ministers meeting in the European Council and which measures they can decide themselves.

Measures classified as of little political significance it nonetheless receives scrutiny by PERMREP civil servants to see how provisions drafted by a multi-national Commission interact with their own national laws, a necessary condition for its implementation. They also look to see whether a measure deemed apolitical in Brussels could stir up political trouble at home. Civil servants carrying out these tasks tend to share a framework for evaluating policies and to prefer compromise to conflict. Moreover, they are expected to

resolve measures assigned them without creating disputes that require ministerial attention. This is the only way to avoid overloading the crowded agenda of the Council so that senior politicians have time to deal with big issues that are national priorities.

Each PERMREP's Office has a wide variety of activities that it can undertake in efforts to make an EU policy consistent with national priorities. Negotiating activities include seeking information and lobbying the Commission and relevant members of the European Parliament, marshalling expert opinions about the framing and problem-solving effectiveness of a proposal, and networking with other small states in order to join or build coalitions. To gain the backing of a group, national officials try to cast national preferences in the form of general statements about what is deemed desirable for most or all member states.

The extent to which PERMREPs differ in their activities has been evaluated by Diana Panke (2011), who has created an Index of Negotiating Activity from data collected by interviewing PERMREP officials from member states. On the Negotiating Index, which has a theoretical range of 0 to 100, the highest score was credited to Britain, 72, and the lowest to Cyprus, 36. Portugal is the median country in negotiating activity, with an Index rating of 48. When scores are broken down by subject matter, Portugal is a little above the median on both agricultural and environmental issues, and in 2009 it was slightly below average on economic issues. Statistical analysis finds that the longer a state has been an EU member, the more able it is in promoting national priorities in multinational deliberations. Thus, the Negotiating Activity Index for all six founder states is higher than that of Portugal, which joined the EU 19 years later, while that of all 12 states joining since 2004 is lower.

For the minority of issues that are politically 'hot', the Permanent Representative's responsibility is to identify positions that a national minister could put forward with a likelihood of being incorporated in a compromise agreed with ministers from 26 other states. Each member state is represented at the Council by the Cabinet minister whose

Portugal is the median country in negotiating activity

department is most responsible for issues on the agenda, for example, proposals affecting transport, agriculture, employment, or consumer protection. It is the minister's job to influence discussions there so that an EU policy is agreed consistent with the government's interest.

Arriving at Council decisions. When proposals get the attention of leading politicians in the Council², each member state has a voice, but because votes there tend to reflect population, their voices are not equal. However, Council practice is to avoid drawing a sharp line between winners and losers as in British-style adversary politics. Instead, priority is given to decisionmaking by discussions and bargaining that produce a consensus in which all or almost all member states can find enough advantages in a proposal to give it support. The great majority of Council decisions are taken without votes being recorded for and against.

The decision rules of the Council encourage consensus because they set a high standard for approval. When the European Community was launched, the adoption of policies required the unanimous consent of all six member states. However, the capacity to threaten a veto was scaled down before Portugal joined the European Union. Today, unanimity in the European Council applies to a limited number of major actions, such as the approval of a treaty, decisions about the admission of new member states, foreign and security issues and taxation. The threat of a veto is rarely invoked, especially by small countries. In the words of a Luxembourg official, 'We can say No only once every ten years'.

The distribution of the 345 Council votes has some regard to population, but the exact number of votes assigned to each country is not calculated by a precise mathematical calculation. It reflects past political bargains arrived at between big and small states.

2. The term Council is used to cover meetings of prime ministers and the more numerous meetings of national Cabinet ministers in the Council of Ministers.

- * Four countries--Britain, France, Germany and Italy--each have 29 votes, 8.4 percent of the total vote in the Council. Collectively, the four biggest countries have one-third of the total Council vote, and 45 percent of the super majority vote required by QMV rules.
- * Two countries--Spain and Poland--each has 27 votes, only two votes less than the big four countries, even though their population is significantly less. Each has 7.8 percent of the total vote of the Council and 11 percent of the super majority required by QMV rules.
- * Romania and the Netherlands have 14 and 13 votes respectively in recognition of their above-average share of the EU population. Each country's vote is 4 percent of the Council total.
- * **PORTUGAL** is one of five countries having 12 Council votes, 3.5 percent of the total and 4.9 percent of what is required for a super majority vote. The other countries with 12 votes are Belgium, the Czech Republic, Greece and Hungary.
- * Austria, Bulgaria and Sweden each have 10 Council votes, 2.9 percent of the total vote and 4 percent of what is required for a super majority.
- * Five states--Denmark, Ireland, Finland, Lithuania and Slovakia--each have 7 votes, 2 percent of the Council total.
- * Four votes are given to each of five countries--Cyprus, Estonia, Latvia, Luxembourg and Slovenia--and Malta has 3 votes. The six countries in total have fewer votes than each of the six biggest states.

Smaller countries have more Council votes than they would receive if votes were distributed to all countries in proportion to their population. Portugal receives one Council vote for every 886,000 people, whereas Spain has almost twice as many people for each Council vote and Germany more than four times as many. However, differences in population are so great between the biggest countries and other member states that Spain has more than double the Council votes of

Portugal and Germany even more. There is a strong correlation between a country's total votes and population; after controlling for the base allocation of six seats, on average a country receives one more Council vote for each additional 2.7mn citizens.³

Enlargement of the EU has had the paradoxical effect of increasing Portugal's absolute number of votes in the European Council while decreasing its relative share. When Portugal was one of 12 member states, it had 5 votes in a Council of 76. It now has 12 in Council with 345 votes. Portugal's share of the total vote has thus declined from 5.7 percent to 3.5 percent. This does not alter Portugal's position as a country with a limited number of votes to add to a coalition, but the big increase in the number of national governments participating in Council meetings creates a lot more competition for to be heard among small countries.

Qualified Majority Voting rules require a triple majority. First of all, 255 votes for the approval of a measure, that is 73.9 percent of the Council's total of 345 votes. At a minimum, to achieve this total would require approval by 13 member states: all four of the biggest state, four more states above average in population, plus five states with 12 votes each, of which Portugal is one. But this would be insufficient, because a second requirement is that a Commission proposal will only pass if it also endorsed by an absolute majority of member states or a two-thirds majority if a proposal is initiated within the Council. A third requirement is that states endorsing a measure should collectively have at least 62 percent of the population of the EU. These rules result in a combination of larger *and* smaller states being required to secure Council approval. The rules also stipulate that a Council proposal will be rejected if 91 votes are cast against it. If the four largest states were against a measure, this would be sufficient to block a proposal. However, a proposal would be unlikely to be put on the Council agenda if there

3. In a least squares regression, with a correlation of 0.95, the unstandardized coefficient of 0.37 represents just over a third of a Council vote for every additional 1 million persons.

was clear opposition from most big states or a large number of smaller states.

The weight of big states will be increased by a clause in the Lisbon Treaty that lowers the size of the super-majority from November, 2014. The new rules still require a double majority. A total of 55 percent of votes must endorse a proposal, a total that the eight largest states could provide. In addition, 65 percent of the EU's population must endorse a proposal, a criterion that could be met by the six largest states. A blocking minority must include at least four states, a criterion that could be met if Germany, plus two other big states and one small state joined together in opposition. For Portugal, the situation remains as before: it will need to be in a coalition of big and small states in order to be in the majority when the Council endorses a policy.

Mathematicians such as Penrose, Banzhaf, and Shapley and Shubik have devised a variety of power indexes of the likelihood of an individual player being able to change an outcome by casting the deciding vote when votes are not distributed equally (for reviews relevant to the EU, see Barr and Passarelli, 2009; Felsenthal and Machover, 2009). The probability can range from 0 to 100. However, the distribution of votes between countries and the requirement of multiple super majorities limits the probability of even the largest country, Germany, being decisive. Moreover, because 27 countries vote, the mathematicians' index of power is a complex cooperative game. It thus differs from Robert Dahl's (1967: 203) classic definition of power as the probability of one actor being able to get another to do what the former wants even if the latter does not. Dahl's bilateral definition of power is familiar to small states with big neighbours, such as Austria and Ireland. It is a major reason why they value the EU's grant of procedural rights for participation in multilateral EU deliberations.

A country's votes can be influential in three different ways—its overall power, being decisive in forming a majority, or in blocking the adoption of a measure. Felsenthal and Machover (2009) calculate Power Indexes for each criterion and do so not only for the current rules but also for

the reduction in the size of the super-majorities as from November 2014.

The power of Portugal can be evaluated by comparison with Germany, with a population more than seven times larger; Spain, more than four times more populous; and Ireland, with less than half the population of Portugal. Currently, the overall Power Index of Germany and Spain are each double that of Portugal, while Ireland is two-fifths less. There is a similar relationship for majority and blocking votes. Changes in voting rules in 2014 will give more weight to population. This will make the overall Power Index for Germany four times that of Portugal and Spain will increase both absolutely and relatively. Portugal’s overall index will continue to remain large compared to Ireland. The capacity to form a blocking minority is lowered in 2014 for all countries but not equally. The blocking index of Portugal is more than halved while that of Spain and Ireland drop by just over a third, and Germany is only slightly affected.

Table 2.1 Power indexes of european council votes

	Overall		Majority		Blocking	
	2011	2015	2011	2015	2011	2015
	(Maximum Index range .00 to 1.00)					
Germany	.032	.193	7.78	11.31	.806	.757
Spain	.031	.121	7.41	7.10	.767	.475
PORTUGAL	.015	.048	3.68	2.81	.381	.188
Ireland	.009	.036	2.18	2.12	.226	.142

Source: See Felsenthal and Machover (2009) Appendix Tables 1, 2, 3 and text for full mathematical exposition of each index.

Like any summary index, mathematical measures of power do not take into account major characteristics of the EU process of arriving at decisions. First of all, a big majority of measures that the EU adopts are *not* discussed by the Council; they are reviewed by COREPER in a process that emphasizes discussion by public officials and experts, including participants from Portugal’s Office of Permanent Representative.

When measures do have a political content, national ministers then engage in discussions in which those who represent states with more voting power, as shown above, have a bigger voice. Few issues coming before the Council involve zero-sum issues, in which what some countries gain other countries must lose. Most EU proposals consist of a variety of elements that can be amended without rejection of their overall intent. Details can be made more widely acceptable by adding a clause, a sentence or a phrase, or removing a line or a few lines to which objection is taken. If a number of countries fear a loss, they can use the threat of voting as a blocking minority to force the removal of a measure from the Council's agenda for an indefinite period. This procedure is favoured by smaller countries that lack the votes to reject a proposal on principle. If one or two countries cannot have their views accommodated, they may be granted opt outs, the fall back negotiating strategy of Britain. However, doing so can create a reputation for being uncooperative and thus harm negotiations on unrelated issues.

Whereas a big state with a position out of harmony with majority opinion cannot be ignored, small states run the risk of have their preferences ignored if they are not ready to compromise, because their omission from a consensus of 20 or more states is normally viewed as of no consequence. Small states must adopt positions in harmony with countries with more influence in determining a policy consensus. Being in harmony does not require a government to say the same as a big state, but to ensure that whatever is distinctive in its position can fit within whatever compromise is likely to emerge as an EU policy. Even better are circumstances in which the Portuguese position is aligned with that of big states such as Germany or shared with a number of states that can take a group initiative on behalf of proposals that take into account concerns specific to Portugal.

Of the hundreds of measures that come before the Council each year, an overwhelming majority are approved by unanimous consent. In the pre-enlargement period 2000-2004, an average of 85 percent were so confirmed and only 15 percent were subject to Qualified Majority Voting (Diedrichs and Wessels, 2006: 227). Subsequent to enlarge-

Small states must adopt positions in harmony with countries with more influence in determining a policy consensus

ment, more than 90 percent or more of measures have been approved unanimously. When recorded votes are called, it is often at the behest of one or a few countries that want to cast a symbolic negative vote or make a statement that plays to their domestic political audience but does not create an obstacle to Council approval (Hagemann, 2010).

Because most Council decisions are arrived at by bargaining in which states the size of Portugal cannot be decisive, a realistic strategy is to be part of a winning alliance. Making a case for amending a policy on grounds of collective benefits, saying 'We would like this', is more likely to attract agreement than voicing a claim by saying, 'My country wants this'. Because small countries have fewer votes to contribute to a coalition, they have greater incentives to adopt 'agreeable' policies and, when voicing a view, to make sure they are in harmony with a substantial number of countries. Stating a national position that is popular in the national media or parliament but unpopular in an EU conclave invites isolation.

When issues first appear on the EU agenda, national representatives of small states must think in terms of 'pre-compromising', that is, articulating positions that have been adjusted to take into account what may be acceptable to other national governments. In this way Portugal can hope to get some satisfaction from a measure that the Council is certain to approve and remove clauses that may be objectionable. By putting forward amendments and objections early in the deliberation process and accepting the dominance of big states when the biggest disputes arise, Portugal avoids being on the losing side. A review of Council decisions since 2004 found that Portugal casts a negative vote or abstains on just over 2 percent of issues coming before the Council (Mattila, 2010: 30).

The extent to which Portuguese policymakers achieve satisfaction on politically controversial issues has been evaluated statistically by Arregui and Thomson on the basis of interviews with PERMREP officials (2009). Satisfaction is measured as the extent to which an EU decision reflected a country's initial position in the process that led up to it. On

average EU decisions resulted in most countries being more or less satisfied with the relation between their initial goal and what the outcome was; the spread of countries around the median position is limited (Arregui and Thomson, 2009: Figure 2). Consistent with the EU's culture of accommodation and compromise, no country was totally satisfied or dissatisfied.

Portuguese officials had the median satisfaction rating in the pre-enlargement 15-nation Union. They tended to be more satisfied than big countries such as France and Italy; this may reflect the fact that bigger countries have more ambitious goals. However, the fact that the three Nordic countries and Ireland recorded even more satisfaction suggests that these countries have more smart power. After enlargement, the match between what Portugal sought and what the EU decided remained virtually the same. The relatively high degree of satisfaction found in Portugal suggests that officials are realistic in what they can achieve and prepared to 'pre-adjust' their positions in order to state preferences consistent with what they expect will attract allies in the process of the bargaining that leads to a decision by consensus.

REPRESENTATION IN THE EUROPEAN PARLIAMENT

The European Parliament is a forum in which MEPs and parties can voice the views of their voters and an institution with co-decision rights with the Council on major policy proposals. In addition, it has power over the EU's budget, the confirmation of persons nominated by member states as Commissioners; and it can vote no confidence in it. The work load of the EP is great. In the first half of the current Parliament it has approved an average of just over 400 pieces of legislation and non-legislative measures a year. It also engages in continuing discussions about a large volume of suggested policy actions.

Up to a point, size is important in enabling a country's MEPs to represent the diversity of opinions in a country's electorate. For that reason, each country has had a minimum number of MEPs⁴, and they must be elected by proportional representation. Thus, even though the Portuguese Socialist Party could no longer represent the country in the European Council when it lost the election last year, it retained a voice in the European Parliament. Since the views of voters are represented by parties, it is not necessary to have a lot of MEPs voicing the same party line in a debate. Only half an hour is set aside in each monthly session for individual MEPs to make one-minute statements. Nor is there patience for a multi-national Parliament to listen to 96 Germans or 72 Italians making statements about matters before it. As a rough rule of thumb, if a country has 20 or more MEPs, and Portugal has 22, then it has enough to have one representative on each EP committee that reviews policies.

Within the European Parliament, MEPs are organized by **multi-national Party Groups** and vote on party rather than national lines. When the Parliament votes, it is the size of multi-national Party Groups that is critical in determining whether there is the absolute majority necessary to approve of a proposal. Since EP rules require a Party Group to have

4. The minimum is increased to six by the Lisbon Treaty.

members from a minimum of seven states, no country can dominate a Group that is influential in the work of the Parliament. When Party Groups disagree, then Portuguese MEPs will cast their ballots in opposition to each other, just as they would in the national Parliament.

Portugal's share of MEPs. The Lisbon Treaty states contradictory positions about representation. Article 9 declares: 'In all its activities, the Union shall observe the principle of equality of its citizens, who shall receive equal attention from its institutions, bodies, offices and agencies'. However, article 14 requires that MEPs shall be allocated to member states by a process of degressive proportionality. The size of a country's population thus becomes a critical determinant of how many MEPs it has, but the relationship is disproportional. Instead of each MEP representing approximately the same number of citizens in accord with each vote having the same value, MEPs from a less populous member state represent *fewer* citizens than MEPs from a state that has a larger population.⁵ In addition, the Lisbon Treaty benefits the smallest member states by prescribing that every state should have at least six MEPs and no state more than 96 MEPs.

Because the distribution of population among EU countries is skewed, 19 member states including Portugal benefit significantly from the EU system of allocating MEPs (Figure 3.1). If the same population quota were applied to every EU country, then Portugal would have 16 rather than 22 MEPs. Degressive proportionality results in over-representation increasing as population falls. Portugal's number of MEPs is greater than that of 13 member states, while the benefit it receives from the EU's system of disproportional representation is much less. The quota needed to claim an MEP in Malta or Luxembourg is one-sixth that of Portugal. Portugal also has far fewer MEPs than the EU's four biggest countries, led by Germany with 96 MEPs.

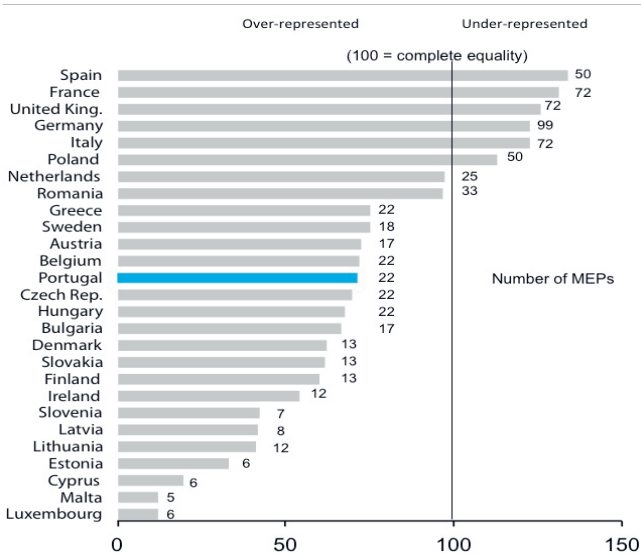
The dynamics of enlargement have reduced both the absolute and the relative size of Portugal's membership in the

5. The upper chamber in Parliaments of federal states are similar in not representing citizens equally but, unlike the unicameral European Parliament, their departure from equality is counter-balanced by the equal representation of all citizens in the lower chamber. See Rose (2012).

European Parliament. Initially it had 24 MEPs in an EP with 518 members and in 1994 it returned 25 MEPs to a Parliament of 567 members. Following the EP's 2004 enlargement, Portugal lost one seat, and in 2009 it lost two seats. The allocation of seats in the Parliament to be elected in 2014 is now under review. A report commissioned by the Constitutional Affairs Committee of the Parliament has produced a mathematical formula for re-allocating seats consistent with the constraints of the Lisbon Treaty (Grimmett et al., 2011: Table 1). The net effect would be to give more MEPs to larger states in order to reduce the under-representation of their citizens. Since the number of MEPs of the smallest states cannot be reduced, seats must be taken from medium-size countries. Thus, the Report proposes reducing Portugal's representation by 4 MEPs to 18 and similar reductions in the seats of other medium size countries. Even if the Report is rejected by a coalition of small states (cf. Rose et al., 2012), the admission of Croatia will require the subtraction of 11 EP seats from existing member countries, again making Portugal vulnerable to having its representation reduced.

Because the distribution of population among EU countries is skewed, 19 member states including Portugal benefit significantly from the EU system of allocating MEPs

Figure 3.1 Unequal Allocation of MEPs by Country



Source: Calculated by dividing the population per MEP in each country by the population per MEP in the whole EU and multiplying the result by 100.

Reductions in Portugal's share of seats in the European Parliament have not altered the two fundamental characteristics of Portugal's position. It benefits from the EP's commitment to the over-representation of less populous member states but its MEPs will always constitute only a few percent of the Parliament's total membership.

Choices of parties and voters. While the European Union sets rules about how many MEPs represent a country, Portuguese voters determine which parties represent them and the parties choose the candidates in winning positions on their list. Strictly speaking, MEPs represent those who turn out to vote. In 2009 turnout in Portugal was only 36.8 percent, 7 percentage points below that for the whole of Europe. Empirical research indicates that the party preferences of non-voters in EP elections differ very little from those of voters (see Bernhagen and Rose, 2011).

Although MEPs are elected to sit in multi-national Party Groups, in each country voters choose between national party candidates and tend to favour the same party they vote for at national elections. At the 2009 EP election, five Portuguese parties won seats. The then Opposition in the national Parliament, the Social Democratic Party, took 8 seats and the Popular Party won 2 seats, while then governing party, the Socialists, won 7 seats. The Left Bloc gained 3 seats and the Communist Party won 2 MEPs. Although no party achieved a double-digit number of MEPs, each of Portugal's two largest parties has more MEPs than four EU member states.

Whereas Portugal's parties and voters propose which Portuguese politicians become Members of the European Parliament, multi-national Party Groups and alliances decide what the Parliament does. The outcome of an EP election produces a Parliament with MEPs elected as nominees of up to 170 different national parties. The median national party winning seats has two MEPs and the number of MEPs in even the largest national parties falls hundreds short of providing an absolute majority. Hence, there is a need for trans-national organisation and, since every party has won its seats by competing against other national parties, organization is on lines of trans-national partisan principles,

whether of socialists, liberals, greens or people's parties. In the 2009 European Parliament, MEPs have formed seven multi-national Party Groups plus a small residual group of the non-aligned.

The two main Portuguese parties affiliate to the two largest EP Groups. Portuguese Social Democrats are 10 among the 265 members of the European People's Party Group and the Socialists are 7 of the 184 members of the Socialist & Democratic Group. This guarantees their MEPs access to Group leaders who can exercise substantial influence on collective decisions of the Parliament. If an MEP participates effectively in a large Party Group, he or she can leverage their influence. However, by belonging to a large Party Group which can include French, Germans, British or Italian MEPs, Portuguese MEPs are no more than eighth in their national number in the People's Group and in the Socialist Group.

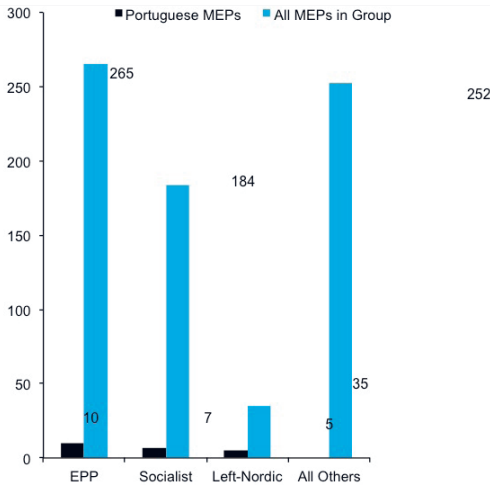
The affiliation of Portugal's largest parties with the two largest groups in the European Parliament ensures that whatever the partisan outcome of an election, the country's representatives will have a place in the Groups that dominate the work of the Parliament. By contrast, the affiliation of more than one-fifth of Portugal's MEPs with one of the smallest EP Groups, the nominally United Left-Nordic Green Group, makes it more difficult for these MEPs to exert influence on collective decisions of

the Parliament. The absence of any Portuguese representation in the Liberal Group, the third largest in the Parliament, is a handicap as it can sometimes be decisive in constituting an EP majority. In the European Parliament, Portugal lacks members in five Party Groups with a total of 255 MEPs. The limited number of Group affiliations of Portugal is not the result of size, for countries with fewer MEPs, such as Belgium, Denmark, Greece, Latvia, Lithuania and Sweden affiliate to five or six Party Groups, and a majority of countries have MEPs in all three of the big Party Groups.

The European Parliament usually makes its decisions by a voice vote rather than by a ballot that records the position of individual MEPs and Party Groups. Since no Party Group

has ever come close to having an absolute majority of the 751 members of the European Parliament, consensus endorsement requires an alliance of Party Groups. Political arithmetic dictates two choices, a black/red majority between the European People's Party and the Socialist Party, or an anti-Socialist coalition of Groups with very disparate outlooks (Hix et al., 2007; Rose and Borz, 2011: 23ff). A black/red coalition is more than sufficient to ensure endorsement of a measure without a recorded vote; it is normal in recorded votes too. Consensus voting means that Portuguese MEPs who have competed against each other nationally often vote on the same side. It also means that when a black/red coalition is difficult to construct and the Liberal Group is pivotal, Portugal is not represented there.

Figure 3.2 Portuguese Parties in EP Party Groups



The two main Portuguese parties affiliate to the two largest EP Groups. This guarantees their MEPs access to Group leaders who can exercise substantial influence on collective decisions of the Parliament

Source: Distribution of MEPs following the June, 2009 election. All others include ALDE, 84; Green-EFA, 55, European Conservative and Reform, 54, European Freedom & Democracy 32, and non-aligned.

Social Democratic and Socialist MEPs are normally on the winning side when a recorded vote is held in the European Parliament. In the 2004-09 Parliament, the EPP was on the winning side in 86 percent of votes and the Socialists in 81 percent of votes. By contrast, the third Group with which Portuguese MEPs normally affiliated, the Left Greens, was only on the winning side in 52 percent of votes. The pattern

has been much the same in the first years of the Parliament elected in 2009 (Corbett et al., 2011: 124; www.votewatch.eu).

Combining partisan and national representation. Because the European Parliament has even more members than the biggest national parliament of any member state, the organization of influence is concentrated in the hands of the limited number of MEPs holding leading posts in its Bureau, in Party Groups, and in Committees of the Parliament. These posts are distributed among MEPs of many nationalities. Size matters: since the number of important EP posts to be distributed is few, most smaller countries will receive few if any senior posts. No Portuguese has ever been President of the European Parliament; no Portuguese is currently one of the 14 Vice Presidents with oversight of policy areas; and no Portuguese is currently one of the 5 Questors concerned with the administration of the Parliament. In addition, no Portuguese MEP has ever been president of any of the EP's three largest Party Groups, the People's Party, the Socialists and the Liberals. A Portuguese MEP has only twice been a minor party president, the Greens, 1989-90, and the United Left-Nordic Greens, 1993-94.

Because of the volume and diversity of topics coming before the Parliament, the great bulk of the EP's work is done in committees that review Commission proposals and negotiate with the Council about resolving differences of opinion so that a proposal can be recommended for approval by the full Parliament. The EP has 20 different standing committees and can establish committees ad hoc to deal with important topical issues, such as the current financial crisis. Each committee has a chair and three vice chairs. Every country can expect to have at least one official post, but since they are determined by bargaining between Party Groups nationality is secondary to partisanship. At the beginning of the 2009 parliament there was one Portuguese chair at the International Trade Committee. In previous parliaments with fewer member states, there were Portuguese chairs of committees for Development, 1999-2004; Civil Liberties and Justice, 1994-1997; and Employment and Social Affairs, 1987-1989. In the current Parliament, Portuguese MEPs have been vice chairs of committees of Employment and Social Affairs;

Women's Rights and Gender Equality; and the Special Committee on Financial, Economic and Social Crisis.

MEPs are assigned to committees on the basis of agreement between the leaders of Party Groups. They agree assignments more or less in proportion to each Group's size and with regard to representing nationalities. Small states are less handicapped by size in the work of committees, because the most popular committees are large and there is an expectation that smaller countries will have more than one member in order for the views of a country's different parties to be expressed. Thus, notwithstanding an eight to one difference in population between Germany and Portugal, the ratio of their MEPs on the Budget committee is less than half that. On the much smaller Fisheries Committee, which deals with policies of importance to Portugal, it has two members, only one less than Germany. In addition, every committee allows substitutes with most of the rights of full committee members. It is thus possible to have up to three Portuguese MEPs on committees of special national importance. Whatever the partisan control of government in Lisbon, on each EP Committee there is almost certain to be an MEP of the government party and of the Opposition.

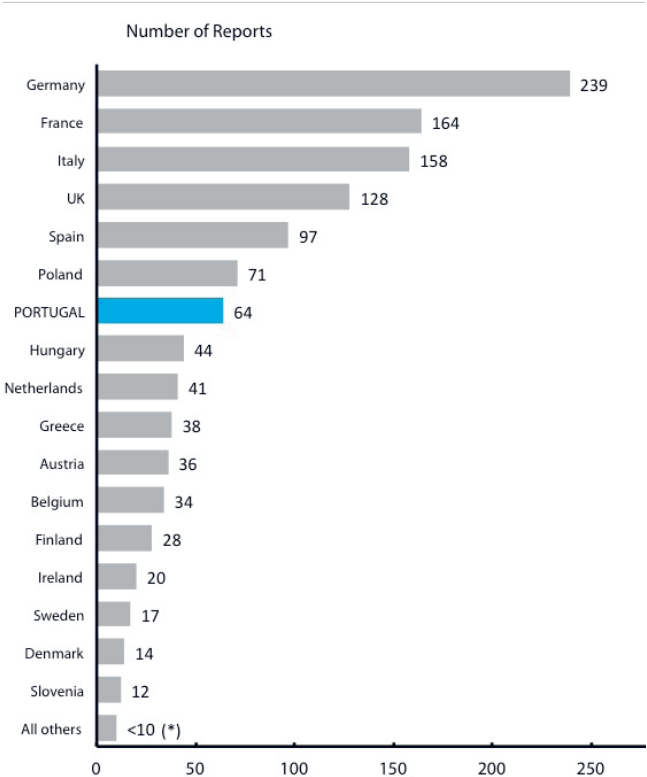
Within a committee, brokers representing the major Party Groups have a key role in appointing co-ordinators to represent the Group's position there. Each co-ordinator can keep before the committee the key points that will determine whether their Group will support a proposal. The co-ordinators of the largest parties can negotiate terms that, if adopted, will assure a majority within the Committee and, most likely, endorsement by the full parliament. Because Portugal is only represented in three Party Groups, its MEPs are less likely to play a part in the co-ordination of committee positions. Being in a small Party Group can handicap MEPs from a big country too; this has been the experience of British Conservative MEPs since they moved from the EPP to the small Freedom and Democracy Party Group.

For each issue coming before it, a Committee appoints a *rapporteur* to prepare a dossier that evaluates the proposal in depth, clarifies the major points on which a consensus is

Small states are less handicapped by size in the work of committees

identifiable, and where differences will need to be compromised to gain majority endorsement. The appointment of an MEP as a *rapporteur* is a sign of respect for their judgment by multi-national and multi-party committees. Portuguese MEPs have been well above average in their activity as committee *rapporteurs* (Figure 3.3). In the 2004-2009 Parliament they collectively ranked seventh, just behind MEPs from big countries with twice to four times as many MEPs. Portuguese MEPs were also more active in this role than MEPs from similar size or larger older member states, such as the Netherlands, Austria and Belgium, as well as from smaller older or new member states.

Figure 3.3 Committee Rapporteurs on EP Policies by Country



Portuguese MEPs have been well above average in their activity as committee rapporteurs

**Countries with less than 10 reports: Bulgaria, Cyprus, Czech Republic, Estonia, Latvia, Lithuania, Luxembourg, Malta, Romania, Slovakia. Total: 37 Reports.*

Source: Reports for the Sixth Parliament, 2004-2009, as reported in Hix and Boyland (2011: 58).

Because the activities of the European Parliament are relatively distant from ordinary citizens and decisions must be reached through multi-national deliberations, ordinary citizens cannot expect their MEPs to act as agents carrying out programmes that have been endorsed nationally. Instead, MEPs should act as trustees for the interests of their voters, using their discretion to do what they think best in an EU context. Eurobarometer surveys regularly monitor the extent to which citizens actually do trust the European Parliament. In its autumn, 2011 poll, 41 percent of European respondents expressed trust in the European Parliament, 45 percent did not, and the remainder had no view. The distribution of opinion in Portugal was almost the same: 44 percent expressed trust in the European Parliament and an equal percentage tended not to trust it. However, a striking feature of popular attitudes is that distrust of national MPs is substantially higher. Only 22 percent of Portuguese and 27 percent of citizens of other member states trust their national Parliament.⁶

6. See Eurobarometer 76, autumn, 2011, questions A14.1, A10.7.

IV

POLICY OUTPUTS

EU priorities. European Union treaties identify three ‘pillars’ of policy. The first concerns the economy and its social consequences. The 1986 Single Europe Act enables the EU to adopt policies with a major influence on the economies of both large and small states. For the second pillar, Foreign & Security Policy, size matters when military capabilities are relevant; even more important is agreement on actions--and this is often lacking. The third EU pillar, Justice and Home Affairs, addresses issues such as the movement of people across the borders of member states and from further afield; these concerns are more likely to reflect a country’s economic and geopolitical influence than its size.

To carry out its policy commitments, the European Commission is divided into three dozen Directorates grouped under 27 Commissioners, one from each member state. These are:

- * **Economy.* Agriculture and Rural Development. Competition. Consumer Protection. Economic and Monetary Affairs. Employment, Social Affairs and Equal Opportunities. Energy. Enterprise and Industry. Environment. Fisheries and Maritime Affairs. Information Society and Media. Internal Market and Services. Regional Policy. Science and Research. Taxation and Customs Union. Trade. Transport.
- * **Foreign & Security.* Development and Humanitarian Aid. Enlargement. External Relations and European Neighbourhood Policy.
- * **Justice & Home Affairs.* Education, Training, Culture and Youth. Health. Justice, Freedom and Security. Multilingualism.
- * **Administration of the EU.* Administrative Affairs, Audit and Fraud. Financial Programming and Budget. Institutional Relations and Communications Strategy. Presidency.

Consistent with its origins as the European Economic Community, the economy remains by far the primary concern of the Commission's policymakers. This priority is matched by Portugal's Office of Permanent Representative; a big majority of its counsellors monitor a variety of economic issues. The challenge of managing the administration of the EU is indicated by the number of Directorates seeing to such things as budgeting, public relations, and preventing fraud. Whereas the founders of the EU gave priority to preventing war as well as to economic reconstruction, the commitment and capacity of EU institutions to foreign and security issues is limited.

The emphasis that the EU gives to economic affairs exemplifies Europe's multi-level government, for management of the economy is a shared responsibility of national governments and EU institutions. The Eurobarometer survey asks people whether they think decisions about such major economic concerns as tackling unemployment should be made by their national government or jointly with the European Union. Across the EU, 58 percent want their national government to be in charge of unemployment as against 39 percent favouring joint policymaking with the EU. However, in Portugal the position is reversed: 54 percent want joint action with the EU on unemployment against 40 percent favouring national action. In addition, 43 percent of Portuguese would welcome EU involvement with national taxation as against 28 percent of all Europeans; 45 percent would welcome EU involvement with national pensions as against 24 percent of Europeans; and 57 percent endorse the EU being jointly responsible for managing the country's public debt as against 44 percent of all Europeans.⁷

Comparing the EU's policy priorities with national priorities highlights big differences between the two levels of government. Whatever their population, national governments spend most of their money on pensions, health care and education. By contrast, the biggest pension expenditure of the EU is on pensions to its own retirees; the EU has little involvement with health; and its education policies

7. . Eurobarometer 76, autumn 2011, question A20.

principally affect universities and research institutes. Many foreign policy issues of concern to EU institutions, such as representing Europe in international meetings on other continents, are of little concern to small states. There is no expectation in Brussels that Portugal will be a leader in such areas as the EU's policy toward China or responses to crises such as the Arab spring. Insofar as the EU's influence on such international events is very limited, this is no particular loss to small states. When issues of low Portuguese priority come before the Council, the government can gain goodwill by going along with other countries on issues that are their priorities. It can also engage in logrolling, trading support with other countries on unrelated policies.

There are very few policies that are exclusively national. Even issues that are of little concern to the vast majority of member states can nonetheless involve more than one country, for example, Northern Ireland raises issues affecting both the United Kingdom and the Republic of Ireland. A country's history, geography or resources may give it a distinctive interest in a given issue. For example, Portugal can claim to be a leading voice on issues concerning the EU's relations with Brazil and its past engagement with colonies in Africa gives it knowledge that most EU member states lack.

Laws and regulations the chief EU resource. National governments have three major resources--laws, money and public employees. The way in which these resources are combined varies between policies. For example, the regulation of business tends to be law-intensive; paying social security benefits is money-intensive; and health and education are both labour and money intensive. The EU's combination and use of resources is very different from national governments.

Law is the chief resource of the European Union and unlike money there is no limit on the amount of legislation it can adopt annually. While the great majority of measures are of little significance, cumulatively they add up to tens of thousands of pages of regulations, directives and decisions. Laws apply to all member states and citizens, whatever their

population, and they affect economic enterprises social groups and individuals without regard to their nationality.

The chief constraint on the output of EU legislation is the need to get approval from the institutions that constitute the EU's compound polity. Formally, laws enacted by the European Parliament and approved by the Council are the EU's equivalent of a national Act of Parliament. Before they can be approved there is a process of consultation with affected interest groups at the national and European level, with PERMREP Offices and with relevant MEPs and European Parliament committees. The President of the European Commission or Council can make statements about world problems, for example, the need for peace in the Middle East, or the desirability of achieving greater social cohesion in 2020. However, when the resources to put intentions into effect are lacking, such statements remain exhortations without material effect.

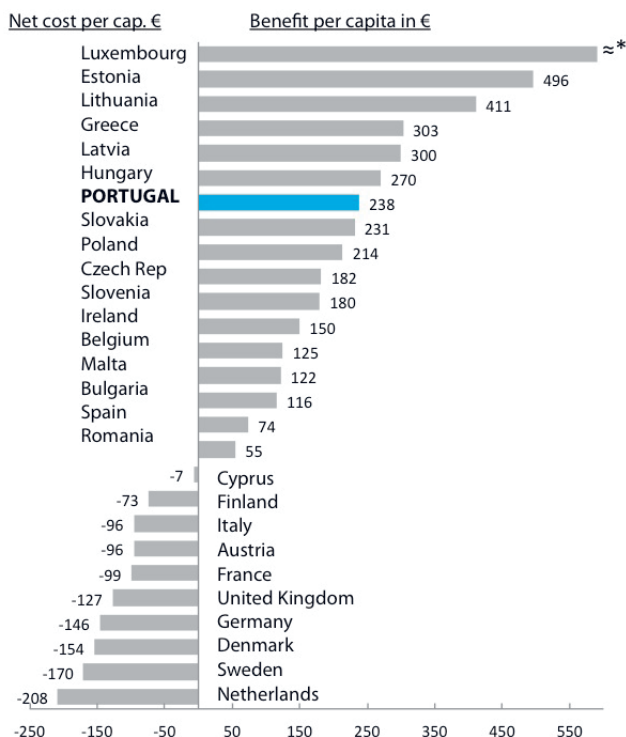
The revenue of the European Union is little more than 1 percent of the total Gross Domestic Product of member states. However, the money it collects annually from member states is in total more than the income of the EU's ten smaller states and about three-quarters of the Gross Domestic Product of Portugal. EU revenue comes principally from member states according to an ability-to-pay formula that is levied on Gross National Income and augmented by a percentage of each country's Value Added Tax. The result is that the per capita contribution of Portugal to the EU budget is bigger than that of poor East European countries but much less than that of prosperous small countries such as Sweden. In 2009 Portugal contributed euro 1.8bn to the EU, about 1 percent of its Gross Domestic Product.

Two sets of entitlement policies account for more than five-sixths of EU expenditure: cash payments for agriculture and rural development and the promotion of economic growth and employment. A country's claim to these sums reflects its economic structure, for example, economic problems arising from an uncompetitive labour force or high regional unemployment due to declining industries and whether agriculture is relatively important. National governments

must make their case for getting more money spent in their country by producing evidence of entitlements or by seeking to alter EU entitlement formulas in ways that will enable their country to benefit.

Figure 4.1 How the EU budget affects Member States

Whether a country is a net beneficiary of the EU budget depends on its economic and social structure rather than its population



*Because of very small population and many EU offices, Luxembourg's net benefit is nominally €2,5303.

Source: European Commission, 2010. For further details, see Appendix Table 1.

Portugal claimed more than euro 4.3bn from the EU budget in 2010; euro3.05bn was received for economic growth and employment policies and euro1.25bn for agriculture and rural development. Portugal was one of the biggest beneficiaries of economic development funds, receiving more EU money than better off large states such as Britain or France.

Moreover, Spain, with more than four times the population of Portugal, received only twice as much for economic development.

Whether a country is a net beneficiary of the EU budget depends on its economic and social structure rather than its population. Belgium and Luxembourg are big beneficiaries because EU institutions are one of their major industries! Poland is the biggest net beneficiary of EU funding because it is both populous and relatively poor. Portugal ranks fifth in the total amount of money it receives, behind much Spain, Poland, Greece and Hungary. When population is taken into account, Portugal ranks seventh in per capita benefits, behind four former Communist countries plus Greece and Luxembourg.

Public employees are a major resource of member states, because most major national programmes are labour-intensive. However, employees are a minor EU resource because laws are carried out by national governments and money it spends is administered by employees of member states. The EU has only 26,000 employees, less than public employment in a medium-size European city and less than 1 percent of the labour force of Portugal. The biggest category of EU employees consists of bureaucrats in the literal sense, officials concerned with making and administering laws and regulations in accord with procedures laid down in EU Treaties and laws.

The size of a country is a given; in the European Union Portugal is and will remain a medium-size state. It is larger than many small states but in the shadow of a few states big in population and in economic displacement. Portugal has had the advantage of a quarter of a century of membership to learn how the EU works, whereas the 12 new member states joining since 2004 have not. However, once all these new members learn to make full use of the EU system, then Portugal will face increasing competition to be noticed in the EU policymaking process--and further enlargement will increase the number of small states. Instead of being content with the country's current level of smart power, it should think in terms of developing smarter power.

What the Portuguese government can do. While the rules governing the EU policy process are fixed, the Portuguese government has the freedom to organise its activities within the process. To influence policies, national officials must act smartly, that is, make their case at the right time, which is early in the decision process, and to the right people, that is, other countries with similar interests and views. To take a position without regard for how much or how little support it will attract from others invites being marginalised or ignored in Council deliberations.

A single small state can only be effective if it develops a common position in alliance with representatives of other states, both large and small. When Naurin and Lindahl (2010: Table 4.1) asked hundreds of participants in Working Groups reviewing policy which country they most often cooperated with to develop common positions, three large states--Britain, France and Germany--came top. Big size is not sufficient to be a central figure in policy alliances, for Italy came well down the list, because of difficulties in its government. Smallness is not necessarily a liability. Three small countries, Sweden, the Netherlands and Denmark, are frequently consulted as allies, because of the skills of their officials in building alliances for policies that will secure Council endorsement. Some small states have common borders and history that encourage alliances. The

three Nordic countries--Denmark, Sweden and Finland--normally meet as a group before each European Council meeting and Benelux countries are in frequent contact too. The three Baltic states have frequent consultations on a range of policy issues, such as foreign and security policy. The four Visegrad states--the Czech Republic, Hungary, Slovakia and Poland--began working together when seeking admission to the EU.

Co-operation is not often sought with Portugal. In interviews conducted by Naurin and Lindahl prior to EU enlargement, it was placed twelfth out of fifteen states, below those comparable in size or smaller, such as Denmark, Finland, Sweden and Austria. When the study was repeated after the 2004 enlargement, Portugal was placed eighteenth out of twenty-five. Portugal was not only below bigger and older member states but also below Poland, a leader among enlargement countries because of its size; the three Baltic states; and the four Visegrad states. When networks are formed, Portugal is most likely to turn to Spain in order to benefit from the links that Spain has with the biggest states. By contrast, Ireland does not depend on its historic partner, Britain, but builds alliances with a variety of member states as appropriate to the issue. For example, Ireland has allied with less prosperous countries on cohesion policy and with France on agriculture.

Portugal is more likely to be sought as a partner by other Mediterranean countries (Naurin and Lindahl, 2010: 76). While the three biggest countries, France, Italy and Spain, are most important, other Mediterranean states are then more likely to cooperate with Portugal than with a big majority of other EU member states. While these links are natural asset, they are under pressure, since the Mediterranean countries with which Portugal can ally are a declining proportion of EU member states and before the eurozone crisis it had fewer EU links with the EU's largest state, Germany, or with ten post-Communist countries. *Thus, Portugal could benefit by actively seeking to increase its ties with Northern Europe and with Eastern Europe.*

Portugal could benefit by actively seeking to increase its ties with Northern Europe and with Eastern Europe

Party choices of MEPs. The use of the list system in selecting MEPs enables parties to determine which candidates

are almost certain of being elected because they are high on the party list and which have little or no hope of election. The choice of who is high on the list is invariably subject to personal and internal party politics. It also has consequences for the quality of representatives that a party returns to the European Parliament.

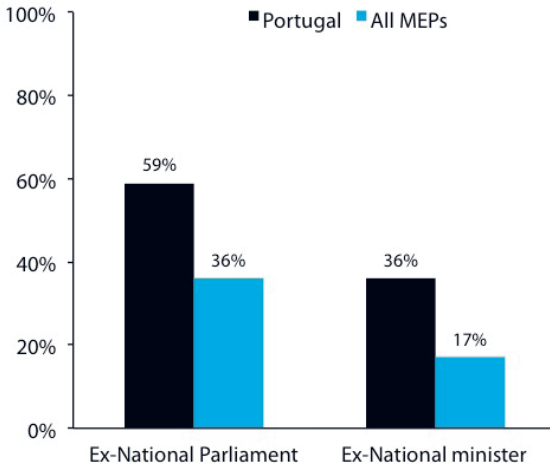
Because MEPs are links between the Portuguese electorate and the EU policy process, to act smartly they need to understand both the national politics of Portugal and the multi-national politics of Brussels. MEPs who have served as members of their national parliament are at an advantage. Portuguese parties give a high place on their list to party members already well integrated in the national political system. Nearly three-fifths of Portuguese MEPs returned in 2009 have been members of the national parliament (Figure 5.1) By contrast, little more than one-third of all MEPs have sat in national parliament and in Germany only 13 percent. In addition, more than one-third of Portuguese MEPs have been ministers in the national government; this provides the added experience of sitting in the Council in Brussels as well as in the national Cabinet. This is more than double the overall EU pattern. Whatever the party in power in Lisbon and the strength of Party Groups in Brussels, there are many MEPs qualified to discuss EU policies in Lisbon.

To discuss policy in the cosmopolitan environment of the European Parliament requires fluency in the EP's two working languages, English and French, both foreign languages for Portuguese. Given the extent to which a university education now requires reading texts in an international scientific language, graduates have some familiarity with at least one foreign language. All but one of Portugal's MEPs is a graduate and several have PhDs or have studied in prestigious institutions in the United States or France.

It takes a significant part of an MEP's initial term of office to come to grips with how the EP system works and how it relates to the European Commission and Council. It also takes time to identify common interests and network with MEPs from other countries who share common interests. An MEP who serves more than one term will have much

more potential for influence than a fledgling MEP. Eight Portuguese representatives have been MEPs for more than one term and several have had significant experience in other posts in Brussels, for example, as a principal advisor to a department of the Commission or as a Portuguese diplomat there. At the start of the Parliament elected in 2009, about half of Portugal's MEPs were already familiar with its institutions.

Figure 5.1 National Experience of Portuguese MEPs in comparison



Portuguese parties give a high place on their list to party members already well integrated in the national political system.

Source: Richard Corbett, F. Jacobs and M. Shackleton, *The European Parliament* (8th edition, 2011), 56.

The turnover of Portuguese MEPs from one election to the next is very high: 15 of the 22 elected in 2009 had not served in the previous Parliament. Most turnover was due to the voluntary departure of MEPs rather than electoral defeat. For example, nine of the ten MEPs that the Social Democratic and the Popular Party returned were newcomers. Among the shrunken Socialist Party representation, three of its seven MEPs were newcomers. While the turnover of MEPs has always been around half its total membership, the two-thirds turnover of Portuguese MEPs is well above the European average (cf. Corbett et al., 2011: 51). It places the country at a disadvantage, because Portugal does not have

Portugal's MEPs would collectively wield smarter power if Portuguese parties would nominate candidates who were prepared to spend two terms in the EP

the ‘surplus’ MEPs of large countries. The need for MEPs to be fully effective will become more important as future enlargement leads to the reduction in Portugal’s current allocation of 22 MEPs.⁸ *Portugal’s MEPs would collectively wield smarter power if Portuguese parties would nominate candidates who, subject to election outcomes, were prepared to spend two terms in the EP rather than leaving soon after mastering the work there.*

Understanding and supportive citizens. All democratically elected governments need the backing of their citizens for what they do. The increasing Europeanization of policy requires popular understanding of what national governments do in Brussels as well as in their national capital. Understanding and support is even more important for eurozone countries such as Portugal, which finds itself on the receiving end of policies imposing visible costs as the price of providing funds to overcome Portugal’s financial crisis.

When the autumn, 2011 Eurobarometer asked Portuguese whether they think they understand how the EU works, 37 percent replied positively, while 58 percent said they had no understanding and the remainder were don’t knows. A lack of political understanding does not prevent people from having opinions. For example, 60 percent of Portuguese believe that the European Union usually does not take the country’s interest into account and 43 percent are not satisfied with the way in which democracy is working in the European Union.⁹

Ignorance or indifference is more likely to be the median popular view of EU policies than outright disagreement. The two are combined in answer to a Eurobarometer question about whether Portuguese consider that EU membership offers good value for money.¹⁰ Notwithstanding Portugal

8. The admission of Croatia to the EU will give it a claim to seats that will have to be subtracted from medium size states, of which Portugal is one. A harbinger of vulnerability is that when the EP took advantage of transitional clauses in the Lisbon Treaty to add 18 seats to the 736 MEPs elected in 2009, none was allocated to Portugal.

9. Eurobarometer 76, autumn, 2011, questions A19a.1, A219a.2, A18b.

10. Eurobarometer 75, spring 2011, question D3.

being one of the biggest beneficiaries of EU funding (Figure 4.1), 40 percent said they thought the EU offers poor value, as against 28 percent considering that membership offered good value to Portuguese. The median group, 32 percent, were honestly indifferent, saying they had no opinion. Since the government of Portugal is now obligated to impose substantial costs on citizens as a consequence of the euro-zone crisis, it needs the support of its citizen for policies that reflect the effects of decisions taken in Brussels, Frankfurt am Main, and further afield. *The first step in gaining popular support for difficult economic decisions of government is to increase understanding of the need for effective action in a situation in which all choices have immediate and visible costs.*

Developing smarter power is a team effort; it cannot be imposed by a single decision or Act of Parliament. Smart power requires collective effort by *cadres* of Portuguese who are familiar with how policies are formulated in Brussels in order to build wider and stronger networks there. It also requires care by national party officials deciding who to nominate for winning places on the lists of candidates nominated for the European Parliament. In an era in which many policies are ‘Euromestic’, involving decisions in Lisbon and Brussels, developing popular understanding requires the sustained effort of political leaders to explain what happens when the political preferences of 10 million Portuguese are combined with those of 500 million Europeans.

Because of limited population, small countries do not have the financial or human resources to staff offices in Brussels on the scale of the Federal Republic of Germany and travel to and from Lisbon takes significantly longer than from Paris or Amsterdam. The circulation of individuals in and out of EU-related jobs increases the total pool of people with an understanding of both national and European levels of governance and diffuses this knowledge more widely in society. The larger the *cadre* of people who can exercise smart power on Portugal’s behalf at both the national and European levels, the more effective actions are likely to be in today’s multi-level European political system.

A NOTE ON READING AND SOURCES

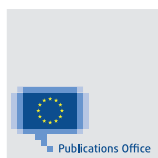
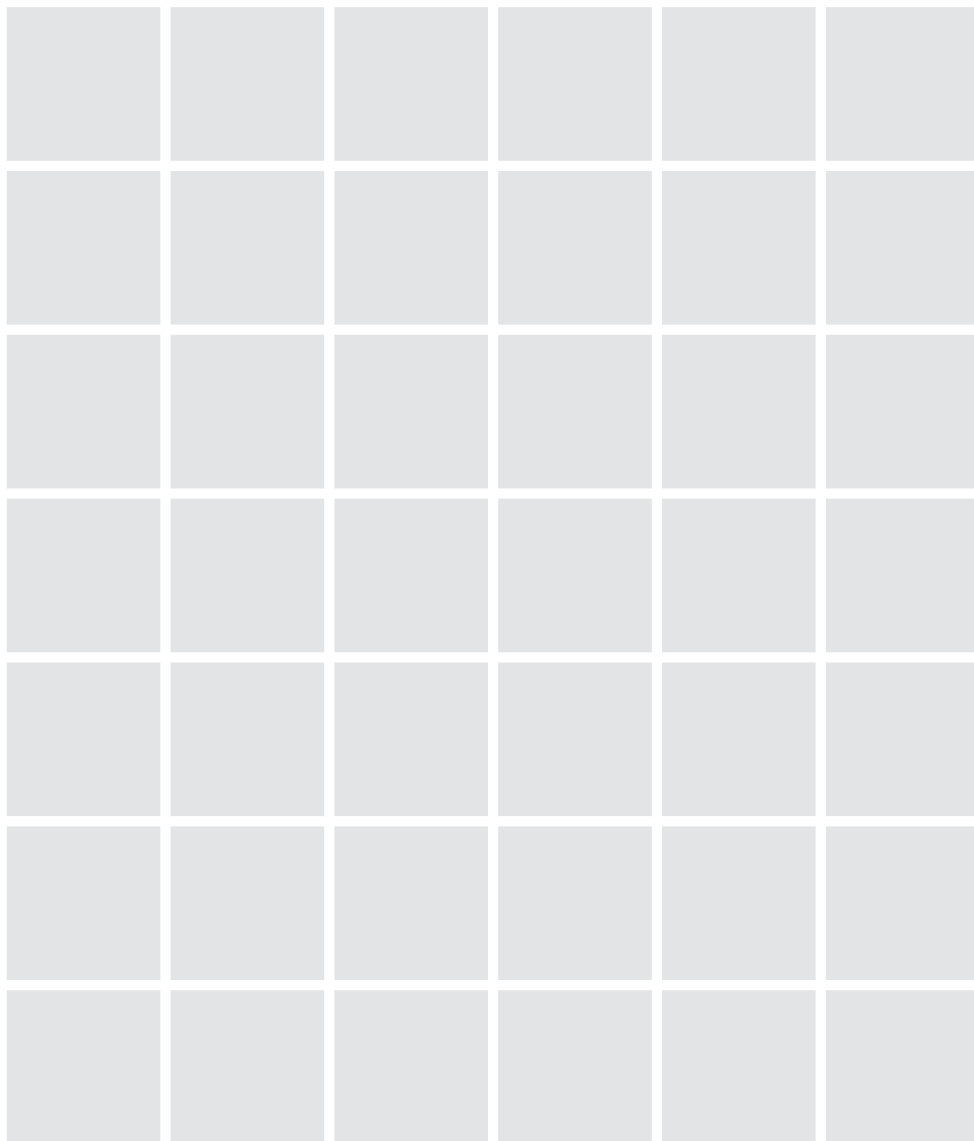
There is an enormous literature about the European Union. The contemporary institutions of the EU are covered clearly and systematically in textbook fashion by Nugent (2010), which also provides a useful bibliography and chronology. Dinan (2010) provides a single-volume history of the European Union from its origins in the European Coal & Steel Community. On the Lisbon Treaty's effect on the EU, see Piris (2010). The work of the European Council and Council of Ministers is analyzed in Naurin and Wallace (2010) and of the Commission in Spence and Edwards (2006). Corbett, Jacobs and Shackleton (2011) provide a detailed account of the workings of the European Parliament. Policymaking in the EU is covered in systemic and specific fields in Wallace, Pollack and Young (2010). The books by Panke (2010) and Steinmetz and Wivel (2010) focus specially on the position of small European countries within the EU and in international politics. Ladrech (2009) analyzes the impact of Europeanization on member states large and small. Theoretical issues are reviewed in Eilstrup-Sangiovanni (2006) and Wiener and Diez (2009). Hix and Hoyland (2011) provide a more quantitative approach. Palgrave Macmillan publishes the largest list of books on specific institutions of the EU (see www.palgrave.com).

The website of the European Union offers a structured and vast multi-lingual quantity of institutional and statistical information plus uptodate news (www.europa.eu). The Fondation Robert Schuman, Paris, publishes a newsletter on current events in French and English (www.robert-schuman.eu). Many think tanks have websites offering a variety of perspectives on current issues of policy.

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