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

The Politics of Differentiated Integration: What do
Governments Want? Country Report – France

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European University Institute

Robert Schuman Centre for Advanced Studies

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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).

For more information: <http://indiveu.eui.eu/>



Integrating
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European Union

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Abstract

This report investigates the politics of Differentiated Integration (DI) in France between 2004 and 2020. It looks at the salience of DI in government discourse, on conceptual grounds and on more concrete references. The report also aims to define the position of the French government (broadly understood as a set of institutional actors) on differentiated integration over time and to assess its stances on specific mechanisms and instances of differentiated integration. It shows that the salience of differentiated integration (DI) has increased over time in France. Notably, Emmanuel Macron engages more than his predecessors with European issues and DI in terms of concepts and models. On the other hand, DI mechanisms are more salient in parliamentary debates, particularly during two EU institutional crises: the 2012 eurocrisis and the 2016-2018 Brexit crisis. In both cases, the emphasis put on enhanced cooperation or opt-outs relates to economic issues. Conceptual references to differentiated integration in political discourse in France are generally neutral or positive. Two factors seem to be shared by all the French presidents: a need for enhanced cooperation on strategic issues (defence, foreign affairs, economic issues) and an emphasis put on Franco-German cooperation. Debates in parliamentary committees on differentiated integration and different models of it reflect a consensual position: DI is desirable, but needs to be debated with caution. To this end, multi-speed Europe is generally connoted negatively, while references to multi-end Europe are more positive. Positions on DI mechanisms follow a pro-European line: the French government (in the broad sense) usually views enhanced cooperation positively and opt-outs negatively. In particular, the French government seems to actively promote enhanced cooperation on economic issues. It is noteworthy that opt-outs are usually associated with a critique of the British influence on European integration.

Keywords

European Integration; Differentiated Integration; France; DI salience and position.

Summary of Results

I. Salience

This report shows that the salience of differentiated integration (DI) has varied over time in France – with an increasing trend. For instance, Emmanuel Macron seems to engage more than his predecessors with European issues and DI in terms of concepts and models, and notably through government programmes and speeches dedicated to EU institutions. On the other hand, DI mechanisms are more salient, in particular in parliamentary debates. The salience peaks of DI mechanisms are associated with two EU institutional crises: the 2012 eurocrisis and the 2016-2018 Brexit crisis. In both cases, the emphasis put on enhanced cooperation or opt-outs relates to economic issues.

II. Position

Conceptual references to differentiated integration in political discourse in France are generally neutral or positive. Notably, all elected presidents have campaigned on some forms of differentiated integration. Two factors seem to be shared by all the presidents (notwithstanding ideological and contextual differences): a need for enhanced cooperation on strategic issues (defence, foreign affairs, economic issues) and an emphasis put on Franco-German cooperation. Debates in parliamentary committees on differentiated integration and different models of it reflect a consensual position: DI is desirable, but needs to be debated with caution. To this end, multi-speed Europe is generally connoted negatively, while references to multi-end Europe are more positive. Positions on DI mechanisms follow a pro-European line: the French government (in the broad sense) usually views enhanced cooperation positively and opt-outs negatively. In particular, the French government seems to actively promote enhanced cooperation on economic issues. It is noteworthy that opt-outs are usually associated with a critique of the British influence on European integration.

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1. Introduction

This report investigates the politics of differentiated integration (DI) in France between 2004 and 2020. In particular, it looks at the salience of differentiated integration in government discourse, whether on conceptual grounds or through more concrete references. The report also aims to define the position of the French government (broadly understood as a set of institutional actors) on differentiated integration over time and to assess its stances on specific mechanisms and instances of differentiated integration.

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 and capacities. Second, the analysis focuses on DI mechanisms. On the one hand, the enhanced cooperation 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 cooperation allows a MS to integrate more than other MSs while ‘opt-outs’ allow a Member State to integrate less than other MSs. Finally, the analysis looks at various instances of differentiated policies and policy fields. A total of twenty-one instances are included in the analysis. They are grouped in four different categories: (a) instances of enhanced 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). The data analysed in this report consist of (1) government programmes, (2) inauguration speeches/Prime Minister vote of confidence speeches and the following debates, (3) Presidents’ speeches in the European Parliament and the following debates and (4) the records of parliamentary committees.

The analysis of salience relies mostly on computer assisted word counting. The assumption is that the more a government talks about DI, the more relevant it is. This analysis is complemented with a close reading of the respective documents in order to detail the references to DI in the presidents’ programmes, government speeches and parliamentary debates. In order to evaluate how much – and in which way – different government bodies refer to DI, we examine a variety of sources, from more general documents (presidential candidates’ government programmes) to more specific ones (extended records of the debates of the Committee for European Affairs of the National Assembly).

While salience gives a good indication of the French government’s emphasis on differentiated integration, it does not fully allow its actual position on the issue to be derived. In order to assess its position on differentiated integration, this report relies on a quantitative overview of the distribution of positive, neutral, and negative statements on differentiated integration, which is followed by a qualitative assessment of the most relevant excerpts in different sources.

Section 2 of this report investigates the salience of DI in the presidential programmes of elected presidential candidates, in notable speeches by presidents and prime ministers (in the French Parliament and in the European Parliament) and in parliamentary committee debates. Section 3 qualitatively examines the positions of government actors on the three levels of DI (concepts, mechanisms, instances). A final section summarises the main results and concludes the report.

2. The salience of differentiated integration

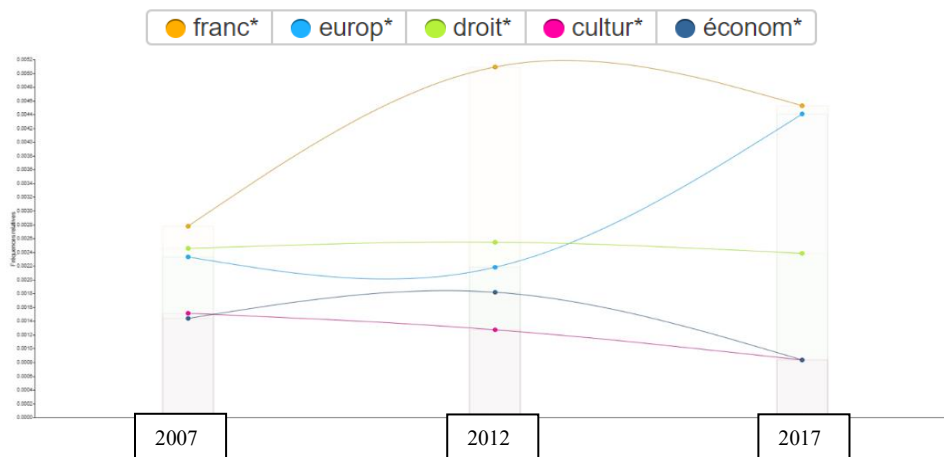
2.1 Presidential Candidate Programmes

The programmes of the candidates in the last three presidential elections (2007, 2012, and 2017) give a first indicator of the salience of DI in French politics. The following analysis covers the extended versions of the programmes of the three elected candidates (Nicolas Sarkozy, François Hollande and Emmanuel Macron).¹ It is noteworthy that the last three presidents cover the political spectrum, respectively representing the mainstream right, the mainstream left and the political centre.

The computer-assisted word count shows only a few direct references (3) to any key words associated with DI models, mechanisms or instances in the presidential programmes. However, a closer analysis of the programmes reveals that all the elected presidents mention forms of differentiated integration. Notably, they always do so in a perspective of proposing that France should initiate and participate in further differentiated integration. For instance, Nicolas Sarkozy called for further multiple “enhanced cooperation” and François Hollande explicitly proposed a renewed Elysée Treaty, while Emmanuel Macron insisted on European defence structured around the “willing countries.” Two factors seem to be shared by all the presidents (notwithstanding ideological and contextual differences): a need for enhanced cooperation on strategic issues (defence, foreign affairs, economic issues) and an emphasis on Franco-German cooperation (see section 3 for a qualitative assessment of these proposals).

Moreover, the computer-assisted word count analysis clearly shows that EU-related issues have different saliences for the three elected presidents. An analysis of broad types of issues in the three presidential programmes shows that the salience of major political (economic, cultural) issues is actually stable across the presidential campaigns (Figure 1). Note that this analysis only applies to the winning candidate (although they represent three different mainstream political parties). In contrast, Emmanuel Macron visibly gave a ‘European turn’ to his successful 2017 campaign.

Figure 1 - The salience of issues in the presidential programmes of the elected candidates (relative word frequencies)



The key words respectively relate to the following issues: France, Europe, law/rights, culture, the economy

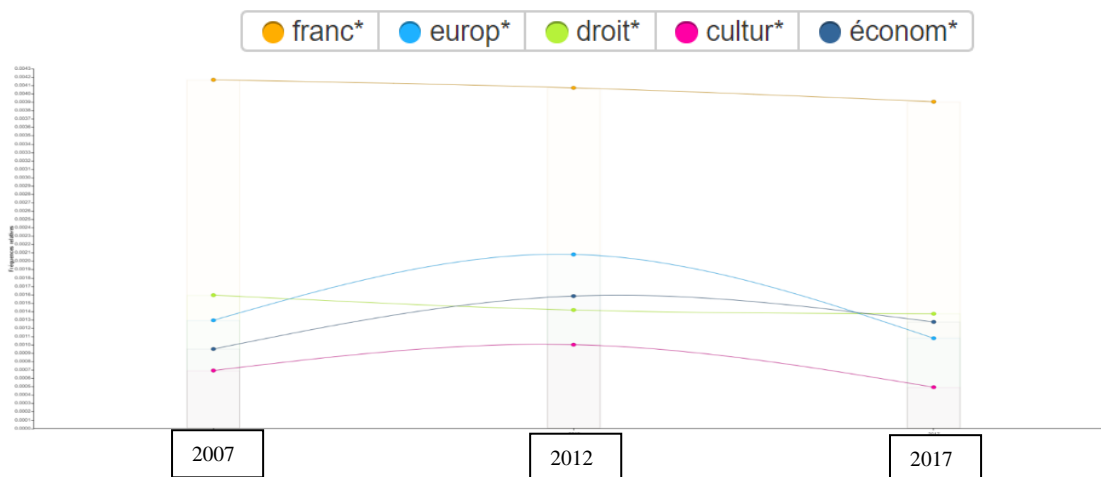
¹ As mentioned in Appendix 1, the sources of the three presidential programmes are similar yet not exactly equivalent. Indeed, the document presenting Sarkozy’s programme is an actual legislative programme (a 70-page document) which was published directly following his election. On the other hand, Hollande and Macron did not publish such documents, and the analysis relies on their detailed campaign programmes (20- to 25-page documents). It is noteworthy that since presidents have always won a parliamentary majority following their election, they have not needed to form a governing coalition, which could have impacted the presidential campaign programme. Both types of documents are therefore equivalent (for a similar procedure, see the *Comparative Manifesto Project* dataset).

2.2 Speeches by Presidents and Prime Ministers

While there are mentions (mainly indirect) of DI models during presidential campaigns, they do not necessarily translate directly into government debates. Figure 2 shows the salient issues in the first declarations by each elected president (formatted short text) combined with the speech by the Prime Minister (leader of the majority in Parliament) when seeking the vote of confidence (including the following debates).² However, the specific DI proposals in the presidential programmes – or any mentions of DI – are not reflected in the speeches and debates immediately following the elections. Surprisingly, the salience of issues in 2007, 2012 and 2017 is stable, indicating that they may be more formalised (if not formatted) debates.

There are naturally more references to EU-related issues in speeches which French presidents give to the European Parliament (Sarkozy in 2008 inaugurating the French presidency of the Union, Hollande in 2013 and Macron in 2018).³ On these occasions, French presidents make direct references to DI mechanisms. In speeches dedicated to EU integration, and in the context of the Brexit crisis, DI is the most salient in Emmanuel Macron’s speeches, whether in the EP or his dedicated speeches (Figure 3).

Figure 2 - The salience of issues in presidents' nomination speeches and prime ministers' vote of confidence speeches

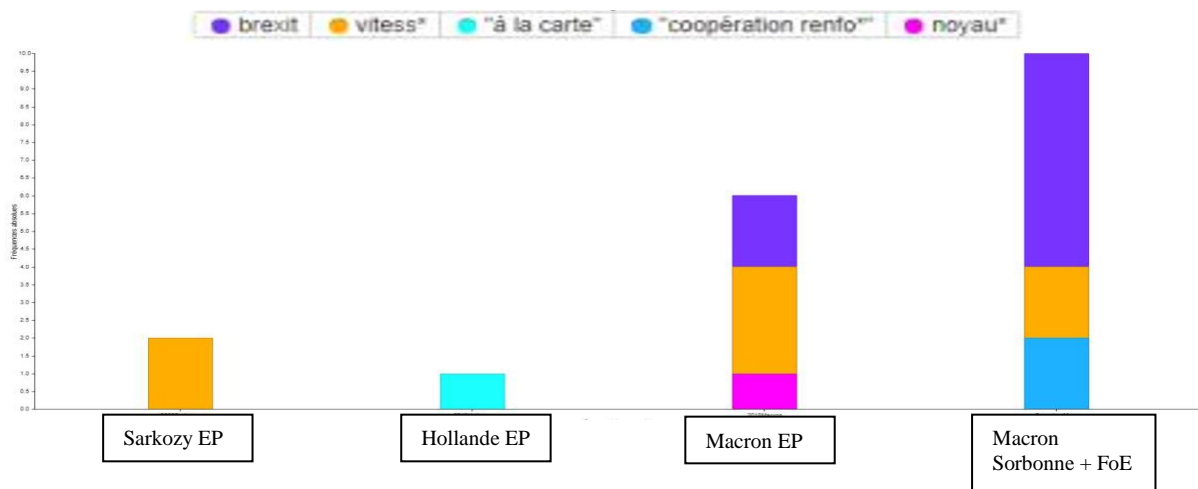


The key words respectively relate to the following issues: France, Europe, law/rights, culture, the economy

² The newly appointed prime minister and his government seek a vote of confidence from the National Assembly after parliamentary elections, which are held about 6 weeks after presidential elections. These speeches and the following debates (in which each parliamentary group explains its vote) are included in this analysis as they provide a much more substantial political agenda for the new majority.

³ French presidents gave three major speeches in the European Parliament in the period 2004-2020. In 2008, Sarkozy’s speech also marked the beginning of the French presidency of the Council of the European Union. In 2018, Macron’s speech was part of the broader debate on the ‘Future of Europe.’

Figure 3 - The frequency of DI references in presidents' speeches in the EU Parliament (and broader EU-related speeches)



The key words respectively relate to the following issues: Brexit, two/multi-speed, enhanced cooperation, core Europe

Overall, DI is not a very salient topic in presidents' (and prime ministers') speeches, whether in the national context or the European context. Most references are directly linked to EU institutional crises, such as the consequences of the French referendum on the Treaty establishing a Constitution for Europe (TCE), the negotiations on the 2012 Fiscal Compact and the Brexit crisis from 2016 onwards. However, it is noteworthy that most mentions of DI – by all three presidents – are generally positive, arguing that France should engage in further integration with other partners (and consistently insisting on further Franco-German cooperation).

2.3 Parliamentary Debates

In order to grasp the salience of DI in terms of models, mechanisms and instances, the remainder of this section focuses on parliamentary debates. The dataset consists of the records of the parliamentary debates of the National Assembly's permanent Commission on European Affairs between 2004 and 2020, covering four different presidential terms (Jacques Chirac 2002-2007, Nicolas Sarkozy 2007-2012, François Hollande 2012-2017 and Emmanuel Macron 2017-2022).⁴ These periods also coincide with important EU-related events: the French referendum on the TCE (2005), EU enlargement (2004 and 2007), the French rotating presidency of the EU (2008) and the 2011-2015 eurocrisis, the 2014-2016 so-called 'refugee crisis' and Brexit debates from 2016 onwards. The following analysis relies on computer assisted keyword counts related to the three levels of DI (models, mechanisms and instances). The parliamentary records cover the almost weekly meetings of the Permanent Commission for European Affairs.⁵ Arguably, the records of the Permanent Commission reflect debates on Europe and

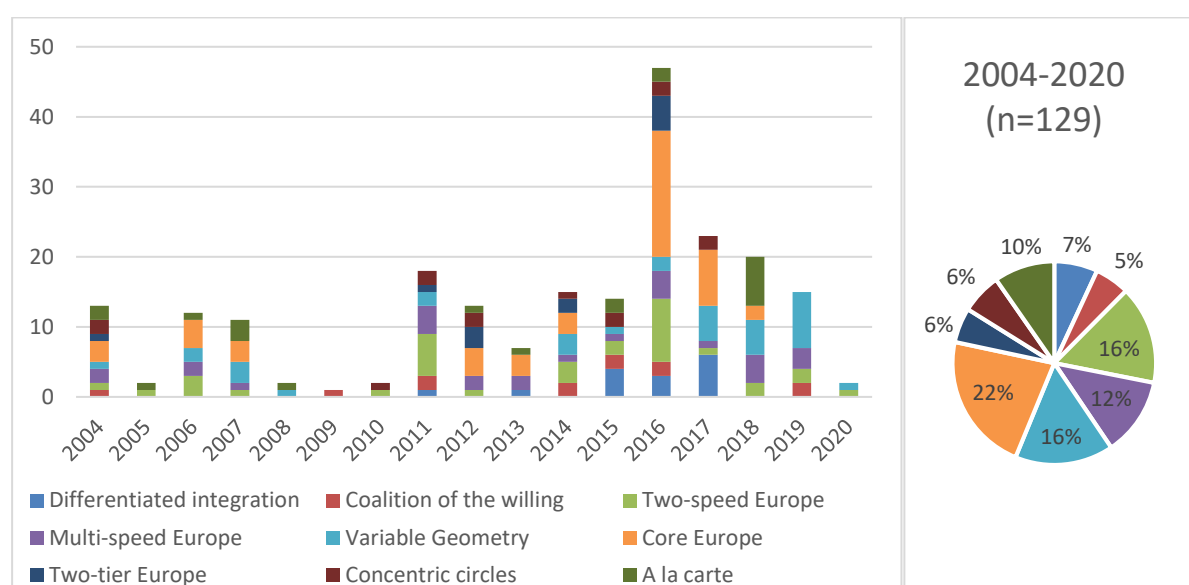
⁴ The Commission for European Affairs was institutionalised as a Permanent Commission of the Lower House (Assemblée Nationale) in 2008 following the constitutional reform initiated by Nicolas Sarkozy. In order to be comprehensive, this analysis also includes the records of the debates of the ad hoc Parliamentary Delegation on European Affairs that pre-existed the Permanent Commission in 2008, which gathered members from both the lower and the upper houses. In three years of the period under scrutiny (2007, 2012, 2017), records of the debate pertain to different political majorities (as legislative elections are held in June).

⁵ Records of all the parliamentary debates of the Permanent Commission on European Affairs were collected for every year. These consist of extensive records of all the meetings of the commission: 2004 (n=39), 2005 (n=44), 2006 (n=40), 2007 (n=34), 2008 (n=55), 2009 (n=51), 2010 (n=47), 2011 (n=51), 2012 (n=36), 2013 (n=81), 2014 (n=70), 2015 (n=66), 2016 (n=72), 2017 (n=36), 2018 (n=52), 2019 (n=41) and 2020 (n=21). The data collection for this report stops at 10/06/2020. The Commission held fewer meetings in 2012 and 2017 as the parliamentary session was shortened due to the presidential

European integration to a greater extent than plenary parliamentary debates – in which European matters are seldom discussed.

At a conceptual level, DI models were mentioned in all the years under scrutiny, although with greatly different frequencies. Over the period, DI concepts were mentioned 129 times in parliamentary debates, which indicates a rather low salience given the thousands of hours of debates (Figure 4). References to the conceptual level of DI vary significantly over time: the mentions are more frequent in the 2010s with a notable peak in 2016. This peak can be almost entirely attributed to debates on the Brexit referendum and the following debates on the terms of the United Kingdom’s withdrawal from the EU.

Figure 4 - The salience of DI in parliamentary debates: conceptual level



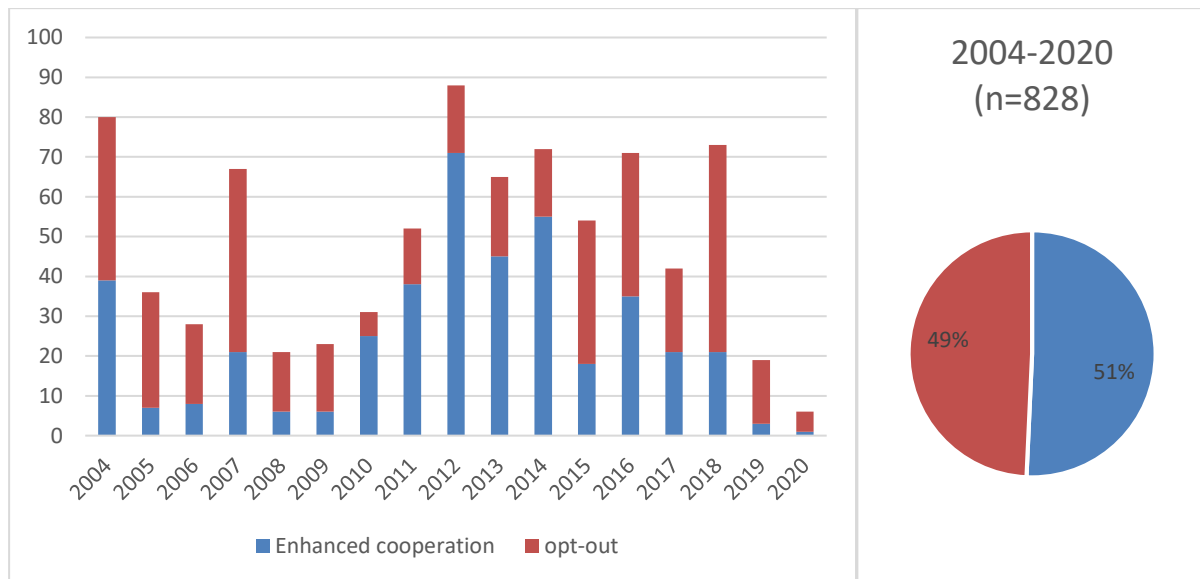
While the conceptual level of DI is not extremely significant in parliamentary debates, references to particular concepts evolved over time. It is noteworthy that the notion of ‘differentiated integration’ itself is not often used in parliament – about 10% of all the mentions of DI models, half of which were in 2017. A variety of DI concepts are employed in parliamentary debates, yet some terms are more frequently used than others. For instance, 22% of the key words in parliamentary debates refer to a ‘core Europe’ and about 16% to the idea of ‘variable geometry.’ The combination of both of these spatial concepts constitutes almost half of the sample, and they were mainly used in the years 2016 to 2018, reflecting the intense debates on the reshaping of the EU following the Brexit vote. During the years dominated by this specific debate (2016-2018), references to DI models were the most frequent⁶ – but they also varied over time (Appendix 3). In 2016 and 2017, the use of concepts was dominated by the idea of defending a ‘core Europe’ and was often associated with ‘variable geometry.’ In the French context this association denotes a rather positive take on DI: particularly ‘core Europe’ is considered to be the group of Member States that constitute simultaneously the historical core of the EU and its possible *avant-garde*. However, in 2018 the mentions of ‘variable geometry’ are more often associated with ‘à la carte,’ which is generally considered negative – and in this case clearly referring to the UK trying to keep some advantages associated with EU integration despite withdrawing from the Union.

and legislative elections. Notably, the Commission for European Affairs held more meetings than usual in the years 2013 to 2016.

⁶ Note that the Commission for European Affairs also convened more often than usual during these years, producing a greater amount of parliamentary records, and therefore mechanically increasing the salience of terms.

The second step in the analysis of the significance of differentiated integration focuses on the salience of DI mechanisms, consisting either of ‘opt-outs’ or ‘enhanced cooperation.’ Both mechanisms consist of internal differentiation but the former implies reduced European integration while the latter implies further integration among some EU Member States. Interestingly, DI mechanisms were debated far more often than conceptual references to DI in parliamentary debates (828 occurrences versus 129). The distribution of references also clearly shows that such references occurred particularly between 2012 and 2018 (Figure 5).

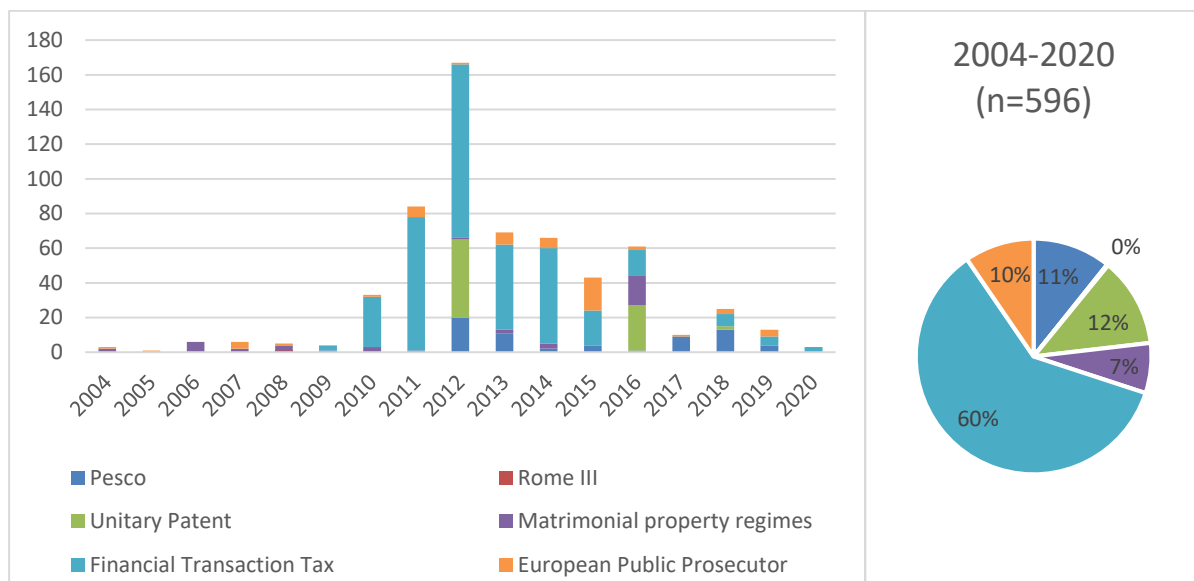
Figure 5 - The salience of DI mechanisms in parliamentary debates (enhanced cooperation/opt-outs)



Interestingly, while the salience varies over time, a breakdown of DI mechanisms between 2004 and 2020 shows that ‘opt-outs’ and ‘enhanced cooperation’ were overall discussed equally in parliamentary debates. However, this distribution evolved depending on the year and the political context. In both the years when DI mechanisms were the most salient (2004 and 2016), opt-outs and enhanced cooperation were discussed equally. However, in specific contexts negative and positive aspects of DI are mentioned with more or less emphasis. For instance, in 2012, while President Hollande was trying to renegotiate the Fiscal Compact, the Commission on European Affairs essentially debated forms of enhanced cooperation (this also applies to 2014 when the Commission was reviewing the proposed mechanisms). In 2018, as the consequences of Brexit dominated debates in the parliamentary committee, it inversely mostly dealt with with opt-outs. Notably, from 2008 opt-outs were consistently mentioned in relation to the UK (although with far less salience). As a matter of fact, the key phrase ‘opt-out’ was literally transcribed in the records on several occasions to insist on its association with the UK (English words are otherwise usually translated in the official records of parliamentary debates). Other mentions of ‘opt-outs’ in 2008 could also be less political but instead marked by the particular agenda of the committee that year. Indeed, in two instances the Commission for European Affairs received foreign delegations, from the Danish and the Finnish parliaments – and most references to DI opt-out mechanisms actually descriptively referred to these countries (Appendix 4).

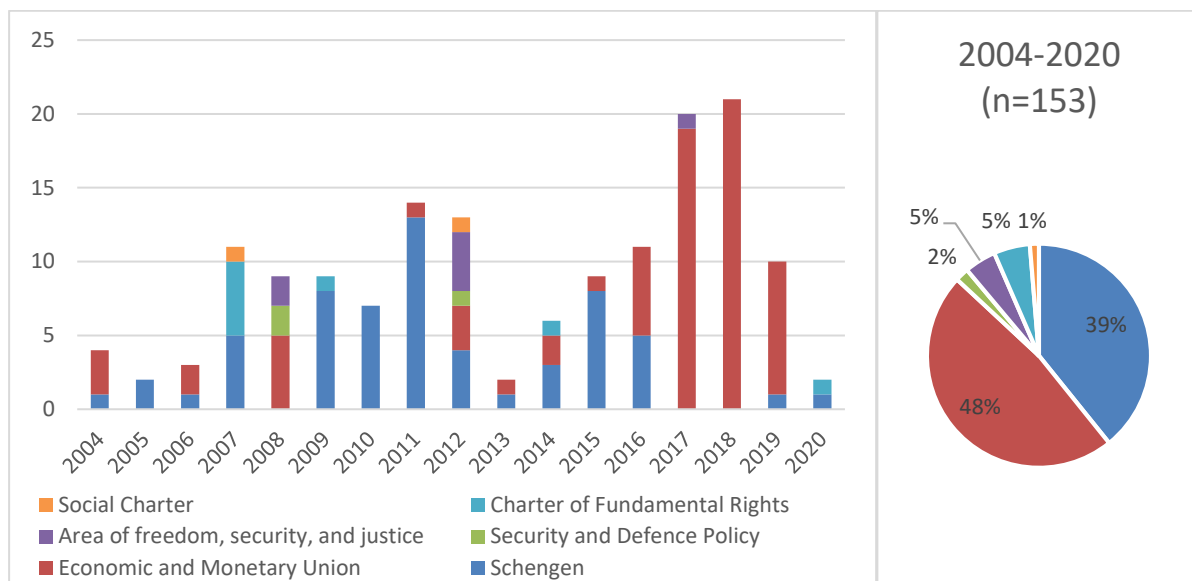
Regarding DI instances more specifically, the distribution of references to ‘enhanced cooperation’ confirms a 2012 peak linked to the eurocrisis (Figure 6). Indeed, almost 30% of the mentions of enhanced cooperation occurred in 2012. Overall, about 60% of these mentions pertain to the same DI instance: the Financial Transaction Tax, confirming the importance of the eurocrisis in the mentions of this DI mechanism – and the twist that the socialist parliamentary majority tried to put on the agenda.

Figure 6 – Saliency of instances of enhanced cooperation



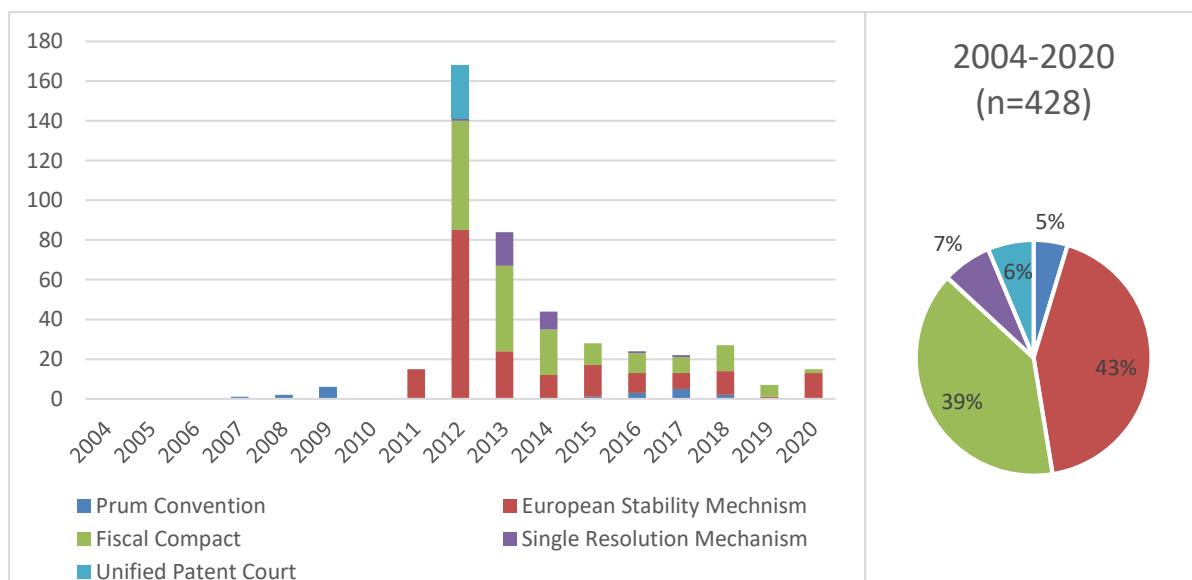
In contrast to mentions of enhanced cooperation, the saliency of opt-out instances is not as unevenly distributed over time, despite a higher saliency between 2016 and 2018, which was directly and indirectly related to debates on Brexit (Figure 7). However, the vast majority of references to particular instances of opt-outs pertain to the Economic and Monetary Union, and half of these actually mention VAT derogations in particular countries. In the parliamentary records, many of these mentions are descriptive and informative accounts of DI instances. However, some references are more political and generally concern opt-out instances directly pertaining to Brexit (2016-2018). However, debates on opt-outs were also indirectly influenced by Brexit, as in 2018 the Commission on European Affairs scheduled a lengthy discussion on fishing regulations and the specific question of derogations of access to waters by French and British fishermen. When dealing with opt-out instances, an emphasis in debates on economic issues is evident. About half of the opt-out policy fields deal with the Economic and Monetary Union (EMU), particularly in 2017-2018. References to other opt-out instances, such as Schengen, are, however, more evenly distributed over time.

Figure 7 – Salience of opt-outs policy fields



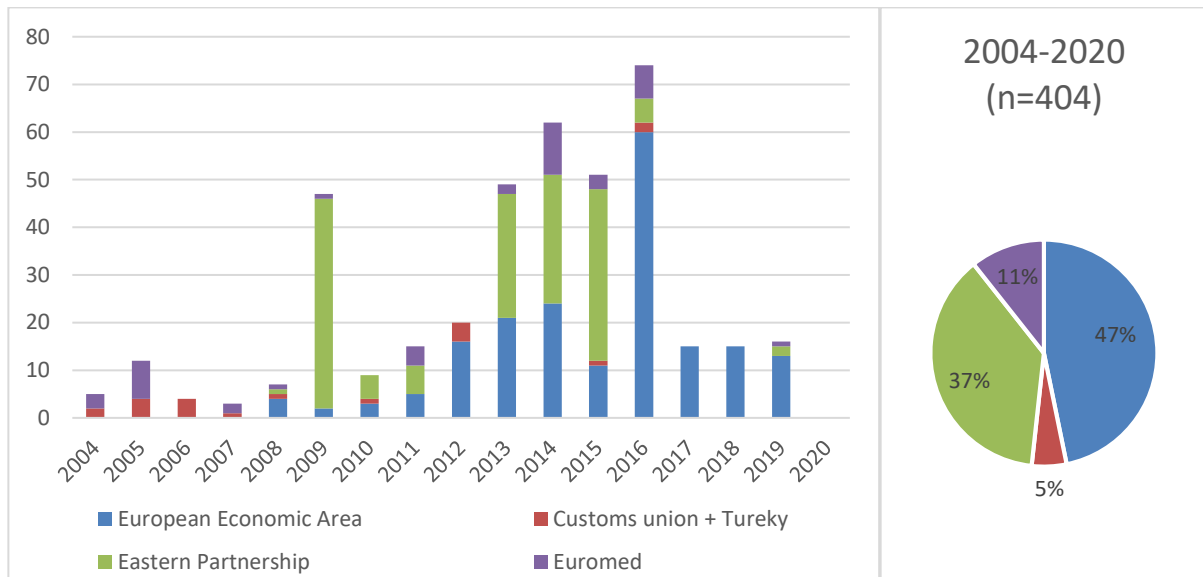
Beyond instances of internal DI, the parliamentary debates also referred to instances of external DI such as inter se agreements and association agreements. The instances of external DI are even more concentrated than those of internal DI: about 40% of the mentions in parliamentary debates occurred in 2012 (Figure 8). Two further key phrases make up most of the mentions of external DI: the ‘European Stability Mechanism’ (43%) and the ‘Fiscal Compact’ (39%). These two instances of DI were mostly debated in the midst of the financial crisis. Indeed, this trend reflects Hollande’s campaign pledge to “renegotiate” the Stability and Growth Pact. As a result, an additional chapter was added to the Fiscal Compact, a “Compact for Growth and Jobs,” and both were discussed and ratified simultaneously in the French Parliament on this occasion. Indeed, as 2012 marked the peak of the eurocrisis, both external DI instances were largely debated in the Commission for European Affairs – and to a lesser extent in 2013 (Appendix 5). In the same year, however, the parliamentary committee also debated the Unified Patent Court, which was reformed in 2012 (and therefore not discussed in any other year).

Figure 8 - Salience of inter se agreements



As a final step, key words associated with external association agreements were counted. The salience of external agreements is comparable to that of inter se agreements in parliamentary debates – both types were mentioned about 400 times between 2004 and 2020 (Figure 9). Regarding external integration agreements, two trends are noteworthy: mentions are somewhat concentrated between 2013 and 2016 (58% of the mentions) and they overwhelmingly pertain to the European Economic Area. This reflects the more general trend that DI instances debated in the Commission on European Affairs overwhelmingly dealt with economic issues.

Figure 9 - Salience of external association agreements



3. The governments' positions on DI

The following section focuses on the actual positions of different French government actors on DI. While salience gives a good indication of the emphasis that presidents and parliamentary committees put on DI, it does not allow their actual positions on the issue to be derived. In order to assess the French government's position on DI, this section relies on a quantitative overview of the distribution of positive, neutral and negative statements on the concepts and mechanisms of DI, which is followed by a qualitative assessment of the most relevant excerpts at all the different levels of DI (conceptual, mechanisms, instances). This analysis relies on both the presidential programmes of the winning presidential candidates, their speeches in the European Parliament (and two relevant speeches on European institutions by Emmanuel Macron in 2017 and 2018) and the records of the Permanent Commission on European Affairs of the National Assembly for the years 2004-2020 (see the first section for the data description).

3.1 Positions on models of differentiated integration

As was highlighted in the salience analysis, the concept of differentiated integration itself is not widely used in political discourse in France. However, it is notably almost never mentioned in a negative way (Figure 10). In particular, all the elected presidents seem to favour forms of differentiated integration, although not by necessarily making direct references to the concept.

Figure 10 - Position on Differentiated integration

(n = 15)	Negative	Neutral	Positive
Position	1	11	3

Whether during presidential campaigns or in parliamentary debates, positions on multi-speed Europe and multi-end Europe differ (Figures 11 and 12). Indeed, multi-speed Europe is generally viewed more negatively. In general, the idea of a multi-end Europe seems to be relatively accepted by the different political actors, and particularly so during the Brexit debate. It is notable, however, that the concept of European integration ‘à la carte’ is not usually considered positively – as it implies that some Member States engage in ‘cherry-picking’ European policies that are only beneficial to them but at the expense of European solidarity. As was highlighted in the analysis of salience, the concept of ‘core Europe’ is the positive equivalent of multi-end Europe, showcasing a group of Member States that should constitute the avant-garde of European integration. This concept was also used by government actors to express the need to protect the integrity of the EU. For instance, 18 mentions of the concept of core Europe in 2016 were rather positive and defensive: EU integration should be defended in the context of Brexit. This position of defending a core Europe amid political and economic turmoil was even more explicit in the positions of members of parliament (see the next section).

Figure 11 - Position on multi-speed Europe (two speed + multi speed)

(n = 61)	Negative	Neutral	Positive
Position	20	21	20

Figure 12 - Position on multi-end Europe (two-tier + à la carte)

(n = 33)	Negative	Neutral	Positive
Position	7	10	16

3.1.1 Presidential Programmes

The qualitative analysis of the presidential programmes confirms that only Nicolas Sarkozy made direct references to DI in his extensive “government pact.” Sarkozy’s European programme echoes the context of 2007, namely the rejection of the Treaty establishing a Constitution for Europe (TCE) by French citizens in a referendum in 2005. Consequently, most of Sarkozy’s proposals for the EU depend on reaching an EU-wide “*institutional agreement*” based on the claimed consensual aspects of the TCE: a stable presidency of the Union, a High Representative for Foreign Affairs, an extension of qualified majority voting and, importantly, the possibility of “*enhanced cooperation mechanisms*.” The negative referendum on the TCE had split all the mainstream parties in France – and it is not easy to establish the genuine political consequences of the 2005 vote in party politics. However, political elite members on both sides of the political spectrum evolved on the question of EU integration following the referendum. Rather than major treaties and ambitious constitutions, all the parties argued for practical and more concrete cooperation. Nicolas Sarkozy’s 2007 programme spells out such mechanisms very explicitly: “*Institutional mechanisms that govern the EU should not prevent those who want to integrate further. Reinforced cooperation, or specific treaties, should allow the willing countries to engage in specific European policies which are adapted to their concerns.*”⁷

⁷ “Enfin, les mécanismes institutionnels qui régissent le fonctionnement de l’Union européenne ne doivent pas empêcher ceux qui veulent avancer plus vite de le faire. Des coopérations renforcées ou des traités spécifiques doivent permettre aux pays volontaires d’engager des politiques communes particulières répondant à leurs préoccupations.” UMP Contrat de Législature, 2007.

François Hollande's presidential programme was also largely shaped by the European political context. Indeed, his programme pledged that ratification by France of the EU Fiscal Compact should be conditioned on an additional "Growth Pact." While most of the EU-related section of the programme was dedicated to influencing the economic role of EU institutions, Hollande's programme mentioned two additional DI proposals. First, Hollande claimed that he would further integrate by signing a new Franco-German treaty on the occasion of the 50th birthday of the Elysée Treaty. On the other hand, his last proposal aimed to catch up with EU integration where France was lagging behind, notably by ratifying the European Charter for Regional or Minority Languages (signed in 1992 – but which remained unratified in 2020).

Finally, Emmanuel Macron promoted the most pro-EU presidential programme of all the candidates in the 2017 presidential election – and also when compared to previous presidential campaigns. In particular, Macron mentioned enhanced cooperation in terms of defence and security. His pledge for further integration on these issues was actually two-tiered: *"constructing a European Defence in partnership with Germany and associating other willing European Member States through a European Defence Fund aimed at financing military equipment and a permanent European Headquarters."*⁸

The debates in parliamentary committees on differentiated integration, and different models of it, also reflect this consensual position: DI is desirable, but it is debated with caution. In general, the concept of multi-speed Europe was debated carefully, if not negatively. While a few members of parliament (MPs) considered it a necessary option, many remained descriptive about it (the term has long been negatively connoted, and multi-speed Europe was often considered a failure of European integration). Positions on a multi-end Europe are more consensual and, interestingly, they seem to be stable over time and across ideological lines. For instance, in 2017 Danielle Auroi, President of the Commission on European Affairs, declared *"The protective Europe I envisioned will be stronger with 27 Members. It would have been stronger with 28 members. But on certain topics, on which the Union is stuck today, it is inevitable to form a core of European states which want to go further – a Europe of pioneers. These choices will have important implications for common institutions, which operate as of now on the principle of representation of every Member State."*⁹ While a multi-end Europe was supported by pro-European MPs (such as Green member Auroi – a staunch pro-European MP), the principle was also accepted, if not desired, by more Eurosceptic MPs. For instance, conservative Eurosceptic MP Jacques Myard declared in 2008 that *"it is more than time to re-focus on Europe's traditional missions – economic competition, industrial policies, the CAP and maybe immigration – and at the same time to stop going against subsidiarity, by favouring healthy and strong cooperation, but 'à la carte'."*¹⁰

While DI seemed to be conceptually accepted, many of its supporters warned about the possible negative setbacks of a European integration that could be "too differentiated." First, Danielle Auroi (2017) highlighted the political risk of DI for some Member States which might feel left behind: *"A Europe of 'concentric circles' is not immune to risks of fragmentation and division. (...) a major challenge would be to make central European countries understand that they are destined to belong to the first circle. A fear of not belonging to the 'core of Europe' also exists in some southern European countries, and we need to be attentive not to generate a feeling of exclusion – I think about our Greek*

⁸ "Nous proposerons avec l'Allemagne une Europe de la défense, associant les pays volontaires, en créant un Fonds européen de défense qui financera les équipements militaires communs et un Quartier général européen." Programme, Emmanuel Macron, 2017.

⁹ "L'Europe qui protège que j'appelle de mes vœux sera plus forte à Vingt-Sept. Elle aurait été encore plus forte à Vingt-Huit. Mais sur certains sujets, sur lesquels l'Union peine aujourd'hui à avancer, il semble aujourd'hui inéluctable de former un noyau-dur d'États voulant aller plus loin – l'Europe des avant-gardes. Ces choix auront des implications très fortes sur nos institutions communes, qui fonctionnent actuellement sur le principe de la représentation de tous les membres de l'Union." (Danielle Auroi, President of the Commission for European Affairs, 21/02/2017).

¹⁰ "Il est plus que temps de se concentrer sur les missions traditionnelles de l'Europe, la concurrence, la politique industrielle, la PAC, peut-être l'immigration, tout en cessant de bafouer la subsidiarité et en privilégiant une saine coopération forte mais à la carte." (Jacques Myard, Commission for European Affairs, 05/02/2008).

friends, among others.”¹¹ In addition to the political risks associated with a ‘core Europe’ integrating further, the debates on multi-end Europe also highlighted the risk of some Member States gradually retreating from EU institutions. This was made clear by State Secretary for Foreign and European Affairs Jean-Baptiste Lemoyne in 2018: “*In any case, we do not want ‘cherry picking’ to become the rule – it is an English term – that is participation ‘à la carte’ in the common market.*”¹² This last reference articulated the general position of French officials on DI models and DI mechanisms – with enhanced cooperation usually being seen positively and opt-outs negatively, particularly when linked to the Brexit debate.

3.2 Positions on differentiated integration mechanisms

In general, the analysis of positions on DI mechanisms follows a pro-European line: the French government (in the broad sense) usually views enhanced cooperation positively and opt-outs negatively. It is noteworthy that the latter are usually associated with a critique of British influence on European integration, and this was already before the Brexit debate. This negative position on EU opt-outs was well summarised by former president Valéry Giscard d’Estaing in his hearing with the Commission on European Affairs in 2008. When asked about the differences between the TCE (which he partly initiated) and the Lisbon Treaty, he explicitly stated “*It is noteworthy that 50% of the proposed changes correspond to concessions made to the British, and that requests for exemptions and opt-outs are dramatically on the rise, chiefly coming from the UK, Poland and to a lesser degree Ireland.*”

Figure 13 - Position on "opt-outs"

(n = 182)	Negative	Neutral	Positive
Position	69	98	15

It is noteworthy that the term ‘opt-out’ itself (in the English language) was usually used to describe the situation of other countries, and was generally politically negatively charged, whereas in most debates, especially when dealing with France, the technical term ‘derogation’ was preferred. For instance, in 2008 conservative health minister Xavier Bertrand summed up the position of the French government on opt-outs clearly before the Commission for European Affairs: “*regarding opt-outs, it is evident that France will not seek them. However, France will not prejudge what other Members States decide.*”¹³ Interestingly, six years later and in a different context, the socialist minister of finance stated an almost identical position: “*(...) not ask any derogation for France, or any suspension, or any exception to the rules. The Fiscal Compact in place today is far less stupid than the previous versions, it already includes some flexibilities.*”¹⁴ The technical use of ‘derogations’ is, however, also largely influenced by the Brexit context, notably in 2018 in an intense and conflictual debate on fishing ‘derogations.’ In this debate, MP Jean-Pierre Pont expressed the most negative opinion about derogations as rapporteur of the debate: “*To*

¹¹ “L’Europe des ‘cercles concentriques’ n’est pas exempte de risques de fragmentation et de division. (...) la difficulté de parler de ‘cercles concentriques’ sera de faire comprendre aux pays d’Europe centrale qu’ils ont vocation à faire partie de ce premier cercle. La peur de ne pas faire partie de ce ‘noyau dur’ existe également dans certains pays du Sud, et il faudra être très vigilant pour ne pas créer de sentiment d’exclusion – je pense à nos amis grecs entre autres.” (Danielle Auroi, President of the Commission for European Affairs, 21/02/2017).

¹² “Dans tous les cas, nous ne souhaitons pas que s’installe ce qu’on appelle le cherry picking – formulation anglaise signifiant ‘cueillette des cerises’ – c’est-à-dire une participation à la carte au sein du marché intérieur.” (Jean-Baptiste Lemoyne, Deputy Minister for European Affairs, 15/03/2018).

¹³ “Sur l’opt-out, il est évident que la France ne le sollicitera pas. Mais elle n’a pas à préjuger de ce que choisiront les autres Etats membres.” (Xavier Bertrand, Health Minister, (04/06/2008).

¹⁴ “Michel Sapin, dit d’ailleurs lui-même qu’il ne demande pour la France aucune dérogation, aucune suspension, aucune exception aux règles. Le pacte de stabilité et de croissance aujourd’hui en vigueur est de ce point de vue beaucoup moins stupide que les textes qui l’ont précédé: il prévoit plusieurs types de flexibilités.” (Michel Sapin, Minister of Finance, 14/10/2014).

conclude (...) I will provide my personal analysis. The European Commission not only offers to keep the current derogation system, but even worse, it now envisions extending it! How can we explain this stubbornness? In my opinion, it is sadly evident that the Commission is seeking to confirm the non-compliance of the Netherlands.” Overall, the positions of most government actors on opt-outs were consistent: the French government (and parliament) was not keen on asking the Commission for opt-outs. In the records of parliamentary debates, there is only one instance in 2004 in which the (conservative) government formulated an explicit request for an opt-out, on regulation 2003/96/CE on a specific tax on fuel. Additionally, there is no obvious difference between the government and the opposition regarding the issue of opt-outs: ministers from all the mainstream parties were reluctant to seek any form of European derogation.

In terms of enhanced cooperation, the French government tended to take a much more positive position. Indeed, enhanced cooperation was often considered the most suitable way to circumvent EU-wide deadlocks in order to achieve further integration, and very often advance French interests. This is particularly evident when it comes to economic issues. For instance, the 2012 eurocrisis generated an intense debate on the regulation of EU tax systems, and notably on a Financial Transaction Tax. On this occasion, MP Pierre Forgues, co-rapporteur in the Commission on European Affairs and member of the conservative opposition party, consensually joined the efforts of the socialist majority in the context of an EU-wide deadlock: *“In these circumstances, and naturally without rushing events, it is clearly indicated to push for enhanced cooperation as the conditions are gathered.”*

While enhanced cooperation on economic issues was generally viewed positively, the position tended to be much more sceptical, if not negative, when it concerned other issues, such as justice, fundamental rights and asylum. Such a sceptical position was well expressed by MP Jean-Louis Bourlanges (MEP for 18 years and former chair of the EP Committee on Civil Liberties, Justice and Home Affairs). In a debate on the European Legal Arena (tied to Schengen), and particularly on the question of the European Prosecutor, he asked *“Since mutual recognition implies mutual trust, shouldn’t we then have to follow a logic of enhanced cooperation? When faced with partners, such as Hungary or others, facing situations of ideological secession with regard to legal principles, will we be able to face such discrepancy?”*¹⁵ The MP expressed here a reluctance regarding enhanced cooperation when it was at the expense of core principled European issues (i.e. letting some Member States stay out of enhanced cooperation mechanisms which were considered to deal with core European values). In general, mentions of opt-out mechanisms outside economic issues usually pertained to Member States that were “dragging behind.” This was largely the case for mentions of the Schengen Convention (parliamentary debates on outsiders like Ireland in 2007 and Bulgaria and Romania in 2011). During the years in which the Schengen Convention was the most salient (2009-2011 and 2013-2015), it was mostly debated from a reformist and integrationist perspective – mentions are always linked to words such as ‘reform,’ ‘protect’ and ‘develop.’ In fact, this position on the Schengen Convention was shared by both the majority in government and the opposition: *“It is urgent to reform Schengen, as it is now clearly flawed, and on this point both the right and the left converge”*¹⁶ (Pierre Lequilleur, conservative Member of Parliament in 2014).

3.3 Positions on instances of differentiated integration

As mentioned before, most mentions of specific DI instances in parliamentary debates pertained to economic issues, and they generally aimed at furthering economic cooperation. This is notably the case

¹⁵ “À partir du moment où la reconnaissance mutuelle suppose, comme vous le dites, la confiance mutuelle, cela ne doit-il pas nous conduire à suivre plutôt une logique de coopération renforcée? Si nous sommes face à des partenaires comme les Hongrois ou d’autres, aux prises avec une situation de sécession idéologique par rapport aux principes juridique qui sont les nôtres, le grand écart sera-t-il gérable ?” (Jean-Louis Bourlanges, Commission for European Affairs, 28/11/2018).

¹⁶ “Il est urgent de reformer Schengen, le fonctionnement de Schengen est defectueux, Gauche et droite se retrouvent pour le dire.” (Pierre Lequilleur, Commission of European Affairs, 20/06/2014).

in the intense debates on the Fiscal Compact (2012-2013), and to a lesser extent on the European Stability Mechanism. In these debates, opt-outs in such DI instances were viewed negatively by all government actors. Indeed, the Commission for European Affairs tended to closely monitor – and sometimes criticise – all derogations in DI instances, whether they related to inter se agreements or to external cooperation. While the latter are generally conceived as positive steps, they are often considered carefully. Indeed, MPs often express caution about external forms of DI as they could eventually hinder the EU's policies and further integration. This balanced position on DI was well articulated by Commission president Danielle Auroi when she summarised the position on Brexit: *“You consider that it could be possible, with Brexit, to clarify the relation between the ‘two Europes’: on the one hand, by making the European Economic Area the institutional frame for managing the common market – and it is logical – and on the other hand by realigning the EU with the eurozone, creating a core of countries which want to integrate further.”*¹⁷

4. Conclusion

This report has shown that the salience of differentiated integration has varied over time in France – with an increasing trend. All elected French presidents have supported the concept of DI, and in particular some specific mechanisms, whether during election campaigns or in government speeches. Despite their ideological differences and political contexts, Nicolas Sarkozy, François Hollande and Emmanuel Macron openly supported the need for enhanced cooperation on strategic issues (defence, foreign affairs, economic issues), and they all emphasised Franco-German cooperation (which is always considered one of the most important aspects of European integration). Debates in parliamentary committees on differentiated integration, and its different models, reflect a consensual position: DI is desirable, but needs to be debated with caution. To that end, multi-speed Europe is generally negatively connoted, while references to multi-end Europe are more positive. Positions on DI mechanisms follows a pro-European line: the French government (in the broad sense) usually views enhanced cooperation positively and opt-outs negatively. Notably, the Brexit debate (but also previous discussion of the United Kingdom's influence in the EU) has made this line of argument more salient.

¹⁷ “Vous considérez qu’il pourrait être possible, avec le Brexit, de clarifier les relations entre les ‘deux Europe’: d’un côté, en faisant de l’Espace économique européen le cadre institutionnel pertinent pour la gestion du marché intérieur – cela paraît assez logique – et, de l’autre, en réalignant la zone euro avec l’Union européenne, ce qui formerait un noyau de pays qui veulent aller plus loin.” (Danielle Auroi, 14/12/2016).

Appendices

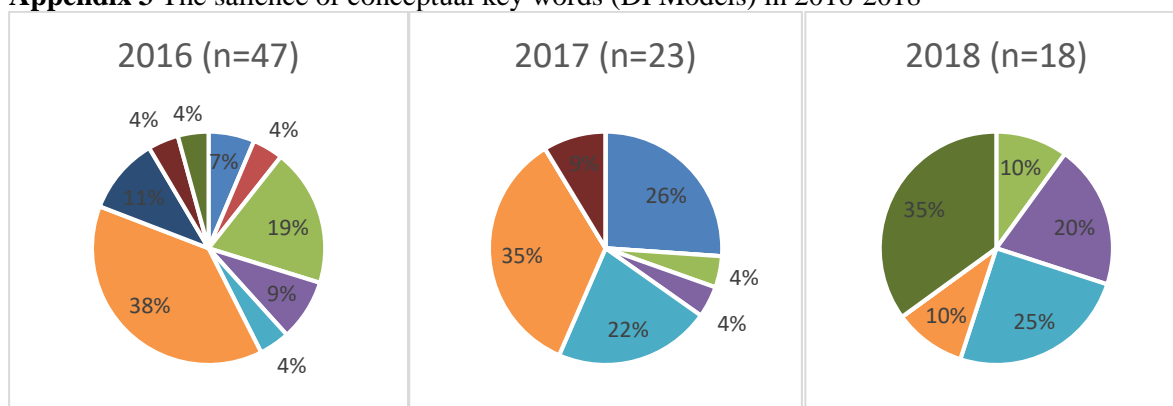
Appendix 1 Overview of the documents analysed

	Category of document	Documents analysed	Comments
1	Presidential programmes	2007 (Sarkozy), 2012 (Hollande), 2017 (Macron)	Sarkozy's party provided the legislature with a parliamentary roadmap (following his election), while Hollande and Macron's programmes are based on extensive campaign material
2	Inauguration speech (president) + Vote of confidence (Prime Minister) and parliamentary debate	<ul style="list-style-type: none">• May-July 2007• June-July 2012• May-July 2017	Presidents' inauguration speeches are short and formatted – Prime Ministers' speeches for votes of confidence are exhaustive political programmes followed by parliamentary debates
3	Presidents' speeches in the European Parliament + parliamentary debate	<ul style="list-style-type: none">• Sarkozy 07/10/2008• Hollande 02/05/2013• Macron 17/04/2018 (Future of Europe)• Macron's Sorbonne speech 26/09/2017	Sarkozy's initial declaration to the PE also marked the beginning of the French presidency of the Council.
4	Parliamentary committee debates	<ul style="list-style-type: none">• For salience: 2004-2020 (up to 10/06/2020)• For position: 2008, 2012, 2017-2019	The repository includes minutes of the (at least weekly) sessions of the National Assembly's permanent Commission on European Affairs

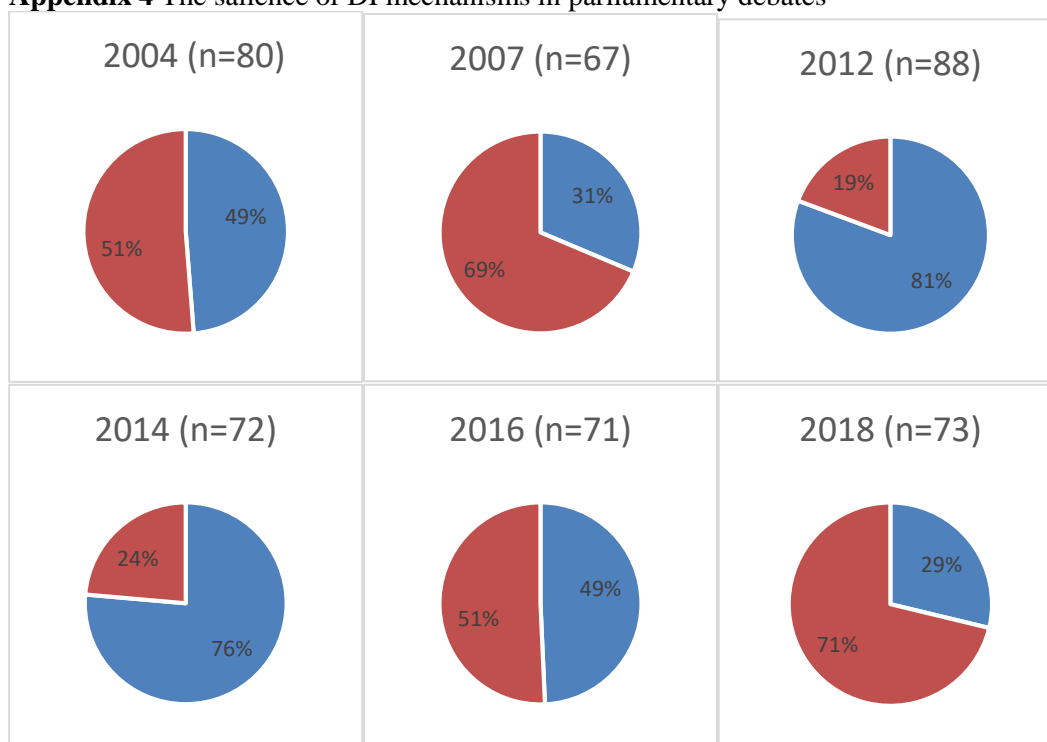
Appendix 2 differentiated integration key words and French translations

	Keyword	French Translation
DI models (conceptual key words)	Differentiated integration	<i>Intégration différenciée</i>
	Coalition of the willing	<i>(Coalition des) Pays volontaires</i>
	Two-speed Europe	<i>Europe à deux vitesses</i>
	Multi-speed Europe	<i>Europe à plusieurs vitesses</i>
	Variable geometry	<i>Géométrie variable</i>
	Core Europe	<i>Noyau européen/Europe-noyau, Noyau dur</i>
	Two-tier Europe	<i>Europe à plusieurs niveaux/multi-niveaux</i>
	Concentric circles	<i>Cercles concentriques</i>
	à la carte	<i>à la carte</i>
DI mechanisms	Future of Europe	<i>Futur de l'Europe</i>
	Enhanced cooperation	<i>Coopération renforcée</i>
DI instances – enhanced cooperation	opt-out	<i>opt-out/déroptions</i>
	Pesco	<i>Pesco/CSP/Coopération Structurée Permanente</i>
	Rome III	<i>Rome III</i>
	Unitary patent	<i>Brevet Unitaire</i>
	Matrimonial property regimes	<i>Régime matrimonial</i>
	Financial Transaction Tax	<i>Taxe sur les Transactions Financières</i>
	European Public Prosecutor	<i>Procureur européen</i>
DI instances – opt-out policy fields	Schengen	<i>Schengen</i>
	Economic and Monetary Union	<i>Union Economique Européenne/UEM</i>
	Security and Defence Policy	<i>Politique de Sécurité et de Défense</i>
	Area of Freedom, Security and Justice	<i>Espace de liberté, de sécurité et de justice</i>
	Charter of Fundamental Rights	<i>Charte des droits fondamentaux</i>
	Social Charter	<i>Charte Sociale Européenne</i>
DI instances – inter se agreements	Prüm Convention	<i>Traité de Prüm, decision de Prüm</i>
	European Stability Mechanism	<i>Mécanisme Européen de Stabilité/MES</i>
	Fiscal Compact	<i>Pacte Budgétaire Européen/Traité sur la Stabilité, la Coordination et la Gouvernance/TSCG</i>
	Single Resolution Mechanism	<i>Mécanisme de Résolution Unique/MRU</i>
	Unified Patent Court	<i>Juridiction Unifiée du Brevet</i>
DI instances – external agreements	European Economic Area	<i>Espace Economique Européen/EEE</i>
	Customs Union + Turkey	<i>Union Douanière + Turquie</i>
	Eastern Partnership	<i>Partenariat Oriental</i>
	Euromed	<i>Euromed</i>

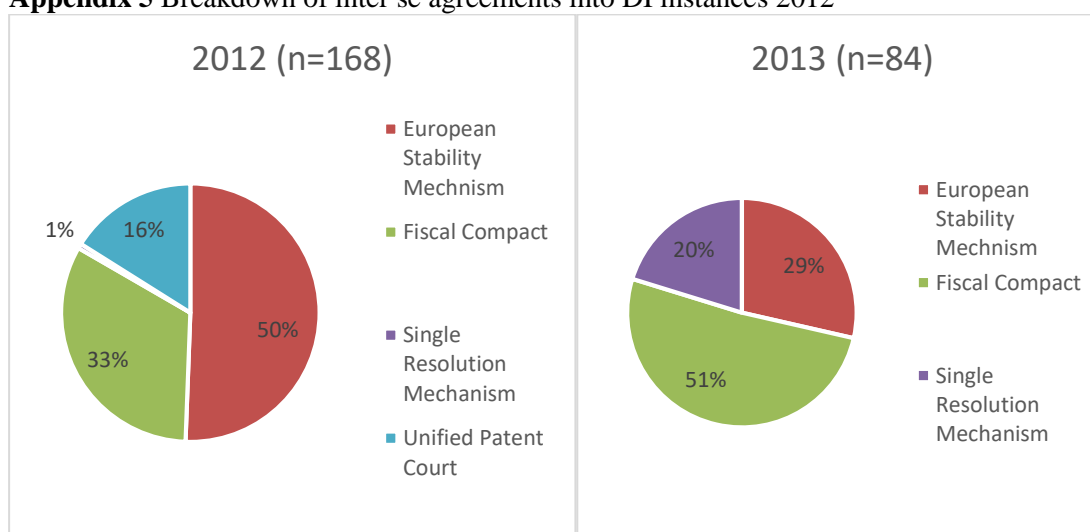
Appendix 3 The salience of conceptual key words (DI Models) in 2016-2018



Appendix 4 The salience of DI mechanisms in parliamentary debates



Appendix 5 Breakdown of inter se agreements into DI instances 2012



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