

Differentiated Integration - Views from Austria^{1, 2}

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Abstract

This paper investigates the salience of and the position on Differentiated integration (DI) for the Austrian government. The analysis is based on both an analysis of government programmes, programmatic government speeches and parliamentary debates between 2004 and 2019/20. It shows that DI is overall not a salient issue in Austria, at least with regard to general DI concepts and models. Specific instances of DI were, of course, subjects of intense debates but, with very few exceptions such as the financial transaction tax as an instance of enhanced cooperation, rarely discussed with specific reference to DI. Overall, most Austrian parties are also not generally in favour of DI, quite the opposite. The dominant vision of the EU is that of a community of closely cooperating Member States with the same rights and responsibilities where opt-outs are seen as cherry picking. Only one party has forcefully supported the development of a core Europe, namely the right-wing populist Bündnis Zukunft Österreich (Alliance for the Future of Austria, BZÖ). In this case, however, DI is mainly regarded as a means to exclude groups of Member States (especially the financially more vulnerable or net recipients) from areas of integration.

Keywords: differentiated integration, Austria, Nationalrat, enhanced cooperation, financial transaction tax

1 Introduction

Differentiated integration (DI), i.e., the uneven application of EU primary or secondary law to its Member States, has been a feature of European integration since the outset and was well-established by the time Austria joined the EU in 1995 (Schimmelfennig & Winzen 2020). Yet with very few exceptions, integration of Austria in the EU has never been strongly differentiated. Austria has, as part of the European core, actively participated in all aspects of the integration process (Ibid.: 11.), including those in the context of enhanced cooperation or the European Common Security and Defence Policy and PESCO, despite and within the limits of its constitutionally guaranteed neutrality (Gärtner 2018, for a critical perspective, Gressel 2021). Among the other exceptions are mainly opt-outs which do not only apply to Austria individually, but are

¹ The article is based on research conducted by Katrin Auel and Anna Pixner (Auel & Pixner 2020). I would like to thank the editors and anonymous reviewer for their helpful comments as well as the participants from the Austrian Parliament for their feedback. The usual disclaimer applies.

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open to all Member States, such as the opt-out from the cultivation of genetically modified organisms (GMO).

Against this background, this contribution to the special issue “The Member States and Differentiated Integration in the European Union” edited by Telle et al. (2021) provides a descriptive analysis of the salience of DI and the position of political actors towards differentiated integration in Austria between 2004 and 2019/2020. Following the joint approach for this special issue (see the introduction to this issue, Telle et al. 2021), we distinguish between *polity differentiation* by time (multi-speed Europe) and as an end state (multi-end Europe), the two main *mechanisms of differentiation* (enhanced cooperation and opt outs) and *policy differentiation* in terms of EU policies and instances of differentiation.

The next section introduces the data and methods of analysis, while sections 3 and 4 present the data on *polity* differentiation and *policy* differentiation/*mechanisms* of DI, respectively. Both empirical sections will address the two main common research questions addressed in this special issue regarding the salience of and the position towards differentiated integration among political actors in Austria. They show that differentiated integration is overall not a salient issue in Austria, at least regarding general concepts and models. While specific instances of *policy* integration have, of course, been the subject of intense political debates, DI as a more general topic has come up only infrequently in both government speeches and parliamentary debates since 2004. Given the overall low salience, the position of political actors towards DI is difficult to assess. Yet the analysis suggests that most Austrian politicians are not in favour of polity differentiation, but rather quite the opposite. The Austrian vision of the EU seems to be that of a community of closely cooperating Member States with the same rights and responsibilities. As a result, opt-outs are generally assessed more negatively, and enhanced cooperation is regarded as a feasible second-best rather than undesirable option. The final section discusses the findings and concludes.

2 Methods and data

To measure the salience of DI, we conducted a computer-assisted count of DI-related keywords in a variety of document types over the period of 2004 to 2019/2020.³ The documents analysed include all government programmes⁴, the first government declarations by the Chancellor (and occasionally, the Vice Chancellor) after taking office, speeches made by the Chancellor in both the European Parliament (EP) and the Austrian Nationalrat on the occasion of taking over the EU Council Presidency in 2006 and 2018, as well as all government EU-declarations⁵ related to European Council meetings. In addition, we analysed all parliamentary debates in both houses of the Austrian parliament (Nationalrat and Bundesrat) between 2004 and 2019. Here, we had to focus on plenary debates, as the committees meet behind closed doors and do not provide stenographic minutes.

³ Unfortunately, we were not able to include Future of Europe (FoE) debates as no Austrian representative gave a FoE speech in the European Parliament. Chancellor Kurz’s speech at the kickoff celebration for the European citizens’ dialogues in Austria in June 2018 is unfortunately also not available.

⁴ Between 2002 and 2020, Austria had 7 governments, of which one, in 2019, was a caretaker government under Chancellor Bierlein after a successful no confidence vote against Chancellor Kurz. The Bierlein government did not draw up a government programme.

⁵ According to §74, para. 1 of the standing orders of the Austrian Nationalrat, the Government presents an EU declaration twice a year in close proximity to the European Council meetings.

For the selection and analysis of the documents, the common list of keywords related to DI (Telle et al. 2021 in this issue) was translated into German (see Auel and Pixier 2020 for details). While we analysed all government programmes and programmatic speeches by members of the Cabinet, the stenographic minutes of parliamentary debates were searched via the advanced search engine provided by the Parliament's website using the list of keywords. In addition, as actors sometimes use English terms, we searched for these as well (e.g., coalition of the willing, enhanced cooperation, opt-out, PESCO). The resulting minutes were then selected manually to avoid false positives. This was especially the case for terms, such as enhanced cooperation (*verstärkte Zusammenarbeit*) or opt-out, that are either commonly used in German or were used fairly frequently in debates related to domestic policies. The salience of different aspects of DI was then measured using the key word counts across the selected documents.

To gauge the *position* of government and parliamentary actors regarding DI, we selected all segments within the government programmes, programmatic speeches and stenographic minutes that included an *assessment* of polity differentiation as well as DI mechanisms, excluding, in turn, all segments in which key terms were referred to in neutral terms or only mentioned in passing. For these segments, we coded the speaker, the government status (governing or opposition party) as well as the general assessment (negative or positive). These segments were coded manually using Max QDA software.

3 Polity Differentiation

Salience of Polity Differentiation

While the EU, European politics and policies play a prominent role in Austrian government programs (Auel & Pixier 2020), differentiated integration in terms of polity differentiation is not a salient issue. The only government program that explicitly mentioned concepts related to polity differentiation (here: variable geometry and core Europe) was the program of the 2008 Faymann government. The same is true for the first speeches of the Chancellor⁶ after each election (government declarations) in both chambers of the Austrian Parliament or the Chancellors' speeches on the occasion of the EU Council presidencies in 2006 and 2018 in the European Parliament and the Austrian Nationalrat⁷. While speeches occasionally referred to specific instances of policy differentiation, neither of them addressed the concept of polity differentiation explicitly. Statements by Chancellors or Vice Chancellors made in Parliament related to European Council meetings (EU declarations), finally, explicitly mentioned concepts related to polity DI twice, both in the same declaration by Vice Chancellor Spindelegger in December 2011 referring to a 'multi-speed Europe'.

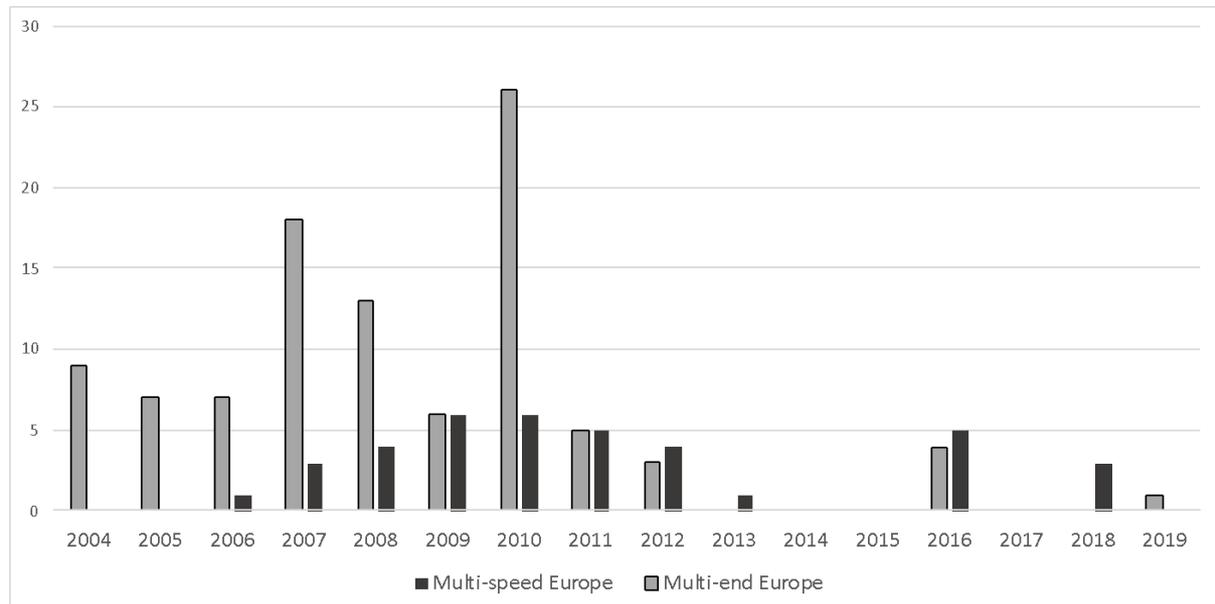
Turning to parliamentary debates, Figure 1 shows the low salience of polity differentiation in both chambers of the Austrian Parliament between 2004 and 2019, with an average of just over eight key word mentions a year. Overall, concepts related to polity differentiation as an end-state (multi-end Europe) were mentioned more

⁶ In 2017 and 2020, separate speeches were given by Chancellor Kurz and Vice Chancellors Strache and Kogler, respectively, which were coded as well. Chancellor Bierlein, in turn, defined the role of her unelected caretaker government as "*verwalten, nicht gestalten*" (caretaking, not decision-making) and did not give a programmatic speech.

⁷ Neither Schüssel nor Kurz presented the Council presidency priorities in a plenary session of the upper chamber, the Bundesrat.

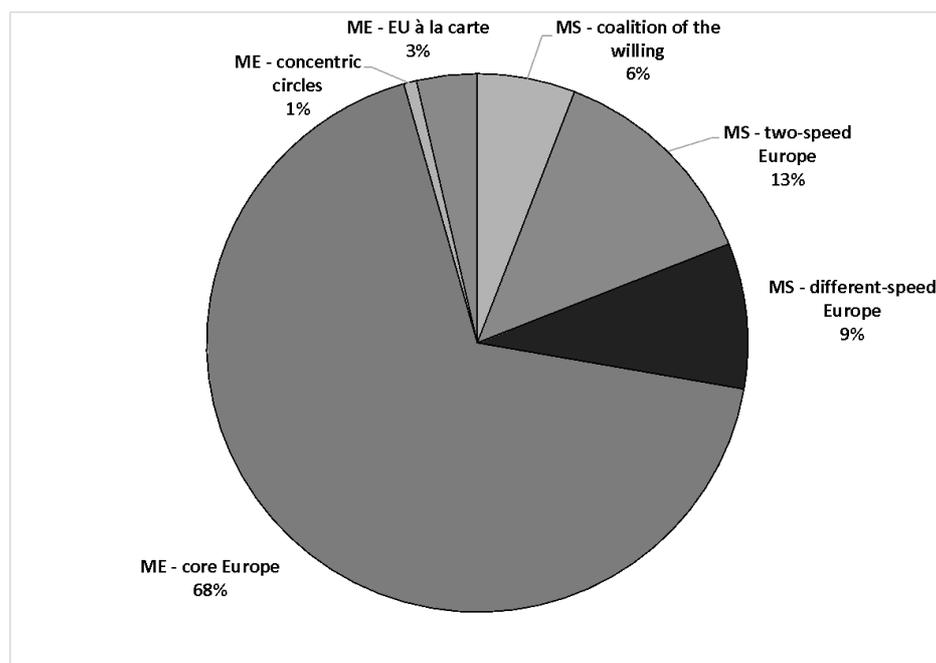
frequently than concepts related to polity differentiation as a process (multi-speed Europe), and especially in 2007, 2008 and 2010.

Figure 1 Multi-end and multi-speed concepts in parliamentary debates 2004-2019 (absolute numbers, N = 138)



The most often used keyword was ‘core Europe’ (*Kerneuropa*) with 68 per cent (Figure 2), with terms referring to a Europe of two or different speeds following far behind. The other keywords played no (variable geometry, two-tier Europe) or only a very small role.

Figure 2 Multi-end and multi-speed concepts in parliamentary debates 2004-2019 (aggregated percentages)



Note: MS = ‘Multi-speed Europe’ model; ME = ‘Multi-end Europe’ model

Positions on Polity Differentiation

Assessing the position of Austrian governments on polity differentiation based on the programmes and programmatic speeches is difficult given its low salience. Opposition to polity DI was only spelled out in the 2008 government programme, where the incoming new grand coalition between the social democrats (SPÖ) and the Austrian Peoples' Party (ÖVP) explicitly rejected the introduction of general forms of DI:

“In the future, Austria will continue to participate actively, fully and equally in all EU policy areas. We reject variable geometries that exclude Austria. Generally, we oppose new dividing lines in Europe (e.g., in the form of a core Europe)” (Regierungsprogramm 2008: 238).⁸

While this emphasis may have been a reaction to the negotiations on the Lisbon Treaty at the time, all government programmes until 2013 explicitly emphasised the full and active participation of Austria in all EU policy areas. The programmes of the two Kurz governments (2017 and 2020), also committed to “participating in the future development of the EU as an active and reliable partner” (Regierungsprogramm 2017: 22), put a stronger focus on subsidiarity and the concentration of the EU's core tasks. In addition, the ÖVP/Greens government programme of 2020 emphasises the expectation that all members of the EU stick to the rules and that those who do not, regarding the budget rules or the rule of law, are to be sanctioned (Regierungsprogramm 2020: 175). A similar demand is made regarding “effective sanctions for Member States that violate the Dublin Agreement by tolerating illegal migration to central Europe and do not act against human traffickers” (Regierungsprogramm 2020: 178). At the same time, “Austria positions itself in the EU in favour of a new [working] together rather than the old [working] against each other” (Regierungsprogramm 2020: 175). This sentiment also featured in the speeches by Chancellor Kurz on the occasion of the 2018 Austrian Council presidency. Kurz made a reference to “first and second-class members” in the speeches, but in relation to a general increase in conflict and dividing lines among groups of Member States and not specifically in relation to DI:

“I have the feeling that it has become much more common among the Member States that one group complains about the other, the north about the south, the west about the east and vice-versa. I, in turn, believe in a united Europe, a Europe of cooperation and a Europe in which first- and second-class Member States do not exist (Chancellor Sebastian Kurz, Speech in EP, 3 July 2018).

The overall position that emerges from the programmatic documents and speeches is that Austrian governments seem to regard the EU as a community of equal and closely cooperating members with the same rights and responsibilities. As a result, polity differentiation is not a preferred option:

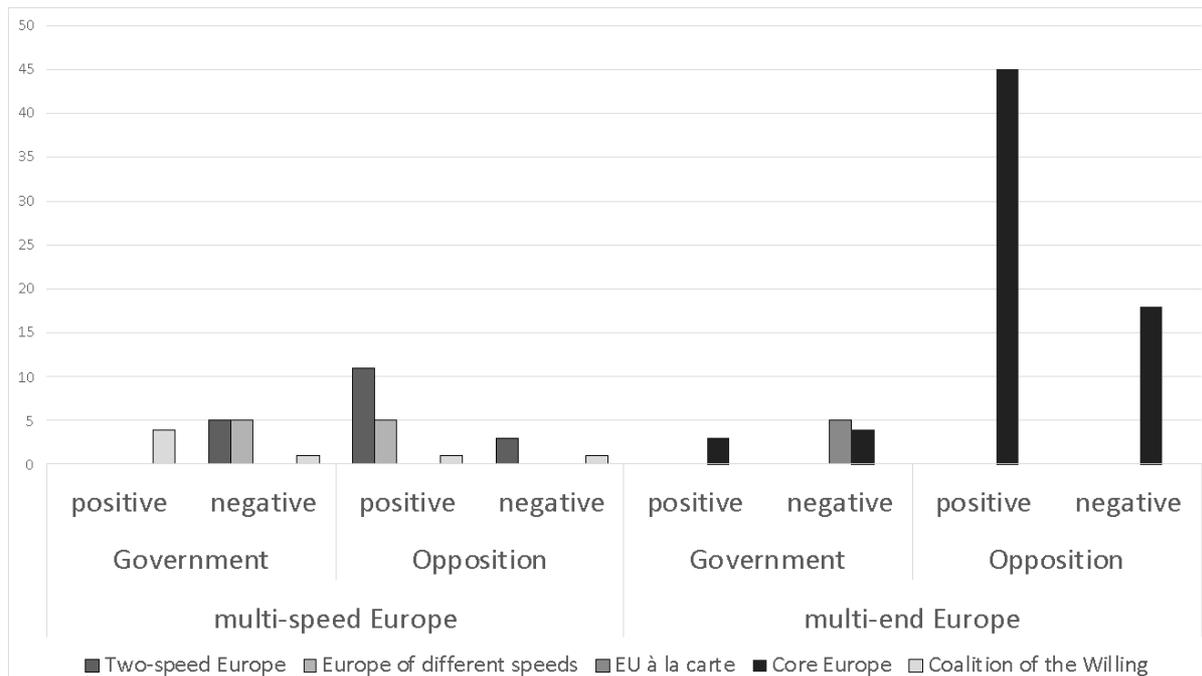
“A Europe of different speeds is not my plan, and therefore we must do something to stop it [...] we must strengthen the common method in the European Union. Common method means developing solutions together [...] and not trying to construct a Europe of different speeds” (Vice Chancellor

⁸ All translations from German are by the authors.

Wolfgang Spindelegger, ÖVP, Nationalrat, EU declaration, 14 December 2011, p. 17).

Broadening the analysis to parliamentary debates 2004 to 2019 indicates that throughout the period under investigation opposition parties positioned themselves far more frequently on polity DI than members of the government or the governing parties (Figure 3). In addition, polity differentiation by time (multi-speed Europe) played less of a role than polity differentiation as an end state (multi-end Europe), with the concept of a ‘core Europe’ being the most frequently mentioned.

Figure 3 Assessment of concepts related to multi-speed and multi-end Europe by government status (absolute numbers)



Overall, the debate contributions again illustrate that the Austrian mainstream parties do not see polity differentiation primarily as an opportunity for closer cooperation between specific, willing, Member States, but as an undesirable framework in which each member would be able to choose what rules it wants to abide by. This is also observable from the fact that the term ‘core Europe’ is used by most mainstream parties with a rather negative connotation – similar to Europe à la carte:

“The SPÖ [is] a pro-European party that is fully committed to European integration in its entirety and not as a patchwork as you [the BZÖ] envision it in the form of a core Europe or similar ideas” (MP Elisabeth Grossmann, SPÖ, Nationalrat, 8 July 2008, p. 57).

“With 500 million people and 27 states, there will be no Europe à la carte, where anyone can practically choose in a modular system what they like best; there must be rules of the game” (MP and former Chancellor Wolfgang Schüssel, ÖVP, Nationalrat, 9 April 2008, p. 104).

Given the negative assessment of polity differentiation as an end state, it is hardly surprising that concepts related to polity differentiation by time are also rejected by the main parties:

“Incidentally, it would be disastrous to kick any countries out of the eurozone now. What kind of signals are these? - The two speeds would then already be three different speeds in Europe, at some point the whole of Europe will be a tattered, holey Emmental history” (Federal Councillor Stefan Schennach, SPÖ, Bundesrat, 17 December 2010, p. 106).

“A Europe à la carte, where each partner only chooses what they like most, cannot be our goal, just like a Europe that has to follow the slowest ship in the convoy” (MP Carmen Jeitler-Cincelli, ÖVP, citing Helmut Kohl, Nationalrat, 13 November 2019, p. 3).

Most of the assessments as well as the focus on the concept of core Europe, however, were due to contributions by the right-wing populist opposition party Alliance for the Future of Austria (*Bündnis Zukunft Österreich*, BZÖ⁹), which also partly explains why polity differentiation became a much less salient topic from 2013 onwards. The BZÖ was the only party advocating polity differentiation in the form of a core Europe, emphasising the advantage of Member States being able to choose which integration steps they want to be part of in terms of democratic legitimacy:

“We have an idea [...] how to make this Europe better, namely more democratic. [...] we want to create a core Europe with the highest level of integration. The people should through referendums decide whether they want to participate or not” (MP Herbert Scheibner, BZÖ, Nationalrat, 9 April 2008, p. 129).

Yet although often coined in terms of self-determination and democratic legitimacy, other statements and motions make it rather clear that the BZÖ had a very specific core Europe in mind, namely that of the European net payers or ‘best developed countries’:

“We need a new Europe, we need new structures. That’s why we advocate a Europe of different speeds. One can’t compare Austria and Germany and Holland and Great Britain with those which newly joined: with Romania, with Bulgaria and other countries. They can’t all be tarred with the same brush. That’s why we said there must be a core Europe, a core of the European Union of the best developed countries” (MP Herbert Scheibner, BZÖ, Nationalrat, 8 July 2008, p. 56).

“We from the BZÖ have therefore long demanded a core Europe of the net payers” (MP Christoph Hagen, BZÖ, Nationalrat, 24 March 2010, p. 125).

The continuing insistence of the BZÖ on a specific type of polity integration may also explain the rather negative assessments by the mainstream parties, which were often voiced as a response to BZÖ statements.

“I found the remarks [...] on the two speeds interesting. If a car were travelling with two different speeds – left axis, right side – that vehicle would normally get torn apart. Europe would, of course, face the same danger. [...] That alone shows

⁹ The BZÖ was founded in April 2005 by former FPÖ party leader Jörg Haider and other members of the FPÖ, and took the place of the FPÖ in the government coalition until 2006. Between 2007 and 2013, the BZÖ was in opposition, after the election in 2013 it was no longer represented in Parliament having failed to jump the 4% threshold.

there is one speed, there is one Europe” (Junior Minister [*Staatssekretär*] Josef Ostermayer, SPÖ, Nationalrat, 4 July 2012, p. 230).

Once the BZÖ was no longer represented in Parliament, debates over polity differentiation became relatively rare. The only other party that discussed the idea of a core Europe and a process of polity differentiation in a somewhat positive light were the NEOS in 2016 in relation to EU migration policy and border control during the refugee crisis. Yet deeper integration among a European core or ‘coalition of the willing’ was advocated not so much as a desirable option, but as a feasible way of achieving necessary further integration with at least a smaller number of Member States.

“This should never have become a crisis! Why has it become one, nonetheless? Because there is no common European policy. [...] [As a result], a majority of the 28 EU Member States succumbs to nationalism and egoism – unfortunately our Austrian government as well. [...] Let’s take care of securing the EU’s external borders together! Together! If that does not work in the framework of the EU 28 [...] then a few brave ones, a few that are willing, have to lead the way and create a core Europe in which we can achieve what the 28 cannot: a common foreign policy, a common asylum and migration policy and a common border security (Rainer Hable, NEOS, Nationalrat, 16 March 2016, p. 78f.).

4 DI mechanisms and policy differentiation

Salience of DI mechanisms and differentiated policies

Compared to the more fundamental concepts of polity integration, mechanisms of DI and policy differentiation were somewhat more salient for Austrian political actors during the period under observation. All government programmes addressed matters subject to policy DI, especially related to security and defence policy and PESCO, Schengen, the Economic and Monetary Union and the financial transaction tax as well as the office of the European public prosecutor. Yet the programmes mainly referred to the policies without addressing the underlying DI mechanisms *enhanced cooperation* or *opt-out* – one exception being the 2013 SPÖ/ÖVP programme, which referred to enhanced cooperation in connection with the financial transaction tax.

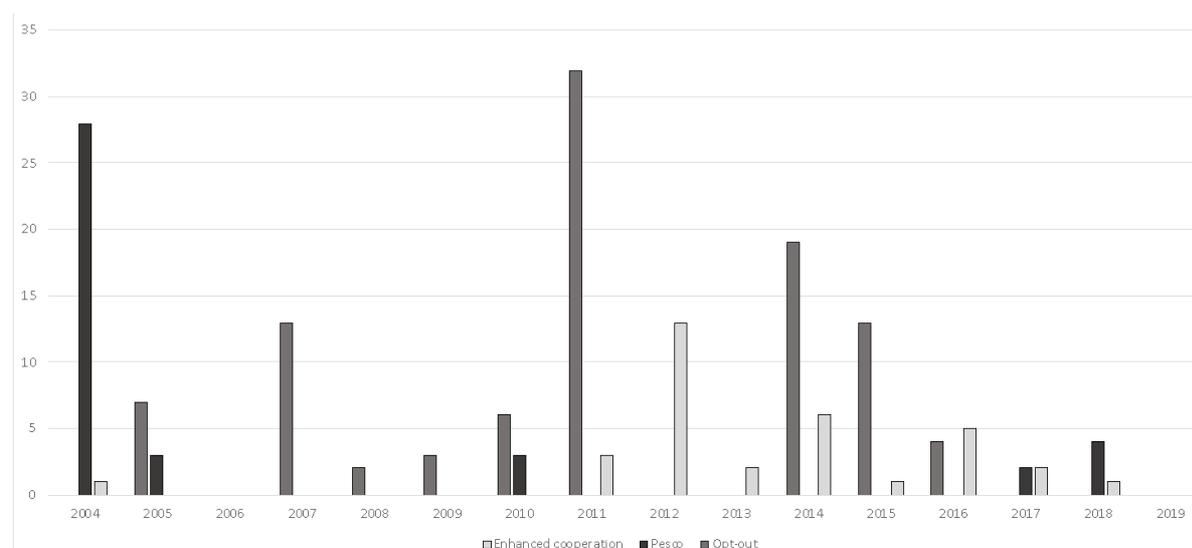
“The introduction of a financial transaction tax will be pursued. Austria will participate in an introduction within the framework of enhanced cooperation; in addition, it will continue its efforts regarding a preferable global introduction” (Regierungsprogramm 2013, p. 105).

A similar picture emerges from the analysis of programmatic government speeches. Unsurprisingly, given their importance, government declarations, EU declarations or speeches made on the occasion of the Council presidency addressed policies and policy areas subject to DI fairly frequently, yet almost never in the context of differentiated integration or with references to DI mechanism. Exceptions are two EU declarations by Chancellor Gusenbauer in 2007 that addressed the British opt-out from the Charter of Fundamental Rights. In addition, several general EU government declarations mentioned the mechanism enhanced cooperation related to the introduction of a financial transaction tax.

Figure 4 provides an overview of the mentions of the DI mechanisms opt out and enhanced cooperation in the plenary debates 2004 to 2019 in both houses of parliament. It also reports mentions of PESCO as a specific form of enhanced cooperation introduced with the Lisbon Treaty but already laid down in the Constitutional Treaty (Nováky 2018, p. 98).

While the sheer key word count suggests that *opt-outs* were rather salient in Austrian parliamentary debates, the debates were mainly centred around two policy issues, the Working Time Directive (especially salient in 2011 and 2014) as well as the cultivation of genetically modified organisms (GMOs) in 2015. Regarding the Working Time Directive, Austria never formally opted-out of applying the maximum weekly working time and supported the phasing out of this opt-out option. In practice, however, and hotly debated among the political parties, Austria applied a limited opt-out from the maximum weekly working hours for medical hospital staff, formalised, albeit for a limited time, in 2015 through the Hospital Working Time Act (*Krankenanstalten-Arbeitszeitgesetz*, see also Eurofund 2015: 11). In addition, opt-outs were salient in 2007 in the context of the European Charter of Fundamental Rights, and especially the British opt-out from it. Enhanced cooperation as a mechanism, in turn, was mainly debated in 2012 and in connection with the introduction of a financial transaction tax, while PESCO was especially salient in 2004.

Figure 4 Salience of DI mechanisms in parliamentary debates 2004-2019 (absolute numbers)



Policies subject to opt-outs or forms of enhanced cooperation were, of course, much more salient in the parliamentary debates (Auel and Pixner 2020). Yet, again, given that the vast majority of these mentions are not made in the specific context of DI, it is difficult to categorise them as mentions of policy *differentiation*.

Position on DI mechanisms and differentiated policies

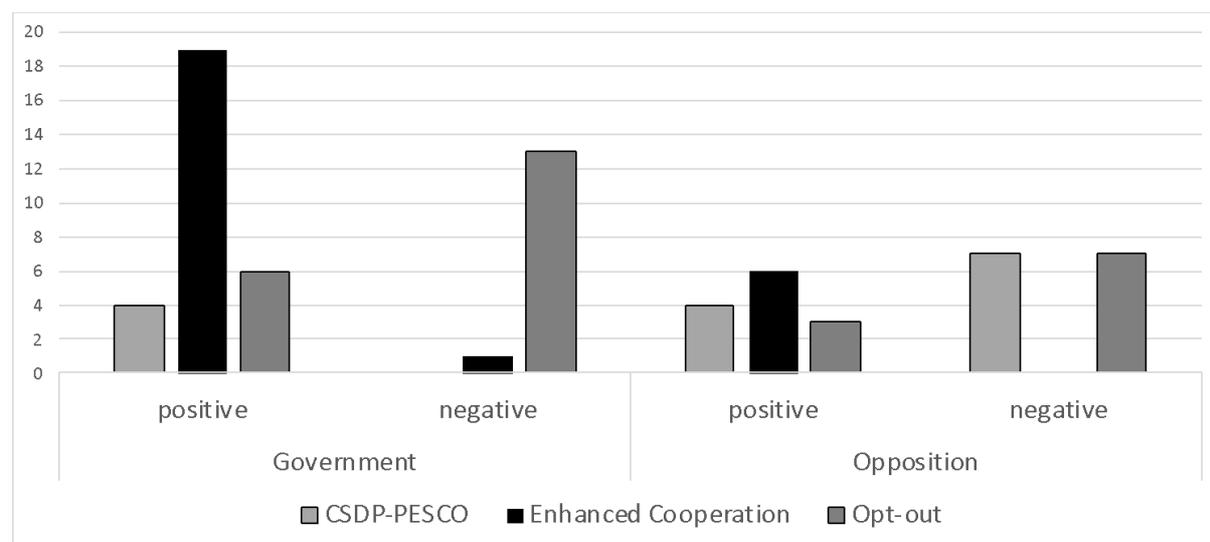
Given that *polity* differentiation is assessed rather negatively by most Austrian political parties and actors, it is not surprising that *policy* differentiation and the related mechanisms of enhanced cooperation and opt-out are also viewed as generally undesirable developments. Indeed, Austrian governments have generally been critical of opt-outs, for example regarding the British and Polish opt-outs from the European Charter of Fundamental Rights:

“one has to ask the question of what the future development of Europe will look like if individual states continue to opt out of common European policies. That [...] does not accomplish the real aim of the European project. I have a lot of empathy for national sensitivities in this context but our goal [...] is a Europe with equal rights for all” (Chancellor Alfred Gusenbauer, SPÖ, Nationalrat, 8 November 2007, p. 38).

“What is going to be interesting is, of course, that not all policy areas will be dealt with by all Member States in the future. [...] This can lead to a sort of partial membership in important issue areas. And the countries [...] will have to think very carefully whether [...] this will not become a second-class membership [...] something I personally have never envisioned as a goal for Austria” (MP and former chancellor Wolfgang Schüssel, ÖVP, Nationalrat, 8 November 2007, p. 50).

Still, Figure 5 shows a more nuanced picture. While opt-outs are overall seen as more negative, the opposite is true for enhanced cooperation. Yet in both cases, the assessment depends on the specific policy area. To illustrate the position of political actors regarding mechanisms of DI, the following will therefore focus on three salient instances, namely PESCO, the financial transaction tax as well the GMO opt-out.

Figure 5 Assessment of DI mechanisms in parliamentary debates by government status (absolute numbers)



PESCO

The EU’s Permanent Structured Cooperation (PESCO) was especially salient in 2004 in the context of debates on the Constitutional Treaty. Criticism was voiced by the Greens, arguing, inter alia, that such a form of cooperation would lead to the formation of a ‘military core Europe’:

“[Structured cooperation] sounds like a horrible foreign term, but it means something very simple. The European Constitution is supposed to provide individual Member States with the option to create something akin to a military core Europe. This is problematic for several reasons, and it is currently still an open question whether this is a sensible contribution to the necessary

integration regarding the European foreign and security policy” (MP Peter Pilz, Greens, Nationalrat, 4 June 2004, p. 53).

The other parties, by contrast, supported the inclusion of an opportunity for closer cooperation in the Treaty since it provided the possibility of a voluntary and limited engagement by neutral Austria.

“The European Constitution does not bring about any major changes in security and defence policy. As before, it stipulates that the Member States can gradually establish closer cooperation in the field of defence. In doing so, the special character of the defence policy of individual Member States must be preserved. This means the neutral states that can, of course, maintain their neutrality” (MP Peter Schieder, SPÖ, Nationalrat, 11 May 2005, p. 77f.).

During the negotiations on the Lisbon Treaty, the Greens raised similar concerns regarding a ‘military core Europe’ in a debate in 2008 in the Bundesrat, without however, mentioning PESCO in particular. When PESCO was created years later, Austrian involvement was largely undisputed, and Austria currently participates in six PESCO projects (Stellwag et al. 2020: 16). Although the Greens occasionally raised questions regarding increased defence expenditure or the guarantee of Austria’s neutrality in connection to PESCO¹⁰, they did not address PESCO as a form of DI as such. Overall, Austrian neutrality is seen as constitutionally compatible with engagement in PESCO, and CSDP more generally, inter alia as a result of the so-called ‘Irish clause’ in Article 42.7 TEU (Gärtner 2018). A resolution in March 2018, requesting the Federal government, “based on the status of perpetual neutrality, [...] to continue working for the security of Europe within the framework of the CSDP and structured cooperation (PESCO)” (Nationalrat 2018) was supported unanimously by MPs from all parties.

Enhanced Cooperation: The Financial Transaction Tax

Austria has long been a strong advocate of the introduction of an EU-wide or, ideally, global financial transaction tax. A first cross-party resolution in support of a, then, Tobin Tax was carried with unanimous support in May 2006 (Nationalrat 2006), but the topic became more salient with the outbreak of the financial crisis in 2008 and the eurozone crisis in early 2010. Further all-party resolutions in support of a financial transaction tax followed (e.g., December 2008; July 2011). Yet over the course of 2010 and 2011, it became clear that an EU-wide introduction would be difficult to achieve.

The financial transaction tax is something that we in Austria, to our disappointment, cannot decide alone [...] Yet a European or international financial transaction tax demands the agreement of other heads of government, at least within the Eurozone – I would already be content if that succeeded – or at the level of the European Union” (Chancellor Werner Faymann, SPÖ, Nationalrat, 5 October 2010, p. 31).

An all-party resolution in October 2011 (Nationalrat 2011) asked the government to continue to advocate the introduction of the financial transaction tax in the EU or at

¹⁰ E.g., written question by Federal Councillor Ewa Dziejic, David Stögmüller and friends to the Chancellor regarding the Permanent Structured Cooperation in the area of defence (PESCO), see https://www.parlament.gv.at/PAKT/VHG/BR/J-BR/J-BR_03509/imfname_697363.pdf

least in the eurozone. By 2012, Austrian political actors had largely resigned themselves to the fact that an introduction of a financial transaction tax would only be possible in cooperation with a limited number of Member States. Accordingly, Austria supported and participated in the request for the establishment of enhanced cooperation in 2012 (European Commission 2012: 3). It is also from this point on that the financial transaction tax was discussed explicitly in the context of enhanced cooperation – or DI more generally.

Well, if we get the financial transaction tax – or whatever its name may be – to work through enhanced cooperation: a thousand roses! Yes, we will fight for that, and we have a plan” (Minister and Vice Chancellor Michael Spindelegger, ÖVP, Nationalrat, 28 March 2012, p. 81).

In this context, members of the governing parties also used the term ‘coalition of the willing,’ which was otherwise mentioned very rarely:

“In the fight against the crisis, and for budget consolidation [we need] also the financial transaction tax; hence the decisions which ECOFIN and the summit have made, namely that the blockade by individual countries is overcome and the way is cleared so that the coalition of the willing – those states willing to introduce the financial transaction tax – can also introduce it” (Junior Minister [Staatssekretär] Andreas Schieder, SPÖ, Nationalrat, 4 July 2012, p. 129).

“One will also have to see that we [...] finally get through with the Austrian demand for a financial transaction tax, that we can at least get a coalition of the willing together in the eurozone among the 17 states” (Federal Councillor Gottfried Kneifel, ÖVP, Bundesrat, 4 October 2012, p. 51).

To summarise, an implementation of the financial transaction tax through enhanced cooperation was, despite the more positive rhetoric, generally not seen as a successful way of achieving greater integration among a selection of Member States, but rather as the only feasible alternative given resistances among several Member States.

GMO opt-out

As mentioned above, opt-outs from EU policies are generally seen as negative and not as an option Austria would want to pursue. Austria did, however, strongly advocate the introduction of an opt-out option for Member States regarding the cultivation of genetically modified organisms. With public opinion strongly opposing GMO, Austria had already banned the cultivation of several GMOs in the past based on Article 95(5) TEU (Nice Treaty). While the bans were initially lifted by the European Commission, they were eventually upheld by the Council (Skogstad 2011). In 2009, and supported by other Member States, Austria therefore proposed “a set of minor amendments to relevant EU legislation, which should introduce the right of an individual Member State to restrict or prohibit indefinitely the cultivation of authorised GMOs on its territory” (Council General Secretariat 2009: 3) and welcomed the introduction of the opt-out in the directive in 2015. Yet although all Austrian parties were pleased with the result, and it was occasionally mentioned that a GMO opt-out could also be considered a competitive advantage for Austria, most MPs also pointed out that they would have preferred an EU-wide ban of genetically modified organisms.

“For Austria, a Europe-wide ban on the cultivation of genetically modified foods would have been the best solution, and we have campaigned for this in Brussels. Unfortunately, a total ban is not acceptable to a majority in the EU. [...] We have to accept that now, but we will keep fighting. We achieved what was possible at the moment and I think we can be very satisfied with that” (MP Christine Muttonen, SPÖ, Nationalrat, 21 January 2015, p. 201).

Therefore, [...] it should be the aim of all of us - and I believe that it is also the aim of all of us - that the cultivation of GMOs is banned not only in Austria, but in the entire European Union (MP Philipp Schrangl, FPÖ, Nationalrat, 21 January 2015, p. 202).

Conclusion

Differentiated integration (DI) is overall not a salient issue in Austria, at least regarding general concepts and models. Since 2004, the topic has only come up very infrequently in government programmes, programmatic speeches by the Chancellor and other members of the cabinet or in parliamentary debates. Specific instances of *policy* differentiation have, of course, been subject of intense parliamentary debate, but they were rarely discussed in a broader context related to *polity* integration. Given the overall low salience, the position of political actors towards DI is difficult to assess. Yet the analysis suggests that most Austrian politicians are not in favour of polity differentiation. The Austrian vision of the EU seems to be that of a community of closely cooperating Member States with the same rights and responsibilities in which all members abide by the same rules and opt-outs are usually seen as cherry picking. This position is also shared by all political parties – with one exception: The only outspoken supporter of DI was the right-wing populist BZÖ, which mainly used the concept to advocate a closer integration among the richer Member States (core Europe of net payers).

The low domestic salience of DI can also be explained with the fact that Austria generally aims to participate fully in all EU policies including those in the context of enhanced cooperation. Although Austrian citizens are in favour of EU membership, public opinion is fairly critical of the EU (Schmidt 2021), but this does also not translate into political attempts to carve out opt-outs from EU politics. Even where specific EU initiatives were assessed somewhat more critically, as for example in the case of the office of the European Public Prosecutor¹¹, Austria participated in the measures. While PESCO was initially rejected by the Greens as constituting a ‘military core Europe’, both its creation and Austrian involvement were largely undisputed by the time of its implementation in 2017. In the case of the financial transaction tax, Austria, long a strong advocate for its introduction, supported and participated in the request for the establishment of enhanced cooperation in 2012, yet considered the use of the instrument only a second or third best option compared to an international or EU-wide introduction. Here, GMO cultivation is one of the rare instances where Austria actively pursued opt-outs from a European policy - first individually, then in the form of a general opt-out option for all Member States.

¹¹ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office (‘the EPPO’), OJ L 283, 31.10.2017, p. 1–71.

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