

The Risks and Benefits of Differentiated Integration in the European Union as Perceived by Academic Experts

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Abstract

This article sheds light on how academic experts assess the benefits and risks of differentiated integration (DI) in the European Union (EU). DI denotes particular member states either being allowed to opt out of specific EU policies, or being excluded or exempted from participating in them until certain conditions are met. The findings of a novel expert survey ($n = 95$) highlight two key divisions amongst experts, namely, first a regional divide between scholars based in Western Europe and those based in Eastern Europe, with the former more favourable to DI than the latter; and second, a substantive divide between those, more numerous, who are favourable to DI, and those who are more critical. For the former, the perceived benefits outweigh the perceived risks. What drives the support of or objection to DI also differs between experts. Whereas supporters favour pragmatic reasons for DI, opponents mostly mobilize principled reasons against it.

Keywords: differentiated integration; European Union; expert survey; European integration

Introduction

Since Maastricht in particular, due to increasing heterogeneity between the Member States (MS) of the European Union (EU), there has been a sharp increase in institutional flexibility, a phenomenon analysed under the heading of ‘differentiated integration’ (DI) by an increasing number of scholars. DI denotes particular MS either being allowed to opt out of specific EU policies, or being excluded or exempted from participating in them, at least temporarily, until certain conditions are met (Holzinger and Schimmelfennig, 2012, p. 292). As a result, MS possess different rights and obligations in these areas. Whilst there now exists an abundance of individual contributions to the topic, little is known about how academic experts assess the range of benefits and risks, of DI. Drawing on a novel expert survey, this article contributes to closing this academic gap.

DI has been welcomed both by academics and policy-makers as a way for European integration to progress in a context of greater heterogeneity and growing contestation of the integration process within many MS. While it is not a new feature of European integration (Duttle *et al.*, 2017), it has become an increasingly permanent one (Winzen, 2016), serving the dual purpose of reconciling the social, economic and cultural heterogeneity of MS, and accommodating their political disagreements about the extent European integration should take (Bellamy and Kröger, 2017). For some, it can potentially play an important role in accommodating national sovereignty in a complex multi-level political order (Walker, 1998). However, if DI has had the merit of facilitating integration by making it possible for MS to ‘leave their fundamental disagreement about the *finalité* of European integration’ (Thym, 2016, p. 64) aside, it has also been the source of possible challenges to it by, for example, potentially subverting the uniformity of EU law, the equal rights of

EU citizens, and EU-level solidarity (Curtin, 1993; Eriksen, 2018; Michailidou and Trezz, 2018; Kelemen, 2019).

This paper brings into focus the views academic experts have of a range of benefits and risks, of DI. The views of academics (not just of DI) standardly remain in the dark (normative contributions apart), either because (empirical) scholars do their best to hide normative preferences in academic contributions, or because policy advice is standardly given in closed settings. However, both contexts – academic and policy-making – would benefit from an improved understanding of how experts think of DI. As regards the former, whilst a fair amount is known about how individual scholars assess certain aspects of DI, these assessments remain primarily individual arguments and do not tell us much about how widely certain perspectives of DI are shared, amongst academics. The findings of the present survey help us understand how the larger expert community assesses the same benefits and risks of DI. As regards the latter, it is no secret that (select) academics provide advice to policy-makers. The resulting influence calls for a better understanding of the views of those who provide the advice, and of whether these views are individual perspectives or whether they reflect a consensus or at least a majority in the scholarly community. This study deals with both issues. For one, it puts the same questions to a fairly large pool of academic experts of DI. And by means of this study, their assessment of DI becomes available to a large audience.

From the analysis emerge five main findings. First, more experts have a more rather than a less favourable view of DI. A second finding is that experts working in West European countries are consistently more positive towards DI than those working in East European countries. A third finding relates to the overall impact DI might have on the EU. While those who are supportive see DI as a key tool in the long-term survival of the EU and the future success of integration, those who are against it may be against DI in principle, but are sufficiently pragmatic to realize that DI has some benefits for the current functioning and development of the EU. A fourth finding is that the perceived benefits outweigh the perceived risks. Fifth and finally, what drives the support of or objection to DI differs between experts. Those who support flexible Europe think that DI is very beneficial for the efficient functioning of the EU, and even more so for deepening integration, whereas legitimate diversity as a benefit of DI is less of a concern to them. As regards the risks, these experts are not overly concerned about domination, equality of rights and fairness, whereas they are slightly more concerned about the possibility of DI creating divisions. This group privileges instrumental reasons over intrinsic ones. Unsurprisingly, those who oppose flexible Europe do not consider either the efficient functioning of the EU or legitimate diversity of the EU as important benefits of DI, and very few consider deepening integration a benefit of DI. These experts have a higher – yet still overall low – concern for domination and fairness, but are much more concerned about divisions and equality of rights. Overall, this group of experts shows more concern for intrinsic reasons.

The paper unfolds as follows. The first section will review which arguments have been made, in the academic literature, as regards potential benefits and risks, of DI. The second section will detail the choice of the method, the survey design and the sample. The third section will display the empirical findings, moving from the more general to the more specific findings. The last section concludes and reflects on the findings.

I. Competing Views of DI in the Literature

There are quite differing views, in the academic literature, on the merits and perils of DI. The purpose of the following literature review is to summarise the individual perspectives that have been raised in the debate so as to establish what the core arguments are, so that we can then test how widespread they are across the expert community.

Arguments for DI

Proponents of DI have argued that it facilitates further integration in contexts where moving together is not an option, thereby solving collective action problems. DI provides a way of reconciling the desire of some countries to integrate further with the possibility of others to be exempted from integration they feel unable or unwilling to undertake (Lord, 2015, p. 784). DI has the merit of facilitating integration by making it possible for MS to 'leave their fundamental disagreement about the *finalité* of European integration' (Thym, 2016, p. 64) aside. As such, it works as a 'pragmatic compromise' that offers the flexibility needed to accommodate growing heterogeneity (Bellamy and Kröger, 2017), while preventing the process of integration from grinding to a halt. Long term, DI might even result in further uniform integration, as DI may work as a 'veto-buster' (Kroll and Leuffen, 2015; Thym, 2016, p. 61) by creating a centripetal dynamic that brings initially reluctant MS back into the fold (Kölliker, 2001). In the short term, moving forward with a specific policy with a limited number of MS can lead to greater efficiency than no integration would do (Chopin and Lequesne, 2016). Overall, these arguments suggest that DI promotes the *efficient functioning* of the EU, with efficiency here referring to the smooth running of the organization rather than to its policies.

Other arguments in favour of DI have focused on *legitimate diversity*, *democratic self-rule*, and *fairness*. Some have argued that DI provides a way of protecting legitimate diversity and domestic preferences (Bellamy and Kröger, 2017). From such a perspective, DI is positive because it makes it possible for the domestic preferences of governments and citizens to be respected (Stubb, 1996; Lord, 2015; de Witte, 2017). As a result, and in the context of rising levels of Euroscepticism, DI might help stabilising the EU. Furthermore, DI can be regarded as a potentially fair arrangement which fosters equality by acknowledging that uniform rules and policies may deepen, rather than overcome, inequalities (Kymlicka, 1995; Bellamy and Kröger, 2019). Some countries may be affected particularly strongly by certain measures or be unable to comply with the terms of a one-size-fits-all arrangement. Because equal law imposed under unequal conditions can deepen inequality, allowing DI can help reduce the adverse effects of a policy on certain countries and provides more space for adaptation. From such a perspective, by treating unlike cases differently (Dworkin, 1977, p. 227), DI can promote fairness.

Moving to arguments against DI, likewise a number of arguments have been made. As regards the efficient functioning of the EU, a first concern is that DI exacerbates collective action problems. If decisions are made among a smaller group of MS that, say, participate in an enhanced cooperation whilst others do not, it means that MS will be affected by a policy to different degrees. As a result, the incentive goes down to find fair overarching compromises that are essential to agreement on big issues that require a common solution. Second, legal fragmentation can be detrimental in that it creates a fragmented economic

and regulatory environment for business operating across the entire EU. Third, some scholars have worried about increasing divisions between clusters of MS. They fear that DI can deepen existing divides (East/West or euro/non-eurozone MS or others). This might happen as DI contributes to weakening mutual trust between MS. Especially if it is accompanied by a narrative of insiders and outsiders, ‘us’ and ‘them’ or pioneers and latecomers, it can promote divisions by means of negative demarcation (Adler-Nissen, 2011). But not only trust suffers. DI also sets MS on different paths of policy and institutional development. According to neo-functional reasoning, the more integrated MS will be subject to stronger spill-over dynamics than those who do not integrate. The initial reasons for which countries have opted out from or been excluded from more integration are likely to be reproduced and strengthened by subsequent developments in the differentiated groups of MS. The overall implication is that DI can end up having a centrifugal, rather than a centripetal, effect – a point well demonstrated by the United Kingdom’s decision to leave the EU (Leruth *et al.*, 2019, p. 1386).

Furthermore, there are a number of concerns that relate to specific desiderata that the EU should achieve by means of its cooperation, and that some scholars worry might be undermined by DI, namely *equality of rights*, *domination* and *fairness*. As regards the first, some worry that legal fragmentation can undermine the equality of rights of EU citizens and lead to the creation of ‘A’ and ‘B’ citizens and states in the EU (Curtin, 1993), a commonly shared concern among Central and Eastern European MS (Chopin and Lequesne, 2016, pp. 539–40). DI, so a further concern for some, may also allow challenges to the rule of law within the EU (Kelemen, 2019), and so contribute to the undermining of democratic standards and practices shared by all MS. As regards domination, some scholars fear that DI can give rise to different forms of domination by creating and reinforcing power asymmetries between MS. For instance, Erik Eriksen (2018) contends that DI can undermine democratic self-rule. He argues that DI makes it possible for an inner group of MS to impose its will on others and condemn newcomers as well as non-MS to an inferior status (see also Fossum, 2015), a concern that is shared widely amongst political party actors (Kröger *et al.*, 2021). In other words, whilst DI produces a gain in autonomy, it potentially produces a loss in political equality and influence (Lord, 2021), a situation that is felt most severely in non-MS such as Norway or Switzerland. Existing research suggests that countries that have opted out of a policy such as the UK or Denmark in the area of freedom, security and justice suffer from a decrease in influence in Brussels, and so illustrate the tension between autonomy and influence (Adler-Nissen, 2011, though see Naurin and Lindahl, 2010 for opposing findings). A related concern is that not only do those who do not participate in a policy lack in political representation, but also, DI can strengthen the power of those MS which participate in all forms of integration. This improves their negotiating position, since negotiating beyond the limits of a specific policy area is more difficult for states that do not participate in all integrated policies. In a similar vein, DI can support the discursive hegemony of those who participate in all the policies and thus manage to present their views as an expression of the common interest, with the danger of alienating those who do not participate in select policies. At a discursive level, according to the concern, this can present a slippery slope towards complete withdrawal.

Finally, some scholars worry about issues of fairness, in DI. For one, DI can raise questions of fairness by creating opportunities for some MS to impose negative externalities

on others (Chopin and Lequesne, 2016, p. 532; Majone, 2016; Eriksen, 2018, p. 1002) whilst preventing an integrated pareto optimum policy. However, it also works the other way around, namely when DI creates new opportunities to exploit others by free riding on their provision of positive externalities (Kölliker, 2001; Majone, 2016; Eriksen, 2018, p. 1002). Finally, DI is also seen to promote a purely transactional understanding of the EU, thereby reducing solidarity among the MS. Along such lines, Michailidou and Trezz (2018) argue that DI has had an adverse effect on EU-level solidarity because it has decoupled it from key questions of social justice, transforming solidarity in the EU from a relationship of reciprocity between equals to a flexible arrangement between non-equals that depends on the good will of stronger MS. Solidarity is furthermore undermined by the discursive strengthening of national belonging and identity that is promoted by DI, as MS re-imagine themselves as political communities whilst European identity formation is complicated (Michailidou and Trezz, 2018). Without a shared political identity, solidarity suffers as the will to share with others that one does not identify with is weak.

In the review, we have identified a number of positions that individual scholars have taken as regards DI. With the survey, we have operationalized the range of benefits and risks of DI that have been identified by individual scholars in order to explore how widespread these are within the expert community as well as to assess whether there are common dimensions of views, key lines of divisions or contradictions within the expert community. Before we turn to the findings, we will now provide further information about the survey.

II. Method and Data Set

The analysis in this article is based on an expert survey of 95 respondents from across the EU (31 per cent are based in East European MS and 69 per cent are based in West European MS). The population of experts from which the sample is drawn comprises the members of three different EU-funded consortiums working on DI between 2020 and 2023 and cooperating in the context of the network structure 'Differentiation: Communicating Excellence'¹; as well as scholars who are not part of these consortiums, but have previously published on DI. They are mostly political scientists, but also include legal scholars and sociologists. It is a unique database which contains scholars with peer-assessed expertise and experience in researching DI in the EU, as well as being EU-scholars more generally. The expertise of the scholars was verified by the project leads prior to releasing the survey into the field. The survey was initialised on 9 October 2020 and ran for two months, with several follow up invitations sent out to the experts.² The response rate was 68.3 percent.³

The survey addressed a range of normative aspects of DI (see below). It mainly contained closed questions that asked experts to rank their views of a specific aspect of DI on either a 10-point scale or a standard 5-point agree/disagree Likert scale. However, it also contained several open-ended questions which allowed experts to expand on the

¹<https://www.dice.uio.no/>

²A pilot study of the survey was run in early September 2020.

³95 respondents from a target population of 139 (which represents the number of experts in the database).

meaning of their answers and their specific definitions of DI in more depth. The survey contained 20 questions and was organized into five themes:

- General questions, which addressed experts' views regarding the overall desirability of a flexible Europe and different types of DI as well as which policies should not be differentiated.
- Benefits and risks – this section asked experts to rate items from a list of benefits of DI (and then a list of risks) that have been acknowledged in the academic literature on a 0–10 scale.
- Democracy and differentiated integration – this section asked experts to rate the impact of DI on various aspects democracy both between and between and within EU MS.
- Brexit and DI – this section explored experts' views on the relationship between Brexit and DI.
- External differentiation – this section asked experts to express their views on the acceptability of different models of external DI.
- Impact of DI – the final section asked experts to predict what the overall impact of DI on the EU was likely to be.

This paper primarily focuses on analysing responses to the first two of these sections, and particularly on the benefits and risks of DI. The list of benefits and risks experts were asked to assess in significance (each on a 0–10 scale, not a relative rank order) can be seen in Tables 1 and 2. Experts were also given the opportunity to state an 'other' option and indicate how significant they believed this was but very few did so.

Table 1: List of the of DI Benefit Indicators and the Indices they are Included in

<i>Benefit indicators</i>	<i>Efficient functioning</i>	<i>Deepening integration</i>	<i>Legitimate diversity</i>
B1. Differentiated integration is important for the integration project to be able to move forward.	X		
B2. Differentiated integration is important for recognizing the diversity of policy preferences that exist within the EU.			X
B3. Differentiated integration is an important tool for overcoming collective action problems in EU policy making.	X		
B5. Differentiated integration is important for ensuring that member states remain committed to the European project.		X	
B6. Differentiated integration (in its sovereignty form) is an important tool for recognizing the rising levels of Euroscepticism within the EU.			X
B7. Differentiated integration (in its capacity form) recognizes that one size does not always fit all given relevant differences in the economic systems of member states, and thereby promotes equality in the EU.			X
B8. Differentiated integration gives a comparatively small number of member states an opportunity to pioneer new measures.		X	

Notes: Question wording for the indicators – 'The following list presents a number of potential Benefits that differentiated integration poses to the EU. Please place your views on the significance of each of these Benefits (Risks) to the EU on a scale from 0 = Not significant at all to 10 = Very significant.' X = Indicator included within index.

Table 2: List of the of DI Risk Indicators and the Indices they are Included in

<i>Risks indicators</i>	<i>Risk indices</i>			
	<i>Domination</i>	<i>Divisions</i>	<i>Equality of rights</i>	<i>(Absence of) fairness</i>
R1. Differentiated integration reinforces existing divisions within the EU.		X		
R2. Differentiated integration weakens trust between states by creating permanent ‘insiders’ and ‘outsiders’.		X		
R3. Differentiated integration strengthens the negotiating power of member states which participate in all forms of integration and can as a result impose their will on others.	X			
R4. Differentiated integration increases the risk of member states free riding on the efforts of others.				X
R5. Differentiated integration strengthens national identity and weakens European identity thus undermining the EU as a political project.				X
R6. Differentiated integration (in its sovereignty form) allows challenges to the rule of law within the EU.			X	
R7. Differentiated integration leads to solidarity between member states becoming reliant on the goodwill of the stronger states within the EU. ^a	X			X
R8. Differentiated integration sets members states on different pathways of policy and institutional development that leads to even greater divergence, rather than convergence, in the long run.		X		
R9. Differentiated integration undermines the unified legal order of the EU and creates different classes of citizenship.			X	

Notes: Question wording for the indicators – ‘The following list presents a number of potential Risks that differentiated integration poses to the EU. Please place your views on the significance of each of these Benefits (Risks) to the EU on a scale from 0 = Not significant at all to 10 = Very significant.’ X = Indicator included within index.

^a R7 is the only indicator that appears in two indices. This is because it taps into concerns around both fairness and domination. This was a substantive decision based on operationalizing these concepts and should not influence our results as multicollinearity is not a concern within our bivariate approach.

Tables 1 and 2 indicate the specific risk and benefit indicators that are included within each index. As we have shown above, DI is a complex, contested and multi-faceted phenomena with little theoretical consensus within the academic community regarding its relative risks and benefits and scant prior empirical analysis of the distribution of these priorities among experts. The indicators were designed to capture the range of expert views of the benefits and risks of DI.

The following analysis primarily focuses on the bivariate relationships between the significance the experts assigned to the benefits and risks and their overall views towards various aspect of DI including their general positions on the desirability of flexible Europe, different forms of DI, and their views on whether DI was required for the EU’s

long-term survival or, to the opposite, would rather lead to its disintegration. It will also explore regional differences in the responses of experts.

In order to facilitate this analysis and add clarity, robustness and depth to the analysis a number of basic additive indices (combining the values of separate variables into a single item indicator) were created so as to allow us to explore the relationships between different dimensions of benefits and risks. These were:

- Efficient functioning index
- Deepening integration index
- Legitimate diversity index
- Domination index
- Divisions index
- Equality of rights index
- (Lack of) Fairness index

The index construction reflects the themes associated to DI that we outlined in the literature review and so was based on our substantive interpretation of that literature. Whilst for some indicators, there is an overlap between two indices, we linked them to the theme that they are most associated with in the literature. In addition, two overall indices were created by combining respondents' ranking scores on all of the benefits and all of the risks. These were also used in the bivariate analysis.

III. Findings

Before turning to the specific benefits and risks that scholars link to DI, it is useful to establish the larger picture of their appreciation of it. We provided our experts with the following statement and asked them to indicate their support on a scale ranging from 0 to 10: 'In recent years, EU integration has become increasingly flexible. Some countries have negotiated permanent opt-outs (for example the UK, Denmark). Others have been temporarily excluded from certain policies (for example the Euro, Schengen) or have asked for temporary exemptions. Please place your views about the acceptability of this type of flexibility on a scale where 0 = Completely oppose a flexible Europe and 10 = Completely support a flexible Europe.'

From this question emerged a first finding which represents a key division amongst experts. As can be seen in Table 3, experts have a more rather than a less favourable view of DI. Of the 95 experts, 53.7 per cent had a favourable view of DI (points 7–10), whereas 15.8 per cent had an unfavourable view (0–3), with the rest being situated in the middle (4–6). The mean average approval of DI was 6.27.

A second finding and key division is that the overall rather positive assessment of DI can be qualified in one way, namely, West–East differences, as can be seen in Table 4.⁴ In regard to the above survey item, for instance, 28.6 per cent of those working in Eastern Europe had an unfavourable assessment of DI. No matter which aspect of DI we

⁴West = experts from Belgium, Cyprus, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Lichtenstein, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom. East = experts from Croatia, Czech Republic, Montenegro, Poland, Slovakia, Slovenia. Three experts were from outside of Europe (Turkey, United States and Hong Kong) and were excluded from the regional analysis.

Table 3: Views of DI by Region

	Whole sample			West Europe			East Europe		
	High (7–10)	Mid (4–6)	Low (0–3)	High (7–10)	Mid (4–6)	Low (0–3)	High (7–10)	Mid (4–6)	Low (0–3)
Overall support for flexible Europe	53.7% (51)	30.5% (29)	15.8% (15)	56.1% (37)*	31.8% (21)*	12.1% (8)*	47.6% (10)*	23.8% (5)*	28.6% (6)*
Domination risk index	17.4% (16)	53.3% (49)	29.3% (27)	14.1% (9)	54.7% (35)	31.3% (20)	28.6% (6)	47.6% (10)	23.8% (5)
Divisions risk index	34.0% (32)	48.9% (46)	17.0% (16)	31.8% (21)	54.5% (36)	13.6% (9)	38.1% (8)	33.3% (7)	28.6% (6)
Equality of rights risk index	27.2% (25)	44.6% (41)	28.3% (26)	20.3% (13)*	50.0 (32)*	29.7% (19)*	47.6% (10)*	19.0% (4)*	33.3% (7)*
Fairness risk index	16.3% (15)	54.3% (50)	29.3% (27)	12.3% (8)*	61.5% (40)*	26.2% (17)*	33.3% (7)*	23.8% (5)*	42.9% (9)*
Efficient functioning benefit index	41.5% (39)	44.7% (42)	13.8% (13)	39.4% (26)	50.0% (33)	10.6% (7)	47.6% (10)	28.6% (6)	23.8% (5)
Deepening integration benefit index	54.3% (51)	36.2% (34)	9.6% (9)	54.5% (36)	34.8% (23)	10.6% (7)	52.4% (11)	38.1% (8)	9.5% (2)
Legitimate diversity benefit index	37.2% (35)	48.9% (46)	13.8% (15)	36.4% (24)	50.0% (33)	13.6% (9)	42.9% (9)	42.9% (9)	14.3% (3)

* Significant at the $p < 0.05$ level.

Table 4: Overall Indices of Views of Benefits and Risks by Support/Opposition to Flexible Europe (Broken Down by Region)

	Whole sample			West Europe			East Europe		
	High (7-10)	Middle (4-6)	Low (0-3)	High (7-10)	Middle (4-6)	Low (0-3)	High (7-10)	Middle (4-6)	Low (0-3)
Overall sample (benefits)	42.6% (40)	48.9% (46)	8.5% (8)	40.9% (27)	51.5% (34)	7.6% (5)	42.9% (9)	42.9% (9)	14.3% (3)
Support flexible Europe (benefits)	82.5%* (33)*	17.5%* (7)*	0.0% (0)	81.5%* (22)*	19.6%* (5)*	0.0% (0)	88.9%* (8)*	11.1%* (1)*	0.0% (0)
Oppose flexible Europe (benefits)	0.0% (0)	37.5%* (3)*	62.5%* (5)*	0.0% (0)	60.0%* (3)*	40.0%* (2)*	0.0% (0)	0.0% (0)	100.0%* (3)*
Overall sample (risks)	18.9%* (17)*	66.7%* (60)*	14.4%* (13)*	12.7%* (8)*	74.6%* (47)*	12.5%* (8)*	38.1%* (8)*	38.1%* (8)*	23.8%* (5)*
Support flexible Europe (risks)	11.8%* (2)*	58.8%* (10)*	29.4%* (5)*	12.7%* (1)*	77.8%* (7)*	12.7%* (1)*	12.5%* (1)*	37.5%* (3)*	50.0%* (4)*
Oppose flexible Europe (risks)	92.3%* (12)*	7.7%* (1)*	0.0% (0)	87.5%* (7)*	12.5%* (1)*	0% (0)	100.0%* (5)*	0.0% (0)	0.0% (0)

* = significant at the $p < 0.05$ level.

addressed, a consistent finding is that experts working in West European countries on average are more positive towards DI than those working in East European countries. The regional difference is particularly striking when it comes to worries about domination, divisions and the equality of rights (although only the latter difference is statistically significant). For instance, 28.6 per cent of the experts based in Eastern Europe strongly agreed that domination constitutes a risk of DI, whereas only 14.1 per cent of those based in Western Europe strongly agreed with this assessment. Similarly, 47.6 per cent of the experts in the East worry about the equality of rights being undermined (only 20.3 per cent in the West), and 33.3 per cent of the experts in the East see a severe risk of fairness being undermined by DI, as opposed to 12.3 per cent of the experts in the West. There is a somewhat similar pattern between Northern Europe and Southern Europe, with experts working in the North being more positive about DI than those in the South, but given that the sub-sample of experts based in South European MS was relatively small we will not explore these differences.

A third finding relates to the overall impact that DI is likely to have on the EU's development. Here, we asked experts to place their 'views of the long-term impact of differentiated integration in the EU on a scale where 0 = differentiated integration will lead to the long-term disintegration of the EU to 10 = differentiated integration is the key to the EU's long-term survival'. It is perhaps not surprising that those who think of DI more favourably in general are also likely to think that it is key to the EU's long-term survival – 83.7 per cent do – whereas only 2 per cent consider it could lead to its disintegration. In contrast, 14.3 per cent of those who are critical of DI think the latter is key to the EU's long-term survival, whereas 28.6 per cent think it could lead to its disintegration. This suggests that the majority of those who oppose DI in general are sufficiently pragmatic to accept that DI can have some benefits for the current functioning of the EU. Similarly, those who consider that DI is important for the EU's long-term survival judge its benefits much more positively and its risks less severe than those who consider that DI might lead to disintegration. As with other results, experts who are based in Eastern Europe are more hesitant and see a greater risk of DI leading to disintegration than their colleagues in Western Europe.⁵

A fourth finding relates more specifically to the concrete benefits and risks that were listed on the survey (see graph B1 in Appendix B). Overall, experts rated the significance of benefits higher than that of risks. The average mean score of importance for the benefits was 6.45 while the average mean score of importance for the risks was 5.07. More specifically, the mean score for the individual benefits was ranged between 4.93 and 7.6 on a scale of 0–10 whereas the mean score for the individual risks was rated between 4.04 and 6.24 on a scale of 0–10. This suggests that the experts consider the benefits somewhat more important than the risks.⁶

This finding can be nuanced further by distinguishing between those who support DI in general and those who are critical of it. The former have strong views about the potential benefits of DI whereas the latter have strong views about the potential risks. To illustrate this point, we have created an index that consists of all the perceived benefits and another index that consists of all the perceived risks (see Tables 1 and 2). This was an

⁵See Appendix A (Table A1) for a breakdown of these results.

⁶See Appendix B graphs (Graphs B1 and B2) highlighting these findings.

additive index that was then recoded into three categories – high significance, low significance and middle values. Looking at the full sample of experts, 42.6 per cent considered the potential benefits as (very) significant. Table 3 demonstrates that the picture changes dramatically when we separate supporters and opponents of a flexible Europe. 82.5 per cent of the supporters attribute a high significance to the named benefits, whereas 62.5 per cent of the opponents of DI attribute little significance to the same potential benefits, a figure that moves to 100 per cent if we just take into account experts opposed to DI who are based in the East. As regards the perceived risks, 18.9 per cent overall thought of them as (very) significant. Again, the picture is very different when we separate out supporters and opponents of a flexible Europe. Whereas the combined risks are (very) significant for almost all of the latter (92.3 per cent), only a small minority of the former considers them very significant (11.8 per cent). Likewise, there are important differences along the East–West axis.

The fifth finding relates to how what drives the support of or objection to DI differs between experts. To analyse this question, we have constructed a number of indices around the themes discussed in the literature review above. As regards the potential benefits of DI, we constructed three indices: the efficient functioning of the EU, deepening European integration, and legitimate diversity. We also have one benefit that relates to the issue of economic equality between MS. As regards the risks, we constructed four indices: domination, equality of rights, divisions, and lack of fairness. We furthermore distinguish between instrumental and intrinsic reasons for both benefits and risks. Instrumental reasons are reasons that refer to the good (or poor) functioning of the EU (its efficient functioning, and deepening integration as regards the benefits, and divisions as regards the risks). They are concerned with the efficient functioning of the EU rather than with the ends this cooperation should achieve. Intrinsic reasons, in contrast, are reasons that define a normative goal or standard, a value that the EU ought to achieve (such equality, diversity, or fairness) or seek to avoid (such domination).

Table 5 shows that, not surprisingly, those who support DI in general are driven by other concerns than those who oppose it. As regards the benefits, those who support flexible Europe think that DI is beneficial for the efficient functioning of the EU (66 per cent consider this an important benefit), and even more so for deepening integration (72 per cent), whilst legitimate diversity is an important benefit of DI for 60 per cent. Furthermore, 74 per cent of those who support DI in general strongly think that it promotes economic equality in the EU by recognizing that one size does not always fit all given relevant differences in the economic systems of MS. As regards the risks, these experts are not overly concerned about the potential, of DI, to create domination (only 12.5 per cent consider this a significant risk), undermine the equality of rights (10.2 per cent) or fairness (4.1 per cent), whereas they are slightly more concerned about the possibility of DI creating divisions (18 per cent).⁷ Overall, what emerges is that this group of experts favours instrumental reasons over intrinsic ones, with the exception of highly valuing diversity.

Looking at those who are critical of DI in general, the picture differs considerably. These experts do not consider either the efficient functioning of the EU (0 per cent consider this an important benefit) or legitimate diversity of the EU (0 per cent) as important

⁷Although this is the only dimension where the differences are not statistically significant.

Table 5: Views of Benefits and Risks by Support for Flexible Europe

	<i>Support flexible Europe</i>			<i>Oppose flexible Europe</i>		
	<i>High (7–10)</i>	<i>Middle (4–6)</i>	<i>Low (0–3)</i>	<i>High (7–10)</i>	<i>Middle (4–6)</i>	<i>Low (0–3)</i>
Efficient functioning benefit index	66.0% (33)*	28.0% (14)*	6.0% (3)*	0.0% (0)	66.7% (10)*	33.3% (5)*
Deepening integration benefit index	72.0% (36)*	26.0% (13)*	2.0% (1)*	13.3% (2)	60.0% (9)	26.7% (4)
Legitimate diversity benefit index	60.0% (30)*	36.0% (18)*	4.0% (2)*	0.0% (0)	53.3% (8)*	46.7% (7)*
DI recognizes that one size does not fit all	74.0% (37)*	22.0% (11)*	4.0% (2)*	20.0% (3)*	46.7% (7)*	33.3% (5)*
Domination risk index	12.5% (6)	50.0% (24)	37.5% (18)	26.7% (4)	53.3% (8)	20.0% (3)
Divisions risk index	18.0% (9)*	56.0% (28)*	26.0% (13)*	73.3% (11)*	20.0% (3)*	6.7% (1)*
Equality of rights risk index	10.2% (5)*	46.9% (23)*	42.9% (21)*	42.9% (6)*	57.1% (8)*	0% (0)
Fairness risk index	4.1% (2)*	55.1% (27)*	40.8% (20)*	28.6% (4)*	50.0% (7)*	21.4% (3)*

* Significant at the $p < 0.05$ level.

benefits of DI, and very few consider deepening integration an important benefit of DI (13.3 per cent). Only 20 per cent of those who are critical of DI in general strongly think that it promotes economic equality in the EU by recognizing that one size does not always fit all. As regards the perceived risks, these experts are more concerned about DI's potential for domination (26.7 per cent say this is an important risk), for undermining fairness (28.6 per cent) or the equality of rights (42.9 per cent), or creating divisions (73.3 per cent). Overall, this group of experts shows more concern for intrinsic reasons than for instrumental reasons than the supporters of flexible Europe, and the high score for the risk of divisions can be interpreted to mean that such divisions would stand in the way of achieving the intrinsic reasons that these experts care for.

The same pattern emerges from the bivariate relationships between the views about the long-term impact of DI on the EU and the different indices (see Table 6). The findings show that those experts for whom DI is key to the long-term survival of the EU in particular value how DI allows for the efficient functioning of the EU, including by allowing for capacity DI, how it allows to deepen European integration, and, to a lesser extent, how it allows for diversity. In contrast, those who fear that DI might lead to the disintegration of the EU have very little appreciation of these perceived benefits of DI. They do however show considerable concern about the potential of DI to create or prolong divisions (87.5 per cent) as well as to undermine the equality of rights (85.7 per cent). The concern about DI undermining fairness and creating domination is considerably lower, but much higher than for those who strongly consider that DI will lead to further integration who do not appear overly worried about these risks.

Table 6: Views of Benefits and Risks by Whether Long-Term Impact of DI Will Lead to EU Integration or Disintegration

	<i>DI lead to further integration</i>			<i>DI lead to further disintegration</i>		
	<i>Hig (7–10)</i>	<i>Middle (4–6)</i>	<i>Low (0–3)</i>	<i>High (7–10)</i>	<i>Middle (4–6)</i>	<i>Low (0–3)</i>
Efficient functioning benefit index	66.7% (34)*	27.5% (14)*	5.9% (3)*	12.5% (1)*	50.0% (4)*	37.5% (3)*
Deepening integration benefit index	74.5% (38)*	23.5% (12)*	2.0% (1)*	12.50% (1)*	87.50% (7)*	0.00% (0)
Legitimate diversity benefit index	54.9% (28)*	41.2% (21)*	3.9% (2)*	12.5% (1)*	37.5% (3)*	50.0% (4)*
DI recognizes that one size does not fit all	70.6% (36)*	19.6% (10)*	9.8% (5)*	50.0% (4)*	12.5% (1)*	37.5% (3)*
Domination risk index	12.2% (6)*	51.0% (25)*	36.7% (18)*	25.0% (2)*	62.5% (5)*	12.5% (1)*
Divisions risk index	13.7% (7)*	56.9% (29)*	29.4% (15)*	87.5% (7)*	12.5% (1)*	0.0% (0)
Equality of rights risk index	10.0% (5)*	44.0% (22)*	46.0% (23)*	85.7% (6)*	14.3% (1)*	0.0% (0)
Fairness risk index	2.0% (1)*	64.0% (32)*	34.0% (17)*	37.5% (3)*	50.0% (4)*	12.5% (1)*

* Significant at the $p < 0.05$ level.

Conclusion

In the above, we have explored how experts think of DI as regards its potential benefits and risks. This was undertaken on the basis of an expert survey ($n = 95$). Overall, the findings signal two key divisions amongst experts, namely a regional divide between scholars based in the West and those based in the East, and a substantive divide between those favourable to DI and those being critical of it. As we have seen, those who are positive about flexible Europe are very positive about DI, whereas the majority of those who are critical of it seem comparatively more cautious in their criticisms of DI. In the remainder of this article, we will reflect on our findings.

As seen, there is a fair amount of disagreements, amidst experts, about the benefits and risks, of DI, which is rather unusual in an expert survey. Attempting to explain these, we can look at (a) DI itself, (b) the context in which it is used, and (c) the experts who have assessed it. Beginning with (a), DI cannot only serve different aims such as capacity or sovereignty concerns, but also, serving one aim might work in favour of undermining a different aim. For instance, DI in the context of European Monetary Union has given East European states the time they need(ed) to adapt their economies to the required degree of competitiveness. However, it has also reinforced divisions between the West and the East, both institutional and discursive, and led to sentiments of being relegated to second-class citizens, in the East, and being dominated by the West of the EU. Or, whilst significant opt-outs helped to keep the UK in the EU, they have perhaps also helped its alienation from the European project. In other words, DI can work in different, sometimes conflictual ways, and these tensions are so far not well enough researched and understood.

Moving on to the context in which DI and experts operate, the rather positive endorsement of flexible Europe by the majority of scholars comes in a period of European integration which is marked by rising levels of Euroscepticism and intergovernmentalism as well as the painful experience of disassociating the UK from the EU. There is little doubt that this context influences the appreciation scholars have of DI. In a context where moving ahead together has become increasingly difficult if not impossible, it is easy to see why EU scholars, who in their large majority tend to be pro-integration minded, would look favourably at DI.

Turning to the experts themselves, three observations can be made. First, the rather favourable assessment of DI and the prevalence of instrumental reasons suggest that the majority of experts prioritizes the development of the EU over its halt or break-up. As we have seen, 83.7 per cent of those who support DI consider it key to the EU's long-term survival. It appears that for many of these experts, the instrumental benefits of DI trump the potentially negative effects it might cause in terms of undermining the equality of rights, fairness, or creating domination. Second, the amount of middle values deserves attention. The latter likely reflect the different purposes DI can serve (see above), as well as, possibly, the current state of the literature. The literature on DI is still fairly novel, and much of the early attention was devoted to conceptualizing and mapping DI, whereas empirical case studies and normative assessments have only just begun to emerge, whilst we by and large lack more systematic studies on the effects of DI and its potential trade-offs. We simply do not know enough yet, about DI, and it is therefore important to continue researching DI. Particularly, the (uneven) balance between the instrumental reasons to support DI and the intrinsic reasons to object to DI deserves more attention. If support of DI is mostly of an instrumental nature whilst objections to it result mostly from intrinsic arguments, then this does pose problems as regards the normative desirability of DI. More research is required to fine-tune our knowledge about what constitutes an acceptable trade-off between the benefits and the risks of DI. Third, we have noted considerable and unusual disagreements, amongst our experts. It is our view that even with increased knowledge of DI, these disagreements are likely to persist, at least to some extent. The questions the survey addressed involved a political and possibly normative assessment of what the EU should be and should do. Which views scholars adopt in regard to these larger questions will therefore influence their assessment of DI, along with different assessments of which subset of desiderata are more important than others and can best be achieved with or without DI.

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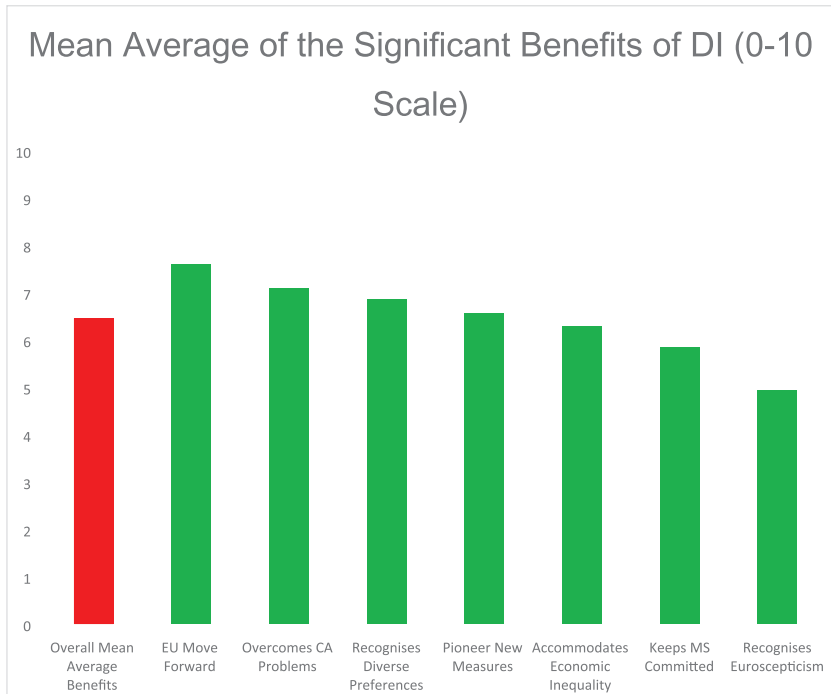
Appendix A: Experts Views on the long-term impact of DI on the EU

Table A1: Bivariate Relationship between Q19 Long-Term Impact of DI and Q2 Flexible Europe Support

<i>Views of long-term impact of DI</i>	<i>Oppose flexible Europe</i>	<i>Middle</i>	<i>Support flexible Europe</i>	
Disintegration	28.6%	10.3%	2.0%	
Middle	57.1%	62.1%	14.3%	
Integration	14.3%	27.6%	83.7%	
	<i>Flexible Europe/ views of long-term impact of DI</i>	<i>Oppose flexible Europe</i>	<i>Middle</i>	<i>Support flexible Europe</i>
EAST	Disintegration	50.0%	20.0%	0%
	Middle	50.0%	60.0%	30.0%
	Integration	0%	20.0%	70.0%
WEST	Disintegration	12.5%	0%	2.7%
	Middle	62.5%	71.4%	10.8%
	Integration	25.0%	28.6%	86.5%

Appendix B: Graphs of the Importance of Specific Benefits and Risks

Graph B1: Distribution of the Importance of Specific Benefits [Colour figure can be viewed at wileyonlinelibrary.com] [Colour figure can be viewed at wileyonlinelibrary.com]



Graph B2: Distribution of the Importance of Specific Risks [Colour figure can be viewed at wileyonlinelibrary.com] [Colour figure can be viewed at wileyonlinelibrary.com]

