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Robert Schuman Centre for Advanced Studies
Integrating Diversity in the European Union (InDivEU)

The Politics of Differentiated Integration: What do
Governments Want? Country Report - Portugal

Frederico Ferreira da Silva

European University Institute

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Integrating Diversity in the European Union (InDivEU) is a Horizon 2020 funded research project aimed at contributing concretely to the current debate on the 'Future of Europe' by assessing, developing and testing a range of models and scenarios for different levels of integration among EU member states. InDivEU begins from the assumption that managing heterogeneity and deep diversity is a continuous and growing challenge in the evolution of the EU and the dynamic of European integration.

The objective of InDivEU is to maximize the knowledge of Differentiated Integration (DI) on the basis of a theoretically robust conceptual foundations accompanied by an innovative and integrated analytical framework, and to provide Europe's policy makers with a knowledge hub on DI. InDivEU combines rigorous academic research with the capacity to translate research findings into policy design and advice.

InDivEU comprises a consortium of 14 partner institutions coordinated by the Robert Schuman Centre at the European University Institute, where the project is hosted by the European Governance and Politics Programme (EGPP). The scientific coordinators of InDivEU are Brigid Laffan (Robert Schuman Centre) and Frank Schimmelfennig (ETH Zürich).

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**Integrating
Diversity in the
European Union**

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Abstract

This country report analyses the salience and position of differentiated integration (DI) in Portugal in the period between 2004-2020. Employing a quantitative and a qualitative analysis, it first examines the salience of DI models and mechanisms for the successive Portuguese governments using documents such as government programmes, Prime-Minister speeches, parliamentary debates, and statements by the Prime Minister in European Council meetings. Secondly, it reviews governments' general positions on DI, while zooming in on four peaks of salience: the Lisbon Treaty, the debate on the Unitary Patent, the financial crisis and the discussions on the Financial Transaction Tax and the Fiscal Compact, and the White Paper on the Future of Europe.

The results from the salience analysis demonstrate a low saliency of differentiated integration (DI) and, more generally, European integration in Portugal. DI models were more salient than DI mechanisms, while DI instances are the most salient. Salience was enhanced by an increasing intersection between domestic and European politics during the euro crisis period, politicising the debate especially around DI instances of an economic nature. The position of Portuguese governments regarding DI during the period analysed was overwhelmingly negative. In general, this stance was also shared by the opposition parties. Over the period of analysis, a wide consensus stood out among Portuguese political parties that DI models clearly go against both the European – by risking a disaggregation of the EU – and the national interest – by possibly pushing Portugal into an even more peripheral position. Notwithstanding this generally negative view of DI, mainstream parties – which alternated in government during the timeframe of the analysis – viewed the enhanced co-operation mechanism in a generally positive manner, recognising its potential to promote advances in European integration when the EU faced critical deadlocks.

Keywords

Differentiated integration; Portugal; European Union; European integration.

Summary of Results

I. Saliency

The results from the saliency analysis demonstrate a low saliency of differentiated integration (DI) and, more generally, European integration in Portugal between 2004 and 2020. DI models were more salient than DI mechanisms but this is mostly due to the high number of references to the ‘directorate,’ which can be understood as a proxy for core Europe. DI instances are the most salient. Of the several documents analysed, DI was most salient in parliamentary debates (although only in key moments) and pre-European Council addresses by prime ministers. DI was rarely mentioned in government programmes. Peaks in saliency can be linked to key milestones in wider debates on European integration, such as the Lisbon Treaty, the Unitary Patent, the Fiscal Compact and especially the white paper on the Future of Europe. Saliency was also enhanced by an increasing intersection between domestic and European politics during the euro crisis period, politicising the debate especially around DI instances of an economic nature.

II. Position

The position of Portuguese governments regarding DI during the period analysed was overwhelmingly negative. In general, this stance was also shared by the opposition parties, despite them having strong disagreements on European integration: for pro-EU parties, DI was mostly perceived as a threat to the unity and cohesion of the European Union; for Eurosceptics, it was identified as a source of imbalances across the Member States and one of the most important drivers of inequalities within the EU, with strong negative consequences for Portugal’s national interest.

There was a wide consensus among Portuguese political parties that DI models clearly go against both the European – by risking a disaggregation of the EU – and the national interest – by possibly pushing Portugal into an even more peripheral position. Actors were extremely critical of models entailing different speeds and different end points, although they were generally neutral when referring to variable geometry. Underlying the governments’ positions on DI was a more or less explicit concern that Portugal could be left behind or even excluded from the core in a DI scenario. Hence, when there was a likelihood of impending DI, Portuguese governments repeatedly reiterated their intention to place Portugal at the forefront of European integration. This accounts for most of the non-negative references encountered. Notwithstanding this generally negative view of DI, mainstream parties – which alternated in government during the timeframe of the analysis – viewed the enhanced co-operation mechanism in a generally positive manner, recognising its potential to promote advances in European integration when the EU faced critical deadlocks.

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1. Introduction

This report investigates the salience of differentiated integration (DI) in Portuguese government discourse between 2004 and 2019. It also probes into the position of Portuguese governments on the issue of DI in selected years (2007/08, 2011/12 and 2017-2020).

The report distinguishes three levels of abstraction in government discourse on DI. **First**, two different models of DI are distinguished at the conceptual level. On the one hand, the ‘multi-speed EU’ model depicts DI as a temporary phenomenon and implies that all Member States (MSs) will ultimately reach the same level of integration. On the other hand, the ‘multi-end EU’ model depicts DI as a potentially permanent feature of European integration. In this model, the MSs do not necessarily strive to reach similar levels of integration. Instead, each MS can ‘pick and choose’ to adjust its level of integration to national preferences and capacities. **Second**, the analysis focuses on DI mechanisms. On the one hand, the enhanced co-operation mechanism allows a limited group of MSs – under certain conditions – to pursue deeper integration without having to involve all the MSs. On the other hand, the ‘opt-out’ mechanism allows MSs to refrain from participating in common policies. In short, enhanced co-operation allows a MS to integrate more than other MSs, while ‘opt-outs’ allow a Member State to integrate less than other MSs. **Finally**, the analysis looks at various instances of differentiated policies and policy fields. A total of twenty-one instances are included in the analysis. They are grouped in four different categories: (a) instances of enhanced co-operation, (b) instances of opt-out policy fields, (c) instances of inter se agreements and (d) instances of external agreements. Inter se agreements are agreements which EU Member States conclude outside the framework of the European Union. External agreements are agreements between the EU and non-EU states.

The results are based on an analysis of various government documents (Appendix 1). Six document categories were selected to cover a broad spectrum of venues and government actors. From the more abstract-programmatic to the more specific, the report looks at government programmes, prime ministers’ statements and speeches in multiple contexts and extensive parliamentary debates.

The salience of DI models, DI mechanisms and DI instances is assessed by counting key words in the above-mentioned documents (Appendix 2). The assumption is that the more a government talks about DI, the more relevant it is. While key word counts in government programmes and PM speeches show the salience of DI at specific moments in time, the analysis of parliamentary debates allows us to identify trends over time and situational peaks.

The Portuguese lexicon on DI is somewhat limited. Often there is a lack of specific terminology directly corresponding to the concepts in the English language. Some key words are therefore not directly translatable, such as ‘coalition of the willing’ and ‘core Europe.’ In some other cases, the English key words are directly translatable but are not customarily used, such as ‘differentiated integration,’ which finds zero references in the whole period analysed. Instead, these concepts are referred to with a multitude of varying composite expressions hardly capturable in a key word search, or by directly referring to their more concrete operationalisations: DI models and DI mechanisms. Therefore, the key word counts were triangulated with a close reading of selected key documents.

Regarding the governments’ positions, the results are based on a manual attitude analysis of parliamentary debates. To this end, references to DI key words in parliamentary debates were manually coded as negative, neutral or positive. The second section of the report details the results of the salience analysis. The third section details the results of the position analysis.

To help frame the Portuguese political context during this period, Figure 1 presents some contextual information on the prime ministers and the political parties in government in different periods in the analytical timeframe.

Figure 1 - List of Portuguese prime ministers, 2004-2020

Prime Minister's name	Political party	Government(s)	Period
José Manuel Durão Barroso	Social Democratic Party (<i>Partido Social Democrata</i>)	XV (coalition with CDS-PP)	06.04.2002-17.07.2004
Pedro Santana Lopes	Social Democratic Party (<i>Partido Social Democrata</i>)	XVI (coalition with CDS-PP)	17.07.2004-12.03.2005
José Sócrates	Socialist Party (<i>Partido Socialista</i>)	XVII; XVIII	12.03.2005-21.06.2011
Pedro Passos Coelho	Social Democratic Party (<i>Partido Social Democrata</i>)	XIX (coalition with CDS-PP); XX (pre-electoral coalition with CDS-PP) ¹	21.07.2011-26.11.2015
António Costa	Socialist Party (<i>Partido Socialista</i>)	XXI (parliamentary agreement with PCP, PEV, and BE) ² ; XXII	26.11.2015-present

2. How salient is DI for Portuguese governments?

The salience of DI in Portuguese government rhetoric was measured at three levels of analysis: DI models, DI mechanisms and DI instances. The documents presented in items 1 to 5 of Appendix 1 (government programmes, prime minister speeches, prime minister European Council statements and parliamentary debates) were subjected to analysis using multiple methods, such as computer-assisted and manual word counts, close reading and holistic grading.

2.1 Government programmes

First, a content analysis of eight Portuguese government programmes (XV to XXII Constitutional Government) covering the period from 2002 to 2019 was conducted to measure the salience of DI compared to other political issues. These documents were analysed using computer-assisted software. The word count analysis revealed no references to key words relative to DI models or to DI mechanisms, and very few references to DI instances (twelve mentions of a total of three internal DI key phrases: Schengen; Economic and Monetary Union; area of freedom, security and justice; and three mentions of a total of two external DI key words: European Stability Mechanism and European Economic Area).

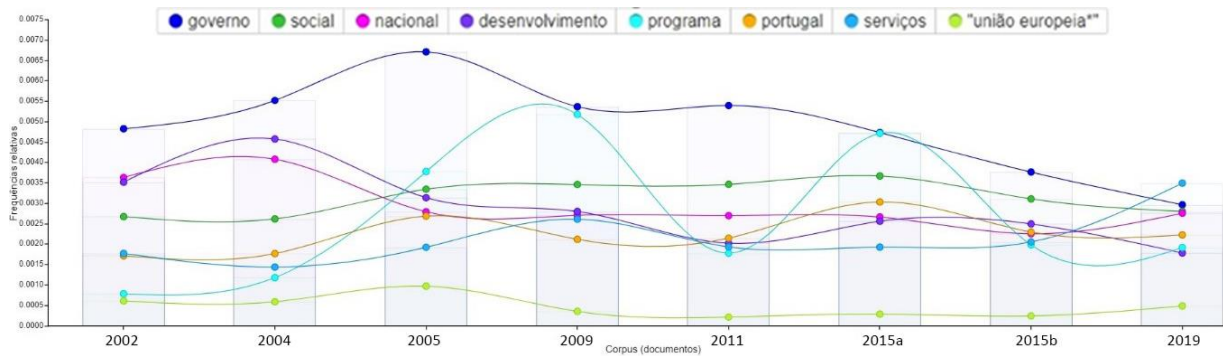
In a next step, the same computer-assisted word count was expanded to mentions of all EU-related issues in the government programmes by adding the key phrase 'European Union [*União Europeia*]³' to the list of most frequent key words. The results shown in Figure 2 confirm that even when broadening the scope to all EU-related issues, they were still rather low-salience compared to domestic political issues. Moreover, the salience of EU-related issues seems somewhat uniform across the period of analysis, with a small peak in the Socialist Party's 2005 government programme. The most salient key words in government programmes were government, social, national, development, programme, Portugal and services.

¹ The XX government was formed and presented a government programme but this programme was rejected in parliament leading to the fall of the government and the subsequent constitution of the XXI government.

² Portuguese Communist Party (*Partido Comunista Português*), Ecologist Party – The Greens (*Partido Ecologista – Os Verdes*); Left Bloc (*Bloco de Esquerda*).

³ The abbreviation 'UE' was not used in the search because it was assumed that for an abbreviation to appear it must have appeared in full beforehand so it would be redundant. The alternative key word 'Europa' yielded fewer results than '*União Europeia*.'

Figure 2 - The salience of EU-related issues in government programmes



To complement the quantitative word count analysis, a qualitative analysis of the government programmes was carried out. This examination revealed almost constant yet very tenuously salient references to DI in government programmes. Such references occurred in passages within broader sections on foreign policy instead of specific sections devoted to the role of Portugal in the EU. While very rarely directly mentioning specific models, instruments or instances of DI, the majority of these government programmes highlighted the importance of deepening European integration and the challenges that may arise in this process. Among the first four government programmes analysed (2002-2009), these issues tended to be mentioned under the umbrella topic of the Constitutional/Lisbon Treaty.

In 2002, the centre-right coalition government’s programme made reference to the forthcoming challenges regarding the revision of the Treaties and the process of enlargement. Regarding the former, it explicitly stressed the importance of ensuring an institutional design which guaranteed the principle of equality among the Member States, preventing a concentration of power among a few countries that was perceived as damaging to principles underlying the EU project. Regarding the process of enlargement, the programme reinstated Portugal’s role as an advocate of further enlargement with equally shared costs, while warning that future Member States may pose additional challenges to Portugal given similar profiles of their economies. Finally, there was a reference to the benefits of the European Security and Defence Policy as an important instrument to strengthen national security and defence action.

The departure of Prime Minister Durão Barroso to the presidency of the European Commission led to the formation of a new government in 2004. In its programme, the new government named deepening and perfecting EU integration as a priority in its foreign policy, committing to ratify the new Constitutional Treaty and consolidating the enlargement process. The Constitutional Treaty was perceived as a necessary instrument for the EU25 decision-making process, and the government committed to a quick conclusion of the ratification process. The very same considerations regarding the enlargement process made in the 2002 government programme were once again reinforced. The government also stressed the importance of continuing to actively participate in European Security and Defence Policy, not only in the traditional national interest domains (Africa, Latin America, the Mediterranean and East Timor) but also in eastern Europe, the Balkans, the Caucasus and central Asia. Along these lines, the government pledged to contribute to the creation of a European Defence Agency and to participate in more military operations at the EU level.

In 2005, the government programme of the Socialist Party – which ruled during the Portuguese presidency of the Council of the EU – chose the ratification of the Constitutional Treaty as its primary short-term priority in the foreign policy domain. The government underlined that Portugal must be at the forefront of the European integration process, ready to be part of every dynamic deepening integration foreseen in the Treaty, particularly in the areas of foreign policy, security and defence, and the area of freedom, security and justice. The operationalisation of the latter was another priority set by the government, which considered it an indispensable instrument for a safer Europe and Portugal.

After the ratification of the Lisbon Treaty, references to DI are only to be found in the two 2015 government programmes (the PSD/CDS-PP coalition government and the PS minority government), although with quite dissimilar saliency. To understand this situation, some contextual details are necessary. After a four-year centre-right coalition government including the period of the Portuguese Economic Adjustment Programme which followed the bailout and which was marked by budgetary retrenchment and austerity, but also by a successful conclusion of the programme, an election took place in 2015. The incumbent coalition formed by the PSD/CDS-PP received the most votes and was invited by the President to form a government, but only days later its programme was rejected in parliament by the opposition. Consequently, the President invited the Socialist Party, the second most voted party, to form a government, which for the first time in the Portuguese democracy received parliamentary support from the Left Bloc, the Communist Party and the Ecologist Party – The Greens and People, Animals and Nature.

Knowledge of these developments is important to understand the differences between the two government programmes presented in 2015. The first followed the lines of previous programmes, making a brief reference to deepening the EU integration process as both an option and a necessity, and emphasising that for Portugal it was crucial to be at the forefront of the integration process to attenuate the disadvantages of being a peripheral country. The second was clearly marked by the socio-economic context that characterised the Economic Adjustment Programme and by the political weight of negotiations with the Socialists' partners to the left, and was designed much in response to the *troika* years. It made a more vehement point against DI, calling for deeper integration at the same level for all the Member States, and arguing that the economic crisis was partly a consequence of the frailties of the integration process, which often was too slow and incomplete (giving the European Stability Mechanism as an example). In doing this, the programme was critical of the European Union's pro-austerity solution to the crisis but it claimed that the answer was further integration to fulfil the European project's promise of progress for all and not only for some. It called for economic governance to be rebalanced taking the decision-making process away from the eurogroup and putting an end to fiscal and social dumping within the EU, which undermined the Social Chapter goals. However, it saw some potential in selected DI instances, calling for a Financial Transaction Tax as a revenue mechanism to build budgetary capacity for the Economic and Monetary Union. Importantly, the two major government partners (PCP and BE) had repeatedly taken sceptical stances towards EU integration in the past – the fact that even in this context the government called for further integration exemplifies the Portuguese mainstream parties' unflinching commitment to EU integration.

With the exception of this last document in 2015, the government programmes tend to mention DI with some regularity, particularly in the pre-Lisbon Treaty period, but in a very superficial manner, resulting in a very low salience of this topic. Although the domestic political context was important in partially accounting for a higher salience in 2015, DI salience emerged mostly as a consequence of external stimuli: the Lisbon Treaty, the Portuguese presidency of the Council of Europe and the aftermath of the Economic Adjustment Programme. Most importantly, throughout the whole timeframe of the analysis the position of Portuguese governments, regardless of their ideological leanings, was invariably negative regarding DI prospects.

2.2 Prime Minister Speeches

A subsequent set of analyses of multiple types of prime minister speeches confirmed these previous indications. The first speeches by the new prime ministers after each election were analysed to measure the extent to which DI emerged as a salient domestic political issue. The word count analysis revealed no use of DI key words and very limited references to EU-related issues. Next, analysis of the Prime Minister's speech in the national and European Parliaments on taking the presidency of the Council of the European Union again did not show use of key DI words. EU-related issues were, nonetheless, mentioned with some regularity (Appendix 3). Furthermore, the presence of DI key words in the subsequent national and European parliament debates was analysed. Again, the results showed virtually

no use of DI key words in the parliamentary debates either, be they in the national or European arena (a single mention of ‘two-speed Europe’ in the EP debate was found).

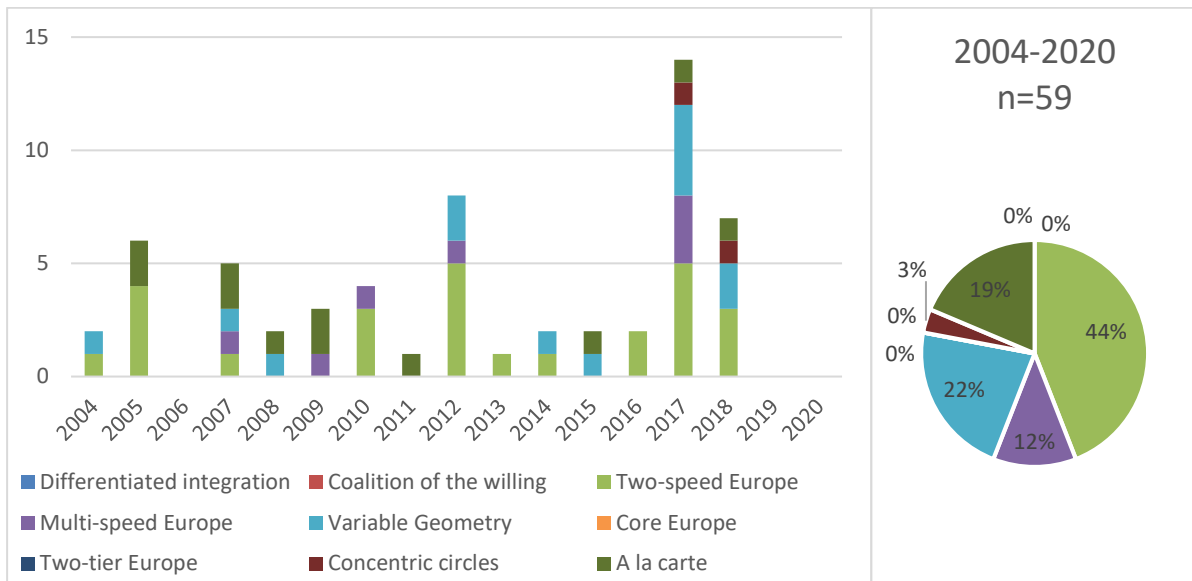
In a next step using holistic grading, government programmes, prime minister speeches and the subsequent parliamentary debates were analysed from a qualitative perspective to assess the degree of salience and positions regarding DI. Each document was assigned a salience score ranging from 0 (no reference to DI) to 2 (direct/central reference to DI) and a position score ranging from 0 (negative) to 2 (positive). The overall salience score for all the documents considered was 0.241, confirming the very low salience of DI in Portugal. It is noteworthy that the salience of DI issues was 0 in the first prime minister speeches and the first debates after the presentation of each of the eight government programmes considered. DI salience was slightly higher in the documents related to the presidency of the Council of the European Union and the Future of Europe speech but still rather low. In the government programmes, as discussed before, DI salience was somewhat volatile, but most of the time very low. The exception is the second government programme presented following the 2015 general election, in which DI was considerably salient (1.5) following a discussion on the shortcomings of European integration, which (in the government’s view) enabled the economic crisis, and a debate on how European integration should move forward to address these limitations. Quite strikingly, among all the documents analysed, the position on DI was always entirely negative. Hence, the holistic grading, together with the results from the previous analysis, suggests that a) DI was a very low salience issue in all the documents analysed; b) it was mostly debated in the aftermath of the Economic Adjustment Programme as a main obstacle to an EU-level unitary response by the Member States to the economic crisis; and c) it was invariably portrayed negatively by Portuguese political parties. While this analysis is useful to gain a general sense of attitudes to DI in Portugal, the low number of documents and the possible subjectivity associated with the holistic grading procedure call for some moderation in interpreting these results.

2.3 Parliamentary debates

The next analytical focus is on parliamentary debates held between 2004 and 2020.⁴ A manual count of key DI words in these documents by year was used as the main data source. The analysis was subdivided into DI models, DI mechanisms and DI instances. Figure 3 plots the frequency of key words related to DI models over the 16-year period of the analysis. As can be seen, the frequency of conceptual key words was extremely low in Portuguese parliamentary debates. The most common key phrase was ‘two-speed Europe’ and it reached its highest frequency in 2017.

⁴ The end date was set at 01-03-2020.

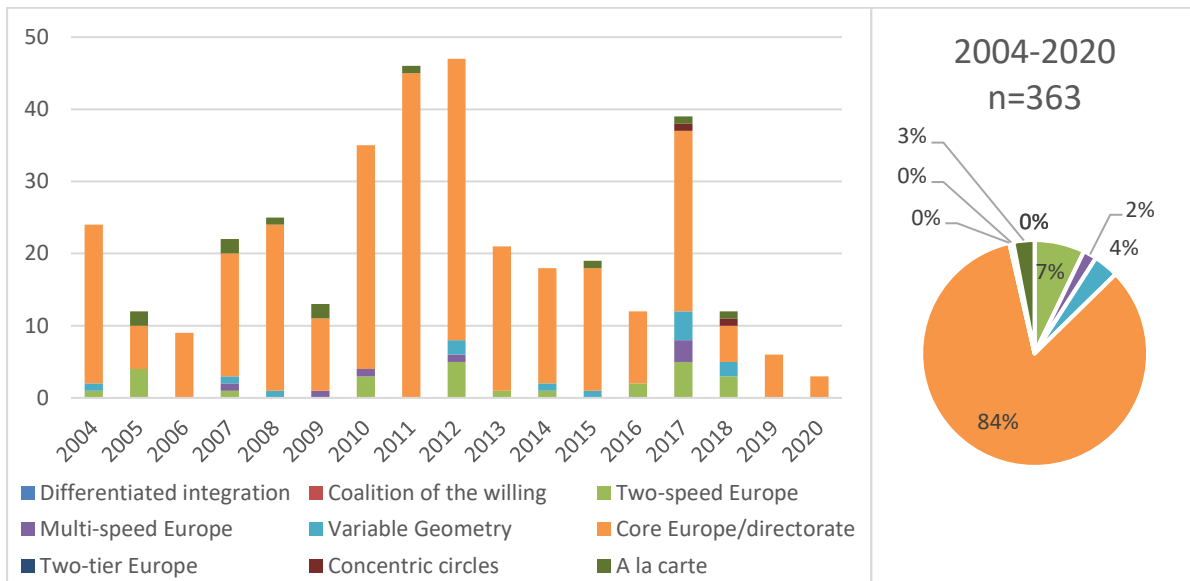
Figure 3 - The salience of conceptual key words in parliamentary debates: 2004-2020



However, the qualitative analysis showed that parliamentarians often used the term ‘directorate’ to refer to a core group of powerful Member States. Hence, we repeated the analysis with this term as a substitute for ‘core Europe.’ The results are reported in Figure 4, showing much higher frequencies and a total of 363 references. While 2017 comes out as the peak-salience year again, it is interesting to see that the frequency of the term ‘directorate’ was particularly high during the euro crisis (2010-2012) and again in 2017 in the context of the debates on the Future of Europe.

When looking into the distribution of key words in more detail, it is noticeable that the range of key words commonly used in Portuguese is significantly reduced compared to in English-speaking countries. Indeed, only five key words were identified to refer to DI models. Among them, there is significant variation with respect to their frequency of use: ‘core Europe,’ measured using the key word ‘directorate,’ constitutes the great majority of the references to DI key words (84%), while the other key words have a residual weight in parliamentary debates. Hence, there is a strong concentration around key words referring to different end points, as only 9% of the references concern multiple speeds. However, this imbalance seems to attenuate over time, as in 2017 ‘directorate’ accounts for less than two thirds of all the key words, with a visible growth in references to key words associated with different speeds. Notwithstanding these differences, these figures ought to be interpreted with caution, as the number of references to conceptual key words is low (Appendix 4).

Figure 4 - The salience of conceptual key words (“directorate” instead of “core eu”)



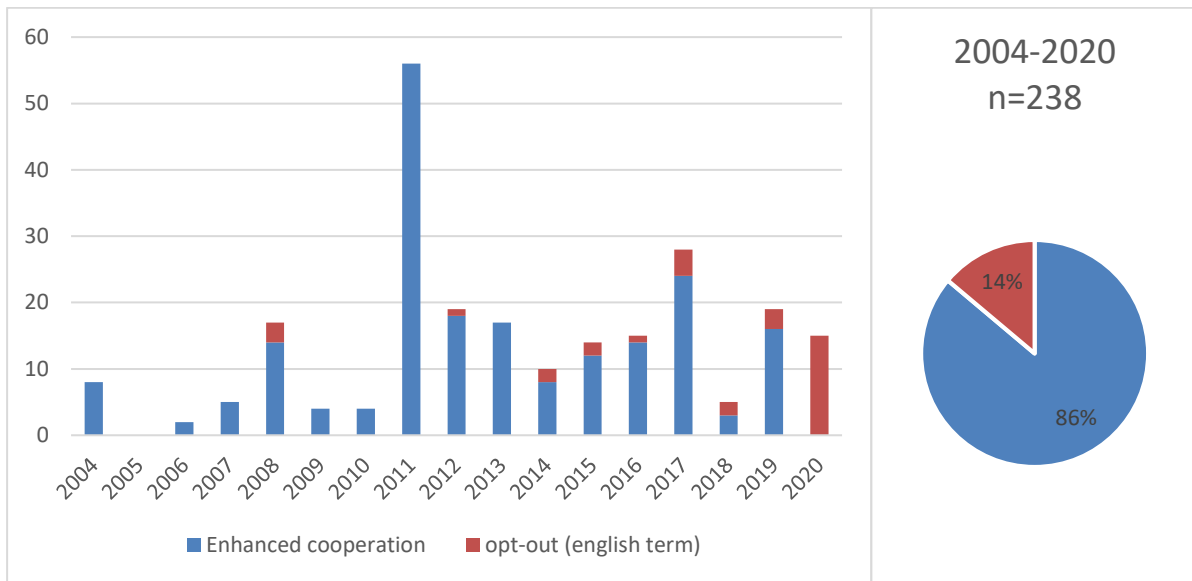
The analysis then checked whether debates on differentiated integration occurred in the context of wider debates on the ‘Future of Europe’ (FoE). To this end, the frequency of the conceptual key DI words was compared to the frequency of the key phrase ‘Future of Europe.’ Debates on the Future of Europe could potentially incentivise discussion of DI models, but even if there seems to be some correspondence between their frequencies, the relationship is not evident from the data (Appendix 5).

Regarding DI mechanisms, the analysis focused specifically on the concepts of ‘enhanced co-operation’ and ‘opt-out.’⁵ The analytical strategy mirrored the steps used for DI models, starting with a measurement of salience over time and disaggregating into frequencies of key words in a second stage. Figure 5 displays the distribution of DI mechanism mentions in parliamentary debates over time. Whereas the word count for DI models amounted to 354 references, the word count for DI mechanisms in the same timeframe is 238. There are substantial differences concerning the peak years, with a clearly defined peak in 2011 for DI mechanisms.

Breaking down the word count into the two DI mechanisms analysed, it becomes evident that debates on DI mechanisms focused substantially more on ways to advance integration rather than to halt it – an expected finding given Portugal’s historical stance as a champion of European integration. 86 percent of the references to DI mechanisms concern discussions on enhanced co-operation. Furthermore, the 2011 peak corresponds exclusively to references to enhanced co-operation. The 2017 peak, situated in the context of the Future of Europe debates, reflects the same distribution as the wider 16-year-long sample.

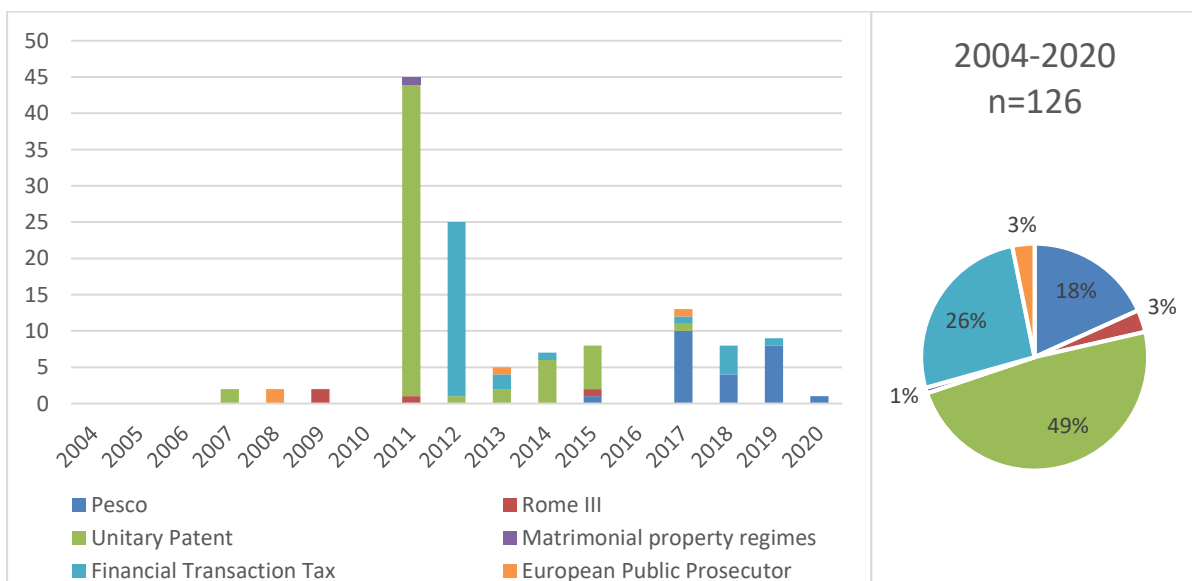
⁵ There is not a specific term to designate the possibility to ‘opt-out’ in Portuguese. Instead, this is usually referred to using a number of possible composite expressions which widely depend on the context and so cannot be captured with a key word search. The original English terminology is also often used. With the lack of a better alternative, this was the key word adopted. Nevertheless, it should be noted that this caveat could result in an underestimation of the word count. Appendix 6 depicts the results for the same analysis, using the key word ‘derrogação’ instead of the English ‘opt-out.’ While ‘derrogação’ appears much more frequently in parliamentary debates than ‘opt-out,’ virtually no hits for ‘derrogação’ corresponded in any way to EU-related matters, thus producing a high number of false positives. For this reason, it was deemed more appropriate to use the original key word ‘opt-out.’

Figure 5 - The salience of DI mechanisms in parliamentary debates



In a final step, the frequency and distribution of references to specific DI instances was analysed, starting with enhanced co-operation, which was subdivided into six instances: Pesco, Rome III, Unitary Patent, Matrimonial Property Regimes, Financial Transaction Tax and European Public Prosecutor. Figure 6 depicts references to enhanced co-operation in a longitudinal fashion. As expected – since we noticed that most references to DI mechanisms concerned enhanced co-operation –, the distribution resembles very much that in Figure 5. However, there were also a few years in which enhanced co-operation was not discussed at all. A clear peak is notable in 2011 but also in 2012, which could be attributed to discussions on the Unitary Patent and the Financial Transaction Tax. These indications were confirmed once we broke down the data by the different DI instances: about half of all the references concentrated on debates on the Unitary Patent and 26% on the Financial Transaction Tax, which was particularly discussed domestically during the economic crisis period.

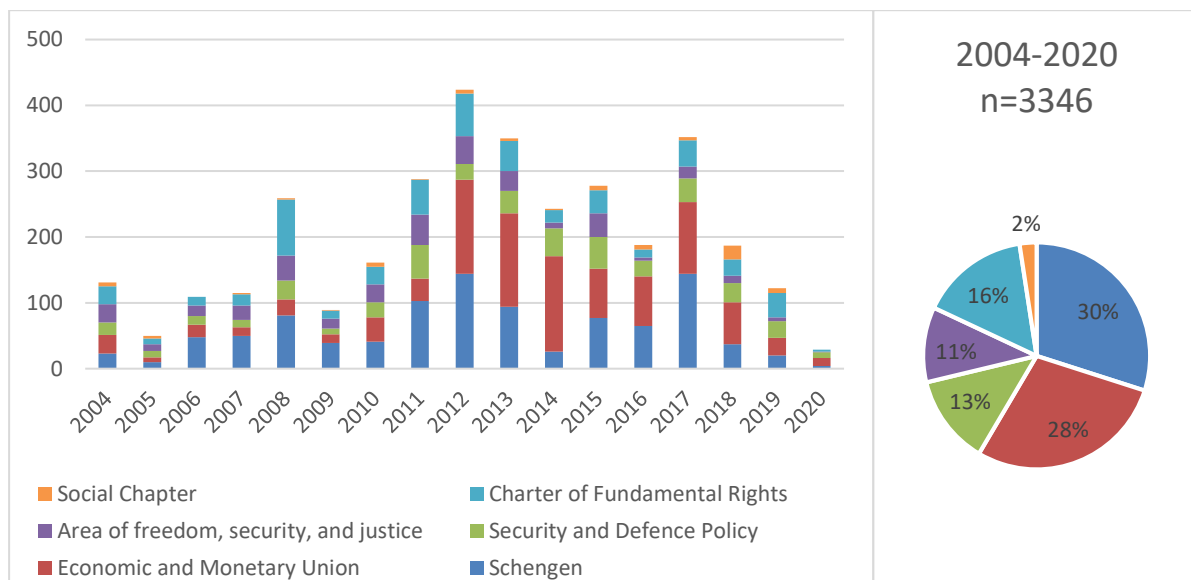
Figure 6 - The salience of instances of enhanced co-operation in parliamentary debates



Opt-outs cover all the EU policies from which at least one Member State has chosen to opt-out: Schengen, Economic and Monetary Union, Security and Defence Policy, the Area of freedom, security and justice, the Charter of Fundamental Rights and the Social Chapter. Despite the very high number of references to these policies compared to the previous DI models and DI mechanisms, they reflect the salience of the policy fields themselves and not the salience of debates on opting out of a particular policy field. Therefore, these numbers should not be interpreted as a higher salience of discussion on opt-outs vs. enhanced co-operation, the comparison of which in Figure 5 is more appropriate. In fact, Portugal participates in all instances of enhanced co-operation currently in force and has at least expressed interest in participating in all other instances under way.

The breakdown of opt-out policy fields shows a clear predominance of references to Economic and Monetary Union and Security and Defence Policy. The first is arguably the most contested aspect of European integration in Portugal, particularly with respect to the single currency, which the Portuguese Communist Party, the Ecologist Party – The Greens, and the Left Bloc have occasionally opposed and criticised. This debate was particularly politicised during the context of the euro crisis. Security and Defence Policy had already repeatedly emerged as a strategic element in Portuguese governments’ foreign policy in the holistic grading of government programmes.

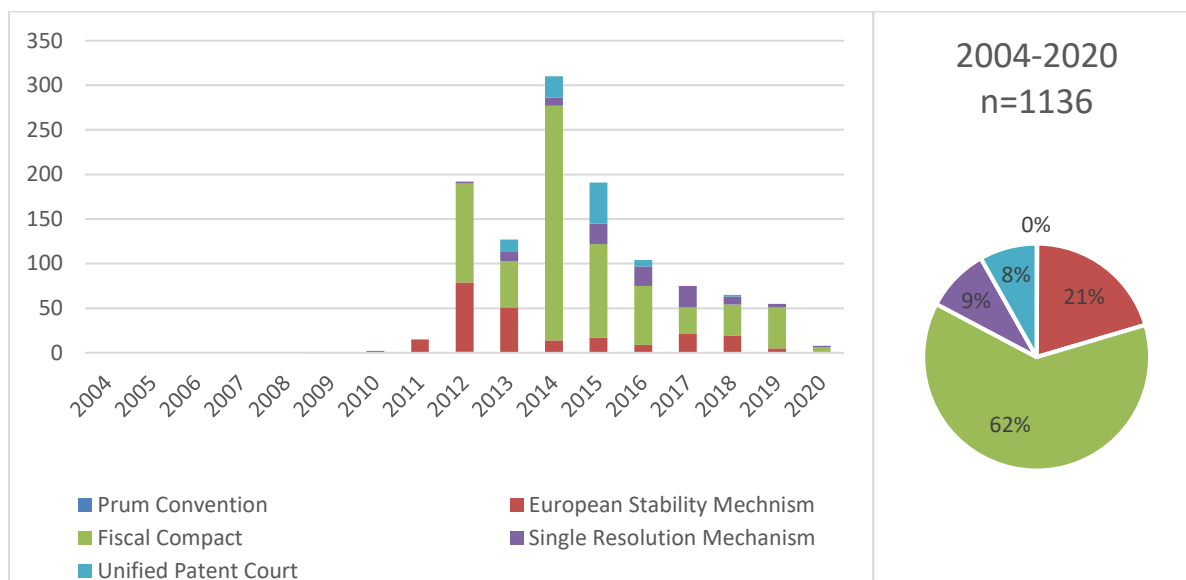
Figure 7 - The salience of opt-out policy fields in parliamentary debates



The final step in the analysis focuses on instances of external DI: inter se agreements and association agreements. Inter se agreements are international agreements allowing Member States to circumvent the institutional constraints of the community method. In the analysis were included the Prüm convention, the European Stability Mechanism, the Fiscal Compact, the Single Resolution Mechanism and the Unified Patent Court. A longitudinal analysis of the aggregated key words suggests that they became salient in Portuguese parliamentary debates in 2012 and remained highly salient until 2016 (Figure 8). The signing of the Fiscal Compact in 2012, the entry into force of the Single Resolution Mechanism and the establishment of the European Stability Mechanism, together with the subsequent debates in the Portuguese Parliament, are largely in line with the salience peaks. This time trend is also contemporary with the most severe period of the economic crisis in Portugal and the implementation of the Economic Adjustment Programme. Therefore, the impact of the euro crisis, as was argued regarding DI instances, seems to go hand in hand with the salience and politicisation of inter se agreements. This becomes all the more evident when looking at the most frequently used key words: nearly two-thirds of all the references relate to the Fiscal Compact (62%), and a fifth to the European Stability Mechanism (21%).

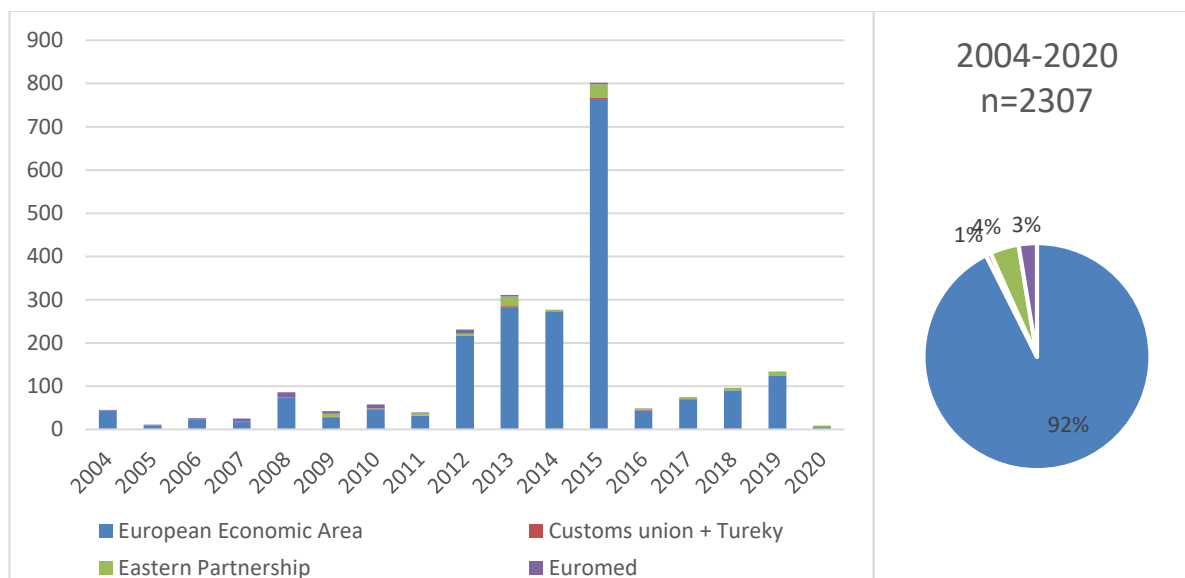
Together with the Single Resolution Mechanism (9%), these inter-Member State economic agreements amount to over 90% of all the references. It can therefore be concluded that the salience and politicisation of inter se agreements – and more generally DI instances – were tightly related to the euro crisis and its consequences in public debate in Portugal.

Figure 8 - Breakdown of inter se agreements into DI instances 2004-2020



Regarding external association agreements, four instances were considered: the European Economic Area, the Customs Union + Turkey, the Eastern Partnership and Euromed. However, references to external association agreements almost exclusively relate to the European Economic Area (92%), once again confirming the disproportionate importance of market-centred economic instances, particularly in the context of the euro crisis (Figure 9).

Figure 9 - Breakdown of external association agreements



2.4 Prime minister European Council statements

In the last step, the analysis turns to prime minister European Council statements in parliament. In this context, it is important to make two important preliminary notes. First, the legislation requiring the prime minister to address the parliament regarding European Council meetings was only approved in May 2012.⁶ For this reason, there is only data from then onwards, as before then such statements were not customary. Second, the legislation only requires the prime minister to address the parliament before European Council meetings. Hence, as the prime minister does not make any statement after the European Council meetings, the data only refer to statements made in preparation for these meetings. In sum, the period of analysis comprises the period between 2013 and 2020, with a total of 21 pre-European Council statements.

In these statements, the prime minister addresses the parliament on the agenda for the upcoming European Council meeting and presents the general national strategy in relation to the topics to be discussed. These statements are followed by parliamentary discussions. An analysis of these parliamentary speeches was conducted to identify the relationship between the domestic agenda and European politics, with a specific focus on EU membership and EU integration.

The results reveal much idiosyncrasy in the topics discussed, which very much depended on the political context in which the meetings were held (Appendix 7). The beginning and the end of the timeframe coincide with the calendar for the multiannual financial framework. Hence, in both the first meeting considered and the last, in 2013 and 2020 respectively, the discussion centred around EU funding (*financiamento*). The first meetings were also clearly marked by discussions on the energy and climate package (with the government advocating for more ambitious targets), with a particular emphasis on building an EU-wide energy market and the potential implications of the Ukraine/Russia crisis in the achievement of this goal (*energy**; *ucrânia*). In the same period, the government also promised to battle against penalties on the country imposed by the Excessive Deficit Procedure (*défice*). In the following meetings the core topic shifted to the refugee (*refugiado**) and migration (*migra**) crisis, a discussion which lasted until 2018. Brexit (*Reino Unido*) and some economic issues were also discussed in parallel in the same period, with the key words ‘euro’ and ‘mechanism’ (*mecanismo*), referring to the Budgetary Instrument for Convergence and Competitiveness, popping up frequently. In the last third of the timeframe, the topic of the speeches turned directly to the forthcoming multiannual financial framework (*plurianual*).

The salience of DI models and DI mechanisms in prime minister speeches before European Council meetings was also assessed (Appendix 8). In total, only four references (two for ‘Future of Europe’ and two for ‘variable geometry’) were found. Regarding DI instances, it was possible to identify more references. These concern DI instances related to opt-outs, such as Schengen and economic and monetary union (*união económica e monetária*), and DI instances stemming from inter-government treaties among Member States, such as the European stability mechanism (*mecanismo europeu de estabilidade*) and the single resolution mechanism (*mecanismo de resolução*). Noticeably, in these different instances pertaining to different DI mechanisms, the prime minister speeches tended to make reference predominantly to DI instances related to economic/fiscal policies. This could be somewhat anticipated given the salience of the euro crisis, particularly in the Portuguese context of the Economic Adjustment Programme.

3. What positions do Portuguese governments have on DI?

Relying on an analysis of parliamentary debates in selected peak periods – 2007 (only for DI models, as there was no peak in DI mechanisms), 2008, 2011, 2012 and 2017-2020 – this section examines the

⁶ Law no. 21/2012, of 17 May (Lei de Acompanhamento, Apreciação e Pronúncia pela Assembleia da República no âmbito do Processo de Construção da União Europeia).

positions of Portuguese governments on DI.⁷ In the first section, a quantitative overview of the distribution of positive, neutral and negative statements on DI models and mechanisms is presented. The second section offers a chronological qualitative analysis of governments’ positions on DI based on the most relevant statements.

3.1 Quantitative overview of government positions

Due to the low salience of DI in parliamentary debates in Portugal (see Figures 3 and 4), the analysis of parliamentary debates resulted in a limited number of observations for DI models and mechanisms. Nevertheless, as the data clearly point in a single direction, some broad conclusions can be drawn based on the available data.

The position on DI models is unequivocally negative (Figures 10 and 11). Remarkably, in the 134 references analysed, DI models were never referred to in a positive manner. Consequently, there were no significant differences between government and opposition parties as to how negatively they perceived DI models. However, opposition parties appear to have referred much more frequently to multi-speed Europe, with a strong concentration in the period 2017-2020 which can be attributed to the informal meeting held at Versailles in March 2017 between the leaders of France, Germany, Italy and Spain pushing for a multi-speed Europe, and to the parliamentary debate held on the occasion of the celebration of the 60 year anniversary of the Treaty of Rome. The disparity in the frequency of mentions between government and opposition parties is even clearer in the key words pertaining to multi-end Europe. The opposition was about seven times more likely to use these key words than the government in the period analysed. Among key words relating to multi-end Europe, it is also worth noting that ‘core Europe’ (directorate) appears much more frequently than variable geometry. The key word ‘directorate’ is used in the Portuguese political context with an inherently pejorative tone, as it conveys the notion that a given group of powerful countries hold disproportionate decision-making power over the EU, often forcing their will on smaller countries such as Portugal, at the cost of their national interests. Therefore, attention should be less drawn to the fact that the references are mostly negative, unsurprisingly, but perhaps the most noteworthy aspect is the imbalance between the opposition and government parties in the frequency of use of this key word. The reasons for this discrepancy will become clearer from the qualitative analysis.

Figure 10 - Position on multi-speed Europe (two-speed + multi-speed)

(n = 23)	Negative	Neutral	Positive
Government	5	1	0
Opposition	20	3	0
2007	2	0	0
2008	2	1	0
2011	2	0	0
2012	2	0	0
2017-2020	15	3	0

⁷ Parliamentary committee debates are not publicly available and therefore have not been included.

Figure 11 - Position on multi-end Europe (variable geometry + a la carte + core Europe/directorate)

(n = 111)	Negative	Neutral	Positive
Government	12	5	0
Opposition	82	12	0
2007	11	1	0
2008	14	0	0
2011	35	1	0
2012	20	4	0
2017-2020	14	11	0

This contrasts with the data concerning DI mechanisms (the same caveat regarding the number of observations applies). Enhanced co-operation was generally discussed in positive terms, particularly by the government, with a relatively homogenous distribution but still a noticeable peak in 2012, mostly explained by a discussion on a European Financial Transaction Tax involving multiple parties (Figure 12). Among the opposition parties, there is more ambiguity. There is a marked peak of negative references in 2011 related to the perceived undue use of enhanced co-operation over the Unitary Patent. However, as will become evident from the qualitative analysis, these negative references had to do with procedural aspects and very specific issues, and not with the instrument of enhanced co-operation itself. The remaining references by opposition parties can be divided into positive and neutral ones, the latter being concentrated between 2017-2020. Opt-outs are virtually not discussed in parliamentary debates during the period analysed, with a single neutral reference in more recent years (Figure 13).

Figure 12 - Position on enhanced co-operation

(n = 25)	Negative	Neutral	Positive
Government (n = 7)	0	2	5
Opposition (n = 18)	14	1	3
2008	0	1	2
2011	14	1	0
2012	0	0	4
2017-2020	0	4	2

Figure 13 - Position on opt-outs

(n = 1)	Negative	Neutral	Positive
Government (n = 0)	0	0	0
Opposition (n = 1)	0	1	0
2008	0	0	0
2011	0	0	0
2012	0	0	0
2017-2020	0	1	0

From the quantitative analysis a scenario of contrast between support for DI models and for DI mechanisms emerges. DI models were perceived negatively by Portuguese governments, and especially by the opposition. On the contrary, DI mechanisms seem to be more positively considered by both types of political actors. However, discussion on opt-outs was nearly inexistent and most discussion was on

the enhanced co-operation mechanism. Despite these considerations, these findings should be viewed critically due to the small number of observations for some DI models and mechanisms.

3.2 *Qualitative assessment of government positions*

3.2.1 2007-2008: Lisbon Treaty

In 2007-2008 there were few references to DI, but the existing ones revolved around the topic of the Lisbon Treaty. They consisted predominantly of negative references to DI models, namely to the key word ‘directorate,’ which was used as a proxy for core Europe.

The governments’ positions

Government references to multi-end DI models were relatively scarce in this period. In the few instances in which the key word ‘directorate’ was used by the government it was either to assert the inexistence of a directorate or to ensure such a directorate never materialised. The following quotation from a debate on Reports on the Participation of Portugal in the Process of European Construction is exemplary:

“But I must be quite frank in answering a question posed in this debate by saying that Portugal will never accept that the European Union becomes governed by a **directorate**. We have always said it and we will continue to say so: we shall not allow it. The Union is a creation of all, and shall be governed by all to the satisfaction of goals shared by all. We will only work on these grounds, nothing else” (Deputy Secretary of State for European Affairs Manuel Lobo Antunes (Partido Socialista), parliament, 25.05.2007).

The salience of this key word increased with the debates on the Lisbon Treaty, given concerns that the Treaty could accentuate regional differences and the peripheral character of Portugal. However, the government refrained from using this key word often. However, answering the opposition’s concerns, the Prime Minister argued that the Treaty was the appropriate instrument to avoid such a directorate:

“Only with a stronger and more agile institutional architecture can Europe fulfil its responsibilities to European citizens, the European economy, and also the rest of the world. Unlike what some say, this is the way to fight the logic of a small **directorate** of major countries over the remaining ones” (Prime Minister José Sócrates (Partido Socialista), parliament, 24.04.2008).

There is a single direct reference to multiple speed DI model key words by the Portuguese Prime Minister in 2008 parliamentary debates. It was in the context of the parliamentary debate and vote approving the Lisbon Treaty in the Portuguese parliament. Although the Lisbon Treaty was subject to some debate in the parliament, given the relative consensus among the mainstream parties on European integration and on the matter of the Treaty in particular, the discussion was much centred on the method of approval. While the incumbent Socialist Party had originally committed to a national referendum, it later revised its position and rejected a national consultation. Some opposition parties were in disagreement with a parliamentary approval without consulting the Portuguese voters, and accused the government of breaking a pledge. In any case, the Treaty was approved in parliament with a consensus among the mainstream parties that it represented the only way forward in terms of European integration and was a necessary tool to avoid undesirable models of differentiated integration, as was exemplified in the Prime Minister’s address:

“The Lisbon Treaty was concluded and ratified during the Portuguese Presidency. This was one of the main goals of our presidency and it was fully achieved. We should be proud of it. Just think of what we would be debating here today should there be no Treaty. We would certainly be debating topics such as the European crisis, the European standoff or **multi-speed Europe**. The truth is that we are here today approving the new Lisbon Treaty and not a European crisis. We owe it too to the ability of Portuguese diplomacy to uphold its responsibilities and to be able to, in the right moment, remain ambitious, determined and competent” (Prime Minister José Sócrates (Partido Socialista), parliament, 24.04.2008).

In his address, the Prime Minister also made an explicit reference to a DI instance related to opt-outs. In his view, a major achievement of the Lisbon Treaty was to confer legal value on the Charter of Fundamental Rights – an idea underlined both in his speech and during the debate, in response to criticism by some opposition parties:

“The Charter of Fundamental Rights acquires a legal value identical to the Treaties, and represents, practically, the foundation for European citizenry. Among these fundamental rights are included individual rights and freedoms but also, most importantly, social rights. That is, the European citizenry is founded on what has always been our vision of the European social model. And this is, in my view, without any doubt, one of the greatest achievements of this Treaty” (Prime Minister José Sócrates (Partido Socialista), parliament, 24.04.2008).

The very same idea is replicated in interventions by a Socialist Party MP and a Socialist member of the Committee for European Affairs:

“How many of us, in the past 30 years of involvement with the European project, have dreamt about the moment in which the same fundamental individual, but also social, rights would extend to the whole European territory? How many of us have fought for it, made it one of the greatest goals of our political commitment? Well, that moment is here! The time has arrived, somehow, to found the European citizenry, but also a given vision of Europe regarding social rights. And these social rights, which are among the fundamental rights, are today legally binding, that is they can be claimed. This is progress, an advance that only the political blindness of a certain Left, which is tainted by prejudice, cannot see!” (MP Alberto Martins (Partido Socialista), parliament, 24.04.2008).

“First of all, I highlight the idea that this Lisbon Treaty is better for citizens. And it is better for citizens because the Charter of Fundamental Rights assumes an unprecedented legal value, a primary legal value, a legal value of imperative law for all states” (Co-relator of the Committee for European Affairs Ana Catarina Mendonça (Partido Socialista), parliament, 24.04.2008).

The opposition's position

As seen in the quantitative analysis, negative views of DI models such as multi-speed Europe and core Europe (directorate) were not exclusive to the government. Even in an intervention expressing profound disagreement with the government regarding the referendum issue, an MP from the Left Bloc (*Bloco de Esquerda*) shared the government's scepticism toward multi-speed Europe. Indeed, the fact that the Lisbon Treaty did not effectively prevent a multi-speed Europe was a major motive for criticism of the Treaty. However, the MP was also critical of DI mechanisms such as enhanced co-operation, and of the practical shortcomings of DI instances like the Charter of Fundamental Rights, in contrast with the government's very positive view expressed a few months later in the Treaty's parliamentary approval debate:

“And about this situation, obviously so restrictive of the country's sovereignty, I ask ought the country not be heard? By any chance, does the possibility of the constitution of a *de facto* **directorate** of three or four main powers which, with the criterion of a ‘double majority’ or the system of ‘minorities of blockade,’ may control qualified majorities (a decision method which will become ordinary in the Council) and monopolise veto possibilities to whatever they object, disappear? It does not. By any chance, has the consecration by the Constitutional Court of a **multi-speed Europe**, enabled through **enhanced co-operation**, been revised? An EU where the strongest can determine the areas and the speed of imposition of their hegemony? It has not. By any chance, is the so-called Charter of Fundamental Rights (the object of a statement separate from the Treaty's text) no longer a relatively innocuous commitment based on the least common denominator in terms of social and political rights, which by the way invites a regression, and from the fulfilment of which Great Britain is excluded? Nothing has changed.” (Fernando Rosas (Bloco de Esquerda), parliament, 17.01.2008).

The Lisbon Treaty was approved in parliament but not without fierce opposition by the parties to the left of the Socialists, which, as in the quotation above and in the following ones, expressed their concerns that the Treaty might be another blow to national sovereignty and a further step institutionalising an EU ruled by a directorate of a few powerful countries imposing their singular interests:

“With the arrogance of who is in the wrong, you claim to be a Europeanist and us against Europe. One day, Mr. Prime Minister, we shall discuss the difference between being European and Portuguese, and being Portuguese and European, particularly a Prime Minister who has been elected by the Portuguese and not by Europeans. But your cornerstone propagandist sentence requires looking into the content of the Treaty, understood as a piece and not the end of a process of European construction in which the ones deciding are the most powerful, with a neoliberal, federalist and militarist stamp. (...) With this Treaty we lose sovereignty. First and foremost because the new architecture of power within the European Union, the new power distribution within the decision-making process, happens to the detriment of countries like Portugal. It is evident that Portugal loses strength and the ability to defend its interests, while others reinforce their positions and decision-making power in the EU supranational institutions. Actually, we verify that almost every Member State except for Portugal, obviously, looked after its own best interest. Portugal loses at every institutional level: loses MPs in the Parliament, influence in the Council and in the Commission, loses a permanent Commissary, loses weight in the voting system. Member States like Portugal will be in a more fragile position, while the big six, especially Germany, France and the United Kingdom, strengthen their power. This reinforcement will translate into concretisation of a **directorate** which will, to a large extent, determine European policies” (MP Jerónimo de Sousa (Partido Comunista Português), Parliament, 17.01.2008).

“The Treaty consolidates a federalist model of power within the EU, institutionalising the inequality in voting rights and in decision-making in the European Union between the bigger and the smaller and medium-sized countries, based on the size of their populations, consecrating de facto and literally in the Treaty the **directorate** of the great powers” (MP Agostinho Lopes (Partido Comunista Português), parliament, 24.04.2008).

“And, Mr. Prime Minister, it is an authoritarian Europe, because a Europe which is diminished is more authoritarian, and that is why there is a **directorate**. That is why, Mr. Prime Minister, we oppose this derogation of the right to decide. That I why we believe that, in this debate, making clear the future of Europe is fighting for the best European idea: solidarity and a European project” (MP Fernando Louçã (Left Bloc), parliament, 24.04.2008).

Both the main opposition parties, the Social Democrats and the CDS – People’s Party, welcomed the Lisbon Treaty and its significant contribution to the European project. References to DI models or mechanisms were exclusively by the CDS – People’s Party. The first quotation is particularly illustrative of the type of DI dilemma Portuguese mainstream pro-Europeanist parties faced. DI was perceived as undesirable and a threat because it might exclude Portugal, so when DI is inevitable Portugal must side with the frontrunners (i.e. through enhanced co-operation) to avoid being left behind in an even more damaging position:

“The reason is quite simple: those who so eagerly claim to ‘declare the death’ of the Treaty forget that what can immediately happen afterwards is the countries of the **directorate** deciding to move forward faster and alone, posing a much more difficult question to the countries, such as Portugal, which are medium or small-sized” (MP Paulo Portas (CDS – Partido Popular), parliament, 02.07.2008).

“This is a pragmatic Treaty, corresponding to a possible compromise, and which gives Europe the mechanisms to pursue a project which must correspond to the founding principles, without federalist idealisms and logics of a **directorate** or of rupture with our longstanding allies, namely the vital relationship between the EU and the USA, for which the CDS has always fought, not only because we consider it the best way for European cohesion but also because we consider it a structural element of Portuguese foreign policy” (MP Nuno Magalhães (CDS – Partido Popular), parliament, 24.05.2008).

In sum, despite profound disagreement between the government and some opposition parties as to whether the Lisbon Treaty was the right tool, virtually all the political parties concurred that DI models were undesirable for Portugal.

3.2.2 2011: Unitary Patent

In 2011, the Unitary Patent was subject to some debate on the enhanced co-operation mechanism, mainly among opposition parties. This debate was sparked by the CDS – People’s Party’s opposition to the “stubbornness of trying to impose in the EU a regime which privileges three languages, discriminating against all the other twenty official EU languages” in the Unitary Patent. In a motion asking the government to oppose the patent,⁸ the party noted that “there is no memory, in the history of the EU, of such a speedy enhanced co-operation, especially considering that, according to the Treaties and the doctrine, enhanced co-operation is, as is known, an absolutely exceptional mechanism which should only be adopted as a last resort solution.”

The government’s position

In the debate on the Unitary Patent, the government made very little use of any DI key words. In fact, the debate was richer in the exchanges among opposition parties. One exception was an intervention by a Socialist MP dismissing the concerns raised by the CDS – People’s Party:

“To conclude, Mr. President, I would like to say the following: this Parliament and the Socialist Party’s parliamentary group are not insensitive to the strategic importance of the language or to the indispensability of **enhanced co-operation** processes being conducted in accordance with the procedures foreseen by the Treaty, but the report emanated by the European Affairs Committee summarising the arguments in other committees’ reports, safeguards the exceptionality of the procedure and the importance of guaranteeing in other domains equal dignity of all the languages. Therefore, we stand by the Portuguese language and its strategic importance, but we consider that the scientific domain is a field of exceptionality which preserves and sustains the internationalisation of the Portuguese and the European economies” (MP Maria de Belém Roseira (Partido Socialista), parliament, 04.03.2020).

The opposition’s position

As previously explained, the debate on the use of the enhanced co-operation mechanism in the context of the Unitary Patent was initiated by the opposition and most intensely debated among opposition parties. It is worth noting that the CDS – People’s Party was not opposed to the Unitary Patent per se: the point of disagreement was the (rushed) use of enhanced co-operation for this purposes, and the discrimination against the Portuguese language in violation of the Lisbon Treaty:

“There is under way, in the Unitary Patent regime, a manoeuvre which is decisively damaging the credibility and the status of Portuguese as an international language. (...) This is about, against the European multilingual tradition, excluding the Portuguese language from the patent registry and imposing a discriminatory status, of privilege, for only three languages: English, French and German. (...) The manoeuvre we are witnessing is, actually, blatant. Prematurely (and bear in mind these dates!), some Member States initiated, on 10 December, the process of **enhanced co-operation**. (...) It is, actually, highly doubtful and challengeable that there are legal grounds for the **enhanced co-operation**. For starters, because it is not the last resort, as the Treaty requires – only five months have passed since the proposal by the Commission and that proposal has not even been analysed by the EP, as the Treaties require. Besides, it is arguable whether this **enhanced co-operation** violates not one but each and every one of the requisites of article 326 in the Treaty (...)” (MP José Ribeiro e Castro (CDS – Partido Popular), parliament, 25.02.2011).

The motion proposed by the CDS – People’s Party was eventually dismissed, only gaining support from the Left Bloc. Nonetheless, there were many points of convergence between the several opposition parties in their concerns regarding this process. For example, the CDS’s argument partly collected highly unusual support all the way across the aisle from the Communist Party. However, the Communists’ position was more structurally against enhanced co-operation:

⁸ Projecto de Resolução no. 374/XI/2^a

“As you know, the PCP has been alongside the CDS’s opposition to the London Agreement, that is, the PCP has been opposed to this process of **enhanced co-operation** which is under way. So, we could vote favourably for the first half of your motion, when you aim at effectively defending the interests of the Portuguese language and the national economy, but we can no longer stand by the remainder of your motion, when you aim at defending the interests of this EU and of the single market, and the values, principles and rules of the Lisbon Treaty. (...) So, we will present a motion, precisely to formulate the question in the terms in which we believe it should be formulated, since we must oppose this process of **enhanced co-operation** because it is hardly democratic and, mostly, because that lack of democracy will bring serious consequences to the national interest, namely in terms of loss of sovereignty, deterioration of the status of the Portuguese language and, also, of loss of competitiveness of Portuguese businesses. We are in agreement with this interpretation. What we cannot do, obviously is follow a favourable vote on this motion, to the extent that it proposes deepening the orientations of this European construction, with which we stand in disagreement, and this Lisbon Treaty, which allowed precisely this process of enhanced co-operation to be initiated in opposition to the interests of the Portuguese people” (MP João Oliveira (Partido Comunista Português), parliament, 04.03.2011).

The Communists also considered that the points raised by the CDS – People’s Party about the Portuguese language reflected the power of the directorate within the EU:

“Mr. MP Ribeiro e Castro, this is an example of the undemocratic way in which the **directorate** of superpowers can impose their decisions on the subject of European construction. In a matter such as the language regime of the Unitary Patent, in which the international treaties impose, and the Lisbon Treaty too, the unanimity rule for the mandatory use of three languages, English, French and German, there was no unanimity. (...) Facing these difficulties in reaching unanimity, countries like Italy and Spain, and others, which decided to stand by their national interests and reject the imposition of English, French and German in the European Patents, are now confronted with the use of the **enhanced co-operation** mechanism, which appears to be a magic box in which everything for which unanimity was once required fits” (MP João Oliveira (Partido Comunista Português), parliament, 25.02.2011).

The Social Democratic Party also expressed concerns about the use of enhanced co-operation in the context of the Unitary Patent, although it eventually did not oppose it using the argument that there would be a large consensus among the Member States:

“There is, however, a caveat which I would like to make: indeed, the enhanced co-operation mechanism must be used following criteria and should be reserved for matters of exceptional and crucial importance. Therefore, I think we must, indeed, reflect on the way in which the enhanced co-operation mechanism can or cannot be used, but taking into account the foreseen admission regarding the Unitary Patent, from which, probably, only a single country will be left out, the use of this mechanism does not seem inappropriate” (MP Maria Paula Cardoso (Partido Social Democrata), parliament, 04.03.2020).

3.2.3 2012: Financial Crisis: the Financial Transaction Tax and the Fiscal Compact

The euro crisis hit the Portuguese economy severely, leading to the 2011 bailout request. In 2012 in the midst of the Economic Adjustment Programme there was a lively debate focused mostly on the economic dimensions of European integration. Unsurprisingly, the references to DI key words related to the Financial Transaction Tax and, to a greater extent, the dimensions of the Fiscal Compact were prevalent.

The government’s position

The Prime Minister made one direct reference to enhanced co-operation in an intervention on the Financial Transaction Tax during a parliamentary debate.

“Yes, Mr. MP, from the start the **Financial Transaction Tax** deserved approval by the Portuguese government – and that was explicit in a letter signed by the Minister of State and Finances himself.

Portugal has been favourable to the introduction of such a ‘Tobin tax’ in the European area, considering that the eurozone is the unequivocal area to implement such a tax. However, as you know, several Member States have expressed a desire to proceed in this matter. That is the case of France, which has already introduced the second amendment to the mechanism which was adopted in August of this year; of Spain, which has already expressed its intentions; and of Portugal, which expressed interest in the same direction and which, as a matter of fact, has joined this **enhanced co-operation** mechanism, at least within the eurozone, but also with other countries which, although they do not belong to the eurozone, want to be part of this **enhanced co-operation** effort, to implement this tax on financial transactions which, somehow, implies the possibility of the whole eurozone maximising its contribution against the challenges to funding and growth in Europe” (Prime Minister Pedro Passos Coelho (Partido Social Democrata), parliament, 13.10.2012).

The same understanding of the potential of enhanced co-operation instruments to boost the funding of the EU, and in particular of the Cohesion Fund, was expressed by an MP from the government’s junior coalition partner, CDS – People’s Party:

“It is also absolutely necessary for the long-term 2014/2020 budget to increase the revenue for the Cohesion Fund and the funds for the ultraperipheral regions, among which Madeira and the Azores are included, since these are the ones more severely hit by the current financial and economic crisis. Finally, it is important to highlight the Employment and Growth Pact decided on in the last European Council. The CDS has been arguing that budgetary rigor and economic growth policies should be two sides of the same coin. For that purpose, structural reforms (in the banking sector, in the labour market, in the housing market, reducing financial inefficiency in public administrations, etc.) are indispensable, but also deepening the single market, cohesion policies, and the implementation of the requirements for funding projects, or even the short-term consideration of **enhanced co-operation** on fiscal matters” (MP José Manuel Rodrigues (CDS-PP), parliament, 13.07.2012).

However, the core of debates on DI during this period concerned the Fiscal Compact. The centre-right coalition government formed by the Social Democratic Party and its junior coalition partner, the CDS – People’s Party, was a strong advocate of the Fiscal Compact. This government was responsible for the implementation of the bulk of the Economic Adjustment Programme’s austerity measures and perceived the Fiscal Compact as an important mechanism not only to further European integration but also to avoid in the future the economic pitfalls that led to the Portuguese bailout and the euro crisis in general. Hence, there was a clear intersection between European and domestic agendas on this topic. Despite not making direct references to DI models or mechanisms, the Prime Minister made extensive references to this DI instance:

“The Treaty on Stability, Coordination and Governance introduces, on the one hand, the implementation of more effective mechanisms to guarantee the fulfilment of the goals so often exalted by Portugal and its partners and, on the other hand, the transposition into the internal legislation of each Member State of the obligation to uphold a balanced budget. (...) The solution adopted in this treaty is therefore more coherent with our understanding of an autonomous political community, able and responsible for defining its own objectives and defending them in its choices. (...) In this sense, the treaty makes an important contribution to enhance the democratic character of our societies and the great European society. This treaty, in the end, represents our refusal to repeat the mistakes of the past. And I am not referring only to the mistakes made by several European countries in the last two decades. I am referring also to the mistakes which we allowed being committed in Portugal in our democratic history. We must not forget that in less than 35 years we have had to ask for external financial support three times. In this sense, the treaty is even more pertinent for the protection of countries such as Portugal than for other European partners which are, perhaps, more mature and with more longstanding reputations of financial responsibility” (Prime Minister Pedro Passos Coelho (Partido Social Democrata), parliament, 13.04.2012).

Noticeably, the government admitted some flexibility in the national legislative procedure associated with the Fiscal Compact, opening the door to suggestions by the opposition parties which would come in later debates:

“In that perspective, and saluting the intervention by MP António José Seguro, I must demonstrate too my concordance with today’s statement by the parliamentary leader of the Socialist Party, MP Carlos Zorrinho, when we stated that these treaties are a point of departure and not a point of arrival. Of course, this is also our understanding, as we have been saying in the past days” (Luís Montenegro (Partido Social Democrata), parliament, 13.04.2012).

The opposition’s position

The Socialist Party voted in favour of the Fiscal Compact. However, in April 2012 at the time of the parliamentary vote, the party already anticipated that the Treaty should not be understood as a final document – a vision shared by the government in general. A month later, the party presented a motion recommending that the government should propose and support political and institutional measures legally binding the Member States to an agenda of growth and employment creation, considering that Portugal was “too hasty in ratifying the Fiscal Compact” and that the government “should have fought for an additional title which would be fundamental to enable European growth and unemployment policies.” On the occasion of this debate, the Socialists’ parliamentary group leader made several critical references to DI but actively distinguished between enhanced co-operation and a two-speed Europe:

“The Lisbon Treaty comprises an inter-government vision of the EU. This inter-government perspective derives from the assumption that countries, when they are allowed to work in an inter-government solution, would structure in **enhanced co-operation**. And, as happened with the euro and Schengen, would take other interesting measures of **variable geometry**, not a **two-speed Europe** but a **variable geometry** Europe. What have we realised? We have realised that a **variable geometry** Europe has rapidly transformed into a **two-speed Europe**, with a Franco-German **directorate** and a set of other countries which, de facto, do not participate in European decision-making (...) We must strengthen the role of parliaments in the exact measure in which the role of governments is also strengthened. But at the same time we are in favour of transferring competences, not to the **directorate** but to the European Commission” (MP Carlos Zorrinho (Partido Socialista), parliament, 24.05.2012).

Indeed, throughout the data analysis, enhanced co-operation has been perceived in a much more positive manner compared to DI models, both by the government and opposition parties.

The parties to the left of the Socialists were profoundly critical of both the Fiscal Compact and the Socialists’ motion, at times discussing the issue in terms of loss of national sovereignty to strengthen the ‘directorate’:

“We are concerned about the path Europe has been taking, which, by the way, is not recommendable to any people, because we have an ever less democratic Europe, with Germany and France deciding the fate of all Europeans and the remaining Member States with an entirely passive role limited to accepting the directorate’s decisions in a pitiful situation. (...) The ‘bosses’ of Europe still aim to revise the Treaties so that the Member States establish, by means of imperative norms, preferably of a constitutional nature – take note that they even afford to choose – what they designate as a ‘culture of binding budgetary discipline,’ that is, the rule of the balanced budget. And the most shocking thing is seeing the governments of the remaining Member States, without whining, without questioning, without demands or reservations, accepting the **directorate!** (...) As for the Greens, we shall not accept any attempts at conditioning this parliament to the definition of budgetary policies, to the definition of economic policies and to the definition of the social policies of our country. We are not available to transfer more sovereignty to the hardly democratic Europe, especially when it concerns such a crucial issue, in terms of sovereignty, as budgetary sovereignty” (MP José Luís Ferreira (Partido Ecologista – Os Verdes), parliament, 08.02.2012).

“In sum, the Socialist Party voted in favour of the Fiscal Compact and so agrees with it, and voted in favour of the limitation of national sovereignty. The PS voted in favour of the Fiscal Compact, that is, voted in favour of the subordination of the Constitutional Court to the European courts. The PS voted in favour of the Fiscal Compact, that is, voted in favour of norms that aim to make permanent the state of social regression and impoverishment of the country. The PS voted in favour of the Fiscal Compact, voted in favour of all this and today, a historical moment for the PS, presents

a patch to what it voted for. What is this patch good for, in the end, Mr. MP? To change the Fiscal Compact? You know as well as I do, as we all do, that this patch will not change a thing about the Fiscal Compact” (MP Honório Novo, (Portuguese Communist Party), parliament, 24.04.2012).

3.2.4 2017-2020: White paper on the Future of Europe

The government's position

In this address to the parliament in the parliamentary debate on the white paper on the Future of Europe, the Socialist Prime Minister António Costa made several mixed references to DI models and mechanisms:

“I would like to be clear, repeating what I have said previously: **variable geometry** may be a lesser evil, but it is always a risk. And it is a lesser evil because it has a potentially dissolving effect, which is all the more dissolving the less coherent that geometry is, and the more some states aggregate around the euro, others around security and defence, others on other domains. But I cannot ignore that there are today states that not only do not want to go further, but they even want to regress, and either we stand in a complete blockade or we open a door to advance. I would obviously prefer a door through which we all could advance. If that is impossible, I think that those who can should be allowed to go further. What I have said (...) is that Portugal's strategy has been to stand among the frontrunners, to always be among what can be called the core, the forefront for advance and progress in the EU” (Prime Minister António Costa (Partido Socialista), parliament, 08.03.2017).

This intervention effectively summarised the longstanding consensus among the mainstream parties about the Portuguese position on European integration, and DI in particular: advocating for further European integration at one speed and towards a common end point, Portuguese governments tended to be resistant to DI until they envisioned no other way of advancing with the integration process, at which point they embraced it as inevitable. When it came to choosing between halting integration but remaining united as one or moving forward through DI with those on board, Portuguese governments tended to stand for the latter. In this sense, variable geometry, understood mainly as deriving from more enhanced co-operation under the third scenario, was perceived as a lesser evil compared to more regressive scenarios emanating from the white paper.

This ambiguous stance on variable geometry was reinforced in statements by MPs from the Socialist Party on multiple occasions, also mentioning other key DI words:

“It is not impossible to have **variable geometries** with whoever wants to go further in certain areas, as already happens with the euro, Schengen, security and defence policy or, in the future, with the European Public Prosecutor. However, as the Prime Minister highlighted, these **variable geometries** cannot be the rule and cannot obey a simple logic of a directorate or exclusion of Member States just because they are medium of small-sized, or peripheral, or have certain problems” (MP Vitalino Canas (Partido Socialista), parliament, 08.03.2017).

“The EU's problem is not of **speed** but of direction. We have lived with different **speeds** for a long time, that of the countries belonging to the eurozone and that of the countries belonging to Schengen, to name the most significant ones. Regarding the scenarios proposed by the President of the European Commission, it should be clear that no Member State will be excluded from an **enhanced co-operation** if it is in the condition to join and that is its political will” (MP Edite Estrela (Partido Socialista), parliament, 29.03.2017).

In all of these statements it is patent that the Portuguese government considered that the EU had not been moving at a single speed and towards the same end point – regrettably – but that the Future of Europe, and the advancement of the process of European integration, should not be slowed down by countries that were reluctant to move forward. In those instances, DI may be a useful instrument to solve political deadlocks, problematic as it may be.

The opposition's position

Contrary to the government's predominantly neutral references to DI models and mechanisms in the debates on the Future of Europe, the opposition tended to express much more frequent and more negative views. This also applied to the Social Democratic Party, which tended to be very much aligned with the Socialist Party on European affairs:

"I still remember the time when the greatest threat to the future of the EU was said to be the creation of a **directorate**, an informal **directorate**. As the Prime Minister mentioned, the white paper, and mostly the meeting that took place this week between the heads of state and heads of government – Italians, French, German and Spanish, from our standpoint, from Portugal, suggests that what happened in Versailles, if it is not the creation of a **directorate** it is certainly something very similar. And, ironically, as the Prime Minister is so busy meeting with the countries from the south, behold, the three greatest countries from the south ran to join Germany to form this directorate. And what did this directorate say this week? It said that Europe needs to move at **different speeds**. It is very important to understand what this means. I admit that such indefiniteness has even affected the government. Even yesterday, the Minister of Finances said that Portugal rejected the idea of a **multi-speed Europe**, and not minutes later, the Prime Minister made a contrary statement, saying that Portugal, after all, did not fear a **multi-speed Europe** and even wanted to join the forefront of such a project. This indefiniteness must be put to an end, for a simple reason: a **two-speed Europe**, or a **multi-speed Europe**, already exists. It exists among the EMU countries and those that did not join; among those belonging to the Schengen area and those which do not; among those that have **opt-outs** and those which do not. Therefore, we need to know what new aspects this carries. Is it an appeal to an intensification of the **enhanced co-operation** mechanism? Well, there are initiatives in the context of **enhanced co-operation** such as, for example, the Financial Transaction Tax, which has already been under way for a few years and, apparently, came to a halt. Should we assume that this **multi-speed Europe** happens within the eurozone? That would not only be an undesirable development but also a dangerous one, because it would lead to fragmentation and not greater unity in Europe. In fact, that would be the true **Europe à la carte**, and that has been the headline used by some of the press, especially French, in the aftermath of this summit" (MP Miguel Morgado (Partido Social Democrata), parliament, 08.03.2017).

The same MP then moved to establish a parallel between what was being proposed and the negotiations with the United Kingdom:

"We must not forget that this would be the most contradictory position that the EU could have, since when the United Kingdom was undergoing several negotiations to prepare the referendum about leaving the EU, we said that they could not have an **à la carte** EU. And now this **directorate** tells us that, maybe, that is the way to go. It is imperative to define, very carefully, what this means" (MP Miguel Morgado (Partido Social Democrata), parliament, 08.03.2017).

The tone of criticism of the white paper was even stronger in statements by the remaining opposition parties, traditionally more critical of European integration, which underlined the power imbalance within the EU:

"This path has no future. You can do white papers, you can do summits of the powerful to try to force this path, but that is not the way to solve the problems of the European people. Even less if you keep the euro and EMU, which serve the interests of the most powerful countries but harm countries like Portugal. Even less with the idea of a **multi-speed** Europe and of frontrunners, which have already in the past been evoked regarding the euro, and which were only good to put Portugal at the forefront of eliminating social rights, impoverishment and the aggravation of external dependency" (MP João Oliveira (Partido Comunista Português), parliament, 08.03.2017).

"You have also mentioned economic convergence, which has always been an important driver of this alleged European endeavour. However, despite so much economic convergence, the truth is that European growth and the European project have lived, until today, at several **speeds**. Until now, we have had a group of frontrunners and several groups that follow according to the circumstances, which has no credibility. And the five scenarios recently presented by the European Commission and by President Juncker suggest exactly that lack of credibility of the current European project. We have several scenarios and they all culminate in the same, which is the perpetuation of the

institutional crisis, of the crisis of values which the EU is undergoing. Multiple **speeds**, a single currency ... None of this has any credibility” (MP Isabel Pires (Bloco de Esquerda), parliament, 30.03.2017).

These statements reflect the high degree of uncertainty and generalised concerns of opposition parties regarding the way forward for European integration, and how Portugal should position itself on the five scenarios put forward in the white paper. The opposition parties followed the government’s interrogations on this matter but voiced their criticism more vehemently. In the Portuguese Communist Party and the Left Bloc, these criticisms extended to the broader process of European integration and the longstanding imbalances within the EU. For these parties, DI seemed to represent a major part of the problem, to a large extent explaining the structural asymmetries in the European project which significantly damaged Portugal’s interests.

4. Concluding remarks

References to DI key words concentrate mainly on four key events: the Lisbon Treaty (2007-2008), the Unitary Patent (2011), the euro crisis and the deepening of economic integration through DI instances (2012) and the white paper on the Future of Europe (2017-2020).

Regarding DI models, parties made most references to the ‘directorate’ key word. However, there are important nuances as to how the different actors employed this term. Opposition parties tended to use it more frequently to confront the government with the need to stand up for the national interests of peripheral countries such as Portugal against the will of the most powerful countries. These parties often used DI to justify their Eurosceptic stances by drawing attention to the power disparities within the EU which relegate Portugal to a secondary and submissive role. On the contrary, the government, irrespective of which party is in office at a given point, tended to be much more contained in the use of this key word (even if it used it frequently when in opposition). Cross-pressured between the national interest and the constraints of EU politics, successive governments tended to adopt a more pragmatic and diplomatic approach, refraining from using this negatively charged word as it implied acknowledgement of a de facto bias in EU-level decision-making. Nevertheless, all the parties agreed that a more or less formal ‘directorate’ in the European Union was something to avoid, together with models entailing multiple speeds, although they recognised that to a certain extent they were already in place (see for example the debate on the Future of Europe). The mainstream parties (the Socialist Party, the Social Democratic Party and the CDS – People’s Party) saw in the Lisbon Treaty an important tool to obstacle the development and institutionalisation of DI models. Inversely, the remaining parties claimed that the Lisbon Treaty would further enable a model of a core Europe in which the most powerful country would be able to control the fate of the EU.

The same divide between mainstream and the remaining parties surfaces in debates on the Financial Transaction Tax and the Fiscal Compact, this time with regard to the enhanced co-operation mechanism – the only truly salient DI mechanism. However, as in the very particular case of the Unitary Patent in 2011, these positions were more structured around the content of these DI instances than the mechanism of enhanced co-operation *per se*. That is, those for/against enhanced co-operation held that stance because they tended to perceive it as a means to implement instances which they were for/against. When discussing DI mechanisms in more abstract terms as a possible way to advance European integration (as in the debates on the Future of Europe) DI mechanisms were generally viewed with suspicion, especially by the opposition but sometimes also by government parties. However, the latter tended to adopt a more pragmatic position, admitting that enhanced co-operation mechanisms could offer a solution to advance European integration when the EU was in a standoff.

Appendices

Appendix 1 Overview of the documents analysed

	Category of document	Time period	Details
1	Government programmes	2004-2020	2002, 2004, 2005, 2009, 2011, 2015 x2, 2019
2	First speeches and parliamentary debate	2004-2020	The first speech after the election of each PM in parliament and the subsequent debates (years same as above).
3	European Council presidency speeches and parliamentary debates a. in the Portuguese Parliament b. in European Parliament	2004-2020	28.06.2007 (Portuguese Parliament) 11.07.2007 (European Parliament)
4	Future of Europe speeches and parliamentary debates a. in the European Parliament b. for citizen consultation	2017-2020	- PM speech in the European Parliament on the 'Future of Europe' (14.03.2018) - News reports on the PM speech on the citizen consultation on the 'Future of Europe' (27.07.2018)
5	Prime minister European Council statements	2012 ⁹ -2020	All the pre-Council statements by the PM in the Portuguese Parliament: a total of 21 statements
6	Parliamentary debates ¹⁰	2004-2020	Documents containing any of the key words described in Table 2 (saliency analysis)
		2008	Documents including one of the following key words: multi-speed Europe, two-speed Europe, variable geometry, à la carte, enhanced co-operation, opt-out
		2012	
		2017–2020	

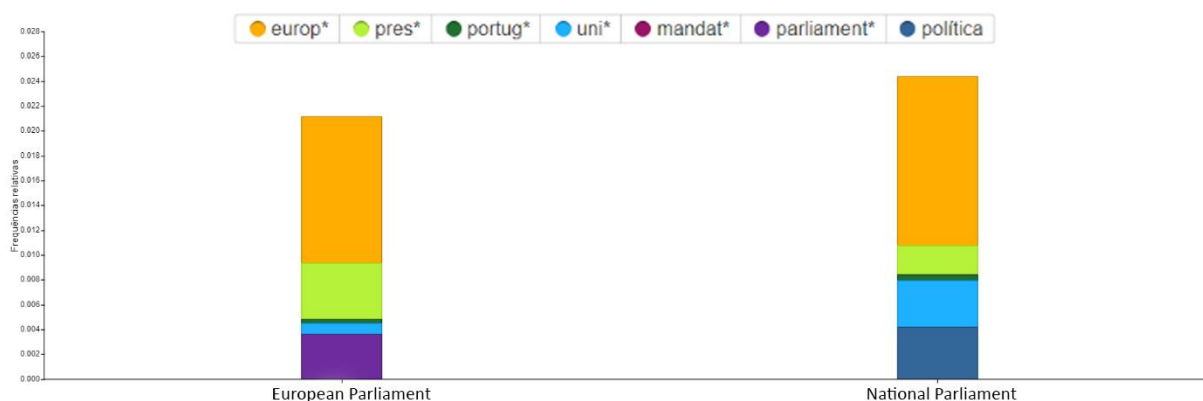
⁹ As the legislation requiring the Prime-Minister to address the parliament before the European Council meetings was only approved in May 2012 (Lei 21/2012), these documents were unavailable before then.

¹⁰ Retrieved from the official repository of parliamentary debates of the Portuguese parliament (<http://debates.parlamento.pt>)

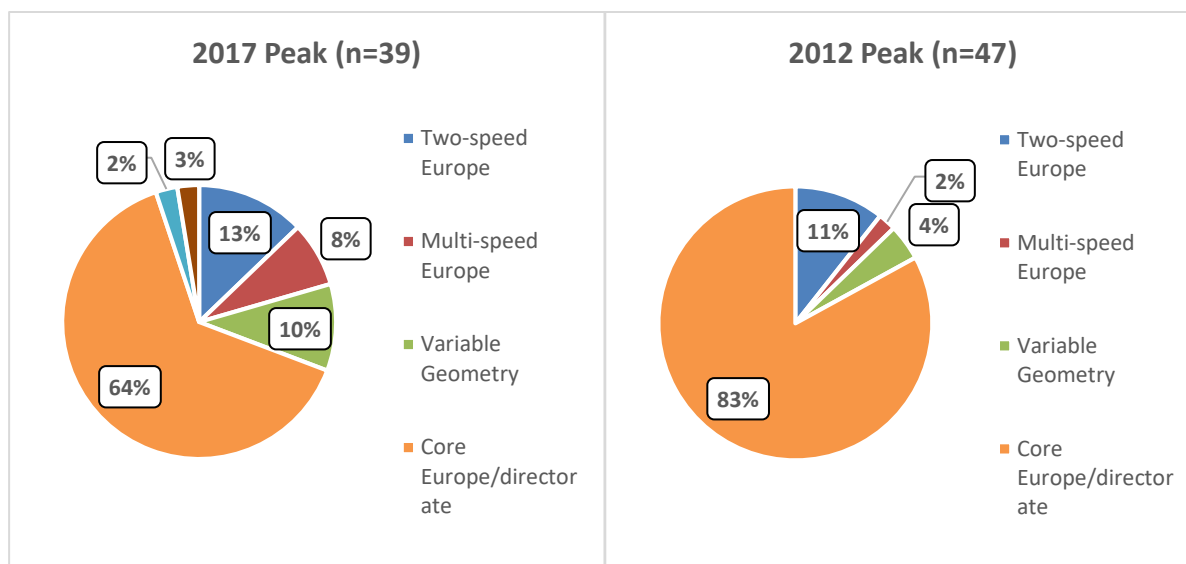
Appendix 2 Translations of key words

Keyword	Portuguese Translation	Notes
DI models (conceptual key words)		
Differentiated integration	Integração diferenciada	Not customarily used
Coalition of the willing	No translation	
Two-speed Europe	Europa a duas velocidades	
Multi-speed Europe	Europa a várias velocidades	
Variable geometry	Geometria variável	And 'União Europeia'
Core Europe	Directório/diretório	Not a direct translation but widely used to refer to the concentration of decision-making power at the EU-level in a few powerful MS
Two-tier Europe	No translation	
Concentric circles	Círculos concêntricos	
à la carte	à la carte	
Future of Europe	Futuro da Europa	Used widely without necessarily referring to the FoE debates
DI mechanisms		
Enhanced co-operation	Cooperação reforçada	And 'União Europeia'
opt-out	opt-out	Does not have an established translation
DI instances – enhanced co-operation		
Pesco	Pesco	
Rome III	Roma III	
Unitary patent	Patente unitária	
Matrimonial property regimes	Regimes de propriedade matrimonial	
Financial Transaction Tax	Taxa sobre transações financeiras	
European Public Prosecutor	Promotor Público Europeu/Procurador Europeu	
DI instances – opt-out policy fields		
Schengen	Schengen	
Economic and Monetary Union	União Monetária e Económica	
Security and Defence Policy	Política de Defesa e Segurança	Used also in the national context
Area of Freedom, Security and Justice	Espaço de Liberdade, Segurança e Justiça	
Charter of Fundamental Rights	Carta dos Direitos Fundamentais	
Social Charter	Carta Social Europeia	
DI instances – inter se agreements		
Prüm Convention	Convenção de Prüm	
European Stability Mechanism	Mecanismo de Estabilidade Europeu	
Fiscal Compact	Pacto Fiscal/Tratado Orçamental	
Single Resolution Mechanism	Mecanismo de Resolução Única	
Unified Patent Court	Tribunal Unificado de Patentes	
DI instances – external agreements		
European Economic Area	Espaço Económico Europeu	
Customs Union + Turkey	União Aduaneira + Turquia	
Eastern Partnership	Associação Oriental	
Euromed	Euromed	

Appendix 3 Prime Minister Council presidency speeches¹¹ in the national and EU parliaments, 2007

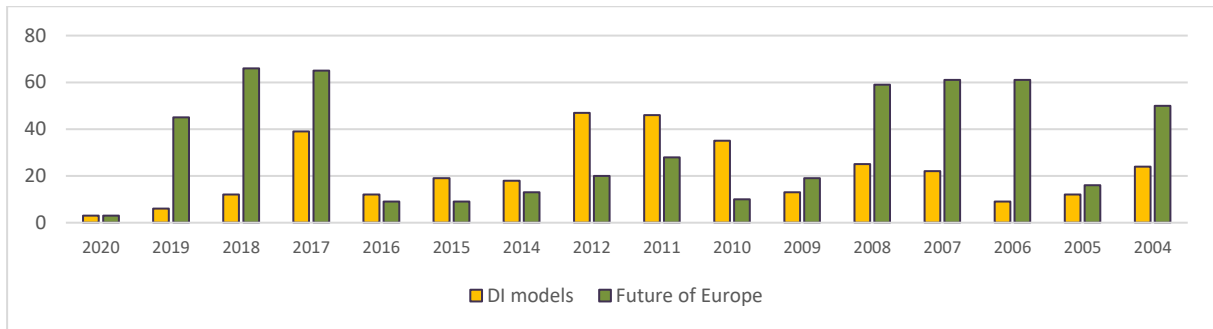


Appendix 4 The salience of conceptual key words in parliamentary debates: breakdown by key words

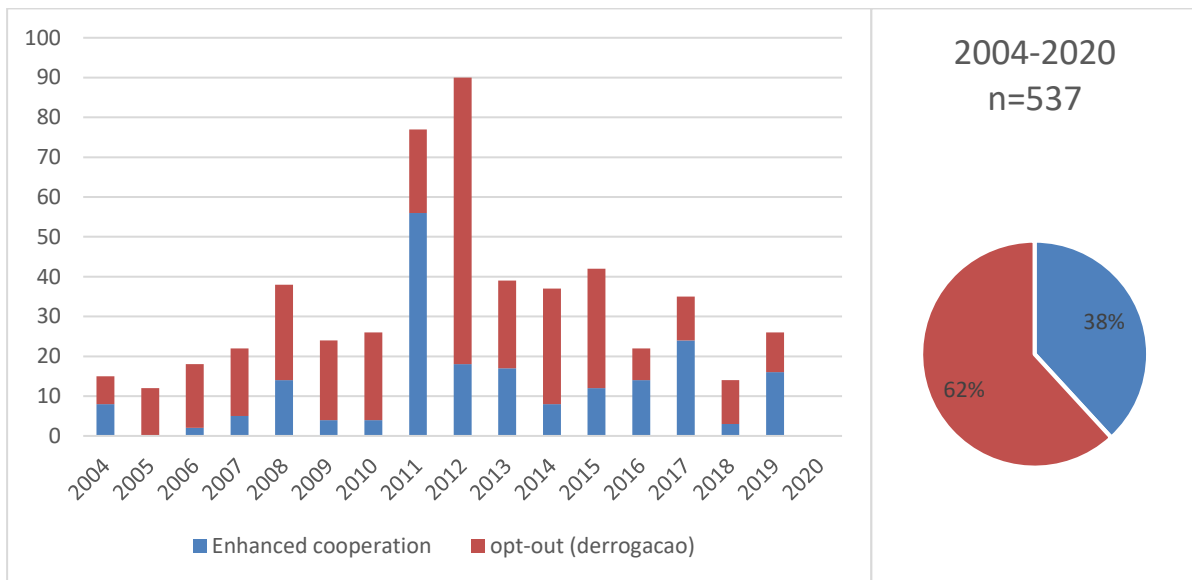


¹¹ As the documents were in two different languages, a manual selection of the most frequently used words in both Portuguese and English was carried out and they are pooled together in Appendix 3. In most cases it was possible to use selection terms that are simultaneously applicable to both languages by using the * option, i.e., europ* (*Europa/Europe; Europeu/European*), pres* (*Presidência/Presidency; Presidente/President*), port* (*Português/Portuguese*), uni* (*união/union*) and mandat* (*mandato/mandate*).

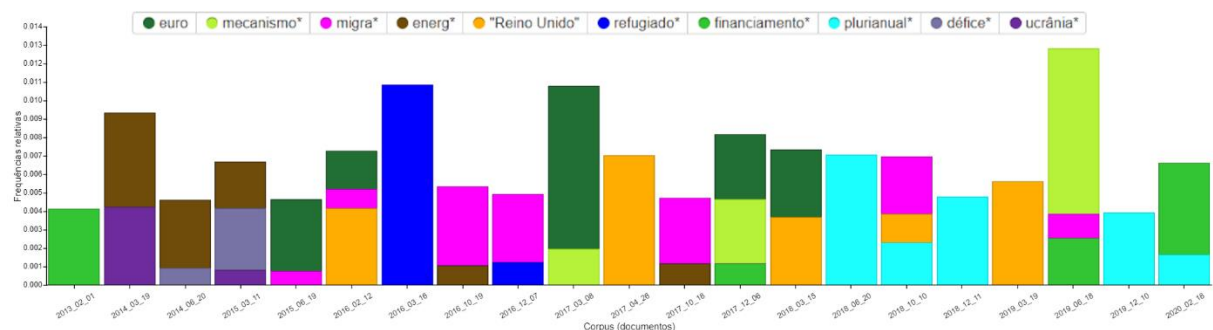
Appendix 5 The salience of conceptual key words in parliamentary debates: DI models and Future of Europe



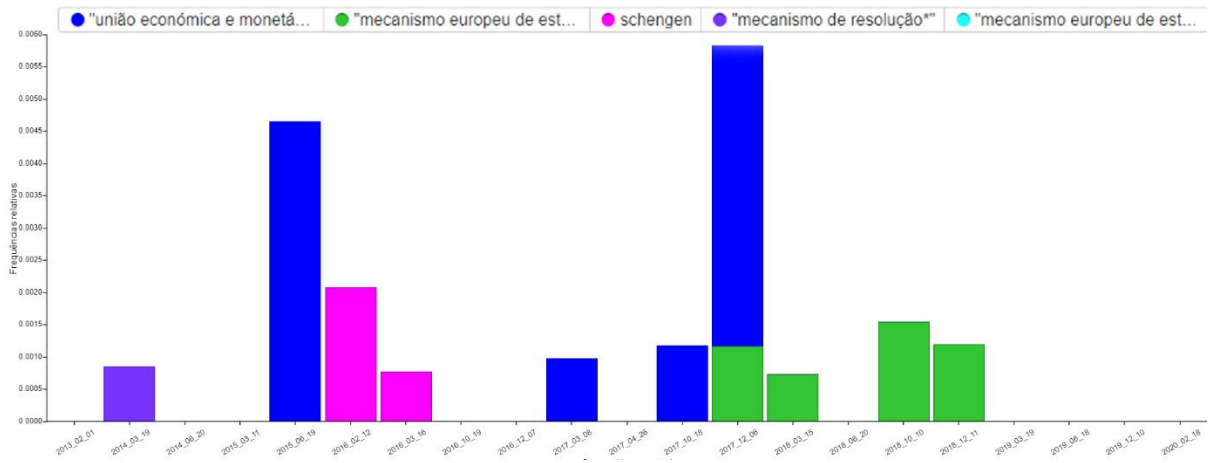
Appendix 6 The salience of DI mechanisms (using ‘derrogacao’ instead of ‘opt-out’)



Appendix 7 Prime minister pre-European Council speeches, 2013-2020



Appendix 8 DI instances in prime minister pre-European Council speeches, 2013-2020



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