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Integrating Diversity in the European Union
(InDivEU)

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**Design principles for efficient and legitimate
differentiated integration schemes**

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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/>



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Abstract

Despite a considerable scholarly interest in differentiated integration (DI) as a design option, the literature on the topic is fragmented and unsystematic. The present paper fills this gap by developing a novel analytical framework to inform the assessment and design of international integration schemes based on seven evaluative criteria (feasibility, overall benefits, substantive fairness, procedural fairness, acceptance, sustainability, and overall desirability) and related design principles (maximization or satisfaction) and empirical indicators. It then applies it to the available theoretical and empirical literature on various models of international integration to identify the comparative strengths and weaknesses of internal DI and external DI. In light of the predominantly normative and highly controversial nature of the assessment process, the analysis suggests that the best way to design efficient and legitimate DI schemes is to ensure their responsiveness to democratic preferences and decision-making procedures at the national or EU level.

Keywords

International integration, differentiated integration, European Union, evaluation and design.

Introduction

Differentiated integration (DI) is an increasingly important empirical phenomenon, area of research, and design option in the field of European Union Studies. Country-based opt-outs and exceptions are relatively common in EU law, predominantly involving geographically limited, minor, and temporary derogations (De Witte et al. 2017; Schimmelfennig and Winzen 2020a) but also permanently affecting key area such as monetary and economic policy (Allemand et al. 2016; Chang 2016), internal affairs (Ripoll and Trauner 2018), and foreign and defence policy (Howorth 2014; Keukeleire and Delreux 2014). Other common forms of legal differentiation exist, including flexible implementation, experimentalist governance, safeguard and derogation clauses, and sub-national differentiations, for instance those applicable to dependent territories, cohesion policy, and territorial cooperation (Medeiros 2018; Piattoni and Polverari 2017; Sabel and Zeitlin 2010; Sielmann 2020; Van den Brink 2017; Ziller 2007). National norms may remain not homogenous whenever EU competences and legislation are absent or incomplete (Garben and Govaere 2017) as well as – *de facto* – in case of non-compliance with EU law (Börzel 2021). The international agreements between the EU and third countries are perceived as forms of differentiated (external) integration, as they extend the validity of EU rules beyond its borders (Council 2021; Eeckhout 2011; Eriksen and Fossum 2015; Schimmelfennig and Winzen 2020a; Schumacher et al. 2017). EU states pursue forms of informal cooperation and political integration outside of the framework of EU law, entering into bilateral, *inter se*, regional, and global treaties and organizations which create a patchwork of complementary or competing commitments in relation to the EU (Gebhard and Galbreath 2013; United Nations 2021). ‘Social’ differentiation in terms performance, economic and social transactions, attitudes, and identities inevitably persists behind a uniform legal façade (Dyson and Sepos 2010). Finally, differentiation is periodically discussed by scholars and politicians as an attractive option for the design or reform of European integration projects (Dahrendorf 1979; Macron 2017; Majone 2009).

Because of the multi-faceted nature of both its noun and its qualifier, the concept of differentiated integration is hard to delimit and define with precision. International integration can refer to a state or a process, economic, social, or political aspects, and empirical phenomena such as the removal of barriers, the increase of transactions, the increase of interdependence, the creation of common rules and infrastructures, and the convergence of performance, behaviour, or identities (Eppler et al. 2016; Lindberg 1970; Nye 1968). Differentiation, in turn, can be internal or external, *de jure* or *de facto*, primary or secondary, temporary or permanent, vertical, horizontal, or sectoral, multi-speed, multi-tier, or multi-menu, and operate within or outside the EU legal order (Stubb 1996; Schimmelfennig and Winzen 2020a). Moreover, the classification is partly a matter of perspective: the rules of *inter se* treaties can be perceived as (internal) differentiated integration from the point of view of the EU member states, as uniform integration from the point of view of participant states, and as no integration at all from the point of view of the EU legal order; in turn, the rules of EU association agreements can be defined as (external) differentiated integration from the point of view of formal EU membership but as uniform integration from the point of view of their material content. In line with the priorities of the InDivEU project, this paper limits itself to an analysis of political, horizontal, *de jure*, and country-based kinds of differentiation from the perspective of the current 27 member states of the EU. Slightly amending the definitions of Schimmelfennig and Winzen (2020a), internal differentiation can be thus defined as the *selective limitation of the validity of international legal rules to a subset of the EU member states*, including forms operating both within and outside of the EU legal framework. External differentiation, in turn, can be defined as the *selective extension of the validity of EU legal rules to non-members*, excluding forms operating outside of that framework. It must be noted that

the two concepts are not homogenous; their joint treatment, however, can be justified on policy grounds, as they both represent promising tools to dynamically deepen European integration while taking seriously the heterogeneity in national interests, preferences, and capacities.

Despite a considerable scholarly interest in differentiated integration as a design option, the discussion of design principles, evaluative criteria, and empirical indicators remains characterized disciplinary and thematic fragmentation and absence of systematicity. The aim of the present paper is to fill this gap by proposing a novel analytical framework to inform the assessment and design of international integration schemes. The framework is developed on the basis of a critical review of the theoretical literature in the fields of philosophy, policy analysis, and regional integration and is presented in the next section. It is then applied to the body of empirical evidence on different integration models to derive general expectations on the comparative strength and weaknesses of internal differentiation and external differentiation. The analysis draws on the output of the InDivEU project, synthesising and refining the main findings of its various work packages. Finally, some concluding remarks summarize the main findings of the exercise and their theoretical and practical implications.

Analytical framework

The design and assessment of an international integration scheme is a rational practical endeavour relying on both positive and normative elements (Bardach 2012; Hausman et al. 2017; Wallace 2020). The positive sciences can help to provide the empirical evidence and methods to reach accurate factual descriptions, explanations, and predictions of the features and outcomes of the scheme (Bryman 2012; Börzel and Risse 2016; Cogan et al. 2016; Schimmelfennig and Winzen 2020a; Wiener et al. 2019). In principle, the resulting factual judgements are value-free and can be agreed upon by every observer, even though the intrinsic nature and complexity of social phenomena and the presence of biases can in practice make them quite uncertain and controversial. Normative theory, in turn, can help to identify axiological criteria determining the actual value of each feature and outcome, deontological criteria distinguishing prescriptive, acceptable, or forbidden actions, and rules resolving trade-offs and empirical dilemmas (Copp 2006; Tappolet 2012). The resulting value judgements are also rational but inherently subjective and controversial, as observers always hold heterogeneous philosophical principles, political worldviews, social and personal interests, and individual preferences and sensibilities: normally, convincing cases can be made for a variety of divergent solutions. Ultimately, the final assessment on the desirability of a scheme and of its individual features will be largely determined by these normative elements: for instance, an international scheme for the joint production of advanced weapons is unlikely to convince a pacifist even if it is very cheap, technically effective, procedurally legitimate, and widely supported.

The role of the expert, therefore, is best understood as one of assisting the process by gathering the best available factual evidence and presenting it in a clear and neutral way, allowing each reader to make an informed normative weighting of such evidence and derive own opinions and actions. Individual judgements will then feed into social coordination mechanisms (e.g. the political process, the market, public opinion, and the scholarly debate) to determine its actual adoption or rejection; these outcomes, however, depend not only on the strength of rational arguments and numbers but also on factors such as institutional arrangements, power, exclusion criteria, and group coordination, which substantially affect the aggregation of individual preferences and interests. In policy-oriented contexts, the analyst may wish to contribute to these mechanisms by directly carrying out the normative assessment of the evidence and formulating a recommendation based on her personal judgement or the values of her institution, client, or target constituency (Bardach 2012). This step is admissible

and useful, if made transparently, but not necessary: it will not be included in the present paper, which has a broader metatheoretical purpose.

A review of the literature shows that a large variety of evaluative criteria can be used to assess actions, products, public policies, and forms of governance (Bardach 2012; Beauchamp and Childress 2001; Copp 2006; Ostrom 2011; Lavenex and Križić 2019). In light of their relevance to international integration schemes, their potential for empirical operationalization and measurement, and the need for a comprehensive but parsimonious selection, *seven evaluative criteria* can be retained: feasibility, overall benefits, substantive fairness, procedural fairness, acceptance, sustainability, and overall desirability. *Seven design principles* inspired by a consequentialist logic (Slote and Pettit 1984) can be then derived, mandating to maximize or satisfice the subjective value of each criterion. Maximization identifies the best possible ('optimal') properties of the integration scheme and is theoretically preferable, but it sets a bar which is very hard to reach. Satisficing identifies properties which are 'good enough', that is comparatively and substantially higher than the *status quo*, a counterfactual situation, or a range of alternatives. Finally, *eighteen empirical indicators* are proposed to operationalize and measure the main objective aspects the criteria. These are in principle value-free and do not prejudge the normative assessment that each observer will subsequently take according to her philosophical and political outlook. However, their availability, precision, and reliability can vary widely, depending on the complexity and political sensitivity of the scheme, the type of assessment (*ex post* description or *ex ante* prediction), and the quality of the available primary evidence and research. The result is a simple, comprehensive, and versatile analytical framework to inform the assessment and design of international integration schemes, which can be applied to any kind of model (e.g. uniform vs differentiated integration), legal instrument (e.g. Treaty opt-out vs *inter se* agreement), specific scheme (e.g. EU membership), and aspect thereof. The overall structure of the framework is summarized in Table 1 while each design principle, evaluative criterion, and empirical indicator is briefly presented below.

Table 1. Criteria, principles, and indicators

Evaluative criteria	Design principles	Empirical indicators
feasibility	satisfice or maximize	feasibility
overall benefits	satisfice or maximize	internal outcomes global outcomes
substantive fairness	satisfice or maximize	non-maleficent distribution egalitarian distribution redistribution
procedural fairness	satisfice or maximize	level legitimacy democratic legitimacy democratic congruence
acceptance	satisfice or maximize	governments' support parliaments' support electorates' support supranational institutions' support experts' support stakeholders' support overall support
sustainability	satisfice or maximize	stability of membership stability of norms
overall desirability	satisfice or maximize	

The first design principle mandates to satisfy or maximize the *feasibility* of the scheme. This criterion can be defined as the likelihood of being validly enacted. It is a largely empirical criterion depending on a small number of legal and political factors: the compatibility of the scheme with relevant substantive provisions in national, international, and EU law; the choice of the specific legal framework, instrument, and enactment procedure to be employed; the number and identity of the countries involved; procedural provisions (paths, actors, majority rules) governing the enactment of the scheme and of all accompanying legal changes required by it; the number of actual veto players (typically a specific combination of national governments, upper chambers, supranational institutions, national electorates in referendums, and national courts); their likely behaviour; and existing time constraints. However, some normative assumptions are required on the question of how such legal validity is achieved: for instance, without procedural irregularities, unethical means (e.g. coercion), or resulting conflicts with other legal or ethical norms. An obvious way to empirically operationalize this criterion would be to rely on the number of procedures, actors, time, and resources needed to enact the scheme, but this would be misleading: in absence of tight time constraints, more cumbersome preparations may be perfectly feasible and even preferable, as they can prevent subsequent legal and political challenges. Therefore, a simpler quantitative indicator based on the overall balance of evidence within a realistic scenario should be preferred: for instance, the share of countries not expected to encounter major enactment obstacles. The assessment can be carried out on the basis of primary data and expert judgements. The evidence is usually readily available and the estimates rough but fairly reliable, despite the possibility of misjudging the magnitude of specific obstacles. Negative values do not necessarily prevent the enactment of the scheme; often, they may be overcome by investing more time, resources, and efforts in the process.

The second design principle mandates to satisfy or maximize the *overall benefits* of the scheme. This criterion can be defined as the overall desirability of its outcomes, which include both outputs and inputs. Empirically, outcomes depend on a wide range of technical, political, and environmental factors: the nature of the policy problem; the policy goals, solutions, and means chosen; the financial, technical, and administrative resources deployed; the effectiveness of internal decision-making, administrative, and compliance mechanisms; the interests, preferences, and priorities of decision-makers and implementers; the reaction of final users (e.g. individuals, firms) and third parties (e.g. non-member states); and the broader evolution of technological and social trends. Normatively, the value of each outcome (positive or negative, high or low) depends on an intrinsically subjective evaluation of each observer. Despite its paramount importance and the availability of a variety of advanced techniques (Bardach 2012; Boardman et al. 2018; Feldman and Serrano 2006; Hansson 2007; Levin and McEwan 2001), the measurement of overall benefits is rarely satisfactory when applied to complex policy questions. First, it is often impossible to predict and account for all the inputs and outputs of a scheme, which can be primary or secondary, direct and indirect, intended and unintended, material or immaterial, internal and external, causally linked or merely correlated. Secondly, results for each individual output cannot be easily aggregated, as they are typically expressed in heterogeneous (physical, abstract, monetary, utilitarian) units of measure. Thirdly, cost-benefit appraisals based on a comprehensive survey of individual utilities are generally undermined by the cost of the data required and the unstable and contradictory nature of individual preferences. Second-best techniques based on a uniform appraisal of inputs (cost-effectiveness analysis) or of inputs and outputs (cost-benefit analysis) at market or shadow prices are more feasible but tend to distort actual social preferences. For our purposes, it is advisable to empirically operationalize this criterion with one or more empirical indicators capturing the key outcomes of the scheme in physical, abstract, or monetary terms, leaving to the observer the task to assess their normative desirability. The analysis of internal outcomes (covering only members) and global outcomes (covering both members and the rest

of the world) should be carried out separately. The choice of the type and number of indicators cannot be established in advance but depends on the issue and the available evidence; standard techniques of policy analysis can be used, including direct measurement, statistical inference, estimates and projections based on past evidence, qualitative comparisons and case studies, experimental designs, and surveys. Any calculation or estimate of outcomes is inevitably partial and its reliability can be high when applied to simple, small-scale, past, and little controversial issues but gradually decreases for issues with opposite characteristics.

The third design principle mandates to satisfy or maximize the *substantive fairness* of the integration scheme. This criterion can be defined as the desirability of the way in which the costs and benefits of the scheme are distributed. Empirically, the distribution of costs and benefits depends on a small number of factors: the number and characteristics of the participating countries; the expected distributive outcomes of the scheme; the subjective assessment of these outcomes by each country; and the success of each actor in exploiting the rules in her favour. Normatively, however, which kind of distribution of costs and benefits among the members of the scheme should count as fair is an extremely controversial issue (Beuchamp and Childress 2001; Deutsch 1975; Hirose 2015; Roemer 1998). Commonly advocated solutions range from a non-maleficent distribution (often known as Pareto efficiency) leaving no one worse off, a merit-based distribution according to individual contribution, efforts, or success, an egalitarian distribution based on equal shares, and a need-based distribution according to individual needs. The imposition of negative and positive externalities on non-members is also controversial. Finally, fairness concerns can lead to the rejection of a scheme or calls for adjustments or compensatory mechanisms. An empirical operationalization of this criterion is difficult for a number of reasons: the calculation of the distribution of costs and benefits is subject to the same conceptual and practical problems detailed in the previous section; different normative visions cannot be reduced to a single value-free indicator; detailed and reliable distributive data are often difficult to obtain, despite the substantial efforts of economists and sociologists; and many methodological disagreements exist on the choice of appropriate measures and indicators (e.g. absolute or relative benefits, nominal or PPP prices, country or individual distribution, territorial or social inequalities, Gini index or percentiles). Whenever an objective quantification in physical or monetary terms is possible, a full description of the distribution of outcomes can be provided, typically in form of a graph or a table detailing the absolute or relative outcome for discrete categories (e.g. countries or social groups) or individuals. This can be then further analysed with statistical or other techniques to derive three synthetic empirical indicators expressed in numerical or verbal terms, measuring the non-maleficent (e.g. a simple share of actors benefitting from the scheme), egalitarian (e.g. the Gini coefficient of national benefits), and redistributive (e.g. changes to the Gini coefficient of national income) character of the distribution.

The fourth design principle mandates to satisfy or maximize the *procedural fairness* of the scheme. This criterion can be defined as the desirability of the procedures overseeing its establishment and functioning, regardless of its concrete substantive outcomes. Empirically, procedural fairness depends on which actors (countries, institutions, social groups) are involved, to what extent, and under which decision-making rules used (e.g. state- or population-based representation; unanimity, qualified majority, simple plurality) in each specific procedure. Normatively, strong disagreements exist on which procedures should be considered legitimate, fair, and most desirable (Chiocchetti 2017; Christiano 2008; Hooge and Marks 2019; Peter 2009). Three main areas of contention can be identified in the literature: level legitimacy, pertaining to the level of governance to be entrusted with each policy (e.g. sub-national, national, regional, global); democratic legitimacy, pertaining to the strength and directness of the democratic credentials of the actors involved; and democratic congruence, pertaining to the responsiveness of rules to the changing preferences of governments and

citizens. Proposed solutions are extremely varied, leading to different combinations of nationalist and federalist, democratic and technocratic, statist and cosmopolitan, majoritarian and consensual, and flexible or entrenched elements. Procedural fairness can nevertheless be operationalized with three empirical indicators identifying its predominant level of governance, the type of actors' involvement, and strength of entrenchment of commitments, expressed in numerical or verbal terms. The analysis can be carried out on the basis of the empirical evidence and expert judgements on existing *de jure* and the *facto* procedures, which are typically readily available, very accurate, and not controversial.

The fifth design principle mandates to satisfy or maximize the *acceptance* of the integration scheme. This criterion can be defined as the degree to which it reflects the actual preferences of relevant publics. Empirically, such preferences depend on a variety of factors, including rational reasoning, particularistic interests, unreflective opinions, cues from parties, media, and social actors, unrelated contextual factors (e.g. an economic crisis), and public debate. These opinions automatically carry a certain normative weight for democrats, but are still open to a variety of interpretations concerning their selection, measurement, weighting, and prescriptivity: for instance, citizens' vs governments' preferences, national vs aggregate results, old referendum result vs recent opinion poll, large consensus vs narrow plurality, quality of knowledge and deliberation, choice to yield to public opinion or to try to shape it, and appeal to higher normative principles. Acceptance can be empirically operationalized through a set of closed continuous indicators measuring support from 0 (total opposition) to 1 (total support) for the integration scheme for up to six relevant publics: national governments, national parliaments, national electorates, supranational institutions, experts, and stakeholders. For each category, national data should be aggregated both in terms of country support (share of countries supporting the measure) and in terms of individual support (share of actual or notional individuals supporting the measure). A simple average of all available categories (typically national governments, parliaments, and electorates) can be then used as a synthetic indicator of overall support. The analysis can be carried out on the basis of evidence from decision-making processes (e.g. referendums, election results, parliamentary votes), opinion surveys, documentary analysis, or interviews, which are typically readily available and very reliable, despite the presence of small statistical errors and potentially larger systematic biases in opinion data.

The sixth design principle mandates to satisfy or maximize the *sustainability* of the scheme. This criterion can be defined as the likelihood of retaining its validity and essential features over time. Two aspects are particularly relevant: its membership, which remain stable, contract (or collapse altogether), or expand, and the stability of its norms, which may be subject to renegotiations or waning compliance. Objectively, sustainability depends on a wide range of factors: the nature of the 'good' provided (Kölliker 2001) in terms of consumption (rival, neutral, complementary), excludability (high or low), and dynamic effects (centripetal, centrifugal); the evolution of the perceived and actual benefits of the scheme and of credible alternative models (e.g. EU vs. NATO); changes in preferences and perceptions of members and non-members; technical, economic, and political shocks and trends; patterns of compliance; and the legal and political rigidity of the scheme. A flexible scheme is more likely to survive but at the price of continuous adjustments, while a rigid scheme is more stable but vulnerable to long-term collapse or functional irrelevance. Normatively, opinions clearly differ on the desirability of different directions and magnitudes of change: in particular, supporters of the scheme may welcome an expansion of its scope while opponents are unlikely to be interested in its stability. Sustainability can be empirically operationalized with two numeric or verbal continuous indicators pointing to the likely stability or instability of its membership and norms (e.g. strengthening, stable, weakening trend). *Ex post* analyses can be very accurate, but *ex ante* predictions based on forecasting techniques tend to be quite uncertain, as they

cannot account with precision for unexpected events, unlikely scenarios, and adaptive reactions.

Finally, the seventh design principle mandates to satisfice or maximize the *overall desirability* of the integration scheme based on the weighing and combined assessment of the previous six criteria. This criterion, which determines the final decision between the various alternatives available, is largely determined by normative considerations, as the weight assigned to each criterion by the observer depends on her subjective set of philosophical and political beliefs, interests, and sensibilities. This essential final step will therefore be skipped in the present paper, for reasons explained above.

Internally differentiated integration

Internally differentiated integration (internal DI) is a form of European integration which allows for country-based exceptions to the uniform validity of supranational rules across all 27 member states of the EU. It can be implemented with a variety of legal tools, the most important of which are EU treaties, EU legislation, (*inter se*) international treaties outside of the EU framework, and national legislation (Sielmann 2020). It can be compared to two main alternatives, uniform integration and no integration, and may be partially substituted by other forms of flexibility such as flexible implementation and experimentalist governance (Sabel and Zeitlin 2010; Schimmelfennig and Winzen 2020a: 24–26; Van den Brink 2017). The absolute and comparative desirability of each model and legal tool can only be established with reference to each specific case study: internal DI may be desirable under certain circumstances but undesirable under different ones. Nevertheless, it is possible to examine the body of empirical evidence and scholarly literature to identify some broad trends and derive some general design recommendations for practitioners and policymakers.

The literature on the feasibility of integration schemes yields clear findings (De Witte 2020; Reestman 2021; Schimmelfennig and Winzen 2020b; Qvortrup 2016). No integration is markedly more feasible than all other models, which require the involvement of more countries and veto player, a cross-national convergence of preferences, and, often, additional substantial and procedural legal obstacles. For the same reasons, differentiated integration tends to be more feasible than uniform integration, even though the gains can vary from small (many members, EU treaty) to large (few members, international treaty). Flexible integration and experimentalist governance do not seem to be markedly more feasible than uniform integration, as they are subject to the same legal requirements and increased political support from countries interested in flexibility is counterbalanced by decreased political support from countries interested in uniformity. With regard to legal tools, national legislation is clearly the most feasible option and EU treaties, with their cumbersome negotiation and ratification requirements, the least feasible one. The choice between international treaties and EU legislation is less clear-cut. The former can be deployed in a broader range of policy areas, including all areas of exclusive national competence, but often requires transposition by national parliaments and judicial review by national courts. The latter can only be deployed in areas of EU competence, cannot exclude non-members from subsequently joining, and typically involve more complex (but not necessarily unanimous) supranational procedures and a greater number of veto players for their enactment and reform, but can minimize the involvement of national parliaments and courts and has additional advantages in terms of administration and enforcement. On balance, international treaties tend to be preferable for schemes with less than 15 members (the minimum Qualified Majority Voting threshold in the Council) but may be less feasible than EU regulations beyond that scale. Feasibility strongly declines whenever procedures require national constitutional revisions, which can be defeated by a determined opposition, and the direct involvement of national electorates in referendums, which frequently vote against integrationist proposals. Finally, the threat of going alone by a

vanguard group of states often leads reluctant parties to set aside their veto and agree to a uniform scheme, due to the fear of a loss of status and influence; for these reasons, internal differentiation is less frequently used than what one might expect. Altogether, the enactment of an internally differentiated scheme remains a daunting task but tends to be easier than that of other integration models. This potential can be maximized through the adoption of a small membership, specific legal instruments (international treaties not requiring ratification, general or special 'enhanced cooperation' procedures, differentiated EU regulations), and ordinary national procedures (simple pluralities, no constitutional amendments).

The overall benefits of most integration schemes are typically assumed by scholars to be positive and to increase as a function of the number and size of members (Hooghe and Marks 2016; Hvidsten and Hovi 2015; Kölliker 2001; Molle 2006; Schimmelfennig and Winzen 2020a). However, concrete schemes can always turn out to be badly designed, become increasingly dysfunctional over time, or be driven by exploitative motives or narrow sectional interests rather than by rational assessment of social costs and benefits. The empirical literature on the most researched issue, the economic benefits of EU membership, tends to confirm these assumptions, but with some important provisos. First, the majority of studies estimate overall long-term economic benefits for EU members as positive and ranging up to 26.1 per cent of GDP (Badinger 2005; Campos et al. 2019; Henrekson et al. 1997); one recent average-looking estimate (Felbermayr et al. 2018; own calculation) puts them at 803 billion euro or 6.0 per cent of the EU28 GDP in 2014. Most authors consider them to be one-off level effects rather than permanent growth effects. The evidence is however not conclusive, with several studies finding no statistically significant effect of EU membership (Andersen et al. 2019) or questioning the actual benefits of trade liberalization in general (Rodriguez and Rodrik 2000; Yanikkaya 2003; Vamvakidis 2003). Secondly, overall benefits seem to be positive for every country and enlargement (Campos et al. 2019; Felbermayr et al. 2018). Thirdly, both findings seem to hold across all trade-related policy areas, particularly the single market and Schengen (Felbermayr et al. 2018). Redistributive policies such as cohesion and budgetary transfers are rather neutral, shifting resources from some countries to others. Other areas, finally, are more controversial, as it seems unlikely that uniform policies should always be suitable for the same set of 27 heterogeneous member states. For instance, most economists do not consider the Economic and Monetary Union (EMU) to be an optimal currency area (De Grauwe 2018) and deem it inferior to either a more differentiated arrangement or a uniform setting with stronger compensatory mechanisms and/or different substantive rules; several studies go as far as considering EMU membership economically detrimental to individual countries (Gyoerk 2017) or altogether (Dreyer and Schmid 2017). Fourthly, opinions are divided on the extent of negative fallouts for non-members ('trade diversion'): for instance, Magee (2008) finds them very small while Cheong et al. (2015) find them almost equivalent to the trade creation for members, leading to no overall benefits for the world economy considered as a whole. Altogether, the comparative benefits of each model are highly dependent on the specific issue at hand. In a first category of issues, characterized by high interdependence and negative externalities, complementary and non-excludable goods, economies of scale, functional synergies, homogenous conditions, preferences, and capacities, and low coordination problems, uniform integration seems to be preferable, and internal DI can only be defended as a second-best option to avoid squandering the potential benefits of further integration due to political vetoes and other obstacles. In a second category of issues, characterized by opposite features, national or local solutions seem to be ideal. Differentiated integration and other forms of flexibility (e.g. flexible implementation or 'weak' experimentalist governance) seem to be most suitable for a third category, in which uniform integration is beneficial and appropriate only for a subset of the EU member states. Finally, in a fourth category of issues, in which the overall consequences of integrating every country are beneficial but the impact on an individual country or group of countries are detrimental, uniform

integration with compensatory measures (e.g. cohesion transfers or budget rebates) should be preferred.

The substantive fairness of integration schemes depends on the concrete rules and forms of flexibility envisaged, the states included, the starting conditions of each actor, and their success in exploiting the mechanism over time (Beckfield 2019; Chiocchetti and Allemand 2019; Coman et al. 2020; Magone et al. 2016). In general terms, most uniform integration schemes tend to be non-maleficent and unequal. For instance, country-level estimates of the benefits of EU membership derived from Felbermayr et al. (2018) vary widely from 3.0 per cent of GDP (UK) to 31.1 (Luxembourg), with negative values (-1.6 per cent) for the rest of the world. Similarly, recent Eurobarometer data (European Commission 2019) show that net approval for the statement 'our country has on balanced benefitted' from EU membership varies from -2.1 per cent (Italy) to 79.0 per cent (Estonia). Their redistributive character is instead unclear. Theoretically, they should favour the 'stronger' states, territories, and social groups, but sizeable compensatory mechanisms (e.g. European structural funds, national welfare states), successful competitive strategies attracting trade, production, capital, or skills, such as in Ireland (Regan and Brazys 2018) or Eastern European countries (Bohle and Greskovits 2012), as well as the independent catch-up effect favouring the economic convergence of poorer country (Solow 1956) may lead to opposite results. Altogether, most schemes seem to simultaneously favour a territorially progressive (between countries) but socially regressive (within country) redistribution of resources (Beckfield 2019). In comparison, internal DI can typically be expected to increase non-maleficence, limit the scope for territorial and social redistribution, and determine a growing gap between insiders and outsiders, deprived of the benefits from integration and possibly suffering from negative externalities. With reference to legal tools, those requiring the unanimous consent of all parties (such as EU treaties) tend to encourage a non-maleficent and relatively equal distribution while those based on rather majoritarian mechanisms (such as EU regulations or ECB decisions) are more conducive to opposite outcomes, increasing the likelihood of both maleficent and redistributive consequences.

Procedural fairness is probably the most controversial aspect of integration schemes (Bellamy and Kröger 2019; Cheneval and Schimmelfennig 2013; Follesdal and Hix 2006; Fossum 2015; Koenig 2015; Lucarelli et al 2011; Schmidt 2013). With regard to level legitimacy, no integration puts decision-making squarely on national foundations while both uniform and differentiated integration represent a compromise between national and regional governance. On the one hand, membership, treaty-making, and other categories of decisions require the free and unanimous consent of all parties and can therefore be justified as mere extensions of their sovereign will. On the other hand, the resulting agreed-upon rules and institution bind their own creators and may lead to common commitments taken against the will of individual states (e.g. decisions by supranational institutions and majority voting procedures). Within this framework, internal differentiation replaces a fixed EU27 cadre with 'coalitions of the willing' and, when pursued with *inter se* international agreements, dispenses with the typical supranational constraints of EU in favour of the purely intergovernmental principles of international law. An additional problem is represented by the attribution of specific rights to non-members (initial veto or 'last resort' condition, right to join, forms of consultation and oversight), which are expressly enshrined in EU procedures but absent from international agreements. As a consequence, opinions on the level legitimacy of each model are naturally divided according to one's national identity and integration preferences. With regard to democratic legitimacy, all three models ultimately rely on the consent of citizens in liberal democratic countries, but the choice of the legal tool greatly affects the directness and strength of such legitimacy: highest for national laws, EU treaties, and international treaties with ratification, which require the explicit consent of national parliaments and, in some cases, the possibility of referendums; lower for most EU legislation, which results from a complex

bargaining between an appointed European Commission, indirectly elected national governments, and a European Parliament directly elected but with a weak turnout (in 2019, 51.0 of the electorate compared to 63.1 per cent of national elections); low for exclusively intergovernmental EU or non-EU procedures; and extremely low for decisions by independent technocratic bodies. With regard to democratic congruence, internal DI may initially lead to rules which are more coherent with segmented national preferences, but not necessarily with aggregate supranational preferences. Moreover, the commitments of DI schemes are typically quite entrenched and hard to change, which may over time lead to large gaps. The specific decision-making rules play an important role: EU treaties are particularly difficult to renegotiate; international treaties are equally difficult to change but easier to terminate or violate; EU secondary legislation is more flexible; and national norm or hypothetical supranational norms of a fully federal EU are the most flexible. Finally, internal DI tends to be one-directional, facilitating an opt-out from further integration steps but not from existing commitments. Altogether, no existing form of differentiated integration is entirely satisfactory from the perspective of procedural fairness, although the 'enhanced cooperation' procedure under EU law seems to offer the least objectionable compromise solution.

The acceptance of integration schemes can be examined in detail on the basis of the expressed preferences of the relevant publics (Hobolt and De Vries 2016; Hooghe and Marks 2009; Moravcsik 1998). Altogether, while most actors continue to be supportive of large ambitions of primarily national policymaking, they are rarely hostile to the preservation and selective expansion of EU competences and activity. The progressive widening and deepening of European integration (Gilbert 2021) have generally enjoyed the enthusiastic support of supranational institutions, experts, and national parliaments, a more cautious acceptance of national governments, and a more sceptical but not hostile attitude of national electorates. Out of 45 referenda held so far on EU membership, treaty revisions, or specific policies, 31 have accepted integration while 14 have rejected it (Qvortrup 2016). At present, according to 2019 Eurobarometer data (European Commission 2019), 61.3 per cent of the EU27 citizens find EU membership 'a good thing' (only one country, Italy, does not) and large aggregate majorities ranging from 65.8 to 83.1 per cent support EU 'common policies' in eight fields, with limited national exceptions (six countries oppose a single currency, two countries oppose a common migration policy, and one country opposes a common foreign policy). What about differentiated integration? Internal DI can help to increase the acceptance of a scheme in individual countries, as it allows to better accommodate national preferences and specificities; however, this is not necessarily true at an aggregate level, as other countries may strongly oppose the granting of opt-outs, vanguard status, and other forms of flexibilities from which they are excluded and consequently contribute to stronger aggregate preferences in favour of uniform integration. Moreover, internal DI is supported by different groups for different reasons: by 'demoicrats' for its intrinsic merits, by pragmatic Europhiles as a means to advance regional integration while avoiding national vetoes, and by pragmatic Eurosceptics as a chance to preserve national opt-outs in the face of irresistible integrationist pressures (Cheneval and Schimmelfennig 2012; Koenig 2015). It is therefore often a 'second-best' option, and it is unclear how it would fare in an explicit two- or three-option race (internal DI vs further uniform integration vs status quo). Furthermore, its knowledge and salience among non-specialist tends to be very low, preferences weak, and answers very sensible to the specific context and question at play. The available data tend to identify a somewhat favourable opinion of relevant publics toward internal DI coupled with much uncertainty and many explicit reservations. Among citizens, the 2018 Eurobarometer finds a plurality (48.5 per cent, net +7.0) in support of the principle of a 'two-speed Europe' (European Commission 2018). A 2020 14-country study confirms this relative acceptance of both 'multiple speed' integration (37.1 per cent, net +26.1) and the possibility of 'opt-outs' (31.7 per cent, net +7.8), but with lower absolute values and with a plurality of respondents holding neutral or no views (Genschel et al. 2020). Individual

support is strongly correlated with geographical, ideological, and sociodemographic factors (Leuffen et al. 2020; Winzen and Schimmelfennig 2021) and highly context-specific, varying according to the policy area, procedures, and design features of the scheme (de Blok et al. 2021). Among political parties, a 2020 small-scale qualitative study finds 40.0 per cent of respondents (net +14.3 per cent) supportive of the principle of DI but concerned about many of its potential consequences (Kröger et al. 2021) while a 2019 expert survey manages to identify the position of only 33 parties out of 271, with opinion in favour of existing Eurozone differentiation, against multi-speed differentiation, and spilt toward opt-outs (InDivEU 2021). Among governments, two 2020 expert surveys outline very complex and opaque country positions, which the former interprets as cautious support for flexible cooperation but the latter as a predominant opposition to the principle of DI coupled with reluctant acceptance of specific schemes (Brudzińska 2020; Telle et al. 2021). Finally, no data are available on flexible implementation, experimentalist governance, and other forms of flexibility, which tend to be pursued by governments on a case-by-case basis without the involvement of public opinion and the reference to general principles. Altogether, it seems reasonable to conclude that the relevant publics are generally open to the use of DI a useful method to accommodate national specificities and resistances, but only as an exceptional and pragmatic recourse rather than as a normal and preferred format.

Finally, both uniform and differentiated integration are similarly highly sustainable, except for one aspect (Kölliker 2001; Schimmelfennig and Winzen 2020a). In terms of stability of membership, both models very rarely suffer from defections or collapse but are subject to strong centripetal pressures, often leading to a partial or complete enlargement over time. The European Union and its predecessors have been active since 1958, have suffered only one withdrawal (the UK in 2020), but have gradually expanded from six to 27 members. Internal DI schemes tend to have a similar development: the Schengen area grew from five to 22 members since 1985 and the Euro area grew from 11 to 19 members since 1999, neither with defections. Thus, they represent expansionary rather than stable arrangements, although this is normatively assessed by many observers as a desirable feature. In terms of stability of norms, both models tend to be very stable in theory and in practice, as rules tend to be much more difficult to change and less often amended than national ones. This rigidity has of course its drawbacks, often leading to major dysfunctions, political tensions, and noncompliance.

Altogether, the main 'strengths' of internal DI lie in its capacity to advance integration by sidestepping vetoes and other obstacles, its nonmaleficence, its superior congruence with initial national preferences, and slightly more efficient intergovernmental decision-making procedures. Its main 'weaknesses' lie in the potential costs from non-integration, the risk of an inferior congruence with aggregate preferences, the partial undermining of certain kinds of common redistributive and regulatory policies (but less than if they could simply veto them), fears among non-participants of a loss of status and influence and negative externalities, concerns over the integrity and uniformity of the EU legal order, and its entrenchment of a path-dependent divergence between outsiders and insiders in outcomes and preferences. Finally, it shares with other forms of integration many broadly similar issues, particularly legal and political feasibility problems, cases of disappointing overall benefits, negative externalities toward outsiders, distributive outcomes perceived by some as unfair, disagreements on the democratic fairness of their procedures, an extremely rigid entrenchment of norms, the risk of growing scepticism among national electorates whenever specific schemes become scrutinized and politicized (particularly during referendums), the danger of noncompliance, and the absence of effective mechanisms to consensually reduce existing levels of integration for specific countries or policy areas. These problems tend to prevent its application to a wide range of circumstances in which differentiated integration could be both beneficial and desirable. As a consequence, internal DI remains a useful but underused tool, typically privileging temporary, geographically limited, and exceptional forms of differentiation over

permanent and systematic ones along the lines of a multi-menu EU (Majone 2009), of a multi-menu Europe based on a multiplicity of functional organization, or of more hypothetical functional overlapping competing jurisdictions (Frey and Eichenberger 1999).

Externally differentiated integration

Externally differentiated integration (external DI) is a form of international integration which allows for the selective extension of EU rules to non-members (Schimmelfennig & Winzen 2020a). Such extension can be achieved in two ways, through international agreements or by unilateral extension (Pedreschi and Scott 2020): the latter, however, does not represent a form of political-institutional *integration* and will therefore not be retained in this discussion. Formally, external DI through international agreements creates shared legal commitments under international law for the EU, its member states, and its partners. Substantively, in light of the existing imbalances in bargaining power, it generally leads to the asymmetric (partial or complete, static or dynamic) alignment of the non-member(s) with a subset of EU rules through a variety of mechanisms: direct adoption, homogeneity, equivalence, approximation, cooperation and participation. Nevertheless, the validity of the EU norm for non-members continues to derive its validity from international, not EU, law. This greatly facilitates the theoretical possibility of unilateral (legal or illegal) termination or violation, although in practice comprehensive agreements such as the European Economic Area (EEA) present very rare instances of persistent breaches and major implementation delays (Frommelt 2020). Such norms can have a uniform or differentiated, rigid or flexible, binding or non-binding, traditional or experimentalist character, making the separate treatment of flexible implementation and experimentalist governance redundant. As a consequence, external DI can be compared to two main alternatives: full integration through EU accession and no integration. A third alternative, differentiated integration through EU accession with appropriate opt-outs and forms of flexibility, is functionally equivalent to external differentiation but legally, institutionally, and ideationally more developed, with all the advantages and disadvantages already discussed in the previous section. The absolute and comparative desirability of each model and legal tool is obviously dependent on the specificities of the scheme and of its context, but some broad trends can nevertheless be derived.

The feasibility of external DI is higher than full integration but lower than no integration (Eeckhout 2011; Pedreschi and Scott 2000; Tatham 2009). EU enlargement requires the unanimous consent of all governments of the current and prospective member states, the satisfaction of complex geographical, political, economic, legal, and administrative accession criteria, a long process of negotiation and adaptation (in average 7.2 years from official application to accession), and the approval and ratification of a treaty of accession by the European parliament, national parliaments, and (typically) the electorate of the acceding country in a referendum. These obstacles should not be overestimated: out of the 49 sovereign states currently existing on the European continent, 27 are EU members while another 7 (Albania, Montenegro, North Macedonia, Serbia, Turkey, Bosnia and Herzegovina, and Kosovo) are actively seeking membership, although the process has been stalling due to problems in conforming to EU standards, opposition from some EU states, and negotiating disagreements and their accession is unlikely in the near future. Nevertheless, several credible accession attempts have indeed proven unfeasible, particularly the UK and some allies in the 1960s and 1970s and Norway, Switzerland, Iceland, and Turkey since the 1990s. External differentiation, in turn, relaxes many of these conditions: is applicable to non-European, non-democratic, and weaker states; it can exclude technically unfeasible, undesirable, or politically sensitive areas from the scope of cooperation; and it generally simplifies the enactment procedures (no accession referendums, lower procedural constraints, no need for national parliamentary ratifications for some kinds of agreement). This has led the signature of more

than 2,000 international agreements of variable scope, including at least 53 free trade and 101 'association' agreements (Council 2019).

The overall benefits of external DI are often higher than no integration and lower than full integration. Theoretically, externally differentiated agreements tailored to the interests, preferences, and capacities of the EU and of the potential partner should always be preferable, as it is quite unlikely that cooperation should be beneficial in every single policy area and sub-field or in none of them. In practice, however, excessive differentiation can raise transaction costs and the EU is rarely prepared to offer to its partners 'optimal' agreements, designing instead package deals which limit 'cherry-picking' and shift the distribution of costs and benefits in its favour. As a result, actual external DI schemes tend to be less tailored, beneficial, and frequent than theoretical ones, increasing the comparative attractiveness of both no integration and full integration. When comparing alternative models, scholars typically highlight the superior economic and functional benefits of EU membership (Schneider 2009) as well as its democratic advantage, which enable the acceding country to exert a stronger influence on the future development of shared commitments (Fossum 2015). The empirical literature tends to confirm these assumptions, even though the economic gap between full membership and comprehensive agreements is often relatively small. Grether and Müller (2001) estimate the Swiss GDP gains at 2.0 per cent (bilateral agreements), 2.9 per cent (accession), and 2.2 per cent (accession and monetary union). Neck and Weyerstrass (2019) estimates the Serbian GDP gains at 3.0 per cent (accession) and 3.4 per cent (accession and monetary union), but without considering the positive impact of EU budgetary transfers. Latorre et al. (2020) estimate the British GDP losses of 'hard Brexit' at -2.53 per cent (EU27 -0.35 per cent) and of 'soft Brexit' at -1.23 per cent (EU27 -0.16 per cent). As usual, the figures do not encompass the detrimental effects of the loss of national policy autonomy, which may be substantial for countries with a large internal market, or – conversely – the dynamic benefits of superior EU regulation and productive integration.

The substantive fairness of each model is hard to assess. Little empirical research exists on the matter and conclusion must be drawn by indirect inference. With regard to nonmaleficence, both full and differentiated integration schemes tend to be universally beneficial for each member, at least initially and on balance. However, this feature does not apply to individual rules nor their evolution over time. With regard to egalitarianism, full integration as a whole tends to produce a highly unequal territorial and social distribution of the benefits, but each individual accession may make this distribution more or less unequal, depending on the initial wealth of the acceding country and the concrete effects of its accession (e.g. rapid catching-up, economic diversion to the detriment of existing member states). The comparative impact of external DI is probably similar but more attenuated. With regard to redistributive effects, the consequences of each model are unclear. As detailed in the previous section, most of the literature suggests that uniform integration tends to favour a reduction inequality between countries but an increase of inequality within countries. External DI should generally work in the same direction, albeit with less pronounced effects, but it also largely excludes partner countries from most redistributive and compensatory mechanisms, which may have a very sizable effect for poorer countries: annual net budgetary transfers from the EU to Eastern European countries, for instance, ranged in 2018 from 1.0 to 3.7 per cent of their national GDP and are likely to be higher for future accession countries (European Commission 2019b).

The procedural fairness of the three model is highly controversial. As far as level legitimacy is concerned, external DI schemes are generally suitable in all situations when the EU and a third country wish to cooperate for instrumental reasons but do not share any common sense of identification or community. Even nationalists may be comfortable with them, as long as they retain an equal formal character (e.g. resolution of controversies through bilateral negotiations,

specialized court, or arbitration panels) and reflect the fundamental interests and preferences of their own country. However, they may be not acceptable to cosmopolitan and functionalist thinkers, as they leave to each individual country – albeit to a lesser degree than in the case of no integration – the ability to take decisions which may conflict with aggregate interests and preferences. As far as democratic legitimacy is concerned, two points must be made. On the one hand, all models are equally based on the indirect electoral consent of the citizens when all parties are liberal democracies, but external DI and no integration can also be pursued by authoritarian countries. On the other hand, such legitimation is typically stronger in the case of no integration (prominent role of national parliaments), weaker in the case of EU membership (weak role of national parliaments, European parliament with incomplete powers and low turnout, prominent role of appointed experts), and weakest in the case of external differentiation. This is both because of their largely intergovernmental character, which can sometime dispense from a formal consent of parliaments, and because they often include elements of unilateral and dynamic alignment of third countries with EU rules, which they have no means of shaping and can only be prevented by violating or terminating the whole agreement: a situation of ‘self-inflicted hegemony’ (Eriksen and Fossum 2015) which particularly affects EU neighbours with very comprehensive association agreements. As far as democratic accountability is concerned, all international law tends to ‘constitutionalize’ given sets of substantive commitments, making them harder to change in response of changed national democratic preferences (Gill 1998; Gill and Cutler 2014). Full integration through EU accession leads to exceptionally entrenched and intrusive outcomes, in light of the importance of EU competences and legislation, the hurdles for amending the Treaties and other kinds of legislative acts, and the supremacy of EU law. External DI is also quite difficult to renegotiate legally, but its commitments tend to be less intrusive and easier to circumvent. No integration, finally, tends to be the most accountable model, as most rules and policies can be easily changed at any time by a new parliamentary majority.

The acceptance of the various models can often be established with a reasonable level of precision through public opinion data, referendum results, and the analysis of party and governmental positions. Generally speaking, overall support for EU accession tends to be stronger for countries which are geographically contiguous, economically highly integrated, geopolitically close, politically compatible, and as prosperous as the EU average. The accession of poor countries is often strongly supported by domestic actors but controversial among EU actors, while the opposite is true for the accession of rich countries (Schimmelfennig and Winzen 2020a). Presently, the Eurobarometer finds solid pluralities or large majorities deeming EU membership a ‘good thing for our country’ in all five surveyed candidate countries: 42.3 per cent in Serbia, 47.5 per cent in Turkey, 59.0 per cent in Macedonia, 68.6 per cent in Montenegro, and 91.0 per cent in Albania (European Commission 2019). Three other countries have openly rejected accession or membership application in referendums (Norway in 1972 and 1994, Switzerland in 2001, and San Marino – 50.3 per cent in favour, but with an insufficient turnout – in 2013). In most remaining countries, opinions vary but accession is not really on the political agenda. On the other hand, EU citizens themselves are lukewarm toward further enlargement in general and often opposed to the entry of specific members, notably Turkey (Dixon and Fullerton 2014). In 2019, only a thin plurality of the aggregate EU27 sample expressed its support for enlargement (43.3 per cent, net 3.1 per cent), with 10 countries opposing it (European Commission 2019). Absolute and comparative support for DI schemes, instead, is harder to assess. ‘Shallow’ differentiated agreements can be assumed to enjoy a high level of passive acceptance, even though citizens’ preferences are rarely surveyed. The acceptance of ‘deep’ differentiated agreements, however, can sometimes become highly controversial. In Switzerland (gfs.bern 2021), citizens seem oriented to support existing bilateral agreements (support: 54 per cent, net: 18 per cent) and reject the extreme options of no agreement (19 per cent) and EU membership (19 per cent), but a range of other

intermediate options are even more popular (up to 59 per cent). The thirteen Swiss referendums held on EU issues confirm this moderate and pragmatic attitude, with one largely rejecting EU membership, one closely rejecting EEA membership, one closely approving immigration quotas, and ten others upholding or expanding the existing level of integration. In the UK (WhatUKthinks 2020), on the contrary, public opinion has consistently been split between 'Remainers', advocates of a 'hard Brexit', and advocates of a 'soft Brexit', estimated by the latest figures as 41, 40, and 19 per cent of valid answers. Finally, specific Free Trade Agreements such as CETA, the Ukraine association Agreement, or the TTIP (Bluth 2016) can also induce public opinions of individual countries to perplexity or outright rejection, despite their overall positive attitude toward free trade.

Finally, external DI schemes seem to be highly sustainable. In terms of membership, they are rarely subject to termination or defections, although multilateral schemes have some limited tendency to progressively expand their size. For instance, the number of non-EU members of the EEA has remained stable at three since its creation, but it has increased from six to nine in the case of the Energy Community Treaty and from zero to seven in the case of the Schengen area. In terms of norms, external DI rules tend to be highly entrenched and very hard to change, even if they tend to require frequent updates to conform to evolving EU standards and may occasionally be violated.

Altogether, the main 'strengths' of external DI lie in its feasibility, malleability, respect for national autonomy, (initial) congruence with national preferences, and lack of political salience and vocal opposition. This model allows the EU and its partners to choose their degree of integration along a vast continuum of possibilities and tailor their relationship according to their mutual interests, preferences, and capacities. Critics can however point out several potential 'weaknesses' which may affect such schemes: inferior economic and non-economic benefits compared to full integration; weak redistributive effects compared to EU membership, particularly for poorer countries; the transformation EU partners in 'rule-takers' with little voice on the formulation, application, and amendment of the shared rules; instances of discriminatory exclusion from EU membership; the inferior democratic legitimacy of the schemes, which can be negotiated with authoritarian countries and – in some cases – with little national parliamentary oversight; weak democratic accountability compared to no integration, due to the high entrenchment of their commitments; and the uncertain acceptance of particularly 'deep' arrangements. Nevertheless, the many obstacles to further enlargement (particularly the European 'geographical criterion', concerns over institutional inefficiency and political paralysis, and public opinion hostility), the complexity of the accession process, and the rigidity of EU membership as a 'package deal' make external DI an inevitable reality for most non-EU partners, the truly important question being the appropriate degree of closeness or aloofness of the relationship.

Conclusion

The two case studies of internal and external differentiation make abundantly clear that the proposed analytical framework enables a synthetic and comprehensive analysis of all key aspects of international integration schemes. At the same time, the assessment is inevitably context-specific and little informative when applied to complex and politically controversial schemes. This depends not only on the largely normative character of the endeavour, where a broad consensus on the subjective value of each design criterion and of their combination can rarely be reached, but also on the uncertain measurement of many empirical indicators, whose objective value is often hard to estimate accurately, is sensible to small design variations, changes over time, and requires the collection of large amounts of costly evidence. Estimates of the overall benefits, distributional consequences, and acceptance of a scheme, in particular, are often little more than rough educated guesses based on contradictory

evidence, and the projection of past outcomes in the future may be completely falsified by the impact of neglected factors and unexpected events.

Therefore, the most important design recommendation which can be offered in these cases is to enhance the responsiveness of integration schemes to democratic debate and decision-making, rather than their conformity to any given technical or ethical benchmark. This way, social actors will be encouraged to become themselves a source of information about their performance and desirability under real-world conditions and will be able to rapidly adapt them in response to new information, conditions, and collective preferences. However, concrete measures depend on the specific normative vision of democracy adopted.

From the perspective of a national understanding of democracy, differentiated integration under international law is close to ideal, as it theoretically grants states a perfect freedom to decide when, and to what extent, to cooperate and allows them to rescind detrimental commitments with relative ease – albeit often through unlawful means. At the same, this perspective may undermine cooperation on issues relying on uniform and stable rules, the avoidance of free-riding, and positive redistribution and may subject non-members to the danger of negative externalities, arbitrary exclusion, and imbalanced relationships. Democratic responsiveness is enhanced when schemes they are contracted between democratic countries, are subject to a robust oversight by parliaments and public opinions, allow unilateral entry, exit, and the graduation of commitments, and present small imbalances in bargaining power between the parties. From the perspective of a continental understanding of democracy at the EU level, all existing forms integration are to some extent unsatisfactory, although uniform or differentiated EU regulations approved under the ordinary legislative procedure are the least objectionable. Democratic responsiveness would ideally require fully developed supranational institutions accountable to the whole citizenry rather than to territorial groupings, the enactment and amendment of norms with simple majoritarian procedures, and no possibility of unilateral exit or opting out. Differentiation, flexibility, and experimentation could still play an important role, but only if directly or indirectly endorsed by the majority of the whole citizenship, regardless of the preferences of national majorities. At the same time, this perspective risks overextending the competences of the ‘federal’ level, producing ‘one-size-fits-none’ policies, and compressing the potential for policy experimentation. It also entirely reproduces the problems of national governance in its dealings with non-members (external DI), which can only be solved by democratic governance at a truly global level. Finally, from the perspective of a democratic understanding seeking a reasonable balance between statist and federalist positions, differentiated integration – particularly general and special ‘enhanced cooperations’ under EU law – represents a useful tool to avoid both central dominance and political paralysis. At the same time, most existing uniform and differentiated procedures may appear as too rigid, blocking a timely and flexible scaling-up, reform, and scaling back of European competences and policies according to the evolution of national and aggregate preferences. Democratic responsiveness would probably be enhanced by generalizing the adoption of rules with qualified or simple ‘double majorities’ (of states and of citizens) while simultaneously facilitating the possibility of unilateral opt-outs and flexibility in matters of vital national interest.

On a technical level, the most promising avenue to improve the assessment and design of differentiated integration schemes is to increase the collection and analysis of the representative preferences of relevant publics through mass and targeted surveys, minipublics, and experimental techniques. These are already extensive for national and (uniform) EU solutions but still very limited for internal differentiation, other types of flexibility, external differentiation, and forms of integration outside of the EU framework. A better understanding of absolute and comparative preferences, both abstractly and with reference to specific schemes and aspects thereof, would greatly assist the optimization of all dimensions of

differentiated integration schemes, although technical and normative considerations could still justify a deviation from their indications.

References

- Allemand, Frédéric, Mathieu Bion, and Jean-Luc Sauron (2016) *Gouverner la zone euro après la crise: l'exigence d'intégration*. Paris: Gualino.
- Andersen, Thomas Barnebeck, Mikkel Barslund and Pieter Vanhuyse (2019). 'Join to prosper? An empirical analysis of EU membership and economic growth', *Kyklos* 72(2): 211–238.
- Badinger, Harald (2005). 'Growth effects of economic integration: evidence from the EU member states', *Review of World Economics* 141(1): 50–78.
- Bardach, Eugene (2012). *A practical guide for policy analysis*. 4th ed. Thousand Oaks: SAGE.
- Beauchamp, Tom L. and James F. Childress (2001). *Principles of biomedical ethics*. Oxford: Oxford University Press.
- Beckfield, Jason (2019). *Unequal Europe: regional integration and the rise of European inequality*. Oxford University Press.
- Bellamy, Richard and Sandra Kröger (2019). 'Differentiated integration as a fair scheme of cooperation', *EUI Working Papers RSC* 27.
- Bluth, Christian (2016). *Attitudes to global trade and TTIP in Germany and the United States*. Gütersloh: Bertelmann Stiftung.
- Boardman, Anthony E., David H. Greenberg, Aidan R. Vining, and David L. Weimer (2018). *Cost-benefit analysis: concepts and practice*. 5th ed. Cambridge: Cambridge University Press.
- Bohle, Dorothee and Béla Greskovits (2012). *Capitalist diversity on Europe's periphery*. Ithaca: Cornell University Press.
- Börzel, Tanja (2021). *Why noncompliance: the politics of law in the European Union*. Ithaca: Cornell University Press.
- Börzel, Tanja and Thomas Risse (2016). *The Oxford handbook of comparative regionalism*. Oxford: Oxford University Press.
- Börzel, Tanja, Antoaneta L. Dimitrova, and Frank Schimmelfennig (eds) (2017). *European Union Enlargement and Integration Capacity*. Abingdon: Routledge.
- Brudzińska, Kinga (ed.) (2020). *Making flexible Europe Work?* Bratislava: Globsec Policy Institute.
- Bryman, Alan (2012). *Social research methods*. 4th ed. Oxford: Oxford University Press.
- Campos, Nauro F., Fabrizio Coricelli, and Luigi Moretti (2019). 'Institutional integration and economic growth in Europe', *Journal of Monetary Economics* 103: 88–104.
- Chang, Michele (2016). *Economic and Monetary Union*. London: Macmillan.
- Cheneval, Francis and Frank Schimmelfennig (2012). 'The case for democracy in the European Union', *Journal of Common Market Studies* 51(2): 334–350.
- Cheong, Juyoung, Do Won Kwak, and Kam Ki Tang (2015). 'It is much bigger than what we thought: New estimate of trade diversion', *The World Economy* 38(11): 1795-1808.

- Chiochetti, Paolo (2017). 'Democratic legitimacy', *RESuME* (online). DOI:[10.25517/RESuME-7xN4KF9-2017](https://doi.org/10.25517/RESuME-7xN4KF9-2017)
- Chiochetti, Paolo, and Frédéric Allemand (eds) (2018). *Competitiveness and Solidarity in the European Union: Interdisciplinary Perspectives*. Abingdon: Routledge.
- Christiano, Thomas (2008). *The constitution of equality: democratic authority and its limits*. Oxford: Oxford University Press.
- Cogan, Jacob Katz, Ian Hurd, and Ian Johnstone (eds.) (2016). *The Oxford handbook of international organizations*. Oxford: Oxford University Press.
- Coman, Ramona, Amandine Crespy, and Vivien A. Schmidt (eds.) (2020). *Governance and Politics in the Post-crisis European Union*. Cambridge: Cambridge University Press.
- Copp, David (ed) (2006). *The Oxford handbook of ethical theory*. Oxford: Oxford University Press.
- Council of the European Union (2021). Treaties and agreements database. Available at: <https://www.consilium.europa.eu/en/documents-publications/treaties-agreements/>
- Dahrendorf, Ralf (1979). *A third Europe?* Florence: EUI.
- de Blok, Lianne, Catherine E. De Vries, Julian Schluessler, Max Heermann, and Dirk Leuffen (2021). 'Public support for differentiated integration: does institutional design matter?', *EUI Working Papers RSC* forth.
- De Grauwe, Paul (2020). *Economics of the monetary union*. Oxford: Oxford University Press.
- De Witte, Bruno (2019). 'The law as tool and constraint of differentiated integration'. *EUI Working Papers RSC* 47.
- De Witte, Bruno, Andrea Ott, and Ellen Vos (eds) (2017). *Between flexibility and disintegration: The trajectory of differentiation in EU law*. Cheltenham: Edward Elgar.
- Deutsch, Morton (1975). 'Equity, equality, and need: what determines which value will be used as the basis of distributive justice', *Journal of Social Issues* 31(3): 137–149.
- Dixon, Jeffrey C., and Andrew S. Fullerton (2014). 'For and against European Union expansion: Examining mixed opinion on enlargement and specific countries' entries', *International journal of comparative sociology* 55(5): 357-378.
- Dreyer, Johannes Kabderian, and Peter Alfons Schmid (2017). 'Growth effects of EU and EZ memberships: Empirical findings from the first 15 years of the Euro', *Economic Modelling* 67: 45-54.
- Eeckhout, Piet (2011). *EU external relations law*. Oxford: Oxford University Press.
- Eppler, Annegret, Lisa H. Anders, and Thomas Tuntschew (2016). *Europe's political, social, and economic (dis-)integration: Revisiting the Elephant in times of crises*. Wien: IHS.
- Eriksen, Erik Oddvar and John Erik Fossum (eds) (2015). *The European Union's non-members: independence under hegemony?* Abingdon: Routledge.
- European Commission (2018) Standard Eurobarometer 90.2. Available at: <https://www.gesis.org/en/eurobarometer-data-service/survey-series/standard-special-eb/study-overview/eurobarometer-902-za7488-october-november-2018>
- European Commission (2019) Standard Eurobarometer 91.5. Available at: <https://www.gesis.org/en/eurobarometer-data-service/survey-series/standard-special-eb/study-overview/eurobarometer-915-za7576-june-july-2019>

- European Commission (2019b). EU spending and revenue - Data 2000-2019 with retro-active impact of the 2014 own resources decision. Available at: https://ec.europa.eu/info/sites/default/files/about_the_european_commission/eu_budget/2021-05-05_spending_and_revenue_ord_retroactive.xls
- Felbermayr, Gabriel, Jasmin Gröschl, and Inga Heiland (2018). 'Undoing Europe in a new quantitative trade model', *ifo working papers* 250.
- Feldman, Allan M. and Roberto Serrano (2006). *Welfare economics and social choice theory*. New York: Springer.
- Follesdal, Andreas and Simon Hix (2006). 'Why there is a democratic deficit in the EU: a response to Majone and Moravcsik', *Journal of Common Market Studies*, 44(3): 553–562.
- Fossum, John Erik (2015). 'Democracy and differentiation in Europe', *Journal of European Public Policy* 22(6): 799-815.
- Frey, Bruno and Reiner Eichenberger (1999). *The new democratic federalism for Europe: functional, overlapping and competing jurisdictions*. Cheltenham: Edward Elgar.
- Frommelt, Christian (2020). 'Institutional challenges for external differentiated integration: the case of the EEA', *EUI Working Papers RSC* 65.
- Gänzle, Stefan, Benjamin Leruth, and Jarle Trondal (eds) (2019). *Differentiated integration and disintegration in a post-Brexit era*. Abingdon: Routledge.
- Garben, Sacha and Inge Govaere (eds) (2017). *The division of competences between the EU and the Member States: reflections on the past, the present and the future*. Oxford: Hart Publishing
- Gebhard, Carmen and David J. Galbreath (eds.) (2013). *Cooperation or conflict? Problematizing organizational overlap in Europe*. Farnham: Ashgate.
- Genschel, Philipp, Anton Hemerijck, Stephan Shakespeare, Jonathan Van Parys, Lorenzo Cicchi, Mohamed Nasr (2020). EUI-YouGov survey on solidarity in Europe. Available at: <https://hdl.handle.net/1814/67584>.
- gfs.bern (2021). Standort Schweiz 2021 – Europafragen. Available at: <https://t.co/B3qzIPIX9A?amp=1>
- Gill, Stephen (1998). New constitutionalism, democratisation and global political economy. *Global change, peace & security* 10(1): 23-38.
- Gill, Stephen, and A. Claire Cutler (eds) (2014). *New constitutionalism and world order*. Cambridge: Cambridge University Press.
- Grether, Jean-Marie and Tobias Müller (2001). 'Decomposing the economic costs and benefits of accession to the EU: the Swiss case', *Journal of Economic Integration* (2001): 203–228.
- Gyoerk, Emilia (2017). 'Economic Costs and Benefits of EMU Membership from the Perspective of a Non-member', *Open Economies Review* 28(5): 893-921.
- Hansson, Sven Ole (2007). 'Philosophical problems in cost-benefit analysis', *Economics and philosophy* 23: 163–183.
- Hausman, Daniel M., Michael S. McPherson, and Debra Satz (2017). *Economic analysis, moral philosophy, and public policy*. Cambridge: Cambridge University Press.
- Henrekson, Magnus, Johan Torstensson, and Rasha Torstensson (1997). 'Growth effects of European integration', *European Economic Review* 41(8): 1537–1557.
- Hirose, Iwao (2014). *Egalitarianism*. Abingdon: Routledge.

- Hobolt, Sara B. and Catherine E. De Vries (2016). 'Public support for European integration', *Annual Review of Political Science* 19: 413–32.
- Hooghe, Liesbet and Gary Marks (2009). 'A postfunctionalist theory of European integration: from permissive consensus to constraining dissensus', *British Journal of Political Science* 39(1): 1–23.
- Hooghe, Liesbet and Gary Marks (2016). *Community, scale, and regional governance: a postfunctionalist theory of governance, Volume II*. Oxford: Oxford University Press.
- Howorth, Jolyon (2014). *Security and defence policy in the European Union*. London: Macmillan.
- Hvidsten, Andreas H., and Jon Hovi (2015). 'Why no twin-track Europe? Unity, discontent, and differentiation in European integration', *European Union Politics* 16(1): 3-22.
- InDivEU (2021). Integrated database: preferences of citizens, parties, governments, and stakeholders on differentiated integration. Available at: <http://indiveu.eui.eu/integrated-database/>.
- Keukeleire, Stephan, and Tom Delreux (2014). *The foreign policy of the European Union*. London: Macmillan.
- Koenig, Nicole (2015). 'A differentiated view of differentiated integration', *Jacques Delors Institut Berlin Policy Paper* 150.
- Kölliker, Alkuin (2001). 'Bringing together or driving apart the union? Towards a theory of differentiated integration', *West European Politics* 24(4): 125–151.
- Kröger, Sandra, Marta Lorimer and Richard Bellamy (2021). 'The democratic dilemmas of differentiated integration: the views of political party actors', *Swiss Political Science Review*, DOI: [10.1111/spsr.12449](https://doi.org/10.1111/spsr.12449).
- Latorre, María C., Zoryana Olekseyuk, Hidemichi Yonezawa, and Sherman Robinson (2020). 'Making sense of Brexit losses: An in-depth review of macroeconomic studies', *Economic Modelling* 89:72-87.
- Lavenex, Sandra and Ivo Križić (2019). Conceptualising differentiated integration: governance, effectiveness and legitimacy. Available at: <http://archive-ouverte.unige.ch/unige:129347>
- Leuffen, Dirk, Julian Schuessler, and Jana Gómez Díaz (2020). 'Public support for differentiated integration: individual liberal values and concerns about member state discrimination', *Journal of European Public Policy* (2020): 1-20.
- Levin, Henry M. and Patrick J. McEwan (2001). *Cost-effectiveness analysis: methods and applications*. 2nd edition. Thousand Oaks: Sage.
- Lindberg, Leon N. (1970). 'Political integration as a multidimensional phenomenon requiring multivariate measurement', *International organization* 24(4): 649–731.
- Lucarelli, Sonia, Furio Cerutti, and Vivien A. Schmidt (eds) (2011). *Debating political identity and legitimacy in the European Union*. Abingdon: Routledge.
- Macron, Emmanuel (2017). Initiative pour l'Europe. Available at: <http://international.blogs.ouest-france.fr/archive/2017/09/27/macron-sorbonne-europe-verbatim-18567.html>.
- Magee, Christopher SP (2008). 'New measures of trade creation and trade diversion', *Journal of International Economics* 75(2): 349-362.

- Magone, José M., Brigid Laffan, and Christian Schweiger (eds) (2016). *Core-periphery relations in the European Union: power and conflict in a dualist political economy*. Abingdon: Routledge.
- Majone, Giandomenico (2009). *Europe as the would-be world power: The EU at fifty*. Cambridge: Cambridge University Press.
- Medeiros, Eduardo (ed) (2018). *European territorial cooperation: theoretical and empirical approaches to the process and impacts of cross-border and transnational cooperation in Europe*. Cham: Springer.
- Molle, Willem (2006). *The economics of European integration: theory, practice, policy*. Aldershot: Ashgate.
- Moravcsik, Andrew (1998). *The choice for Europe: Social purpose and state power from Messina to Maastricht*. Ithaca: Cornell University Press.
- Neck, Reinhard and Klaus Weyerstrass (2019). 'Macroeconomic Effects of Serbia's Integration in the EU and the Euro Area', *International Advances in Economic Research* 25(3): 277–292.
- Nye, Joseph S. (1968). 'Comparative regional integration: concept and measurement', *International organization* 22(4): 855–880.
- Ostrom, Elinor (2011). 'Background on the institutional analysis and development framework', *Policy Studies Journal* 39(1): 7-27.
- Pedreschi, Luigi and Joanne Scott (2020). 'External differentiated integration: legal feasibility and constitutional acceptability', *EUI Working Papers RSC* 54.
- Peter, Fabienne (2009). *Democratic legitimacy*. Abingdon: Routledge.
- Piattoni, Simona and Laura Polverari (eds) (2016). *Handbook on cohesion policy in the EU*. Cheltenham: Edward Elgar Publishing.
- Qvortrup, Matt (2016). 'Referendums on membership and European integration 1972–2015', *The Political Quarterly* 87(1): 61-68.
- Reestman, Jan-Herman (2021). 'National constitutional obstacles to differentiated integration', *EUI Working Papers RSC* 6.
- Regan, Aidan, and Samuel Brazys (2018). 'Celtic phoenix or leprechaun economics? The politics of an FDI-led growth model in Europe', *New Political Economy* 23(2): 223-238.
- Ripoll Servant, Ariadna, and Florian Trauner (2018). *The Routledge handbook of Justice and Home Affairs research*. Abingdon: Routledge.
- Rodriguez, Francisco, and Dani Rodrik (2000). 'Trade policy and economic growth: a skeptic's guide to the cross-national evidence', *NBER macroeconomics annual* 15: 261-325.
- Roemer, John E. (1998). *Theories of distributive justice*. Cambridge: Harvard University Press.
- Sabel, Charles F. and Jonathan Zeitlin (eds) (2010). *Experimentalist governance in the European Union: towards a new architecture*. Oxford: Oxford University Press.
- Schimmelfennig, Frank and Thomas Winzen (2020a). *Ever Looser Union? Differentiated European integration*. Oxford: Oxford University Press.
- Schimmelfennig, Frank and Thomas Winzen (2020b). 'Differentiated EU integration: maps and modes', *EUI Working Papers RSC* 24.

- Schmidt, Vivien A. (2013). 'Democracy and legitimacy in the European Union revisited: input, output, and throughput', *Political Studies* 61(1): 2–22.
- Schneider, Christina J. (2009). *Conflict, negotiation and European Union enlargement*. Cambridge: Cambridge University Press.
- Schumacher, Tobias, Andreas Marchetti, and Thomas Demmelhuber (eds) (2017). *The Routledge handbook on the European neighbourhood policy*. Abingdon: Routledge.
- Sielmann, Christoph M. (2020). *Governing difference: internal and external differentiation in European Union law*. Baden-Baden: Nomos.
- Slote, Michael and Philip Pettit (1984). 'Satisficing consequentialism', *Proceedings of the Aristotelian Society, Supplementary Volumes* 58: 139-176.
- Solow, Robert M. (1956). 'A contribution to the theory of economic growth', *The quarterly journal of economics* 70(1): 65-94.
- Stubb, Alexander C-G (1996). 'A categorization of differentiated integration', *Journal of Common Market Studies* 34(2): 283–295.
- Tappolet, Christine (2013). 'Evaluative vs. deontic concepts', in Hugh LaFollette (ed). *The international encyclopedia of ethics*. DOI:[10.1002/9781444367072.wbiee118](https://doi.org/10.1002/9781444367072.wbiee118)
- Tatham, Allan F. (2009). *Enlargement of the European Union*. Alphen aan den Rijn: Kluwer.
- Telle, Stefan, Claudia Badulescu, and Daniel Fernandes (2021). 'Differentiated integration in the EU: what do the member states 'think' about it?' *EUI Working Papers RSC* 50.
- United Nations (2021). United Nations treaty series. Available at: https://treaties.un.org/Pages/AdvanceSearch.aspx?tab=UNTS&clang=_en
- Vamvakidis, Athanasios (2002). 'How robust is the growth-openness connection? Historical evidence', *Journal of Economic Growth* 7(1): 57-80.
- Van den Brink, Ton (2017) 'Refining the division of competences in the EU: national discretion in EU Legislation', in Sacha Garben and Inge Govaere (eds) *The division of competences between the EU and the Member States: reflections on the past, the present and the future*. Oxford: Hart Publishing, 251–275.
- Wallace, R. Jay (2020). 'Practical Reason', in: Edward N. Zalta (ed.). *The Stanford Encyclopedia of Philosophy*. Available at <https://plato.stanford.edu/archives/spr2020/entries/practical-reason/>.
- WhatUKthinks (2020). Are you supportive of remaining in the EU, of a Brexit where the UK is closely aligned with the EU, or of a Brexit where the UK has a clear break from the EU? Available at: <https://whatukthinks.org/eu/questions/are-you-supportive-of-remaining-in-the-eu-of-a-brexite-where-the-uk-is-closely-aligned-with-the-eu-or-of-a-brexite-where-the-uk-has-a-clear-break-from-the-eu/?removed>
- Wiener, Antje, Tanja Börzel, and Thomas Risse (eds) (2019). *European integration theory*. 3rd ed. Oxford: Oxford University Press.
- Winzen, Thomas and Frank Schimmelfennig, Frank (2021). 'Do citizens support the differentiated integration of their country?', *EUI Working Papers RSC* forth.
- Yanikkaya, Halit (2003). 'Trade openness and economic growth: a cross-country empirical investigation', *Journal of Development economics* 72(1): 57-89.
- Ziller, Jacques (2007). 'The European Union and the territorial scope of European territory', *Victoria University of Wellington Law Review* 38: 51–64.

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