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RSCAS 2020/97

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

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

Stefan Telle



European University Institute

**Robert Schuman Centre for Advanced Studies**

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EUI Working Paper **RSCAS** 2020/97

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ISSN 1028-3625

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Published in December 2020 by the European University Institute.  
Badia Fiesolana, via dei Roccettini 9  
I – 50014 San Domenico di Fiesole (FI)  
Italy

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The Centre is home to a large post-doctoral programme and hosts major research programmes, projects and data sets, in addition to a range of working groups and *ad hoc* initiatives. The research agenda is organised around a set of core themes and is continuously evolving, reflecting the changing agenda of European integration, the expanding membership of the European Union, developments in Europe's neighbourhood and the wider world.

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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

*The research leading to this report was conducted within the InDivEU project. The project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No. 822304. The funders had no role in the study design, data collection or analysis.*



## **Abstract**

The report investigates two questions regarding the Irish governmental discourse on differentiated integration (DI). First, how much did Irish governments talk about differentiated integration. Second, what positions did Irish governments take on differentiated integration. The report covers the time period 1990-2019. It distinguishes three conceptual levels: DI models (“multi-speed EU” and “multi-end EU”), DI mechanisms (enhanced co-operation and “opt-outs”), and DI instances (twenty-one differentiated EU policies). It finds that DI is a low salience issue, except in the context of certain key events (i.e. EU treaty change). Moreover, the positions of Irish governments are highly policy- and context dependent. Over time, a principled negative assessment of “enhanced co-operation” has developed towards a more pragmatic approach, allowing other MS to cooperate in policy-fields where Ireland does not seek closer cooperation.

## **Keywords**

Differentiated integration, Ireland, two-speed Europe, core Europe, enhanced co-operation, opt-out

## **Summary of Results**

### ***I. Salience***

Differentiated integration (DI) has been a low salience issue in Ireland during most of the last 30 years. References to DI were exceedingly rare in government programmes, prime minister speeches and European Council statements. While more references to DI were made in parliament, discussions were concentrated in a low number of intense debates at key moments. Two key findings emerge.

First, instead of a trend over time, salience peaked in certain moments, after which it quickly fell back to low levels. These peaks occurred in moments of EU treaty change (1991/92, 2001/02 and especially in 2008 involving a failed referendum on the Lisbon Treaty), the 2004 eastern enlargement and the 2017 debate on the Future of Europe. Indeed, salience tended to increase on occasions when Ireland's interests with regard to Europe (i.e. defence, taxation, the voice of small EU MSs) were perceived as being at risk.

Second, there are differences in the intensity and timing of DI debates depending on the level of abstraction of the political debates on DI. Regarding intensity, debates on concrete instances of DI were much more prominent than debates on different models and mechanisms of DI. However, differentiated integration was generally not the subject of such debates. Regarding the timing of DI debates, instances of DI became much more discussed after 2010 (in the context of the financial crisis and in defence). The frequency of debates on models and mechanisms of DI did not increase after 2010, except in 2017 (driven by discussions on the Future of Europe and Brexit).

### ***II. Position***

During the period under investigation, the position of Irish governments on DI was determined by considerations of how EU membership was seen to contribute to the 'national interest.' On the one hand, domestic demand for closer integration was limited, especially in the fields of defence, taxation and justice and security. Hence, Irish governments opted out of several EU policies and were reluctant to participate in enhanced co-operation initiatives. On the other hand, Irish governments were concerned that this approach might eventually jeopardise Irish leverage in the EU and could ultimately hurt the national interest. This 'dilemma' made the Irish position highly context-dependent and pragmatic. The expressed desire to remain at the 'heart of Europe' did not always correspond to actual policy choices.

Regarding DI models, Irish governments vigorously rejected the idea of a two-speed or two-tier Europe in contexts in which they feared about Ireland's EU membership (i.e. the Lisbon Treaty) or sought access to EU financial assistance (i.e. the Fiscal Compact Treaty). More recently, however, Brexit has pushed the current Irish government to moderate its position on DI, emphasising an aspiration to be part of the core in a differentiated EU. Regarding DI mechanisms, Irish governments perceived the mainstreaming of enhanced co-operation in the Lisbon Treaty as a potential threat to Ireland's ability to veto further integration steps. Opt-outs were generally seen as a legitimate mechanism to protect Irish sovereignty. With regard to DI instances, Ireland's reluctance to engage in enhanced co-operation has become more relaxed. First, expected positive externalities from a European Financial Transaction Tax led the government to facilitate enhanced co-operation, while not participating itself. Second, the government overcame domestic concerns about military neutrality and opted to participate in Pesco.



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## 1. Introduction

This report investigates the salience of differentiated integration (DI) in Irish government discourse between 1990 and 2019. It also probes into the position of Irish governments on the issue of DI in selected peak-salience years (2008, 2012, 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 own level of integration to national preferences.

Second, the analysis focuses on mechanisms of DI. 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 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 is included in the analysis. They are grouped in four different categories: (a) instances of enhanced cooperation, (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 what government programmes say about DI, at what prime ministers say about DI, and at parliamentary debates on DI. The report covers the upper and lower houses of the Irish Parliament and speeches by the Irish Prime Minister before the European Parliament.

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 in specific moments in time, the analysis of parliamentary debates allows us to identify trends over time and situational peaks. To enhance the reliability of the findings, the key word counts were triangulated with a close reading of selected key documents. Regarding the government’s position, 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 using the QDA Miner software.

The second section of the report details the results of the salience analysis. The third section details the results of the position analysis.

## 2. How salient is DI for Irish governments?

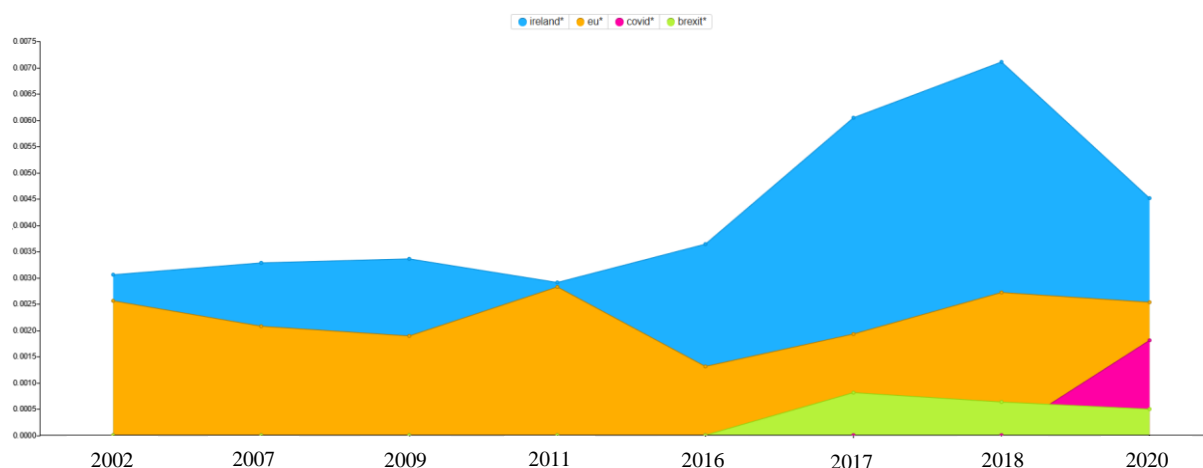
The salience analysis investigates how much Irish governments debated DI models, DI mechanisms and DI instances. To provide a better sense of who by and where DI was discussed, the section is structured according to the types of documents analysed.

## 2.1 Government programmes

Irish government programmes were analysed to gauge the salience of DI with regard to domestic political visions. The guiding assumption was that government programmes contain a selection of issues which the governing party/parties view as important. The analysis includes six government programmes from 2002-2020 and the 2017 and 2018 rolling party programmes of Fine Gael. The word count analysis showed that the government programmes do not refer to any of the key words associated with DI models. Moreover, the government programmes contained no references to DI mechanisms (enhanced cooperation/opt-outs) and only very limited references to specific DI instances (Pesco n=3, Schengen n=1, patent court n=1, EEA n=4).

To evaluate whether Irish governments actually did not debate DI in their government programmes or whether the key words did not capture existing references to DI, two additional analyses were conducted. First, we checked whether governments referred to EU-related issues at all in their programmes (Figure 1). The result is that Irish governments did devote substantial space to European issues in government programmes. The EU was particularly salient in 2002, 2011, 2018 and 2020. These peaks seem to reflect particular EU-related political junctures: eastern enlargement and the Nice Treaty (2002), the EU/IMF programme for Ireland (2011), Brexit (2018) and the Covid 19 crisis (2020).

**Figure 1 - The salience of EU-related issues in government programmes (relative frequencies)**



Second, a close reading of the government programmes was conducted. This analysis confirmed that DI was not on the political agenda of Irish governments for most of the time period covered. DI was touched on *indirectly* and *passingly* in only three of the government programmes/rolling-party programmes (2002, 2018, 2020). The 2020 government programme states that the government intends to “[f]orge alliances with other Member States with which we share common goals and interests” (p. 111). This could be interpreted as a positive reference to enhanced cooperation, which Irish governments had previously viewed with suspicion.

The close reading allowed a more detailed understanding of what was driving the salience of European issues. This helps to understand the nuances of the Irish position on DI. For example, the 2002 Irish government programme features a lengthy section on “Ireland in the EU” at the beginning of the document. The focus is on ensuring efficient institutional functioning of the post-enlargement EU. The programme expresses a strong commitment to supranationalism but also states that the government does not want a European “federal superstate.” The political context of the 2002 government programme was the recent failure of the Irish Nice I referendum. As the analysis of parliamentary debates will show, a major concern was that reformed ‘enhanced co-operation’ could weaken Ireland’s leverage at the EU level. In sum, although the 2002 government programme alludes to these DI-related concerns, they are not explicitly stated.

The next peak in salience of EU-related issues occurred in the 2011 programme. This election led to a change in the governing coalition from a Fianna Fine- to a Fine Gael-led government. A qualitative analysis of the programme showed that the peak in EU-salience in this programme was due to a lengthy section on increasing parliamentary oversight of political decisions at the European level. This peak in salience may be attributed to domestic electoral competition. Fine Gael pointed to the handling of the Lisbon Treaty referenda and the EU/IMF economic adjustment programme for Ireland by the Fianna Fail Prime Ministers Bertie Ahern and Brian Cowen and demanded more parliamentary oversight.

Subsequently, an upward trend in the salience of EU-related issues began after the British referendum on EU membership in 2016. At the same time, the salience of the term 'Ireland' increased significantly (Figure 1). This may indicate that Brexit pushed the Irish government to re-examine the nature of Irish membership of the EU. This is supported by a simultaneous shift in the way Irish government programmes characterised the relationship between Ireland and the EU. The programmes from 2007 to 2016 had increasingly stressed the issues of national sovereignty, subsidiarity, and democratic accountability with regard to the EU. This trend changed in the 2017 and 2018 Fine Gael rolling party programmes, in which the party repositioned itself "as the most pro-European party" in Ireland (Fine Gael 2018: 33). Moreover, with reference to the European Union's White Paper on the Future of the European Union, the 2018 party programme lists four priorities for the Future of Europe (FoE):

1. Continuing to do well what it currently does well
2. Focusing on the big new challenges facing Europe and its citizens
3. Where appropriate, devolving some powers back to Member States, municipalities and regions
4. Engaging citizens more and engaging them more directly

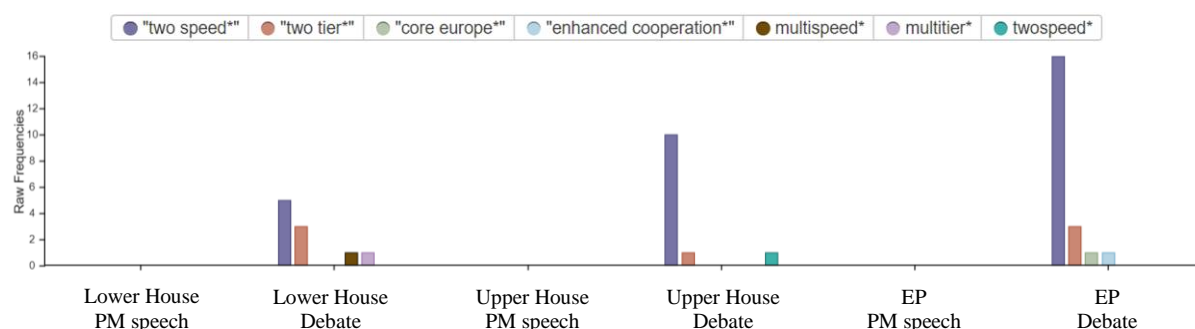
In sum, the quantitative and qualitative analyses of government programmes support the view that DI was a low salience issue during most of the period observed. In addition, the salience of EU-related issues was driven by a combination of European political junctures (i.e. Treaty change, economic crisis, Brexit) and domestic party politics (i.e. electoral competition).

## **2.2 Key Speeches by prime ministers**

In the next step, various speeches by Irish prime ministers were analysed to gauge how high DI was on the prime ministers' political agendas. To begin with, the first speeches of new prime ministers after elections and the subsequent parliamentary debates were analysed to assess whether DI was a salient political issue in the domestic arena. The word count analysis showed no use of DI key words and only very limited references to EU-related issues. Similarly, the analysis of prime ministers' speeches in the national and European parliaments on the occasion of taking over the presidency of the Council of the European Union showed no use of DI key words.

The picture changes somewhat when comparing the actual speeches by the prime ministers with the subsequent debates in the parliament. Figure 2 shows prime minister speeches in the lower house (Dail), the upper house (Seanad), the European Parliament (EP) and the subsequent debates on the 2004 presidency. The Prime Minister did not refer to any of the key words associated with DI in any of the three speeches. At the same time, the concepts of 'two-speed Europe' and 'two-tier' Europe came up in all three parliamentary debates.

**Figure 2 - Comparing prime minister speeches and parliamentary debates, 2004 (raw frequencies)**



In 2013, no references to DI key words appeared in the prime minister Council presidency speeches or in the subsequent parliamentary debates. The qualitative analysis suggests an explanation for the absence of DI talk in 2013: the focus had moved from institutional efficiency in the enlarged EU (in 2004) to making the EU more resilient in the face of crisis (in 2013).

A similar pattern emerges when analysing the speeches by the Irish PM and ministers of foreign affairs in the context of the Future of Europe (FoE) debate after 2017. None of the speeches contained references to DI models or DI mechanisms. However, the debates following these speeches contained two negative mentions of 'two-speed EU,' one negative mention of 'core EU' and one mention of Ireland's 'opt-out' from domestic water charges. At the same time, the term 'Brexit' appeared five times in speeches and 51 times in the debates.

Holistic grading was used to validate the results of the key word counts. To this end, government programmes, prime minister speeches and the subsequent parliamentary debates between 2002 and 2018 ( $n = 28$ ) were carefully read and a score between 0 (no reference to DI) and 2 (direct/central reference to DI) was assigned to each document. Due to the low number of documents and subjectivity involved in assigning a holistic score to a document, the results should be interpreted with caution. The overall salience score for all the documents is 0.357, corresponding to a very low salience of DI. 2002, 2004 and 2017/18 were the years with the highest salience of DI, corresponding to the Nice Treaty, the eastern enlargement of the EU and the debates on the Future of Europe and Brexit. DI was the least salient in government programmes (0.214), followed by prime minister speeches (0.288) and the subsequent debates (0.444). The results so far suggest three conjectures. First, DI was a low salience issue most of the time in government programmes and Prime Minister speeches. Second, DI was debated more intensely around important political junctures, such as the eastern enlargement, treaty changes and the FoE debate. Third, references to DI were more likely to occur in political debates in parliament than in political communications addressed to the public, such as government programmes or key speeches by the prime minister. Taking this cue, the analysis moves on to parliamentary debates.

### 2.3 Parliamentary debates

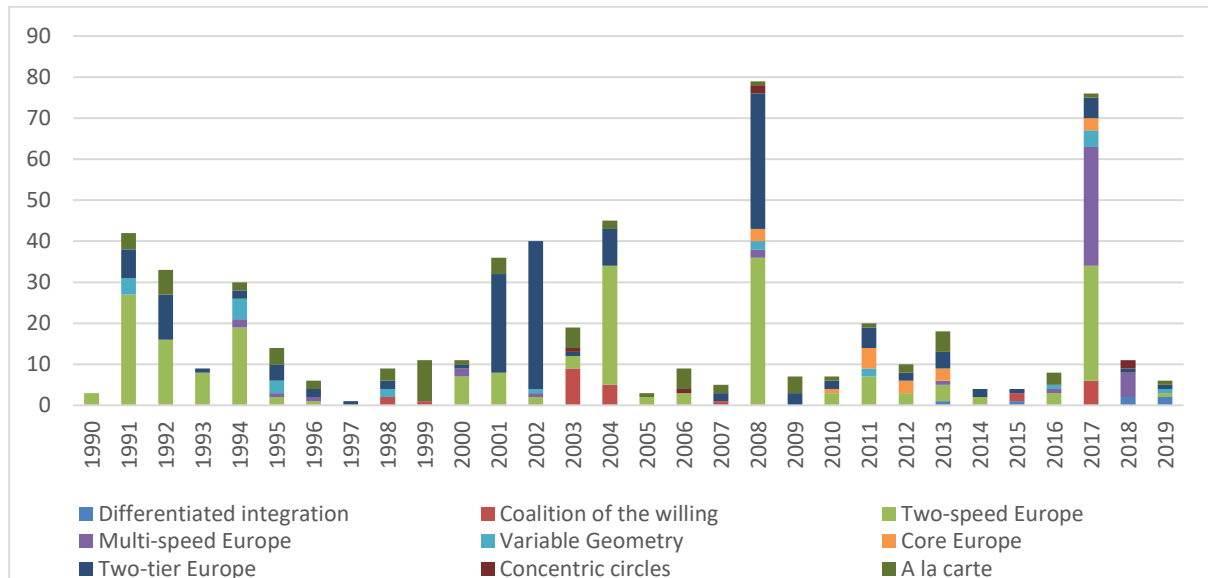
The analysis of parliamentary debates focuses on the period between 1990 and 2019. Manual counts of key words in the repository of Irish parliamentary debates<sup>1</sup> were used as data. As before, three sets of key words were used.

At the level of DI models, plotting the frequency of key words over time (Figure 3) shows several things. First, DI was a low salience issue throughout the entire period, with a total of 566 references and never more than 80 references a year. Second, the salience of DI models varied significantly over time

<sup>1</sup> The repository can be accessed here: <https://www.oireachtas.ie/en/debates/> (last accessed 7/12/2020).

with no clear trend. Third, peaks in salience appear to correspond mainly with treaty changes (1991/92: Maastricht; 2001/2002: Nice; 2004: Constitution; 2008: Lisbon) and debates on the Future of Europe (2017). This suggests that the institutional factor of Irish popular referenda in cases of EU treaty changes plays an important role in politicising European integration. Another conjecture is that the peak in 2017 was driven by the Future of Europe debate. Finally, the figure shows that DI salience was lowest in the late 1990s and between 2008 and 2017.

**Figure 3 - Salience of conceptual DI keywords in parliamentary debates**



The breakdown of the total of all the key words for DI models in the entire 1990-2019 period (Figure 4) shows several things. First, some key phrases were more frequent than others. In particular, ‘two-speed Europe’ and ‘two-tier Europe’ account for two thirds of all the references to conceptual key phrases. Second, the two key phrases respectively belong to the ‘multiple speeds’ and ‘multiple end points’ models of DI. In fact, the shares of the two DI models (adding up the key words within the model) are around 50% each. Third, zooming in on three peak years shows that the distribution of conceptual key words varied significantly: 83% of the key words in 2017 belong to the ‘multi-speed’ model. For 2008, the corresponding figure is 48% and for 2002 it is 10%. Interestingly, the peaks around the failed Nice I and Lisbon I referenda are the only years in which the ‘multiple end points’ model was salient. By contrast, the ‘multiple speeds’ model was salient in 1991, 2004, 2008 and 2017.

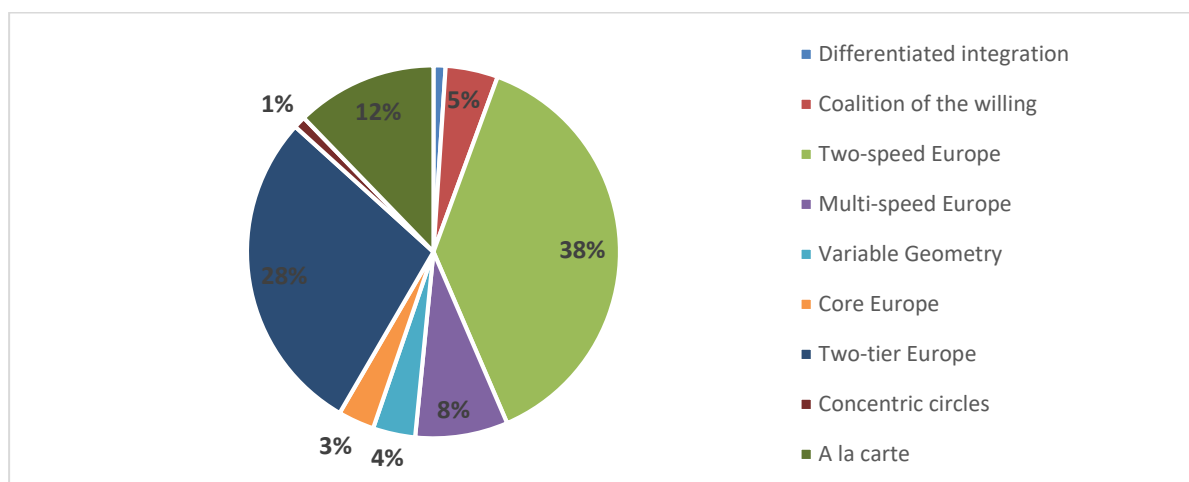
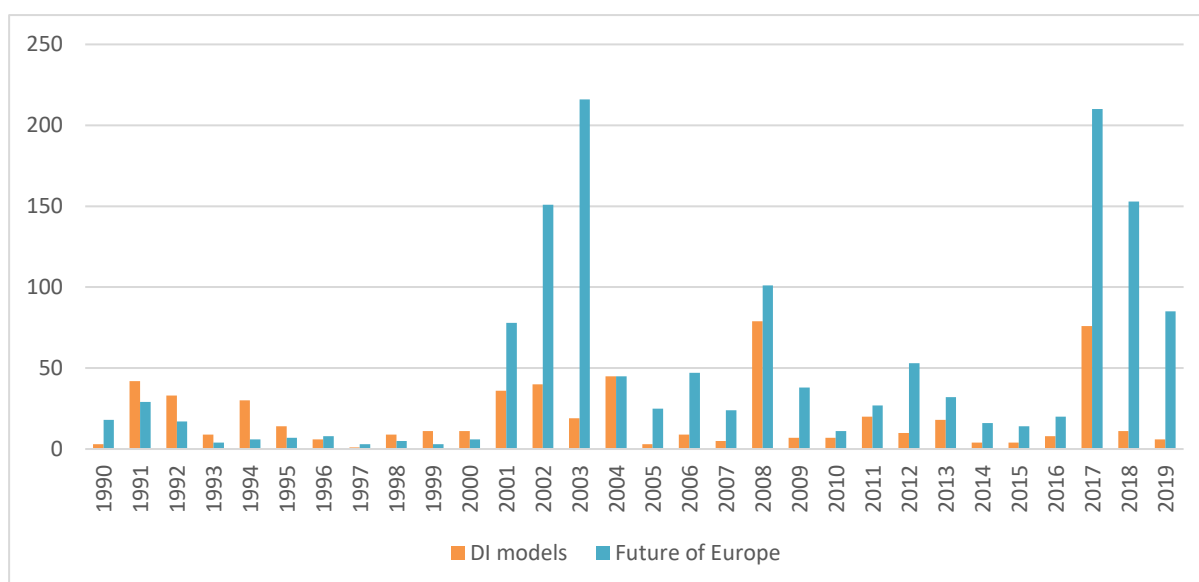
**Figure 4 - Salience of conceptual DI keywords, 1990-2019**

Figure 5 adds the key phrase ‘Future of Europe’ to the key words for DI models. Their rough correspondence suggests that DI models were likely to become salient in the context of debates on the Future of Europe (FoE). While previous debates on the FoE corresponded with periods of treaty change, the 2017 debate is unique in that it was not triggered by concrete plans for EU treaty change. As such, the 2017 peak may indicate that the Future of Europe debate was seen by Irish parliamentarians as potentially leading to treaty changes in the medium term.

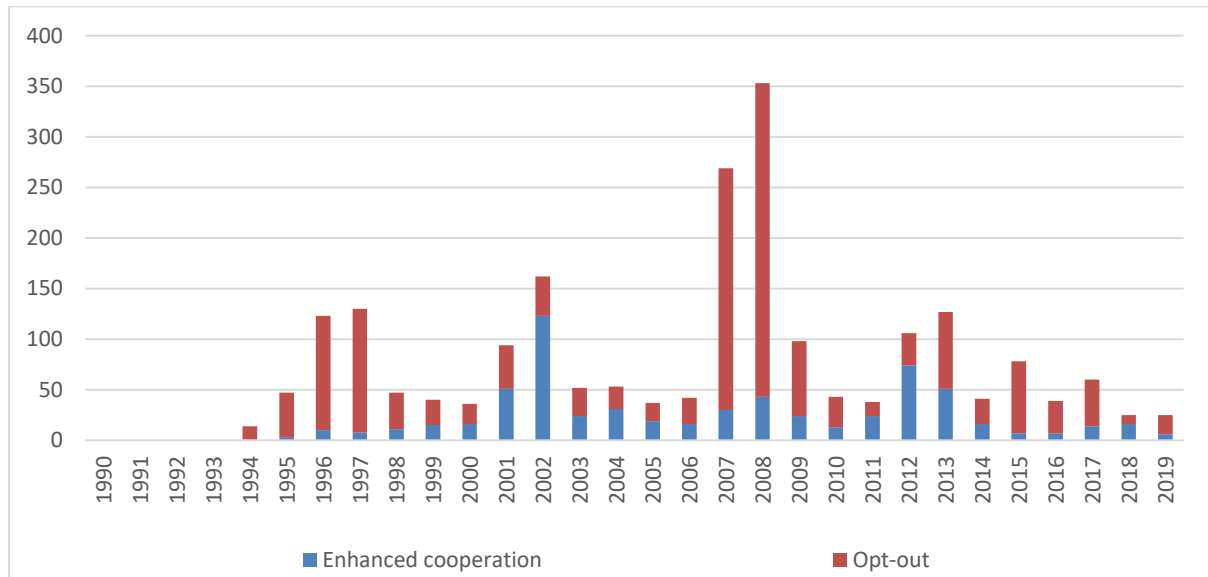
**Figure 5 - Salience of conceptual DI keywords and the “Future of Europe” debate**

Next, the analysis moved from the level of DI models to the level of specific DI mechanisms, namely ‘enhanced co-operation’ and ‘opt-outs.’ Both are differential integration mechanisms but while enhanced co-operation is driven by a preference for more integration opt-outs are driven by a preference for less integration. Their distribution over time (Figure 6) shows, first, that DI mechanisms were debated more intensely than the conceptual key words, with a total of 2179 references to DI mechanisms



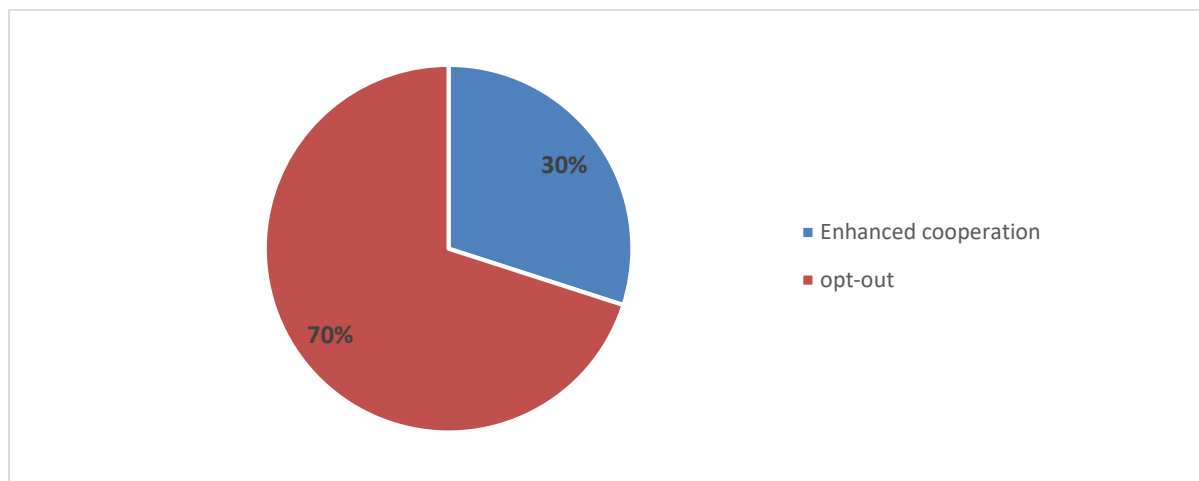
and up to 350 references/year. Second, the peak years are slightly different to those for DI models. In particular, there was no peak in 2017 but there was one around 1996/97, corresponding to the Amsterdam Treaty. Overall, the peaks in salience correspond to moments of EU treaty change (1996/7, 2001/02, 2007/08, 2012/12).

**Figure 6 - Salience of DI mechanisms in parliamentary debates**



A breakdown by DI mechanisms shows that 70% of the references were to opt-outs and 30% to enhanced co-operation (Figure 7). Moreover, the peak years show interesting variations. The 2013 peak is situated in a debate on enhanced co-operation regarding a Financial Transaction Tax, in which Ireland eventually did not participate. The 2008 peak is situated in the context of the Lisbon I referendum, explaining the greater focus on the question of opt-outs. Finally, the 2002 peak shows a greater focus on enhanced co-operation, which occurred in the context of the Nice Treaty, which mainstreamed this procedure.

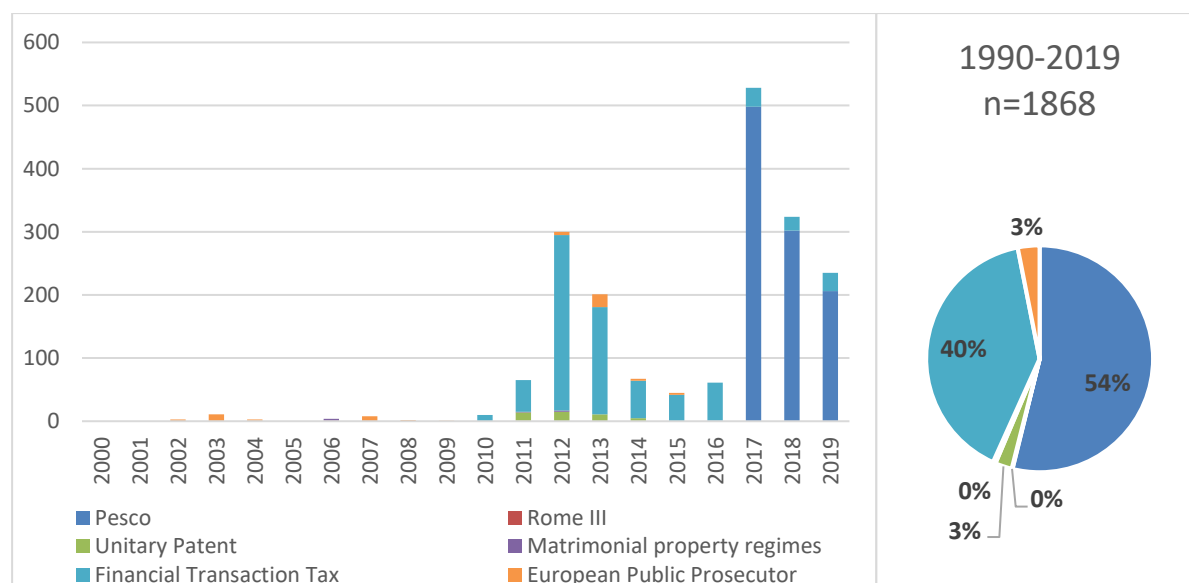
**Figure 7 - Salience of DI mechanisms in parliamentary debates, 1990-2019**



Next, the analysis moves from the level of DI mechanisms to the level of specific DI instances. First, the focus is on instances of enhanced co-operation. For the analysis, enhanced co-operation was broken down into six instances (Figure 8). Pesco is included here, even though it is not formally an instance of

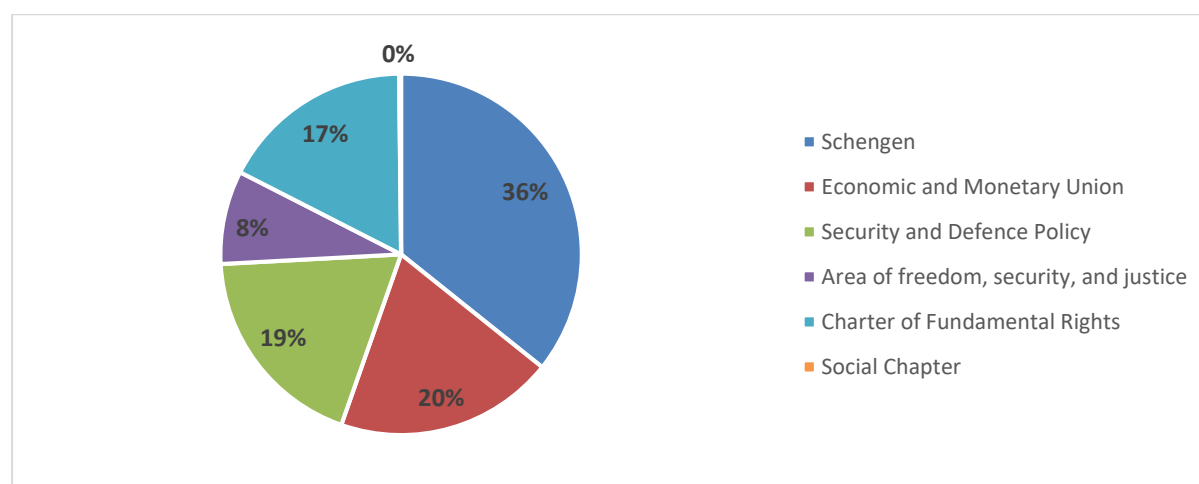
enhanced co-operation. A temporal analysis shows that Irish governments did not refer to instances of enhanced co-operation before the year 2002, when the Treaty of Nice simplified this procedure. Moreover, instances of enhanced co-operation remained virtually absent from government debates until 2010. After 2010, several instances of enhanced co-operation temporarily reached very high levels of salience. Some years show very high frequencies of the key words (e.g. 498 references in 2017). The peaks in the period 2017-2019 stem from references to Pesco. Those in 2012 and 2013 stem from references to the European Financial Transaction Tax. Hence defence and taxation emerge as salient political issues in the context of DI.

**Figure 8 - Salience of instances of enhanced co-operation**



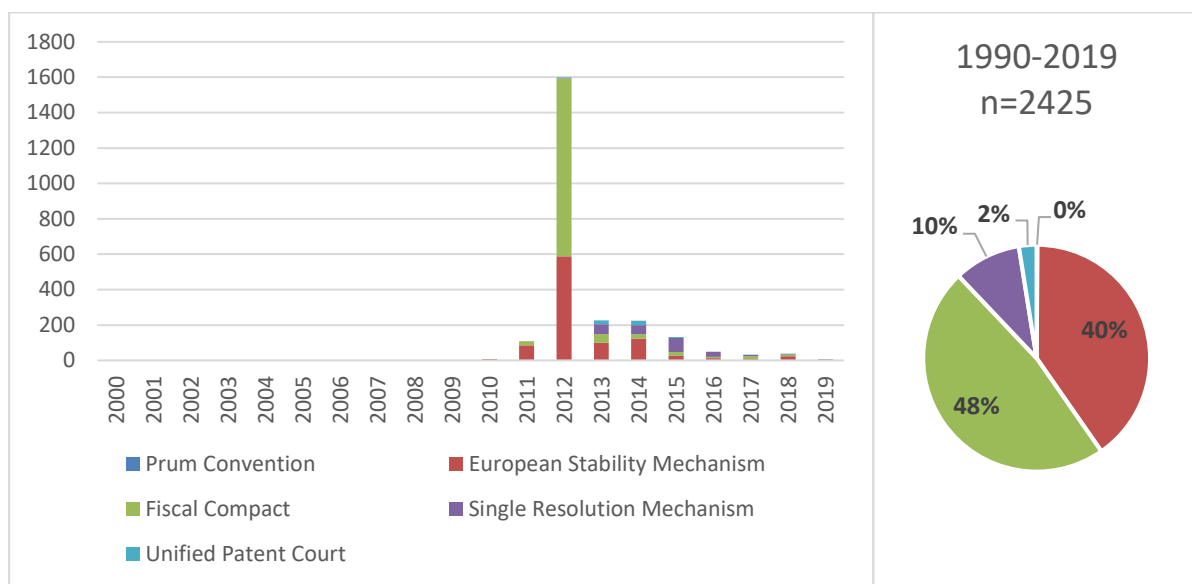
Regarding opt-outs, the analysis focused on EU policies from which at least one Member State has an opt-out. While the total of 5214 references to these policies is high (Figure 9), they indicate the salience of the policy fields rather than the salience of debates on opting out from a particular policy field. The breakdown shows that the two policy fields for which Ireland has opt-outs – Schengen and AFSJ – constitute 44% of the search hits in the time period 2004-2019.

**Figure 9 – Salience of opt-out policy fields, 1990-2019**

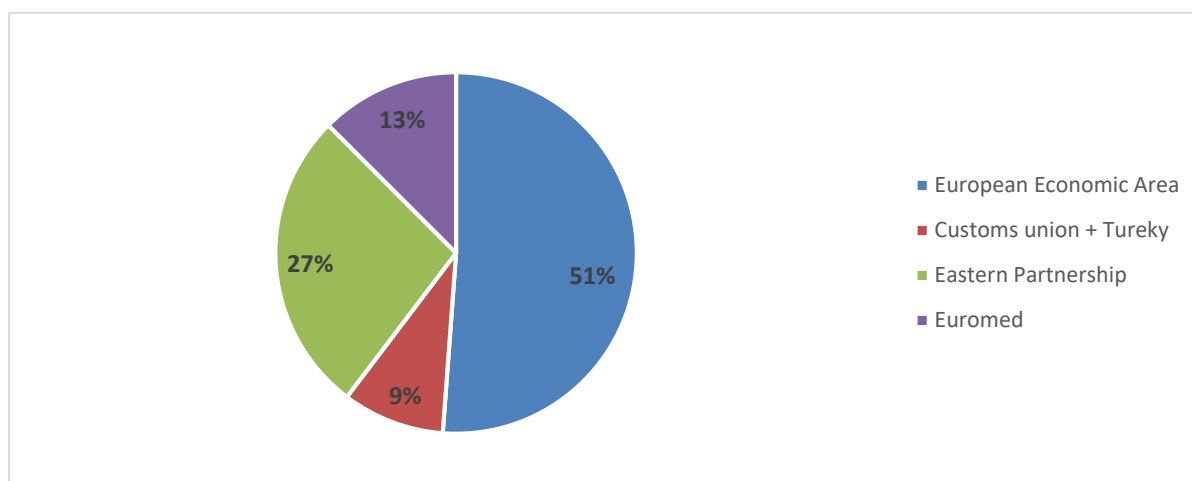


Finally, the analysis moves from instances of internal DI to instances of external DI, such as inter se agreements and association agreements. First, inter se agreements are international agreements among EU Member States allowing them to circumvent the institutional constraints of the community method. The analysis included five inter se agreements. The temporal analysis (Figure 10) of the aggregated key words shows that they only appeared in Irish parliamentary debates after 2010, the year in which Ireland entered the EU/IMF adjustment programme. Overall, the most frequent key phrases were ‘European Stability Mechanism’ (40%), ‘Fiscal Compact’ (48%) and ‘Single Resolution Mechanism’ (10%), all of which were clearly related to the eurocrisis. Discussions of inter se agreements in the Irish parliament dramatically peaked in 2012, when the key phrase ‘Fiscal Compact’ appeared 1005 times and ‘European Stability Mechanism’ appeared 588 times. Both the dramatic increase in 2012 and the fact that well over 90% of the key words in the category of inter se agreements relate to the eurocrisis suggest that inter se agreements – as a form of external differentiation – were used pragmatically to circumvent the rigidity of the community method in periods of high politico-economic pressure.

**Figure 10 – Salience of inter se agreements**



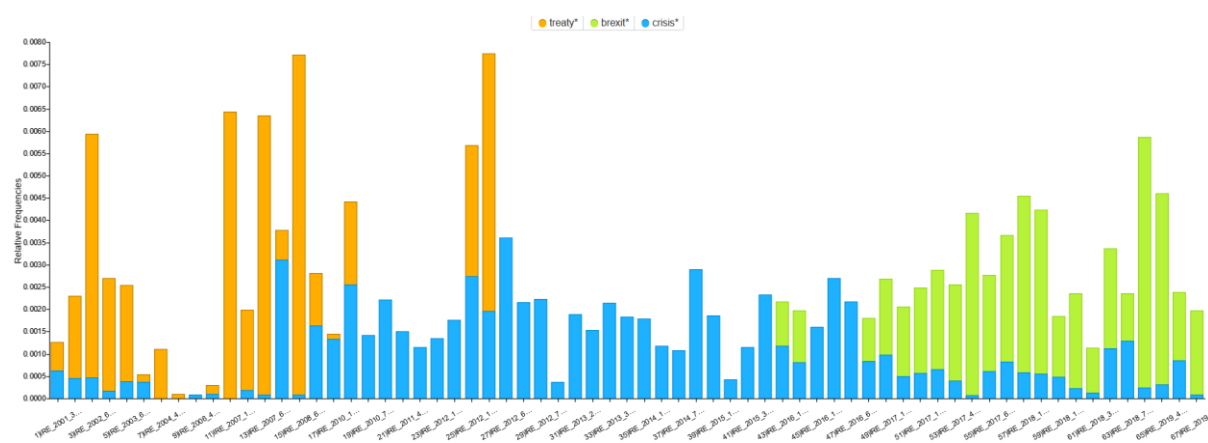
Four instances of external association agreements were included in the analysis. Figure 11 shows that around half of the key word references relate to the EEA, making it by far the most salient external association agreement. In addition, regional differences in salience emerge: (1) the southern agreements (Euromed and the Turkish customs union) are the least salient, (2) the Eastern Partnership is about twice as salient and (3) the EEA agreement is by far the most salient.

**Figure 11 - Salience of external association agreements**

## 2.4 European Council statements

In a final step, the analysis turned to sixty-seven prime minister statements (and subsequent debates) in parliament between 2002 and 2019 on the issues discussed at European Council meetings. In these statements, the prime ministers informed the Irish Parliament about the agenda and results of European Council meetings. Subsequently, members of parliament could address the prime minister. These statements were used as sources of information on the intersection between domestic and European politics, where Prime Ministers are most likely to formulate clear positions on EU membership and European integration. Overall, the European Council statements confirmed the previous findings, but the higher number of documents allowed a more finely grained assessment.

Several results stand out. The frequency of Council statements increased significantly from 2010 onwards. This resonates with the 2011 party programme demand for more parliamentary oversight of Irish politicians' actions at the European level. The increased frequency of Council statements also coincides with a rise in 'crisis' rhetoric (Figure 12). Three overlapping periods can be distinguished with regard to salient topics. The 'treaty' period (2001-2012) had peaks around the Nice Treaty (2002), the Lisbon Treaty (2008) and the Fiscal Compact/European Stability Mechanism (2012). This period saw peaks in the salience of DI models. The 'crisis' period (2010-2016) included the Irish adjustment programme (2010 and 2012) and the refugee crisis (2015 and 2016). This period saw peaks in the salience of DI instances regarding both enhanced co-operation and inter se agreements. Finally, 'Brexit' was central in Council statements after 2016.

**Figure 12 - Salient topics in EU Council statements, 2001-2019**

Moreover, the ‘crisis’ period overlaps with a drop in the salience of DI models in parliamentary debates (Figure 4). Moreover, with the exception of the key phrase ‘Future of Europe’ (in 2002 and 2018), key words referring to DI models were used very rarely in Council statements throughout the entire period. Similarly, key words for DI mechanisms were used very rarely, with the limited exceptions of 2002 (enhanced co-operation) and 2007 (opt-out) in corresponding debates on the Nice and Lisbon treaties. DI instances too appeared exceedingly rarely, with the exception of ‘Pesco’ from 2017 onwards. Finally, distinguishing between the prime ministers’ statements and the subsequent debates in parliament, it turned out that prime ministers never actually referred to key words for DI models. Rather, these references occurred in the subsequent parliamentary debates. Moreover, in only two instances did prime ministers even mention a DI mechanism (opt-out: June 2007 post-Council meeting; enhanced co-operation: March 2017 post-Council meeting).

### **3. What positions do Irish governments have on DI?**

This section presents the positions of Irish governments regarding DI. It is based on an analysis of parliamentary debates. The section is divided into three subsections. The first provides a quantitative overview of the distribution of positive, neutral and negative statements regarding DI models and DI mechanisms. The second reconstructs different governments’ positions on DI based on a qualitative assessment of selected statements (bold highlights added by the author). The qualitative subsection is structured chronologically to assess the impact of context on the various governments’ positions. Third, the position of the Irish government on DI instances is summarised in a table and illustrated with quotes from parliamentary debates.

#### **3.1 Quantitative overview of government positions**

Regarding DI models (Figures 13 and 14), the analysis of parliamentary debates shows that the assessment of the two models is rather *negative*. Four observations stand out. First, the negative assessment of DI applies to both DI models. Second, there is no significant difference in the assessments of DI by government parties and opposition parties. Third, while the overall assessment of DI is rather negative, a substantial share of the statements made in parliamentary debates were neutral. These neutral statements are predominantly requests for clarification, indicating a high degree of uncertainty surrounding the nature and potential consequences of DI. This view is supported by the observation that 18 of the total of 96 statements were made by experts and stakeholders from academia, business and civil society, and foreign politicians and EU officials. Fourth, the aggregate assessment changed over time, indicating that context matters. While the Lisbon Treaty referendum in 2008 triggered the most negative assessments of DI models, those in the 2017+ debate on the Future of Europe were more neutral.

**Figure 13 - Position on multi-speed Europe (two-speed + multi-speed)**

(n = 50)	Negative	Neutral	Positive
Government	10	8	0
Opposition	17	14	1
2008	21	4	0
2012	1	1	0
2017-2020	5	17	1

**Figure 14 - Position on multi-end Europe (two-tier + à la carte)**

(n = 26)	Negative	Neutral	Positive
Government	10	5	0
Opposition	7	4	0
2008	10	8	0
2012	2	0	0
2017-2020	5	1	0

Regarding DI mechanisms (Figures 15 and 16), the position of Irish governments was slightly *negative* and characterised by high levels of *uncertainty*. Enhanced co-operation was an issue throughout the period under investigation. In 2008, it was discussed negatively as a potential means for other Member States to move ahead without Ireland after the failed Irish popular referendum. In 2012, the focus moved to the issues of the Fiscal Compact and a European Financial Transaction Tax. In the last period, 2017-2020, Pesco became the dominant issue. The question of opt-outs from common European policies was more salient in 2008 (Lisbon Referendum) and 2017-2020 (Pesco and Brexit).

**Figure 15 - Position on "enhanced co-operation"**

(n = 67)	Negative	Neutral	Positive
Government (n = 44)	6	35	3
Opposition (n = 23)	5	17	1
2008	5	17	0
2012	4	21	3
2017-2020	2	14	1

**Figure 16 - Position on "opt-outs"**

(n = 75)	Negative	Neutral	Positive
Government (n = 32)	11	18	3
Opposition (n = 44)	17	18	8
2008	16	14	8
2012	4	3	1
2017-2020	8	19	2

Overall, Irish governments were more negative with regard to DI models than with regard to DI mechanisms. The qualitative analysis suggests that the reason for this observation may be that assessments of DI models were based on evaluations of how EU membership contributed to the Irish national interest (i.e. preserving Irish influence by belonging to the EU core), while assessments of DI mechanisms were based on domestic policy positions (i.e. military neutrality, religion, finance). This allowed Ireland to simultaneously reject the DI models while also making use of various opt-outs.

### 3.2 Qualitative assessment of government positions

The qualitative analysis supports the view that Irish governments perceived DI predominantly in a negative way in the period under investigation. This negative assessment ultimately derived from the governments understanding Irish EU membership as a means of economic modernisation and improved international political influence. At the same time, limited popular demand existed for more integration,

particularly with regard to defence and taxation policy. Irish governments tried to resolve this dilemma through a combination of various opt-outs from EU policies and a critical stance toward enhanced co-operation, as the latter was seen as jeopardising Irish influence in the EU. Overall, Irish governments appear to have rejected DI models in order to secure Irish political influence in the EU and financial assistance from it. Brexit pushed the Irish government to re-evaluate the nature of its EU membership and to adopt a more pragmatic attitude to enhanced co-operation in defence and security policy.

### 3.2.1 2008 – The Lisbon Treaty

In 2008, the central issue around which positions on DI crystallised was the 12 June Lisbon Treaty referendum.

#### *The government's position*

No direct references to DI models or mechanisms by Irish prime ministers were found in 2008, either by PM Bertie Ahern or by PM Brian Cowen. This might indicate the difficult positions in which the heads of government found themselves, limited by domestic and European demands. On the one hand, the negative popular vote in the Lisbon Treaty referendum required a stop to the ratification of that treaty. On the other hand, without Irish ratification, the Lisbon Treaty could not enter into force. Statements by other government officials and by members of the opposition parties support this conjecture. As such, the position of the governing party – Fianna Fail – was well summarised in a statement that was made by the future Minister of State at the Department of Finance, Deputy Martin Mansergh:

“The policy of successive governments to place **Ireland at the heart of Europe** has been a highly successful diplomatic strategy. As French President Nicolas Sarkozy told his British hosts recently, ‘If you are a full member of Europe, you have more of a say than if you are on the margins.’ That is the nub of the argument. We need to maximise our influence on decisions of concern which are being taken and deliberated upon practically every week in Brussels. No one would understand why a Member State which has done so well out of membership in terms of radically improving its position, a major success story of the EU, would rebuff and try to block the organisation that has made it all possible” (Deputy Martin Mansergh, Fianna Fail, Dail, 3/4/08).

Despite this commitment to place Ireland at the “heart of Europe,” another statement made by the Minister of Justice, Equality and Law Reform, Deputy Brian Lenihan (Fianna Fail), identified two constraints: first, that the Irish government viewed opt-outs from the Lisbon Treaty as a means to secure “certain national vital interests” (taxation and defence); second, that the Irish government’s position was strongly influenced by the actions of the United Kingdom.

“During the negotiations, Ireland ensured that certain national vital interests were secured in diplomatic terms, including the issue of unanimity on taxation and the question of our possible involvement in military matters. On all of these matters we were essentially given the right to say ‘Yes’ or ‘No’ under this treaty. [...] It is correct that in the original draft treaty, both the United Kingdom and Ireland bound themselves to qualified majority voting in this area. The United Kingdom, however, secured in the negotiations last year, at the initiative of the German Chancellor, a concession whereby in effect it was allowed to **opt out** of qualified majority voting in this area. That put us in a very difficult position in a European context. We were happy with qualified majority voting **with the United Kingdom on board** because we both share a very similar legal system and legal culture. However, it would have been a big ask for Ireland to participate in qualified majority voting on legal questions with the United Kingdom outside the room and Ireland left in the invidious position of being the only effective common law jurisdiction left, with the other 26 Member States” (Minister of Justice, Equality and Law Reform, Brian Lenihan, Fianna Fail, Dail, 3/4/08).

The emphasis on securing “certain national vital interests” can be considered an attempt by the government to highlight its efforts to protect Irish sovereignty in order to secure a positive referendum

outcome. Another statement by Senator Déirdre de Búrca (Green Party) highlights the degree to which the government's position was determined by the position of the United Kingdom:

"I agree with the speaker who said that it is anomalous that Ireland is not part of the Schengen arrangement. This is because of the common travel area we have with the UK and it poses difficulties for Ireland. For the same reason, under the Lisbon treaty we sought an **opt-out** in the area of justice and home affairs because we are tied into the UK in a way that makes it difficult for us to take a stance on our own without considering that country's position. I agree with the gentleman that we should push for inclusion in the Schengen area" (Senator Déirdre de Búrca, Green party, Joint Committee on EU Affairs, 10/4/08).

Moreover, the government's position on enhanced co-operation was determined by two concerns: first, that enhanced co-operation might jeopardise Ireland's ability to veto undesired integration, especially in the field of taxation; and second, that other Member States might use enhanced co-operation to move ahead with the Lisbon Treaty – without Ireland. The Minister of State for European Affairs made a statement which highlighted the government's fear that the other Member States may find a way to ratify the Lisbon Treaty without Ireland:

"The final question was whether a group of countries could go ahead. There are **enhanced co-operation** provisions in the existing treaties, so there is always an opening for enhanced co-operation. The Deputy has put his finger on a critical point. Almost ten years have been invested in this project. [...] Effectively, having invested ten years, **my biggest concern about a 'No' vote is the very point the Deputy has touched upon — that countries in Europe will become disenchanted with the project and that a two-speed Europe will emerge** (Minister of State for European Affairs, Dick Roche, Fianna Fail, Joint Committee on EU Affairs, 17/4/08).

After the 2008 Lisbon referendum had failed, the Minister for Foreign Affairs summarised the government's position in a statement (which he repeated three times in the same session of the lower house). The statement shows how the Irish government used a rejection of the idea of a "two-speed Europe" and emphasis on the "determination across the Union to arrive at a solution" as a means to protect Irish EU membership:

"The government has always been **firmly opposed** to any idea of a **two-speed Europe** and this continues to be the case. The other Member States share this view. Such a development would not be good for Ireland nor for the Union as a whole. That is why there is such determination across the Union to arrive at a solution on the Lisbon Treaty that all 27 Member States can endorse" (Minister for Foreign Affairs, Michael Martin, Fianna Fail, Dail, 5/11/08).

The assessment by the Minister of Foreign Affairs was echoed by other members of the governing party, Fianna Fail. The following statement was made immediately after the referendum and captures the shock from the government's perspective:

"Worryingly, there is an emerging scenario against which we must guard at all costs, namely some form of **two-speed or two-tier system** developing, irrespective of whichever option is decided on ultimately. It would be an **unmitigated disaster** were Ireland to end up with **second-class membership of Europe in a slower lane**. Undoubtedly, it would be with **reduced influence and goodwill and without the political firepower to defend our vital national interests**. All those on the 'No' side should note there is no conflict between being a good Irishman and a good European" (Deputy Niall Collins, Fianna Fail, Dail, 18/6/08).

In reaction to the failed referendum, a parliamentary Sub-Committee on Ireland's Future in the European Union was set up to analyse Ireland's options. The following two statements illustrate Ireland's dilemma. On the one hand, there was high uncertainty as to whether or not the other EU Member States might move ahead without Ireland. On the other hand, there was a sensation that this would violate the unanimity rule and further alienate the Irish people.

"It is clear that Ireland's national interests are now at stake. [...] **Is there a legal way the other countries can find to go ahead with implementing the key reforms in the Lisbon treaty?** Is there a real risk that Ireland will be left behind and that we would have a two-tier Europe?" (Deputy Michael McGrath, Fianna Fail, Joint Committee on EU Affairs, 22/10/08).



“Now there is talk that there may be a **two-tier approach to Europe**. I wonder how we can explain this to the people. What does unanimity stand for when we did not achieve it, given that the Lisbon Agenda is still going ahead according to many of the presentations we received?” (Deputy Beverley Flynn, Fianna Fail, Joint Committee on EU Affairs, 30/10/08).

#### *The opposition's position*

The opposition parties' statements tended to put pressure on the government to avoid a 'two-speed Europe' while also respecting the popular vote. In the following statement, future Prime Minister Enda Kenny (Fine Gael) pressed the current Prime Minister, Brian Cowen (Fianna Fail), on this point:

“I express my disappointment at the result of the referendum, but the votes were cast and counted and **the verdict was given, and that must be accepted and respected**. [...] We respect the rights of other countries to ratify this treaty in their own way, just as they must respect the decision of the Irish people in the way they voted. Where does the Taoiseach envisage the real crux happening? **We do not want a two-speed Europe and nobody has expressed the intention of leaving the European Union**. What will be the government's position if the other 26 Member States ratify the Lisbon treaty and then look to the Taoiseach for the Irish position? Where will the government be situated before that point arrives?” (Deputy Enda Kenny, Fine Gael, Dail, 17/6/08).

A similar point was highlighted by future Prime Minister Leo Varadkar (Fine Gael). In particular, Deputy Varadkar suggested that the referendum outcome contradicted the government's “core policy” to avoid a two-speed Europe or at least “stay in the fast lane”:

“It has always been at the centre of Irish foreign policy that there should not be a **two-speed European Union**, but that if it were to happen, Ireland should be in the fast lane. **It is clear that is not the view of the people. Is that policy now under reconsideration, or is it still a core policy of the government?**” (Deputy Leo Varadkar, Fine Gael, Dail, 18/6/08).

Drawing a parallel with the failed 2005 French/Dutch referenda on the Constitutional Treaty, Deputy Caoimhghin O Caolain, leader of Sinn Fein in the lower house, challenged the Prime Minister to “affirm the Irish electorate's equality”:

“Does the Taoiseach share my concern at the remarks of EU Commission President, Jose Manuel Barroso, that the remaining ratifications should continue to take their course? Does the Taoiseach see in that comment, and in the commentary of others in Europe, **a two-tier approach already in situ**? Back in 2005, the rejection of the constitutional treaty by the French and Dutch resulted in an end to the process and it was never put to the Irish people. Why would the decision of the Irish electorate last Thursday be viewed or treated any differently within Europe to that of the French or Dutch electorates? **Does the Taoiseach propose to affirm the Irish electorate's equality within the determination of any treaty proceeding in line with that precedent?**” (Deputy Caoimhghin O Caolain, Sinn Fein, Dail, 17/6/08).

### 3.2.2 2012 – Financial Crisis: the Financial Transaction Tax and the Fiscal Compact

In 2012, Ireland's situation had changed somewhat. The second Lisbon Treaty referendum in 2009 had been successful. However, the country had also become severely affected by the financial crisis and was subject to an economic adjustment programme between December 2010 and December 2013.

#### *The government's position*

Prime Minister Enda Kenny (Fine Gael) made three statements about DI in 2012. All three were concerned with the issue of enhanced co-operation regarding a European Financial Transaction Tax. His position was that the Irish government recognised the wish of other Member States to engage in enhanced cooperation, but that Ireland would neither participate nor impede the other Member States. In Enda Kenny's words,

“We have objected to the **financial transaction tax**. We have not participated in the **enhanced co-operation** at the European level for that tax. Ireland imposes stamp duty on transactions. Clearly, we did not want to place the International Financial Services Centre at a disadvantage to London if none applied there. [...] Now that 11 [of the Member States] have signed on for enhanced co-operation with regard to introducing a financial transaction tax, Ireland, as the incoming presidency of the Union, will not impede that although, of course, we will need to know the conditions that apply to it” (Enda Kenny, Fine Gael, Dail, 18/12/12).

The view of the Prime Minister was consistently reiterated by the Minister for Finance, Deputy Michael Noonan (Fine Gael), as in the following statement:

“[W]e are not participating in the **enhanced co-operation** mechanism in which other countries are participating because we do not want to create a situation where the 33,000 jobs in the financial services sector in Ireland would be put at risk of transfer to a more benign tax regime in London. That is the only issue involved. We do not have a problem in principle with a financial transaction tax” (Minister for Finance, Deputy Michael Noonan, Fine Gael, Dail, 14/11/12).

These statements highlight two points: first, a reluctance to act on the government rhetoric of being at “the heart of Europe” in tax-related issues; and second, from the perspective of the Irish national interest it was rational to facilitate enhanced co-operation among other Member States while refraining from participating because of the expected positive externalities this would entail for Ireland.

The parallel issue of the Fiscal Compact Treaty illustrates how the logic of national interest can simultaneously lead to a vigorous rejection of DI in a different policy domain. When asked about “his views on a **two-tier Europe** with an increase in fiscal and political union [as] described by [German] Chancellor Merkel,” Vice Prime Minister Eamon Gilmore (Labour) responded:

“The question of the future direction of the European Union is, of course, a matter for all 27 Member States. For its part, the government has expressed its strong view that any future arrangements **must avoid fragmentation of the Union** and that maintaining the integrity of the single market is a matter of the highest importance. At the European Council meeting on 28/29 June, President Van Rompuy presented his report Towards a Genuine Economic and Monetary Union to the heads of state and government. [...] Ireland has a **very strong national interest** in a robust and stable currency, in a strong and coherent European Union, and the government looks forward to engaging with President Van Rompuy in this important work over the period ahead” (Tánaiste and Minister for Foreign Affairs and Trade Eamon Gilmore, Labour, Dail, 10/7/12).

Similarly, Senator Maurice Cummins (Fine Gael) endorsed the Fiscal Compact Treaty ahead of a popular referendum in May 2012:

“The future of the European Union, the restoration of economic stability and growth and the creation of new jobs are all dependent on the Union being led out of the crisis. **I reject the idea that we can stand outside the Union**, put our recovery funds at risk and alarm the international companies and investors on whom we rely for the creation of jobs in Galway and many other areas throughout the country. We have responsibilities and made commitments to our fellow members, just as they have to us. **It is not and can never be an à la carte membership**. The [Fiscal Compact] treaty enshrines new binding and enforceable fiscal rules in order that all participating Member States will have economic responsibilities to each other to ensure the mistakes of the past will not be repeated” (Senator Maurice Cummins, Fine Gael, Seanad, 23/4/12).

Hence, while the Irish government declined to participate in the Financial Transaction Tax because it would contradict Irish economic interests, Minister Gilmore stressed a need to “avoid fragmentation of the Union” with regard to the Fiscal Compact, which the Irish government needed to ratify in order to secure European support through the ESM. What emerges is a picture in which the Irish government did not participate in the Financial Transaction Tax with the intention of benefiting from positive externalities. At the same time, the government rejected the idea of ‘à la carte membership’ of the Union when negative externalities were associated with non-participation, as with the Fiscal Compact.

### *The opposition's position*

Deputy Seán Ó Fearghaíl of the largest opposition party, Fianna Fail, employed the rhetoric of “unity and solidarity” and of avoiding a “two-speed Europe” in order to endorse the Fiscal Compact Treaty. At the same time, he made it clear that Ireland’s access to external funding – via the ESM – depended on accepting the Fiscal Compact:

“**Fianna Fáil does not believe in a two-speed Europe** and considers the United Kingdom’s decision to step outside this [Fiscal Compact] treaty with grave concern. The unity and solidarity of the EU across all the Member States is vital to its future success. Verification of the treaty is required to qualify for the European Stability Mechanism, which replaces our current funding arrangements under the European Financial Stability Facility, EFSF, in January 2013” (Deputy Seán Ó Fearghaíl, Fianna Fail, Dail, 29/2/12).

In contrast to the endorsement of the Fiscal Compact Treaty by the government (Fine Gael and Labour) and the largest opposition party (Fianna Fail), Senator David Cullinane (Sinn Féin) vigorously opposed the treaty. He argued that Ireland would not need to access the ESM if the current adjustment programme worked and therefore there was no need to commit to the obligations involved in the Fiscal Compact:

“The first consideration is access to the European Stability Mechanism, ESM, funding, which must be approved by the Oireachtas. The Taoiseach and Tánaiste have indicated that the Dáil will not make any decision on the ratification of the ESM until such time as the people have their say on the fiscal compact treaty. If we say ‘No’ to the fiscal compact treaty, as I hope we do, I do not believe any Irish government will accept the terms of the ESM treaty. The fiscal compact treaty is intergovernment and **we can simply opt out**, as is our choice, with other countries proceeding with the terms if they so wish. Britain has opted out, as it saw this as sensible and in its own interest. [...] The government is accusing those who are opposing the treaty of scaremongering and being inconsistent but there is a clear inconsistency at the heart of the government’s comments. On the one hand, the Taoiseach and Tánaiste are arguing that we will return to the bond markets and reclaim our sovereignty because we are making the right decisions but on the other hand they are saying that just in case that does not happen, we need the ESM as an insurance policy” (Senator David Cullinane, Sinn Féin, Seanad, 24/4/12).

### 3.2.3 2017-2020 – The Future of Europe, Brexit, Pesco

#### *The government's position*

Several Irish prime ministers made statements referring to DI models and mechanisms in the period 2017-2020. Prime Minister Enda Kenny (Fine Gael) was the most outspoken. His statements cluster around March 2017, the time of the release of the White Paper on the Future of Europe and the Rome Declaration. The clearest statement of his government’s position is this:

“Deputy Haughey [of Fianna Fail] asked a good question about the **multi-speed Europe** issue, which has been around for a while. Various ideas and proposals, so-called ‘**variable geometry**,’ have always arisen in discussion about future developments of the EU. They are again being mentioned in the context of the 60th anniversary of the Treaty of Rome. We have already had such a variable geometry regarding the euro and the Schengen Agreement. Enhanced co-operation has been included in the treaties for this reason and the provisions can be used to allow a group of states to move ahead if they wish with co-operation without all members supporting it. We want to stay in the vanguard, right up at the front. **If it transpires that there are two speeds operating in Europe, we want to be at the higher speed and central to it**” (Taoiseach Enda Kenny, Fine Gael, Dail, 8/3/17).

This statement seems to express a pragmatic attitude to DI: as other EU Member States were pushing for more integration, Ireland would have to follow suit if it did not want to lose influence in Europe. At the same time, however, the Irish government had not given up its reluctance to participate in enhanced co-operation regarding a European Financial Transaction Tax or a European public prosecutor. Moreover, Deputy Bernard J. Durkan (Fine Gael) argued that Ireland should not participate in a

European effort at tax equalisation. He suggested that such a measure would be to the detriment of the “smaller countries” and result in a “two-speed European Union”:

“Much focus has been made recently about tax equalisation throughout the EU and a case is pending before the European Court of Justice. Many people think the outcome will be of benefit to Ireland if the court finds against Ireland. That is not the case. It will seriously disadvantage us and require us to collect taxes on profits earned in other countries. That is something we should not do under any circumstances. It will obviously make Ireland a negative area for foreign direct investment, which creates many jobs. [...] **The pressure on Ireland to act collectively is not necessarily in the best interest of the country.** I agree entirely in respect of a **two-speed European Union**. Smaller countries will come off worse except for those countries that are fostered in particular by one or two of the larger countries. We have to fight our own corner” Deputy Bernard J. Durkan, Fine Gael, Joint Committee on EU Affairs, 20/9/17).

This is not the rhetoric of staying in the vanguard expressed by the Prime Minister. Instead, the argument is that the large Member States were attempting to force Ireland to “act collectively” against “the best interest of the country.” The justification for non-participation – “we have to fight our own corner” – is very different from the statements made earlier in times of domestic crisis (i.e. the Lisbon Treaty and the Fiscal Compact). In fact, the Deputy appeared to refer to two different visions of a two-speed Europe. The first version entailed that the larger Member States attempted to push smaller Member States into *uniform* policies which were expected to have *negative* effects on the smaller Member States. The deputy rejected this version. The second version entailed that Ireland should not participate in uniform policies that are likely to produce unequal outcomes. The deputy endorsed this version.

These examples suggest that the Prime Minister’s aspiration of staying “in the vanguard, right up at the front” was not necessarily referring to concrete Irish participation in a broad range of enhanced co-operation policies. Instead, the Prime Minister’s statement may be better understood as a strategy to steer away from Ireland’s earlier close alignment with the UK and to seek a closer alignment with the EU. The following statement by the Minister of State at the Department of Jobs, Enterprise and Innovation, Pat Breen (Fine Gael), highlights the high stakes that the British withdrawal involved for Ireland:

“The result last June was not the result we wanted. We wanted the UK to remain in the European Union but, unfortunately, it voted to opt out. I suppose, of all the countries in the European Union, the government was more prepared than any other country. Why? **The answer is because we had more to lose than any other country**” (Minister of State at the Department of Jobs, Enterprise and Innovation, Deputy Pat Breen, Fine Gael, Dail, 10/5/17).

Indeed, Prime Minister Leo Varadkar (Fine Gael) condemned the British “cherry picking” regarding EU membership, apparently ignoring the repeated Irish practice of citing close relations with the UK when opting-out of a common policy (i.e. Justice and Home Affairs, Schengen, the Financial Transaction Tax):

“In regard to the European single market, the position of the European Union and the 27 Member States that are remaining, including Ireland, is that the four freedoms are indivisible, that is, the freedom of goods, freedom of services, freedom of labour and freedom of capital. **It is not possible to cherry pick and it would not be fair to other countries to allow any country to cherry pick.** I imagine if the United Kingdom was allowed to have **à la carte membership** of the single European market, far-right, far-left and populist parties all over the EU would demand the same for those countries, and we would begin to see the breakup of the single market and the European Union. That is not in **Ireland’s interest** and therefore it is not something I can support” (Taoiseach Leo Varadkar, Fine Gael, Dail, 11/7/18).

In the following statement, the Prime Minister Varadkar clearly takes the side of the EU. Note how the wording changed from “the EU said” to “we said”:

“The EU position towards the UK for decades has always been very reasonable, friendly and facilitative. When the UK asked to join the EU, the EU said ‘Yes’. When the UK voted to stay in the EU, the EU said ‘Yes.’ When the UK decided it wanted to **opt out** of the social chapter, the EU

said ‘Yes’. When the UK decided it did not want to be part of the single currency, the EU said ‘Yes.’ When the UK said it did not want to be part of the Schengen arrangement, we said ‘Yes.’ When the UK said it did not want to be part of some elements of the fourth pillar, we said ‘Yes.’ When the UK said it wanted to leave, we said we were really sorry but said ‘Yes.’ Therefore, despite what might come across in the British press sometimes, the entire history of the relationship between the EU and the UK has involved the EU saying ‘Yes’ and asking whether we could help it, facilitate it and make exceptions for it. That has been the approach. It has been a really friendly approach from the EU towards the UK. **We have never tried to force it into anything or to make it stay in the EU.** History says that” (Taoiseach Leo Varadkar, Fine Gael, Dail, 23/10/19).

This break with the former Irish policy of close alignment with the UK suggests that the government now considered the Irish national interest to be better preserved by a closer alignment with the EU. In this view, the selective endorsement of enhanced co-operation and rejection of British “cherry picking” were a means to build a closer relationship with the EU. This would fit the earlier pragmatic use of DI as a means to seek EU assistance or preserve influence within the EU (i.e. the Lisbon Treaty and the Fiscal Compact Treaty).

While the selective endorsement of enhanced co-operation was largely limited to Ireland’s willingness to allow other Member States to pursue joint policies, in 2017 the Irish government took the decision to participate actively in the EU’s permanent structured co-operation in security and defence policy (PESCO). The 2017 rolling party programme of Fine Gael stated that “We support Irish involvement in PESCO to combat modern security threats like terrorism, cybercrime, drug and human trafficking provided it does not compromise our military neutrality” (2017: 37).

As several opposition parties perceived this move as jeopardising Irish neutrality, the Minister of State at the Department of Defence emphasised repeatedly that “Ireland’s policy of neutrality and non-NATO membership will in no way be affected by enhanced co-operation” (Paul Keohe, Fine Gael, Joint Committee on Foreign Affairs, 26/4/18). To underline this fact, the Minister of State for European Affairs, Helen McEntee (Fine Gael), made it clear that involvement in the PESCO programmes and project was strictly on an opt-in/opt-out basis:

“In response to Deputy Boyd Barrett’s [Solidarity – People before Profit] questions on PESCO, involvement in various projects is on an opt-out basis. It is not that we are specifically tied to any of the programmes or projects; we can opt in or opt out. As I mentioned earlier, cybersecurity is an area in which we feel we can contribute in the context of combatting terrorism. We know that terrorism has changed in its format and is not what it was 20 years ago. There is a lot of terrorist activity happening online through cybersecurity attacks, through YouTube videos aimed at brainwashing people and so forth. We feel that we can co-operate and work with various Member States in that regard” (Minister of State for European Affairs, Helen McEntee, Fine Gael, Dail, 16.1.2018).

The example of PESCO indicates that Irish participation in enhanced co-operation schemes faced significant domestic resistance.

### *The opposition’s position*

The opposition parties were divided on the issue of DI in the period 2017-2020, reflecting the Irish predicament of limited domestic demand for more integration and concern about losing influence in the EU. Former Minister of State for Lifelong Learning and School Transport, Deputy Seán Haughey (Fianna Fail) captured the Irish dilemma well in this statement:

“In respect of the option of a **multi-speed Europe** or those who want to do more – option 3 – [in the Commission White Paper on the Future of Europe] it seems that Germany, France, Italy and Spain are pursuing that particular agenda, which must sound **alarm bells** for us. Such a multi-speed Europe could involve increased co-operation on defence matters, co-operation on security and justice matters and closer co-operation on taxation and social matters. We need to have a debate in this country about the future of Europe. Obviously, this has come to a head with the Brexit vote and the widespread realisation that many people are alienated from the EU. As a result, this debate is

very timely. **It seems that it might be in Ireland's interests to have a multi-speed Europe because there would be some things we would not like relating to the other Member States pressing ahead but perhaps this will lead to us being left behind.** The Union started off as a partnership of equal Member States. Will we move away from that? There is also the option of further integration of the EU. I do not think there would be much support among the Irish public for further integration of the EU. I think [Irish MEP] Mr. Carthy said there would be treaty change. I would not like to sell a referendum to the Irish people on further integration" (Deputy Seán Haughey, Fianna Fail, Joint Committee on EU Affairs, 24/5/17).

On the one hand, the Deputy clearly viewed DI as a means to avoid Irish involvement in integration steps in politically sensitive policy areas. This evaluation was based on the assessment that "there would not be much support among the Irish public for further integration in the EU." On the other hand, he expressed great concern about "being left behind" and the implication of unequal membership in the EU. This perspective was echoed by two Deputies in Fianna Fail and Finn Fein, who identified "federalist tendencies" in certain (French) reform proposals for the EU. Senator Terry Leyden (Fianna Fail) rooted these concerns in the Irish struggle for independence:

**"I am in favour of development in the EU but I am not at all in favour of a federal Europe.** We fought too long for our independence and we want to ensure a united Ireland in time, but not in a federal Europe. The President of **France is moving too far, too fast towards a two-speed Europe**, with some in and others out, and I think that would be damaging. I regard the prospect of further treaties with scepticism as we have enough to work on at this stage" (Senator Terry Leyden, Fianna Fail, Seanad, 12/10/17).

Similarly, Sinn Fein's Gerry Adams considered that the reform proposals for the EU were directly contradicting the guarantees the Irish obtained after the first failed Lisbon Referendum:

"The Taoiseach will have noted the French President's call recently for the need for increased and accelerated EU integration, tax harmonisation and further EU military cooperation. President Macron spoke about a **two-tier Europe**, a sovereign Europe with its own separate parliament for members of the eurozone who will have their own finance minister, and he wants a single EU corporate tax band. **This is the federalist dream, but it also is flying directly in the face of the so-called guarantees that were secured by the Irish government in the aftermath of the rejection of the Lisbon treaty in 2009**" (Deputy Gerry Adams, Sinn Fein, Dail, 3/10/17).

In contrast to these concerns, the leader of the Green Party, Deputy Eamon Ryan, stated that he "was shocked to see some VoteWatch analysis recently which **identifies Ireland as probably the most negative country on just about any suggestion for the development of Europe.** It is opposed to economic integration, tax harmonisation and defence co-operation" (Deputy Eamon Ryan, Green Party, Dail, 8/3/17). He nevertheless rejected the idea of a "two-speed Europe" because, in his view, it would breach the "fundamental approach" of co-operation on which the EU was founded.

"Earlier, I raised with the Taoiseach the issue of the White Paper on the future of Europe which the European Commission had presented. For what I understood from the Taoiseach, that will be an item for discussion at this upcoming Council meeting. It is important we declare some of the positions we will take in that regard. First, **we should not be looking for a two-speed Europe.** That takes from the very core of the philosophy behind the Treaty of Rome and the sense that collaboration and international co-operation are what is required. I fear if we do see a two-speed Europe, it will breach that fundamental approach. It is better for us to get consensus and win common agreement" (Deputy Eamon Ryan, Green Party, Dail, 8/3/17).

These statements highlight that there was significant disagreement among opposition parties on the degree to which Ireland should pursue integration in the EU. On the one hand, Fianna Fail and Sinn Fein emphasised the risks which closer integration involved for Irish sovereignty. On the other hand, the Green Party appears to have been much more favourable on closer integration with the EU. This is a view which the Green Party had already expressed in 2008 with regard to Schengen and Justice and Home Affairs. However, at that time, close relations with the UK were still cited as a barrier to these

aspirations. In the context of Brexit, however, the Green Party appeared to have become much more eager to pursue closer integration in order to avoid a two-speed Europe.

Finally, the following quote by MP Paul Murphy (Solidarity – People Before Profit) illustrates that there was domestic disagreement with the government’s negative position on active Irish involvement in enhanced co-operation on a European Financial Transaction Tax:

“This [position of the government regarding enhanced co-operation on the FTT] is like proposals to increase the effective rate of corporation tax or to close corporate tax loopholes, whereby the answer from the government is always the same. It says that it is not necessarily against the idea but that everyone would have to do it at the same time. This is just an excuse to lag behind developments and to try to maintain our tax haven status. The government will always find an excuse. **When enhanced co-operation is taking place, for example, the government is very pointedly not involved even though it is something that is happening on a cross-Member State basis. The government then shifts the goalposts and says that it must happen all across the EU but it is not really interested in that happening either**” (Deputy Paul Murph, Solidarity – People before Profit, Select Committee on Finance, Public Expenditure and Reform, 5/11/19).

Figure 17 below provides a systematic overview of Irish government positions on instances of DI.

Figure 17 - Position on DI instances

DI mechanism	DI instance	Participation	Examples – government position
Enhanced co-operation	Rome III	NO	“While our policy is to participate as far as possible [in European integration], a recent exception was the government decision not to participate in the Rome III measure which dealt with applicable law on divorce. A key factor influencing our decision was a determination to ensure the constitutional safeguards surrounding the granting of a divorce in this country would not be undermined” (Tánaiste and Minister for Justice, Equality and Law Reform, Michael McDowell, Progressive Democrats, 15/11/06).
	Unitary Patent	YES (Treaty ratified but not in effect)	“I hope this will be signed during our presidency of the EU Council and it should finally come to fruition at that stage” (Minister for Jobs, Enterprise and Innovation, Richard Bruton, Fine Gael, 4/12/12).
	Matrimonial Property Regimes	NO	“Ireland has not opted in to these measures” (Minister for Justice and Equality, Alan Shatter, Fine Gael, 27/11/12).
	Financial Transaction Tax	NO	<p>“There are other countries in Europe with a very strong objection to a financial transaction tax. We object to this on the basis of it being discriminatory, and if it had a severe impact on our economy it could be disastrous. If it were applied in a global sense, we could have a very different perspective. Our membership of the European Union and eurozone allows in some cases for those who want to pursue the area of enhanced co-operation to do so” (Taoiseach, Enda Kenny, Fine Gael, 2/10/12).</p> <p>“To reply to the question on what our attitude would be, for the reasons outlined in my script, we would not participate in enhanced co-operation. [...] The Irish view is that Europe should be funded through contributions from the Member States and not by taxes levied at community level, which cuts across another policy position” (Minister of Finance, Michael Noonan, Fine Gael, 19/6/12).</p> <p>“A financial transaction tax would be a great idea if it could be applied globally, otherwise it is of no benefit. Our own financial services would suffer dramatically, as would those in other small countries in the European Union” (Bernard J. Durkan, Fine Gael, 27/6/12).</p>
	European Public Prosecutor	NO	“We then took a decision to allow for the European public prosecutor’s office to be established under enhanced co-operation. This is an initiative in which Ireland does not participate because of our Protocol 21 exclusion” (Taoiseach, Enda Kenny, Fine Gael, 21/3/17).



			<p>"I am concerned that the European public prosecutor's office is being used in a broader political game. We appear to be moving towards the formation of a super-state. People here need to keep an eye on Europe because sections of society believe the European Union is moving in the direction of becoming a super-state. The establishment of a European public prosecutor's office could be one more piece in that jigsaw. Is this, as opposed to the need to address fraud, the real agenda here?" (Finian McGrath, Independent, 16/10/13).</p>
	Pesco	YES	<p>"Ireland has taken a realistic and constructive approach to these discussions, while ensuring that current proposals pose no threat to our policy of military neutrality. We are, of course, not neutral on issues such as cyber-crime and terrorism. To that end, we have backed a number of initiatives under Pesco which support UN-mandated peacekeeping operations" (Taoiseach, Leo Varadkar, Fine Gael, 18/10/17).</p>
Opt-out	Schengen	Opt-in	<p>"Implement the Schengen II information-sharing IT system and improve interoperability internationally in order to enhance the policing of entry points to the State, and to support Gardaí in detecting and preventing suspected, dangerous and wanted criminals or prospective terrorists from entering the country" (Fine Gael government programme, 2016: 102).</p> <p>"As Deputies will be aware, Ireland is less directly affected by large migration inflows and illegal immigration than many other countries due to our geographic position, our position under Protocol No. 21, and our non-participation in certain aspects of the Schengen Agreement. I believe, however, that the challenges need a collective response. We need to respond to migration in a comprehensive, fair and pragmatic way. This includes opting in, as we have done, to the EU relocation and resettlement measures" (Taoiseach, Leo Varadkar, Fine Gael, 24/10/18).</p>
	Economic and Monetary Union	FULL	<p>"In my statement to the committee I also touch on the fact that the European legal architecture, which was provided for in the Maastricht treaty and which set up the <b>European Monetary Union</b>, was significantly lacking in important respects. Control of money matters and, in particular, money supply rested with the ECB. However, the legal responsibility for each Member State's financial system rested with that state" (Taoiseach, Enda Kenny, Fine Gael, 16/6/15).</p>
	Security and Defence Policy	FULL	<p>"Again I would point out to Deputies that the question of respecting the specific character of the <b>security and defence policy</b> of certain Member States is recognised in the specific provisions for implementing the common security and defence policy under the present draft articles and that will remain a common feature. Article 40, paragraph 2, states that the policy of the Union shall not prejudice the specific character of the security and defence policy of certain Member States and 'shall respect the obligations' of certain Member States, etc., which see their common defence realised in NATO, under the North Atlantic treaty and shall be compatible with the common security and defence policy established within that framework" (Minister for Foreign Affairs, Brian Cowen, Fianna Fail, 23/10/2003).</p> <p>"Strengthening the EU's peacekeeping capacity and support of the United Nations will be an integral part of the effort to support international peace and security and that will be done through the further development of the</p>

			<b>common security and defence policy</b> , as defined in the European Union treaties. We contribute actively to that, including commanding EU operations in Chad and Somalia, and we are prepared to engage in further development of this in support of international peace and security, as provided for under the European Union treaties. [...] There are no suggestions for a European army. The Irish protocol to the Lisbon treaty clearly states that the Treaty of Lisbon does not provide for the creation of a European army" (Taoiseach, Enda Kenny, Fine Gael, 5/10/16).
	Area of Freedom, Security, and Justice	Opt-in	<p>"I move: That Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption and application of the following proposed measure:</p> <ul style="list-style-type: none"> <li>• Proposal for a Regulation of the European Parliament and of the Council repealing certain acts in the field of police co-operation and judicial co-operation in criminal matters." Taoiseach, Enda Kenny, Fine Gael (1/4/15)</li> <li>• Proposal for a Directive of the European Parliament and of the Council on the freezing and confiscation of proceeds of crime in the European Union." Minister of State at the Department of the Taoiseach, Paul Kehoe, Fine Gael (14/6/12)</li> <li>• Proposal for a Directive of the European Parliament and of the Council on criminal sanctions for insider dealing and market manipulation." Minister of State at the Department of the Taoiseach, Paul Kehoe, Fine Gael (7/2/12)</li> <li>• A proposal for a Regulation of the European Parliament and of the Council on mutual recognition of protection measures in civil matters." Minister of State at the Department of the Taoiseach, Paul Kehoe, Fine Gael (21/7/11)</li> </ul>
	Charter of Fundamental Rights	FULL	"It was never our intention to opt out of the Charter of Fundamental Rights. I have supported the Charter of Fundamental Rights from the time it was prepared seven or eight years ago up to the constitution. We brought it forward and included it in the Irish presidency. We are and have always been supportive of the Charter of Fundamental Rights" (Taoiseach, Bertie Ahern, Fianna Fail, 26/9/07).
	Social Chapter	FULL	"The work of the Intergovernment Conference will continue beyond the end of the Irish presidency. I am very pleased to note in the draft Treaty sent to the Dublin Summit, the firm commitment to address the issue of social exclusion at a later stage of the Intergovernment Conference in the context of consideration of a new fully integrated <b>social chapter</b> . It has to be admitted that not all Member States are enthusiastic about our proposals. However, we have received strong support for our approach from several Member States, from the Commission and from the European Parliament" (Minister of State at the Department of the Marine, Eamon Gilmore, Labour, 19/12/96).
Inter se agree	Prüm Convention	NO (participation in 2008 EU	"I emphasise again the issue of the international databases which we sign up to being available here. For example, we are behind on the <b>Prüm Convention</b> . The Schengen Information System II, SIS II, is absolutely critical in terms of data exchange across Europe, but we only started that towards the end of last year. We are spending significant

		Prüm decision)	<p>funding of €20 million next year to ensure we are not in breach of European standards in regard to those” (Minister for Justice and Equality, Frances Fitzgerald, Fine Gael, 12/4/17).</p> <p>“Some of the schemes under the EU <b>Prüm Convention</b> are automatic fingerprinting, facial recognition, working closely with Interpol and other agencies and, for example, the roll-out of what will be the passenger information exchange, the increased level of advanced security at airports and facial recognition. We are very keen that Ireland will play a full role in all of these programmes. There are particular challenges for us from a security perspective in the context of Brexit” (Minister for Justice and Equality, Charles Flanagan, Fine Gael, 26/9/18).</p>
	European Stability Mechanism	YES	<p>“We asked the Eurogroup to continue its work on reforming the <b>European Stability Mechanism</b>, ESM, and on strengthening the banking union. Ireland sees a European deposit insurance scheme, EDIS, as an important part of that work. We also agreed that a budgetary instrument for convergence and competitiveness will be finalised as part of the negotiations on the multi-annual financial framework, MFF, and invited the Eurogroup to provide its views on this swiftly” (Taoiseach, Leo Varadkar, Fine Gael, 18/12/19).</p> <p>“One possible solution is to federalise the response to the banking crisis in Europe with the <b>European Stability Mechanism</b> to be given the powers to recapitalise systemically important financial institutions directly. I do not propose a united states of Europe but we need new economic tools to give greater substance and credibility to our commitment to a true economic union. I envisage the treaty as a good step in the right direction” (Taoiseach, Enda Kenny, Fine Gael, 26/4/12).</p>
	Fiscal Compact	YES	<p>“As I repeated before, this country, unfortunately, is in a programme which will continue for two further years. There is nothing in the <b>fiscal compact</b> that affects the figures and structures set out as part of our programme. As Deputy Boyd Barrett is aware, we have had four serious analyses by the troika and have measured up in those, although it has been difficult for our people. When the Deputy speaks about condemning the country to ten years of austerity, the <b>fiscal compact</b> requires countries to reduce their debt to GDP ratio to 60% over the next 20 years, and the formula is to be worked out in respect of each individual country. I remind Deputy Boyd Barrett that far from relying on austerity to do that job, we will rely on export growth potential, which is central to yesterday's jobs action plan. Between 1991 and 2000, our debt increased from €36 billion to €40 billion but our debt to GDP ratio in the same period declined from 95% to 35%; that was not because of austerity but because of strong growth” (Taoiseach, Enda Kenny, Fine Gael, 14/2/12).</p> <p>“The first thing to note is that the elements of the fiscal compact are already European law and we have already signed up to them. The idea that this is new and that we are putting into law something that was not previously part of the European legal framework is incorrect. The compact is consolidating it in a treaty and changing one or two of the mechanisms to make it more enforceable and binding” (Minister of State at the Department of Foreign Affairs and Trade, Lucinda Creighton, Fine Gael, 16/2/12).</p>

External agreements	Unified Patent Court	YES (Treaty signed, no referendum yet)	Fine Gael seeks “Ireland’s participation in the Universal Patent Court” Fine Gael government programme (2016: 154)  “In regard to referendums, the government also intends to hold a referendum on the <b>unified patent court</b> . This follows on an international agreement which will assist business and job creation in Ireland by facilitating cost effective and uniform patent protection throughout the 25 EU Member States through a single patent court, with a local division here in Ireland. The Department of Jobs, Enterprise and Innovation is making the necessary preparations for that referendum” (Taoiseach, Enda Kenny, Fine Gael, 4/11/14).
	Single Resolution Mechanism	YES	“Overall, the general approach reached on the <b>single resolution mechanism</b> was an important step in completing the banking union project. Although the deal is not perfect, an accommodation was reached and this is progress. The important point for me is that the agreement reached will protect taxpayers in cases where banks need to be resolved. This is in welcome contrast to what happened in Ireland where taxpayers were required to shoulder the costs of failed banks. The fundamental objective remains to break the link between the sovereign and the banking sector as agreed by heads of state and governments of the euro area in June 2012” (Taoiseach, Enda Kenny, Fine Gael, 21/1/14).
	EEA	-	“Within the confines of the common travel area and the EU pact not to have any amnesties, we do from time to time have schemes to regularise migrants. The one we had recently was a scheme to regularise people from outside the European Economic Area, EEA, as well as their dependants, who came here on a student visa but became undocumented for one reason or another. That just finished up this year. We regularised 2,000 people under the scheme and it worked well” (Taoiseach, Leo Varadkar, Fine Gael, 12/11/19).  “We always said the joint political declaration on the framework for the future relationship could be amended, for example, if the United Kingdom were to decide to stay in the customs union, align itself closely with the Single Market or join the European economic area, EEA. Today, the responsibility lies in London with the UK government and MPs at Westminster. Unfortunately, despite the best efforts of the European Union, a no-deal outcome is a real possibility” (Taoiseach, Leo Varadkar, Fine Gael, 27/3/19).
	Customs Union	-	“However, the UK has left the EU. At the end of the transition period, the UK will leave the customs union and Single Market. Even the best possible free trade agreement between the EU and UK will impact supply chains and trade flows and result in checks and controls in both directions on EU-UK trade and across the Irish Sea” (Minister for Foreign Affairs and Trade, Simon Coveney, Fine Gael, 7/5/2020).

	Eastern partnership	-	“Leaders also took the opportunity to mark the tenth anniversary of the eastern partnership and agreed that work should proceed on a further set of long-term policy objectives in advance of the next eastern partnership summit. Ireland supports this programme, which has matured in a challenging geopolitical environment, while helping to promote security and prosperity in the region. In advance of the European Council, I hosted an event in government Buildings to mark the anniversary” (Minister of State at the Department of the Taoiseach, Helen McEntee, Fine Gael, 26/6/2019).
	euromed	-	“We continue to give preferred trading status to Israel under the Euromed association agreement. The agreement contains human rights clauses which mean it should be suspended, but we do nothing about it. When will there be sanctions over the systematic, ongoing, unacceptable human rights abuses, including most horribly the systematic abuse of children's rights who are being treated in the most brutal fashion?” (Deputy Richard Boyd Barrett, Solidarity – People before Profit, 9/4/19).

## Appendices

### Appendix 1 Overview of the documents analysed

	Category of document	Analysed documents	Comments
1	Government programmes	2002, 2007, 2009, 2011, 2016, 2017, 2018	The government programmes for all years except 2017 and 2018 were Fine Gael Party programmes
2	First speeches + parliamentary debate	<ul style="list-style-type: none"> <li>6/6/2002</li> <li>17/6/2007</li> <li>7/5/2008</li> <li>9/3/2011</li> <li>6/5/2016</li> <li>14/6/2017</li> </ul>	Nomination debate + acceptance speech in Dail Eireann for all years except 2008 (only nomination debate)
3	Council presidency PM speeches + parliamentary debate a. National Parliament b. European Parliament	<ul style="list-style-type: none"> <li>Dail: 20/1/2004</li> <li>Seanad: 29/1/2004</li> <li>EP: 14/1/2004</li> <li>Dail: 13/2/2013</li> <li>Seanad: 26/2/2013</li> <li>EP: 16/1/2013</li> </ul>	Seanad 2013: Not PM, but Minister Foreign Affairs speech
4	Future of Europe speeches + parliamentary debate a. European Parliament b. Citizen consultation	<ul style="list-style-type: none"> <li>Dail: Minister of Foreign Affairs and Trade (18/4/19)</li> <li>Seanad: Minister of State at Ministry of Foreign Affairs and Trade (12/10/17)</li> <li>EP: PM speech (17/1/18)</li> <li>Citizen consultation: PM speech (15/11/17)</li> </ul>	
5	PM European Council Statements	67 pre- and post-Council statements by PM in Dail (2001-2019)	
6	Parliamentary debates	<ul style="list-style-type: none"> <li>For salience: 1990-2019</li> <li>For position: 2008, 2012, 2017-2019</li> </ul>	The repository includes ALL debates in the Dail Eireann and Seanad, and various parliamentary committees

## Appendix 2 Key words for DI models, mechanisms and instances

General DI	DI Models	
	Different Speed	Different End Points
<ul style="list-style-type: none"> <li>differentiated integration</li> </ul>	<ul style="list-style-type: none"> <li>two-speed Europe/EU</li> <li>multi-speed Europe/EU</li> <li>coalition of the willing</li> </ul>	<ul style="list-style-type: none"> <li>variable geometry</li> <li>core Europe/European core</li> <li>two-tier Europe</li> <li>concentric circles + EU</li> <li>à la carte + EU</li> </ul>
<ul style="list-style-type: none"> <li>future of Europe</li> </ul>		
DI Mechanisms	DI Instances	
<ul style="list-style-type: none"> <li>enhanced co-operation</li> </ul>	<ul style="list-style-type: none"> <li>Rome III</li> <li>unitary patent</li> <li>matrimonial property regimes</li> <li>financial transaction tax</li> <li>European public prosecutor</li> <li>Pesco</li> </ul>	
<ul style="list-style-type: none"> <li>opt-out</li> </ul>	<ul style="list-style-type: none"> <li>Schengen</li> <li>economic and monetary union</li> <li>security and defence policy</li> <li>area of freedom, security and justice</li> <li>charter of fundamental rights</li> <li>social chapter</li> </ul>	
<p>Intergovernmental treaties among EU MS</p> <p>[NO KEY WORD]</p>	<ul style="list-style-type: none"> <li>Prüm convention</li> <li>European stability mechanism</li> <li>fiscal compact</li> <li>unified patent court</li> <li>single resolution mechanism</li> </ul>	
<p>Agreements between EU/MS and third states</p> <p>[NO KEY WORD]</p>	<ul style="list-style-type: none"> <li>EEA</li> <li>customs union + Turkey</li> <li>eastern partnership</li> <li>euromed</li> </ul>	

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With the support of the  
Erasmus+ Programme  
of the European Union

The European Commission supports the EUI through the European Union budget. This publication reflects the views only of the author(s), and the Commission cannot be held responsible for any use which may be made of the information contained therein.