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Agenda dynamics in the European Union : the interaction between the European Council and the European Commission in the policy domain of organized crime

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Conclusions on EU agenda setting

The previous chapter presented the analysis of the interaction between the European Council and the Commission agendas, revealing the dynamics of their relationship. The current chapter draws the conclusions of the project, reflecting on what was done and achieved. The aim is to identify the main lessons learned from this research. The chapter is divided into four parts. First, a short overview of key elements and findings of the project is presented. The second part introduces the contributions of this research. Next, the limitations of the project are discussed. The final section deals with possible avenues for future work.

9.1. Similar roles, distinct designs: the European Council and the Commission

The main research goal of this study was to identify and explain the dynamics of the European Council and the Commission in setting the agenda of the European Union. The project was motivated primarily by an intriguing phenomenon of the EU institutional framework: these political institutions have a similar role, but entail distinct designs. More precisely, they are the core actors in agenda setting, but their information-processing capacities and political attributes differ significantly. Other EU institutions, such as the Council and the Parliament, can have a say in this policy stage but they are not an inherent part of it. Connected to this, another puzzling feature is that the relationship between the European Council and the Commission in agenda setting is not formalized, in contrast to the regulated interaction between other EU institutions.

The central research question was: *How can the agenda dynamics in and between the European Council and the Commission be explained?* The answer showed the intra- and inter-agenda dynamics of the institutions. First, the processes of each institution in agenda setting were revealed by addressing two sub-questions: *What are the intra-agenda dynamics of the European Council?* and *What are the intra-agenda dynamics of the Commission?* Second, the dynamics of the relationship between the agendas were demonstrated by answering the third sub-question: *What are the inter-agenda dynamics of the European Council and the Commission?* The three questions were explained under the theoretical framework proposed and applied in this project: the Agenda Dynamics Approach. The agendas of the institutions on the domain of organized crime were analyzed.

The empirical findings of this research can be succinctly expressed in two ideas. First, the European Council and the Commission set their agendas mostly differently over time. Second, the European Council influences the Commission in the long run.

9.2. Contributing to a better understanding of EU agenda dynamics

9.2.1. A theoretical framework for the study of the institutions in agenda setting

Research that focuses on the effect of the different designs of the European Council and the Commission on agenda setting is scarce. The ideas in the literature on the relationship between the institutions are unconsolidated. The Agenda Dynamics Approach included these conditions and delivered an integrative theoretical framework. ADA helped in analyzing how the relationship between the two institutions emerges in the absence of formal regulation of their interaction. This was the first attempt to theorize altogether the individual and interactive agenda dynamics of the institutions. ADA provided a framework to study the complete chain of ways the political bodies perform in setting the agenda. This was achieved by making a distinction between their intra- and inter-agenda dynamics, and combining the two types of dynamics. With this, ADA provided an innovative frame for the analysis of EU agenda setting, identifying and explaining the patterns of the processes, as experienced by the institutions. In doing so, the approach strengthened the position of existing theories used for the study of policymaking not only in the EU but also in countries. This enabled the examination of paradigms and paths of reasoning.

In the study of the intra-dynamics, the Processing Model and the Routes Framework were tested. The validity of existing postulates was confirmed and new theoretical

elements were discovered. More specifically, we saw that the propositions of the Processing Model —on how the attention of policy actors evolves in national political systems— are valid for the analysis of the EU political system, as they hold true for the ways the European Council and the Commission behave. Further, the proposition of the Routes Framework on what triggers the institutions to set issues on the EU agenda was empirically analyzed. The original theory proposes two factors, namely, focusing events and professional concerns, which were confirmed by the empirical evidence. But also four more factors were found. We discovered that the attention of the European Council and the Commission is driven as well by EU institutional milestones, political signals, policy inheritances and public concerns. These four theoretical concepts emerged from the empirical analysis, drawing from notions in and beyond the literature on agenda setting in domestic systems and EU politics. This adds scholarly value because we know little about what makes the European Council prioritize issues on its agenda, as recent work has recognized (Alexandrova et al., 2016), situation that is similar for the case of the Commission agenda.

In addition, we noticed that the political attributes and the information-processing capacities are equally important in determining how the institutions set the agenda and in explaining their dynamics. It thus became evident that their institutional designs entail ‘twin features’ —the features mirror each other—: the European Council is both a serial processor and a high politics venue; similarly, the Commission is both a parallel-processor type of organization and a low politics venue. We thus realized that recognizing the twin characteristics at once, rather than placing each feature in separate analytical containers as commonly done in academic research, is useful to study the dynamics of the institutions and better understand the ‘black box’ of EU agenda setting. As a result, we can confirm that the Processing Model and the Routes Framework have complementary postulates, as argued in the beginning of the project. Together these theories can help in explaining agenda-setting processes in the EU political system.

In the study of the inter-agenda dynamics, we ventured into the world of policy makers and explored how the relationship between the European Council and the Commission work. The exploratory study was done given the broad variety of theoretical indications, the lack of formal rules and the limited empirical evidence. This was done on the basis of the different ideas of how scholars think the interaction happens, from which four possible patterns to discover emerged. This allowed us to unravel the underlying dynamics, confirming a specific line of academic reasoning and discarding the others.

Ultimately, we empirically showed, as initially proposed by ADA, that the dynamics happening in the agendas of the institutions affect the dynamics between them. In this way, the Agenda Dynamics Approach entails a holistic view. The story of the interaction is not only about the interaction itself. It is also about the individual processes of each institution. An appropriate way to know the dynamics of their relationship is by knowing first the single logics. This is especially useful, given that there are formal rules on the function of each institution in agenda setting, but not on their interplay. Based on ADA, the role and performance of each of the two institutions shall be put in perspective. Thus, this theoretical framework has a less extreme view than other perspectives that revolve around the idea of which of the two institutions is more powerful than the other, such as the principal-agent approach.

Much of the academic debate on the functioning of the European Council and the Commission has dealt traditionally with their nature as intergovernmental and supranational bodies. This study showed that these political actors can be better understood by looking at their institutional designs. Their architectures affect their attention to policy issues, as posited by ADA. On the whole, the designs have an effect on their individual and interactive performance in the policy process. In other words, institutional designs matter in EU agenda setting. As a result, by thinking 'out of the box', we were able to appreciate other characteristics of the institutions and thus broaden our knowledge and understanding of how and why these political actors behave the way they do. This helps us better comprehend how political arenas in the European Union move and how policymaking in this political system works, also in comparison to national systems.

9.2.2. Fostering empirical and theoretical knowledge on the dynamics of the institutions

Intra-agenda dynamics

Our knowledge on the similarities and differences in the longitudinal trends of the European Council and the Commission in agenda setting was limited prior to this study. This is the first in-depth and systematic analysis that compares their patterns over decades. A main conclusion of the project is that, while the European Council and the Commission have a similar agenda-setting role, their intra-agenda dynamics are mostly different. For instance, the European Council agenda is more erratic in how issues are addressed than how it occurs on the Commission agenda, which is more gradual. Moreover, the European Council is especially affected by both political signals and policy inheritances to set issues on its agenda. The Commission

is mostly driven by policy inheritances. While both institutions often respond to policy inheritances, they do it in different degrees and for different motives and with distinct political goals. There are also similarities in their dynamics. For example, neither agenda is stable over time. Both follow instead a punctuated equilibrium pattern. The institutions take up policy problems triggered by at least the six factors mentioned in the section above, albeit in different ways. The similar features in their processes were far less present than the differences, but this finding is important because it indicates that the institutions ultimately share some logic in setting the agenda. Therefore, the conclusion that the dynamics of the institutions mostly differ does not mean that the institutions are entirely disconnected.

It is not for nothing that the institutions were created with a similar function and different designs. The circumstance that both set the agenda and have distinct information-processing capacities and political attributes enables the EU political system to deal with a large number of matters, highlighting policy issues, producing proposals and monitoring problems. The institutions handle problems in different ways, depending on what the system requires. For instance, “the routine needs of a society can be handled in parallel. But adaptation to the novel and the unexpected does require focusing attention on them” (Simon, 1983:83). The designs of the institutions are complementary. This composition avoids certain problems to be in the territory of the European Council and, as a result, the institution can have its hands free to attend other issues instead because the Commission is dealing with many of them and handling routinely some others. Simple division of labor at first glance. Yet a complex one in reality, as this research demonstrated.

9

Inter-agenda dynamics

The project introduced a new method for the analysis of the relationship between political institutions in the European Union. Drawing from the field of econometrics, Vector autoregression (VAR) techniques were applied, which until now were used to study the interactions of organizations in domestic political systems. This research thus contributed with the use of an innovative way to analyze EU policymaking.

By means of VAR, agenda-setting scenarios were modeled and interactive dynamics between the European Council and the Commission in the long run were observed. Four possibilities were explored: no interaction; unidirectional interaction, where the European Council leads; unidirectional interaction, where the Commission leads; and bidirectionality. This is thus the first research that deals with all potential ways the interplay between the institutions can happen. This was done based on the results of the time-series analysis itself and supported by the findings on the intra-agenda

dynamics. The evidence revealed that the European Council is the leading institution in agenda setting. From this finding, the four paths of reasoning were addressed.

First, the study touched upon the scholarly line that considers that the European Council influences the Commission, which is mainly based on the idea that the strong political power of the former institution makes the latter dependent. This research confirmed that the European Council's high political attributes are relevant. They empower the initiatives of the Commission and, as a result, the institution follows the European Council. But the analysis also indicated that the distinct way the two institutions process information is important, as the European Council signals problems more generally and the Commission takes them up to handle them in a specialized way. Furthermore, it was demonstrated that the European Council does not exert total control of the Commission agenda. The European Council agenda determines in first instance the Commission agenda, but there is space for the latter institution to decide part of the issues to include on its agenda. Accordingly, this research identified that the Commission also takes up policy problems from at least six sources, as just mentioned. This adds academic value because the existence of other factors has been often overlooked when conceptualizing and analyzing the relationship between the institutions. Noticing this situation can avoid an overrepresentation of the impact of the European Council on the Commission, as well as an underappreciation of factors beyond the two institutions.

This research gave us key insights on how the European Council and the Commission communicate in their relationship. As noticed above, the European Council responds specially to political signals and policy inheritances likewise, and the Commission mostly to policy inheritances. These are their means of communication. The Commission is responsive to both political signals and policy inheritances from the European Council. In the meanwhile, the European Council takes up issues out of political signals from the Commission. In the latter case, the communication flows only through one channel because the Commission does not have decision-making power. As a result, there is practically no line for the European Council to follow.

The study empirically demonstrated for the first time the way the reaction between the institutions happens. On the one hand, the European Council does not respond to the Commission on a regular basis. On the other hand, the Commission needs time to digest the new impulses from the European Council. An important reason for the Commission's behavior is that it is dealing with policy inheritances, largely on the basis of political agreements made by the European Council and earlier policy decisions. Thus the Commission does not sit and wait until the next new

desire of the European Council comes. The Commission is also busy with previous commitments. It works without a novel indication, at least for a while. This situation facilitates that the European Council turns its view to deal with other issues for some time, given that it does not need to re-send the same pointer. It is a continuous process. In this way, this research also showed that policy inheritances matter in EU agenda setting.

This is a concrete example that their intra-agenda dynamics impact their inter-agenda dynamics. On the whole, each institution works on its matters, but they also attend issues together. It is thus important to consider all parts of the story to avoid a partial view of their processes. Knowing their intra-agenda dynamics can importantly contribute to comprehend their inter-agenda dynamics and enrich our understanding of the complexity of the policy process.

Second, this research addressed the line of thinking that the Commission has the ability to influence the European Council. Such idea has its ground mostly on the relevance of the broad resources of the Commission, which stimulates that the European Council follows. The results in this study showed that the Commission's capacities indeed play a key role. However, it also demonstrated that the Commission is characterized by a gradual performance, circumstance that makes it unlikely to be the leader over time. Moreover, the study showed that the European Council is regularly stimulated by different sources to take up problems on its agenda, given its need to be flexible to adapt to contemporaneous issues as they may suddenly come in the environment of the EU. This makes the European Council less prone to be moved by the Commission on a regular basis.

Third, this study touched upon the stream in the literature where the relationship is seen as reciprocal, meaning that the institutions need each other. The basis of such scholarly reasoning is that the Commission requires the European Council to legitimize its initiatives and, at the same time, the European Council needs the Commission to complement its significant limitations to process issues. This research empirically confirmed the first part of the proposition, as noted above. However, it showed that the second part happens only partially. While it is true that the European Council needs broader resources to be able to process policy issues, we realized that the Commission is not the only way to fill its institutional gap. The European Council becomes complemented by the Commission *and* other EU institutions, including the European Council itself. And an important reason is that, as previously mentioned, the Commission practically lacks decision-making authority. This is a central insight because so far we have been commonly paying

attention only to 'the usual suspect' —the Commission— and consequently we have practically overlooked other actors the European Council also relies on to fulfill its role in agenda setting.

In this way, another conclusion is that the European Council depends not only on the Commission in this regard. It finds important support also on institutions that can make the times of the Commission qua broad apparatus but with a decision-making role. The European Council is an entrepreneur that uses different possibilities within the EU political configuration to have alternative ways to process information and promote its leadership. As a result, the relationship between the European Council and the Commission is not likely to have a circular flow of interactions over time.

Lastly, the findings in this study also addressed the path of reasoning that no interaction occurs. The conclusions are discussed below in a separate section because this idea is linked to an intriguing element in the EU framework, as mentioned in the beginning of this study when delineating the research puzzle: the lack of formalization of the relationship between the institutions and its effect on agenda setting.

All in all, an important conclusion is that in their interaction, the European Council has the strategy and the Commission the machinery. There is thus a difference in EU agenda setting in terms of ability and capacity. The European Council has the ability to lead the process and the Commission has the capacity to move it further. Thus, when analyzing the individual and interactive performance of the European Council and the Commission in the policy process, the approach shall be nuanced, in that the role of the Commission shall not be underestimated, just as the role of the European Council shall not be overestimated. Recognizing the differences —and similarities— of the institutions can make us better appreciate their different contributions in the agenda-setting process.

Based on the findings on the inter-agenda dynamics, this research does not entirely agree with scholarly work that conceives that the interdependency of political institutions is a prevailing feature of the policy process in the European Union. For instance, Marks and colleagues have claimed: "Policy-making in the EU is characterized by mutual dependence, complementary functions and overlapping competences" (Marks et al., 1996:372). Similarly, Bocquillon and Dobbels have argued that the European Council and the Commission "are highly interdependent and mutually influence each other" (Bocquillon and Dobbels, 2014:34). In the same way, Alexandrova has also claimed that, although the ways and communication approaches are different between the European Council and the Commission, their interdependencies and central roles in agenda setting "lead to a circular pattern of

interaction" (Alexandrova, 2014). In this study, no empirical evidence was found that indicated that the European Council and the Commission have a bidirectional relationship over time, even when they have complementary designs and overlapping roles. This research thus challenges the idea in academia that political institutions in the EU often have a relationship in which they are regularly mutually dependent in the policy process.

Linked to this, this project disagrees with the view that the relation between the European Council and the Commission is "often collaborative rather than antagonistic" (Bocquillon and Dobbels, 2014:26). After the analysis, the conclusion is that the institutions are neither partners nor adversaries. The dynamics observed suggest that the political bodies can simply be in their own worlds to a certain extent and then they eventually talk to each other. Even when the institutions may have the will to cooperate, their architectures—rather than a sense of rivalry—stimulate their dynamics to be dissimilar over time. In consequence, the claim in the literature that their relationship "can be best characterized as one of 'competitive co-operation'" (Ibid: 34) is not shared by this research. The institutions are not competitors. Competition between them does not necessarily takes place. A reason is that, as observed in this project, the institutions were created with different designs largely to perform their role in agenda setting in a different way. Thus each of the two actors implicitly has its sort of niche.

Further, the research revealed that the rhythm of the political bodies to attend and process issues is different. This finding has methodological implications for the study of EU agenda dynamics. The discussion in academia commonly takes place without considering differences in their institutional tempos. In the meanwhile, empirical studies have commonly observed their interplay on a yearly basis. However, as the results in this study showed, making assumptions in this regard may be misleading. This research thus brings forward the relevance of making a refined estimation of the time interval and lag length for the analysis, in order to appreciate the processes of the institutions adequately.

This project demonstrated in an extensive way how the European Council and the Commission have attended the policy problem of organized crime across decades. Organized crime has been barely investigated from a political science perspective, and even less as a field of agenda setting. This is the first systematic study on how EU policy-making institutions have dealt with this matter on their agendas. It provided a substantive analysis on the evolution of their OC agendas even before the problem was established as an EU policy domain, showing how it was born as a policy issue

and developed as a field. It also highlighted key moments in the development and showed the mechanisms that moved the institutions to deal with OC and how the political bodies relate to each other in handling the topic.

It would be a mistake to conceive that all policy domains are the same. Different types of issues may stimulate institutions to have different preferences in agenda setting (Soroka, 2002; Alexandrova, 2017). However, while the project analyzed the policy area of organized crime, the theoretical framework developed in this study and the theoretical insights on the patterns of the intra- and inter-agenda dynamics can be transferred to broader contexts, as this domain is far from unique and extreme for the institutions. This policy field has received a relatively similar political treatment altogether by the two institutions, in that the field attained a permanent space on both agendas over the years with attention levels that went up and down. This comparable political handling is remarkable, especially in the EU context. It is difficult to find policy domains that are considered more or less uniformly by any pair of EU institutions, in comparison to the way each deals with other fields, because of the complex EU policy-making configuration. The analysis of the domain of organized crime allowed us to observe and compare policy processes of the European Council and the Commission under relatively similar and balanced conditions for both institutions.

In this way, this study serves as a baseline of their agenda dynamics. The general contours of the logics of the institutions, as identified and shaped by the Agenda Dynamics Approach, can be potentially translated to further domains. For the first time, central features of their behaviors in agenda setting in the long run were revealed and explained in detail. As a consequence, we now know, for instance, the factors regularly affecting the attention of each institution and the reasons of this. As another example, we are now aware of the mechanisms and rationale in the interaction of the political bodies, also taking into account their individual processes. ADA thus opened an important door that contributes to theorize and obtain a firm grasp of how the institutions work. Considering a 'possibilistic' perspective (cf. Blatter and Haverland, 2012), there are potential arrangements that in theory are likely to occur also in other policy fields. The explanatory elements provided in this study can serve as a means to better understand the performance of the institutions in setting the agenda in other domains. This adds value to the literature on agenda setting and EU institutions.

No formal rules, but emerging conventions of interaction

Initially as part of the research puzzle, we noted that the relationship between the European Council and the Commission in the EU legal framework is not

formalized. During the development of this project several insights were generated that help better understand this situation.

To begin with, there is no requirement for the European Council and the Commission to work together and be efficient to fulfill the demands of the public, in contrast to what is traditionally expected from national governments. The EU system differs in this regard, as these political institutions are not directly accountable to European citizens. Paradoxically, both actors are by mandate at the core of the agenda-setting process. Given that there are no rules on what the institutions shall or not do together, this study distinguished the four scenarios mentioned above to demarcate possible ways this may happen. One possible pattern was that, discouraged by the absence of regulation, the institutions do not interact in the long run. The evidence demonstrated that, despite the lack of formalization, the institutions do interplay and the European Council leads.

The question then turns to why no regulation exists and how the institutions have been able to work together, in the absence of rules. Although this study did not directly investigate this topic as such, some ideas to provide possible answers can be taken from the analysis and further examination of the literature. According to March, in order to make a decision that follows a “rational procedure”, “four basic” elements of information are required, namely, alternatives, expectations, preferences and decision rules (March, 1994:2–3). In the interaction of the European Council and the Commission, these features are blurred and some even missing. Therefore, it seems that the lack of formal rules does not stem from a “logic of consequence”, by which choices are rationally taken according to the expected results and based on a calculation between alternatives (Ibid:2). In other words, the lack of regulation does not appear to be a rational choice in the EU institutional configuration.

The absence of formal lines in their interaction gives room of maneuver for the European Council to set political guidelines, according to its mandate. At the same time, the Commission can be independent, according also to its mandate. In this way, the institutions are flexible to deal with issues. Apparently, their relationship takes place in an ‘arena without rules’ (Dudley and Richardson, 1998). It would not be the first time that a sort of ‘carte-blanc’ event has occurred in the EU framework. For instance, the fact that the European Council was appointed an *EU institution* only recently (in 2009), but politically positioned many decades ago at the top of the EU institutional organization, promoted that its actions “could not be subject to any judicial review”, as Wessels has argued (Wessels, 2012:761). According to Wessels, with this circumstance, “the European Council was located

outside of the EC's institutional architecture with its checks and balances, which is characterized by the fact that each organ has to respect the tasks of the others laid down in the treaty" (Ibid). By contrast, the Commission is an *EU institution* already since its origins in the 1950s, which means that it has been always required to behave according to EU regulations. However, in spite of being formally embedded in the EU framework, the Commission has not needed to follow rules on how to relate to the European Council in agenda setting. This situation is perhaps because this would also signify to put rules on the latter institution, thus hindering its freedom.

After all, the designs of the European Council and the Commission somehow push the political bodies to arrive at one view sooner or later. Their information-processing capacities are complementary and, regarding their political attributes, the peer pressure from the European Council on the Commission appears to be a regulatory mechanism itself. Rules are not only formal and strict or imposed by law. Also they "can reflect subtle lessons of cumulative experience" (March and Olsen, 1989:22). For example, they can be "routines, procedures, conventions, roles, strategies" (Ibid).

It seems that their relationship has been shaped out of the repetition of informal rules and conventions that have evolved into a quasi-formal set of rules of interaction. From this, a gentlemen's agreement of policy delivery and political timing has been set. Although we cannot substantiate empirically this claim in this research, there is evidence that indicates that an interface has been established. So eventually a certain level of "predictability" can be secured. A certain dynamic has emerged and institutionalized out of habit, setting tacit norms in their interaction over the years. In effect, "[n]orms do not as a rule come into the existence at a definite point in time, nor are they the result of a manageable number of identifiable acts. They are, rather, the result of complex patterns of behavior of a large number of people over a protracted period of time" (Ullmann-Margalit, 1977:8). It thus appears that the decision not to formalize their regulation is based on a 'logic of appropriateness', by which the interaction between the institutions is "rule following" (March, 1994:57–59), according to what is appropriate in the political reality of the EU. We can thus say that, while at first sight the interplay of the European Council and the Commission in the EU framework revolves around a ruleless atmosphere, their interaction has apparently come to be channeled by emerging convention between them.

Implications of EU agenda dynamics for policy change

Policymaking in democratic systems requires that institutions interact and reach explicit or tacit agreements to be able to produce policies. But the need to cooperate

gives friction to the policy process (Jones and Baumgartner, 2005: 87-88). Conflict is actually central and the struggle of institutions to determine policy choices promotes policy formation (Schattschneider, 1957, 1960). As scholarly work in domestic political systems has claimed, “[u]nderstanding the complexity and dynamics of how the national agenda is set is essential to an explanation of the policy-making process” (Thurber, 2011:vii). A powerful reason is that agenda setting is a structuring factor for policy change. The former process sets the stage for the latter.

This study identified that the designs of the European Council and the Commission are limited to a greater or lesser extent and, consequently, the institutions are not able to deal with all sorts of issues on their agendas. In effect, they have bounded rationality (cf. Jones, 2002). Thus, their discussion about policy problems in the EU is essentially incomplete. As a result, the institutions are “inefficient” to handle information, similar to organizations in countries (Jones and Baumgartner, 2005:43-49). However, this does not mean that the European Council and the Commission fail in their policy-making functions. Although they cannot tackle each and every single issue in the EU, they do address a significant number of problems. In this context, this research demonstrated that their intra-agenda dynamics are mostly different. This situation does not facilitate to attain policies. This suggests that policy changes in the EU are prevented. The reason is that when each political body regularly prioritizes problems in its way, it can overlook the view of the other. It was also shown that the institutions are sensitive to policy inheritances. These conditions suggest that their agendas are mostly incongruent over time and a change in the way the institutions deal with issues is not easy to happen. As also demonstrated, their relationship is led in the long run by the European Council. It thus appears that cooperation between them is more an exception than a constant.

This suggests the regular presence of a policy-formation lock in the EU. An important condition for policy production in the EU is that the agendas of the two institutions match. According to the Routes Framework, while issues in the EU are initiated on the agenda by any of the two institutions, the two routes need to connect at a certain point to make issues move further on the agenda for decision making (Princen and Rhinard, 2006). Based on the findings, agenda congruence does not seem to happen regularly. The institutions entail designs that complement their institutional capacities, stimulating the formation of policies. But, at the same time, the architectures promote mostly dissimilar patterns in and between the agendas in the long run, which rather obstruct such formation. There is thus a hindrance to policy production. This signifies a hindrance to policy change. Policy change is conditional on the interplay between the institutions. These circumstances may be

to secure stability in the EU system. This does not mean that policy change in the EU is impossible, but implies that shifts in policies are unlikely to occur often. After all, even when there is normally friction in the interaction between organizations, abrupt changes may happen once the resistance is finally overcome (Jones and Baumgartner, 2005: 145).

Avoiding change and being unable to arrive at a consensus about change are two sides of the same coin. Thus, on the one hand, one may wonder whether the discrepant dynamics of the European Council and the Commission are conceived to happen in this way by the designers of the EU, in order to avoid volatility in the policy-making system. On the other hand, we may wonder whether these circumstances represent unintended costs that the EU institutional framework needs to pay to be able to handle a significantly large number of problems in the system. The first situation is typical for countries (Jones and Baumgartner, 2005). It would then seem reasonable to apply the same logic to how the EU works. However, there is a difference. The EU configuration has accounted for the similar roles—and distinct designs—of the European Council and the Commission, but not for the formalization of their interaction. This research suggested that there are emerging conventions in their relationship. It seems that this situation has enabled the creation of policies. Therefore, there is room to think that there is a trade-off. The two institutions process a huge amount of policy issues, according to the different needs of the EU—whether faster or slower, or in a generalized or more specialized way—, in spite of not producing often a common agenda. In any case, regardless of the reason, the consequences are mixed. It may be an advantage when shifts in policies are not necessary, as in domains that entail a consolidated legislation. But, in more novel fields, it may be rather a drawback when the production and adaptation of policies is required to promote development. In this way, this research shows under what conditions policy change in the EU can happen and helps better comprehend why such shifts are not likely to happen frequently.

9.2.3. Discovering ‘blind spots’ in agenda-setting theories

During the analysis of the intra-agenda dynamics, the two theories that supported the development of the Agenda Dynamics Approach were tested. In doing so, some ‘blind spots’ were discovered.

What are the dynamics of political institutions in the same policy stage?

When the Processing Model was used, we identified that the theory does not account for the differences in the behavior of political institutions accomplishing a similar

function in the policy-making process. According to the Model, “the institutional costs increase as a proposal moves through the policy stages” (Jones and Baumgartner, 2005: 175). This means that the theoretical expectations vary depending on how little or far advanced is the process that we analyze. But it has not been theorized what happens when we study the dynamics of distinct types of political institutions *within* the same policy phase.

Therefore, this theory needs a complimentary perspective. It does not indicate how or whether to differentiate when comparing institutions belonging to one phase in the policy process. The empirical work done so far using this theory has not touch on this matter either. A possible reason of this omission is that the Model has a more generalist approach, in the sense that it was developed for the study of the whole policy process and thus probably leaving out of its scope the nuances within the different stages. Lacking this knowledge can easily make us assume that the behavior of institutions in the same policy stage is the same. This project, however, showed that this assumption is incorrect, at least for agenda setting. It revealed that differences are also present between policy actors within a similar function in the policy stage, *provided* distinct institutional designs.

9

What factors drive the European Council and the Commission to set issues on their agendas?

In testing the Routes Framework, it became evident that the theory provides a limited scope of what stimulates the institutions to initiate issues on their agendas. According to the Framework, the European Council is triggered basically by focusing events and the Commission by professional concerns from the expert community.

While this project confirmed that these two factors play a role, it identified that there is more ‘out there’. The analysis revealed that much more affects the attention of the institutions. In this regard, the study also adds important value to the literature of EU agenda setting, where a fundamental question is “where do issues come from?”, but our knowledge is still limited. As mentioned above, the research demonstrated that at least six factors drive the European Council and the Commission to attend policy issues.

This means that the picture on agenda setting is actually broader than the original theory presents. As a consequence, also the picture is somewhat different. The Routes Framework claims that major and sudden events do not necessarily drive the orientation of experts. However, it was identified that focusing events and EU institutional milestones do play a part in stimulating the Commission’s attention.

Similarly, it was revealed that the latter factor has also an effect on the European Council. Moreover, as demonstrated, policy inheritances have a relevant role. It was also identified that the institutions react in front of signals made by political actors. Finally, we saw that public concerns also trigger their attention.

In this way, we discovered that on the whole the two institutions do not respond to a single type of stimulus. Perhaps a reason why the Routes Framework did not address more elements that can stimulate the consideration of the institutions is that the goal of the theory is much broader than to explain this phenomenon in particular. Instead the aim is to understand the four 'careers' followed by issues in the policy process.

How important are competences in EU agenda setting?

Princen and Rhinard state that the Routes "framework gives rise to some empirical expectations. One expectation is that institutional structures will play an important mediating role as an issue's agenda career unfolds (...) Legal limitations to the EU's competences, for instance, will constrain issue initiation" (Princen and Rhinard, 2006:1123). In other words, this theory conceives the possibility that faculties limit the entrance of issues on the agenda in the European Union and does not distinguish the effect between the institutions.

Two findings in this research can help address expectations on the implications of competences for EU agenda setting. First, EU competences are important to a certain extent. As observed in this study, faculties were necessary for the OC policy problem to obtain a fixed place on the agenda, but not to enter it. A reason for a given problem to consolidate itself on the agenda is that competences in a domain create the responsibility and the obligation of political institutions to pay attention to it. However, EU competences are not a prerequisite for an issue to make it to the agenda. An issue can attract the attention of the European Council and the Commission even without faculties to deal with it for two reasons. Both institutions are expected to feed the policy machinery by sensing and indicating problems in the EU. Besides, the political bodies cannot deny a possible collateral damage—or spillover effect—of problems apparent in policy areas where the EU does have jurisdiction.

Second, competences matter in a different way for each institution. The formalization of faculties to deal with a specific domain is less relevant for the European Council. As shown, the European Council did not require official competences in the OC field to play an active part in the policy process, in contrast to the Commission. To provide political guidelines, as the European Council does, a high political authority is more relevant. Its top political configuration allows this institution to get involved.

By contrast, the Commission with its more technical policy-making profile requires faculties together with expertise and a broad apparatus in order to issue policy proposals. It is not argued here that the Commission is paralyzed until competences are granted to it, but faculties leverage its performance.

9.2.4. The ‘uniqueness’ of the EU political system

A fundamental question in EU comparative politics is: to what extent do political institutions in the European Union behave like those in national political systems? This research was importantly based on theoretical propositions formulated for the study of countries. Therefore, the study can give an indication of the degree of peculiarity of the EU system.

After examining the findings, two important remarks can be done. First, the EU political system is largely similar. Many behaviors proved valid for national agendas also happen on EU agendas, as indicated in the analytical chapters. Additionally, theoretical notions applicable to national governments were also valid for the EU system. The EU institutions act in many ways similarly to institutions in countries, regarding both the intra- and inter-agenda dynamics. As an example of the former dynamics, the European Council agenda and the Commission agenda display a punctuated equilibrium trend over time, as also policy agendas of institutions in domestic political systems. As an example of the latter dynamics, the finding that the European Council influences the Commission is in line with previous work that has found a similar pattern for the relationship between the President and the Congress in the United States.

Second, some differences with national systems can be also appreciated. One of the most evident peculiarities of the EU system is that EU institutions play different roles in policymaking. The European Council and the Commission do other tasks besides setting the agenda. To mention an example, the Commission proposes legislation, implements policies, represents the EU abroad, and manages the EU budget. In effect, as Peterson has argued, the Commission is “the European Union’s largest administration and main policy manager, as well as a source of political and policy direction” (Peterson, 2012:96). On paper the different roles are officially demarcated, but in practice all functions intertwine. The empirical findings indicate that the attention of the European Council and the Commission are related also to their other functions in the policy-making process. This means that the mixed composition of their roles ultimately echoes on their agendas. For instance, the Commission is stimulated by policy inheritances to set an issue on its agenda because the institution needs to look after policy implementation. The mixed configuration in the EU policymaking has implications on how to observe and analyze agenda dynamics in

this system. Therefore, a study on EU agenda setting shall be placed in context. While such study can gain from previous work on national agendas, an adequate analysis of EU agendas shall account for the nature and broader functioning of political bodies in the EU institutional framework. Having a complete picture of what the institutions do beyond agenda setting enables a better understanding of the behaviors and mechanisms that make the institutions react and attend policy issues.

Another important characteristic peculiar to the EU became manifest during the analysis. The agendas of the European Council and the Commission behave differently to what is expected, when considering the classification conceived by the Processing Model. According to this classification, in theory the two agendas belong to the category policy processes agendas —between the input from the agendas outside the government and the policy output of decision making. However, this research showed that the agendas of the European Council and the Commission behave like policy input agendas —agendas feeding the government from outside of it. This behavior is due to a particular feature of the European Union. In the EU, the distinction between public and media European agendas is blurred and even contested. By contrast, in countries, the distinction is clear. This is a significant difference from what happens in national political systems, such as in the US where the Processing Model was originally developed and has been widely applied. As a consequence, the applicability of the notion of policy input agendas for the study of policymaking in the European Union becomes questionable. Input and policy process agendas in the EU are somehow fused and thus likely to be part of the same concept. In this sense, the European Council and the Commission have a hybrid performance in EU agenda setting, in that they act in some way as both types of agendas.

Based on these results, it is appropriate to study the EU institutions with a flexible approach under which they are given ‘the benefit of the doubt’ on being similar to political institutions in national systems, rather than neglecting such possibility right away. At the same time, it is important to be cautious not to overstretch such flexibility, trying to make EU policymaking fit national behavior at any rate. Studying the nature of the institutions by conceiving them completely different —or totally similar— to national organizations runs the risk to limit and bias our appreciation and understanding on their dynamics in the EU policy process.

9.2.5. Practical implications

Another type of contribution of this project refers to the ‘so-what’ question or, more precisely, what the relevance of this research is for the non-academic world. It is useful for EU policymakers. Thorough profiles of the European Council and the Commission

in setting the agenda were delineated. These outlines revealed different features of the political bodies, showing from the more evident characteristics of their dynamics to the more subtle ones. The profiles also demonstrated the way the relationship between the two institutions works. These revelations can be useful to make the political bodies more aware of how they are perceived by outsiders. In addition, the conclusions of this study can be a way for the institutions to reflect on how they have performed over the years. For instance, as discussed above, their dynamics in agenda setting seem to hinder policy change. While volatility of the EU system is not desirable, putting change too much on hold can also damage the development of the system. In this way, the study serves as a mirror and exposure of the behaviors of the European Council and the Commission in policymaking. This can stimulate the institutions to establish mechanisms of confirmation and correction of the way they act and react in certain areas in the policy process.

The study is also valuable for governmental and non-governmental stakeholders. They can learn from the comprehensive profiles of the institutions, as developed in this project. By these means, interest groups and experts in policy domains are more informed of the logic followed by the European Council and the Commission in agenda setting. The research is especially relevant because the strategy mostly followed in the EU to influence policy-making is 'inside lobbying' (Lelieveldt and Princen, 2011:141–142). According to this strategy, lobbying is done *within* the EU institutional framework by trying to directly influence EU policy-making institutions. This study can make stakeholders more alert on the conditions to push their issues on the EU agenda. In this regard, this study is also useful for stakeholders to realize that policy change in the EU is unlikely to happen often, condition that can be relevant to shape their strategy on how to influence policymaking.

This research is significant for EU citizens. The study revealed that public concerns stimulate the institutions to initiate policy issues on their agendas. However, it was also observed that this factor seldom triggers their attention. These findings can add value to the way people think around the notion of democracy in the EU. The result can be read in two different ways. On the one hand, it suggests that EU institutions are not entirely disconnected from citizens, as the worries from the public sometimes play a role in the process of setting the EU agenda. This can help promote a positive perception of the society on the political institutions in the EU system. On the other hand, the result suggests that EU citizens are not that relevant for policy-making organizations in the EU, in comparison to national citizens in countries, because EU institutions do not respond regularly to the needs of the society. This can add to the discussion on democratic deficit in the EU.

9.3. Limitations of this research

Analyzing a single policy domain was useful because it allowed for an in-depth examination of the processes and arrangements of the European Council's and the Commission's performance under relatively similar conditions. The disadvantage is that we do not know with certainty whether such mechanisms occur in policy fields where the interest and faculties of one of the two institutions substantially predominate. Another shortcoming is that the amount of data was limited in comparison to studies that observe many policy fields. Furthermore, the research provided new knowledge and key insights of how the interaction between the institutions happens in the long run, as revealed by the use of vector autoregression techniques, but a limitation is that the study cannot inform us about temporary changes in their directionality. In addition, while the participation of other political actors—than the European Council and the Commission—in agenda setting was also investigated, the study can inform us only in a general way on this, given that their role was observed as a whole, by looking at the effect of political signals and policy inheritances.

9.4. Avenues for further work

This study is only a small contribution to get a better understanding of agenda-setting processes in the European Union. A lot of work remains to be done of course. Lines for further research may follow after the development and application of the Agenda Dynamics Approach. This framework provided indicators of mechanisms and effects regarding how the institutions behave, opening the door to explore and confirm the patterns and processes demonstrated in this study.

In this sense, ADA serves as a point of reference for further research in other policy domains. This research showed the dynamics of the institutions on the basis of a field attended relatively similar by both institutions. What dynamics do we observe for more 'extreme' issues that are mostly handled by one of the two institutions over time? For instance, do the institutions have different intra-agenda dynamics also in foreign affairs, to which the European Council regularly devotes high attention? It was identified that the European Council regularly influences the Commission in a policy field where neither institution clearly governs in the policy-making process. Does this pattern of interaction also occur in other pillars mostly under the dominion of one of the two institutions? So, for instance, research in the future may observe a policy area in the (ex) first pillar, which is more the 'territory' of the Commission. On this basis, a comparative analysis of the inter-dynamics among (ex)pillars can follow.

Also future work can expand the model of agenda-setting scenarios, on the basis of the pool of factors of attention found in this study.

This research showed the agenda dynamics of the governmental agenda in the EU. Further studies can look at the decision agenda and compare the patterns. Following the theoretical logic applied in the construction of ADA and the results, it may be that the dynamics of the Council and the Parliament are similar, because their institutional designs are similar—or at least not remarkably different as the European Council and the Commission architectures are. Future work can confirm this.

Finally, this study argued that agenda setting has a powerful effect on the policy-making process. The project thus suggested that the results of the intra- and inter-agenda dynamics have implications for policy change. On this basis, a proposition was that agenda incongruence in the EU is likely to predominate in the long run, discouraging shifts in policies. Further empirical analysis can endorse such proposition.

