The Impact(s) of European Integration on Portuguese Local Governance Models. Porto and Sever do Vouga Municipalities Cases

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Abstract. *In a very specific way, the year 1986 marks a different stage in the Portuguese governance forms at various levels. The integration into the European Economic Community (EEC), the current European Union (EU) was not the beginning of this change, since it happened a few years earlier, when it started to reflect on the forms of integration and potential consequences. This paper makes a theoretical and contextual analysis (at the municipal level) to what were the main transformations that occurred in the local governance. In addition, it points out consequences that have already been seen (loss of state sovereignty, but, paradoxically, increased autonomous autonomy) and potential future impacts in different, but interconnected dimensions.*

Keywords. *European integration; European Union; local governance; new local governance models.*

1. Introduction

If the governance theme has been widely debated over the years, either because some authors believe that the model is changing (Bilhim, 2017; Dias, 2015; Gray & Jenkins, 1995), or because other authors share the opinion that, even if there are changes, they are nothing more than the "freshening up" of old models and their adaptation to the demands of the market, society and citizens (Bauer, Jordan, Green-Pedersen, & Héritier, 2012; Ferreira, 2015), the truth is that changes have occurred. In the specific context of Portugal, these changes are based, among other reasons, on integration in the European Economic Community (EEC), which provided (not to mention the word "obliged", since it may imply that there is no voluntary accession) an adaptation to the European model and to the wider context of integration into a Union.

The paper reflects on how European integration has impacted Portuguese local governance models (municipal level). Therefore, it starts from the assumption that there was, in fact, a change suggested and provided by European integration at the local level, whether this change was felt in terms of citizen participation (the most concrete example is participatory budgets), by the level of market and society demands (for example, with regard to social responses and even the way that

entities that start to concentrating public and private sectors) or even at the level of the local authorities management, with the creation of new departments, new managers and new ways of managing.

In the context of this paper, governance means the way in which a specific entity / institution chooses to manage its resources, whether human or material; it chooses to communicate with shareholders and stakeholders, but also with its clients (using a mercantilist logic here, in the sense of citizen-client) or even society as a whole, which will, directly or indirectly, experience the impact of its decisions; it chooses to organize itself internally and this influences its interinstitutional and intra-institutional relations; finally, it also includes the influences it is suffering from exogenous and endogenous factors (Bevir, 2009; Gjaltema, Biesbroek, & Termeer, 2019; Gray & Jenkins, 1995; Rossel & Finger, 2007).

In addition, it will be important to note that the governance here is related to a very precise context: that of municipal administration, that is, local governance. The choice for this context was related to the fact that it is an example that is already influenced by several supralocal and even supranational structures, which is making its governance even more complex and more difficult to implement.

2. Impacts of the European Integration at the Municipal Governance Level

The concept of Public Administration (PA) is polysemic, either referring to the activity performed, that is, its material or objective sense or to the organic or subjective sense, referring to whoever does the Public Administration. In an organic or subjective sense, the PA includes the primary public legal entities (public entities), those who, unquestionably, are public, their existence is mandatory, resulting directly from the Constitution of the Portuguese Republic (CPR). They are the State, Local Authorities and Autonomous Regions (article 267 of the CRP).

The public entities of specific purposes (public institutes, public foundations, public business entities, public associations, independent regulatory authorities) are also part of the PA. And, the private legal persons over whom the instituting public entity exercises dominant public influence and the private entities to which the exercise of public tasks has been delegated or granted. This paper will not address these.

Municipalities and parishes are included within the local autonomous administration, their essential elements being the territory, the population group (residents), the satisfaction of their own common interests, with local impact and the representativeness of their bodies and electivity, which culminates in the idea of self-government and self-administration. The collegiate executive body of the municipality is the City Council (Article 56 of Law No. 169/99, of September 18, updated by Law No. 71/2018, of December 31).

The relevance of this brief framework is related to the fact that it is at the level of the City Council referred to in the paper when mention is made of local government or local authority.

It is also important to refer to the Administrative Procedure Code (APC), since this document will be the legislative, executive, governmental and organizational basis of local authorities. The scope of this document includes entities that, regardless of their nature, adopt the exercise of public powers and are specifically regulated by provisions of Administrative Law (Article 2 of the APC). It is immediately referred to in the same legal precept that the local authorities and their associations and federations of public law are part of the PA (article 4, paragraph b) of the APC).

Once again, this brief legislative framework aims to understand where the local authorities are located within the PA and where, specifically, the City Councils are located, which will be the interest of the paper.

In the preamble of the APC the following can be read: "[…] New demands […] were placed on the Public Administration and, more than that, on the exercise of the administrative function, and the alteration of the framework in which the latter was exercised, under the law and European Union Law, required that these demands be matched in the text of the Code. " (Republic Diary, 1st series — No 4 — January 7, 2015, pp. 50-51).

These requirements and the reflection of what is the influence of Portugal's European integration in municipal governance can also be seen in the basic principles that govern administrative activity. In fact, going back to the preamble of the APC, "the innovation regarding the cooperation between the Portuguese Public Administration and the European Union, […] covers the growing participation of the Portuguese Public Administration in the decision-making process of the European Union, as well as the participation of European Union institutions and bodies in national administrative procedures […] "(Republic Diary, 1st series — No 4 — January 7, 2015, pp. 51-52).

Finally, it should be noted that one of the principles (of those mentioned above) in which this inevitable influence and connection to the European Union Law is verified is the one predicted in article 19 of the APC, with the heading Principle of loyal cooperation with the European Union. But even more so, due to those influences and links, the principles of responsibility (article 16), open administration (article 17), data security (article 18) were included in the APC reform, as well as principles related to electronic administration (article 14). Basics of PA governance and, as will be seen, modelers of current municipal governance.

2.1 Current Governance Models

In this subtopic, it is intended to reflect on the current governance models existing at the municipal level. This reflection will be made using two concrete examples of municipal governance, in the form of analysis of case studies, namely, the case of Porto Municipality (a large municipality) and the case of the Sever do Vouga Municipality (a small municipality).

According to the 2011 Census, the resident population of Porto was 237,591 inhabitants and the resident population of Sever do Vouga was 12,356 inhabitants. A difference that will also be reflected

in the way it is governed at the local level and how resources are managed and communicated with citizens[1].

Another difference between the two municipalities is their location. Porto is located in the northern region of mainland Portugal. Sever do Vouga is located in the Central Portugal mainland region. The two municipalities are about 80 km apart from each other.

In terms of analyzing current governance models, the websites of both municipalities were used. Sever do Vouga can be found here http://www.cm-sever.pt/pages/1; Porto can be found here http://www.cm-porto.pt/. What one sought to find with this analysis was, precisely, the elements that constitute the definition of governance used in the paper:
- Human or material resources management;
- Communication with shareholders, stakeholders, customers (inhabitants) and with society as a whole (including tourists, for example);
- Internal organization;
- Influence of exogenous factors (from the stakeholders themselves, customers and society, but also from national and supranational decisions) and endogenous factors (from employees, their own political decisions and the public-private companies they manage).

The characteristics that Andrew Gray and Bill Jenkins (1995) suggested for the revolution that was felt in terms of a paradigm shift from Public Administration to Public Management were used to carry out this analysis. Although they are characteristics defined some years ago and specifically applied to the case of the United Kingdom, it is considered that, today, they are still characteristics that are found in the current models of municipal governance and, concretely, in the Portuguese case.

Thus, the authors (1995) consider the following characteristics of public management:
- The distinction between the public and private sectors (government as a company) is blurred (when not even eliminated) and the public sector is treated as homogeneous;
- Organizations become more flexible and adaptable, with structures that encourage entrepreneurship;
- They replace more bureaucratic management with more flexible human resource regimes;
- There is a reinvention of the government with structures that are guided by the mission instead of by the rules;
- There is, at the same time, the decentralization of structures, who are also given autonomy to promote entrepreneurship.

In this myriad, concepts such as responsible and responsive management, performance evaluation, quality, empowerment and entrepreneurship are highlighted.

Combining the two analyzes (the cases of the local authorities of Porto and Sever do Vouga and the characteristics pointed out by Gray and Jenkins (1995)), the following table was created:

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[1]https://www.pordata.pt/Municipios/Popula%C3%A7%C3%A3o+residente+segundo+os+Censos+total+e+por+grandes+grupos+et%C3%A1rios-22, visited on 27 July 2020.

Table 7: Porto and Sever do Vouga local governance analysis

Governance elements	Porto	Sever do Vouga
Human or material resources management	It is clear the existing blurring of the boundaries between public and private, with public-private companies managing public material resources (for example, the housing company Domus Social or even Águas do Porto). However, the local authority is not considered to have become more flexible and less bureaucratic in terms of human resource management, with tendering procedures taking between three and six months (if not longer), due to compliance with the rules of the Public Contracts Code (PCC) and APC. The same happens when it comes to hiring service providers.	Some services are public-private management, such as Águas da Região de Aveiro (AdRA). But, unlike the municipality of Porto, the Environment, Culture and Social Housing are no longer in public-private management, but in the municipality alone. Due to the PCC and APC rules, hiring human resources and suppliers is also time consuming and bureaucratic.
Communication with shareholders, stakeholders, customers (inhabitants) and society	The organization is, in fact, more adapted to current requirements. This can be seen through the analysis of the services available to citizens on the Internet page, such as the Virtual Counter, through which citizens and companies can access a wide range of online services. There is a set of tourist and city information that anyone visiting Porto, whether for leisure or work, will find on the website. For example, the company Ágora also manages all the information on culture, sport and animation in the municipality and makes it available, duly updated.	The municipality makes all necessary information available on its Internet page to citizens, stakeholders, shareholders and society in general. All information is available on a single online site (the local authority page), with external communication becoming more accessible, quick and transparent.
Internal organization	The municipality is divided into 24 organic units: - Presidency Support Office; - City Council Support Office; - Municipal Directorate of the Presidency; - Municipal Directorate of Finance and Heritage; - Municipal Directorate of Human Resources; - Municipal Directorate of Urbanism; - Municipal Department of Cultural Management; - Municipal Directorate of Legal Services; - Municipal Police;	The municipality is divided into 14 organic units: - Presidency Support Center; - Administrative and Financial Department; - Administrative Office; - Human Resources Office; - Financial Office; - Public Procurement Office; - Assistance and Informatics Office; - Municipal Works Division; - Technical Office for Municipal Works; - Territory Administration Division;

	- Battalion of Firefighters; - Municipal Directorate of Mobility and Transport; - Municipal Directorate of Education; - Municipal Directorate of Services to the Citizen; - Municipal Department of Planning and Environmental Management; - Municipal Department of Green Spaces and Infrastructure Management; - Municipal Inspection Department; - Municipal Department of Economics; - Municipal Department of Tourism and Commerce; - European Funds and Financing Instruments Management Office; - Municipal Department of Social Cohesion; - Municipal Department of Information Systems; - Municipal Service of Civil Protection; - Municipal Department of Data Protection; - Municipal Youth Division. In other words, it is not an easily understood organization, with the duplication of some departments, offices, divisions and directions, but also with these levels presenting some complexity for the citizen who wants to quickly find information.	- Planning, Urbanism and Building Office; - Local Development Division; - Local Development Office; - Office of Environment and Urban Services. The organization is easier to perceive, with fewer subdivions in departments and offices, which will make communication with the citizen more agile and faster.
Influence of exogenous and endogenous factors	The national and supranational policies of entrepreneurship, transparency, efficiency and effectiveness are clearly reflected in this field. The municipality's website even has a menu called transparency, where various tabs can be found. Just to mention some examples: public purchases, sale of assets, economic and financial elements, among others. These policies are fed (therefore, influenced) by employees and public-private companies.	The website has a specific menu which is called Empreender (endeavor), which redirects the user to the existing business centers in the municipality. In other words, the information provided is more about infrastructure and less about the potential for entrepreneurship that the municipality allows people to develop internally and externally. Nevertheless, transparency is also a feature here, with a variety of information to be made available on public procurement, economic and financial indicators and the municipality's assets (among others).

Source: author creation.

In general (and synthesizing the information in the previous table), as Gray and Jenkins (1995) considered in the 1990s, the well-defined boundaries between the public and private sectors ceased to exist, with the emergence of a public-private sector, consisting of companies that manage what

were previously public services. This is seen in small and large municipalities. The main reason for this change is related to the cost structure, since what was sought was, above all, to make municipalities more efficient, contracting specific services with companies (Fernandez, Carraro, & Hillbrecht, 2016; Lemos, 2016).

However, what the authors also point to is the poor performance evaluation that is carried out on the work developed by these companies, which may result in the efficiency that was initially sought not being achieved and, in addition, the municipalities only perceive that too late (Fernandez et al., 2016).

The substitution of more bureaucratic management for more flexible human resource regimes was not found to be a reality in the two cases analyzed. In fact, it appears that, for contracts (whether human resources or service provision), bureaucracy and legislative compliance requirements remain almost unchanged in terms of regime, which influences, above all, deadlines, but also the path that must be taken until the contract is concluded. These rules are closely related to the transparency requirements to which both the public and public-private sectors are bound.

Thus, in the two case studies, the mission and vision are shaped, albeit in a different way. In Porto, it is available for the municipality as a whole[2]; in relation to Sever do Vouga, only certain services have this indication (namely, the Municipal Library and the Arts and Shows Center). In other words, in fact, the realization of the values that govern the activities of the local authorities has been found to be relevant, closely related to the transparency issues mentioned above. However, the rules cannot be neglected, since they are also what allow the citizen to perceive the existence of this transparency.

Entrepreneurship is encouraged in both cases, although quite differently. In Sever do Vouga it is more related to the infrastructures available to the citizen for its implementation. In the Porto municipality, there are several financing programs available to support citizen entrepreneurship or even the way in which this service is made available, with a specific office for that purpose. In other words, the distinction between the dimension of municipalities is also perceived considering this aspect.

In fact, there is more autonomy in municipal governance, with City Councils taking on a very relevant role in their own economic and financial management and in the various services they provide (for example, education), as a result of a decentralization of structures.

All these elements and characteristics are closely related to the dynamics of European governance. First, because there is a strong dependence (in both cases) on community funds; second, because the rules, as seen above, are also imposed at European level (the example of applying the APC); and third, because, although the cases under study are of very different dimensions, the modes of governance are not that different, since they are based on the concepts of sustainability,

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[2]   Porto Municipality mission: "To promote the well-being and comfort of citizens, economic and cultural development, promoting the competitiveness and sustainability of the city."

transparency, effectiveness, efficiency, citizen orientation , rigor, etc., which are much of what the EU promotes.

2.2 Main Differences

With regard to the main differences that can be perceived between what has been the evolution over the years of local government models, in order to adjust to the demands of European integration, it can be said that, as stated before, there is a strong European influence, namely, with regard to the concepts that are the basis of that governance.

It can be said that national administrations are a kind of copy of the European administration, and it should be said that we are witnessing a dynamic of Europeanization of administrative governance (both nationally and locally), particularly visible in areas such as public procurement and environment.

In terms of the existing boundaries between the public and private sectors, this is a reality that, although it has been around for a few years, has nevertheless been a reality that has been emerging and growing, that is, there was, in fact, a change that took place local government governance, closely related to national, but also supranational, governance models, namely, Europeans.

Flexibility, adaptation and the promotion of entrepreneurship are also changes that have occurred in recent years, especially with the ideas of fostering entrepreneurship and making municipal organizations close to the citizen, these also European conceptions that translate into ways of acting and governing of local authorities.

However, although flexibility is an objective to be achieved, it is not always easy to fulfill, especially due to the bureaucratic demands that still exist. As already mentioned several times, the APC (very influenced and adapted by European guidelines) governs local municipal activities, being a very complex document, with references to other legal documents, which requires compliance with many rules and precepts. These two factors - flexibility and legislative weight - do not help the first to take effect most of the time.

Over the years, there have been many differences in local governance, as result of European demands, but also the need that local authorities themselves feel to be close to the citizen and to hear what they have to say and how they want their city to be governed. If, before the technological revolution, this proximity was somewhat limited; currently, with the available means (Internet pages, social networks, with the possibility of interacting almost in real time, chat rooms, among other means), this proximity is a reality that brings both advantages and disadvantages. Not to mention the way in which all data on municipalities are now available to citizens who want to be more involved in their municipality (the era of big data).

3. Other Impacts of European Integration and of Local Governance New Ways

In this section three concrete dimensions of the European integration impacts on local governance will be analyzed, namely, in terms of the digitization and informatization of Public Administration; the proximity between the citizen and the Public Administration and of territorial development and innovation. Dimensions that have already been referred to as being relevant in the way in which European integration influenced local governance and which are inevitably reflected in the life of the citizen.

Mention should be made to article 5 of the APC, with the heading Principle of good administration. This principle was one of those included in the 2015 APC reform, which was very influenced, as stated in the preamble, by comparative law and European Union Law. Basically, this principle is the resonance of everything that has been stated so far and the analysis carried out considering the characteristics of Gray and Jenkins (1995) that were adopted for this analysis. Numbers 1 and 2 of the article say:

1 – Public administration must be guided by criteria of efficiency, economy and speed.

2 – For the purposes of the preceding paragraph, the Public Administration must be organized in order to bring services closer to the population and in a non-bureaucratic manner.

Once again, the concepts of efficiency, effectiveness, speed are highlighted, but also, proximity to the citizen and the reduction of bureaucracy, which implies flexibility and adaptability.

This article summarizes what all of those in Chapter II of Part I of the APC, dedicated to the general principles of administrative activity, want to highlight. Then, to focus on the perspective under analysis, the subtopics will address some of the articles that are considered relevant in each of them. From there, a brief consideration will be made on how the impacts of European integration on new forms of local governance are quite present.

3.1 Digitization and Informatization of Public Administration

Digitization and informatization of the PA is evident. In the two case studies (Porto and Sever do Vouga) it can be seen that the use of technological information and communication tools has been recurrent, either through that communication, which informs citizens of what has been happening (updated news on the city and events, news in terms of municipal governance, etc.), or through the services' relationship with the citizen, making certain administrative acts more accessible.

Article 14, entitled Principles applicable to electronic administration, begins with the duty of the PA to carry out its activity, which is that of the use of electronic means. The motive for this use is, once again, the promotion of efficiency, transparency and proximity to the citizen. But here other key ideas are included, such as "the availability, access, integrity, authenticity, confidentiality, information conservation and security" (number 4, article 14 of the APC), in the logic of data protection required at the same time as its availability.

Therefore, these electronic means must contribute to the proximity of the PA with the citizen and this implies giving access to that he/she can "formulate his claims, obtain and provide information, carry out consultations, present allegations, make payments and contest administrative acts." (number 4, article 14 of the APC).

Thus, if, on the one hand, there is an urgent need to digitize communications and acts, on the other hand, even if this digitization implies, necessarily and inevitably, an availability of data and information placed online (with all the risks that, currently, that holds); on the other hand, the importance of citizen trust is reinforced and this can only be achieved if it is guaranteed that these data will only be used within the specific scope of a specific administrative act.

3.2 Proximity between the Citizen and Public Administration

In a way, this proximity between the citizen and the PA will result in the existence of the trust that is intended to be promoted. The closer they are, it will mean that more information about the management's performance is made available and this is reflected in greater transparency, therefore, more confidence.

Article 11 of the APC (Principle of collaboration with private individuals) is also one of the results to be drawn from this proximity. Therefore, the Administration should "provide individuals with the information and clarifications they need, support and stimulate their initiatives and receive their suggestions and information." (number 1, article 11 of the APC). The Administration (and the local authorities even more due to its closer connection to the territory and the populations) should promote entrepreneurship, empower citizens for territorial intervention and participation.

In fact, article 12 is a continuation of 11, since it promotes the Principle of participation. This principle is translated "in the participation of individuals, as well as of associations whose object is the defense of their interests, in the formation of decisions that concerns them". This takes on entrepreneurial activities, voting, election, active search for information, attendance at meetings, among many other activities that, on the municipalities' side, enhance the citizen presence in the municipality life and, on the side of the populations, result in their effective interest in the Administration activities.

4. Territorial Development and Innovation

Because of all the principles, of the impact of Portugal's European integration and of the concepts promoted in the new local governance are territorial development and innovation. It will be through all the means referred to throughout the paper of all the transformations that have occurred that territories (and, consequently, people's living conditions) are guaranteed to evolve, become dynamic, develop and innovate, so that they can also give response to the constant new demands of life in society.

Article 17 (Principle of open administration), although it does not directly refer to this urgency for territorial development and innovation, is still a corollary of what is intended with the new Administration: that it is characterized by being accessible, transparent, reliable, efficient and close.

Thus, people have "the right to access administrative files and records, even when no procedure that directly concerns them is in progress".

This new Administration, the local authorities in particular, should promote this open governance through digitization and informatization, which will promote proximity between citizens and the PA and, consequently, the need for participation of the former, hence, territorial innovation. This innovation (and development) will be visible through the implementation of local entrepreneurial practices, in order to solve social, economic and cultural problems.

5. Conclusions

Although, in Social Sciences, using adjectives as inevitably or necessarily is to be avoided, in fact, it is undeniable that Portugal's integration into the European Union had consequences, influence and impact on local governance modes. Portugal is part of a community with its own rules (as well as the other Member States) and, in order for this integration to be considered full (and this integration can only be full), there were a series of adjustments to governance that had to be made. This even has implications for the three state powers - legislative, executive and judicial, which are then reflected in sub-national governance.

There is a new way of local governance, necessarily because of European impositions, but also because local authorities have recognized the importance of proximity to the citizen, and, in what is defended in this paper, this is the motto for the occurrence of change. In fact, it is also considered that this transformation did not occur in a static way, ending one phase and starting another in a well-defined way, but it was gradual, with moments even of regression, but many of progress, always in continuum.

The case studies under analysis here (Porto and Sever do Vouga) allow us to conclude that, whether it is more large or small governance (in terms of the municipalities' population size), it does not have much influence with regard to the way in which whether external and internal communication is managed or how exogenous and endogenous factors interfere in governance. But it already has an influence on the internal organization of municipalities, since it is this dimension that justifies a greater or lesser degree of complexity.

Finally, it should be noted that what advocated, in the early 90s, authors such as Gray and Jenkins (1995) is still very current and still exists in the reality of local municipal governance. That is, public and private are merged; organizations become more flexible and adapt to the new demands of society; mission and vision acquire an importance that they did not have until then and; there is a decentralization of structures, resulting in a certain autonomy of local authorities.

However, other features of the administrative governance of the 70s / 80s did not disappear. Bureaucratization and rules are maintained. It is considered, moreover, that these two characteristics are essential for what is the promotion of the concepts of transparency, sustainability, trust, accessibility, innovation, efficiency, among many others that have been mentioned throughout the paper.

Finally, it must be said that this transformative process will continue to occur, since its connection to society (network society (Castells, 2005)) is evident. This society is increasingly having more and more ambitious and new demands, which will be reflected in the way it governs and finds solutions to problems.

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