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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S u m m a r y

Research question and aim

This study examines the effects of the institutional designs of the European Council and the European Commission on the way each policy-making body sets the agenda of the European Union (EU) and on their interaction in the long run. The central research question is: *How can the agenda dynamics in and between the European Council and the European Commission be explained?* To address this question, the study first looks into the processes of the agenda of each institution, referred to here as *intra-agenda dynamics*. It then analyses the logics between the agendas, their *inter-agenda dynamics*. The aim of this research is to reveal and explain the underlying processes in EU agenda setting, as experienced over time by the two institutions. Analyzing such dynamics helps better understand how political institutions in the European Union work and the implications for policymaking and policy change in this political system. The study focuses on the domain of organized crime, where EU competences have developed between intergovernmental and supranational levels and neither institution clearly dominates, in contrast to how it occurs in other policy fields.

Motivation and puzzle

Some scholars argue that the EU has a "peculiar institutional constellation" not found in any country (Lelieveldt and Princen, 2011:53). The EU can be considered a unique political system, but whether it really differs from countries in how it attends policy problems is an empirical question (Carammia et al., 2012:43).

In the institutional framework of the EU, the European Council and the European Commission play a similar role in agenda setting: the former institution gives political guidelines and the latter generates policy proposals. Thus policy issues enter the EU agenda placed by any of the two bodies (Princen and Rhinard, 2006). Particularly puzzling is that these institutions entail distinct designs, condition that can be seen at least in two ways. On the one hand, they have different political attributes.

The European Council has considerably more political authority, being a venue where the closed circle of the EU top political leaders meet to discuss issues that require consensus at the EU level. On the other hand, the information-processing capacities of the institutions differ. In contrast to the European Council, the European Commission can simultaneously handle a great amount of issues, given its broad apparatus of experts and administrators.

In domestic political systems, policy-making bodies often differ on what issues to attend on their agendas and how to deal with such policy problems. These differences are induced in part by their institutional designs (Jones and Baumgartner, 2005; Baumgartner et al., 2009). But does this circumstance also happen in the EU political system? More specifically, how do the European Council and the European Commission act and react? Do they set the agenda differently, according to their distinct institutional architectures? Or do they do it in the same way, according to their similar roles?

We know little about the impact of the architectures of these EU institutions on agenda setting. Existing studies have mainly observed the information-processing capacities of the European Council. Moreover, research has hardly compared the patterns of the institutions. There is thus a gap in the EU policy-making literature; we practically lack knowledge on how similar or different the logics of the European Council and the European Commission are in setting the agenda.

Another puzzling feature of the EU framework is that the relationship between the European Council and the European Commission in agenda setting is not formalized. This contrasts with the case of the other EU institutions, whose interactions in the policy-making process are regulated by the Treaty. Therefore, we do not know whether both institutions are expected to interact in the first place and, if so, how their interplay is formally supposed to occur. But, most importantly, how does their interaction happen in practice? How do the different designs of the institutions affect their relationship? Who follows whom in agenda setting? Or do the institutions influence each other?

Scholars have speculated about the relationship. Some have claimed that the European Council exerts important control on the European Commission; other scholars have argued that the European Commission is rather influential; and some authors have considered that the interaction is reciprocal. Little empirical research has been done to endorse the points in the discussion. The few systematic studies are limited to the analysis of their interaction during only some years in this century. However,

there is no research on their behaviour over a longer period of time, in order to demonstrate the underlying trend in their interplay.

Theoretical framework

To observe and explain the processes of the institutions in agenda setting, this study proposes a theoretical framework: the Agenda Dynamics Approach (ADA). This perspective integrates two existing theories of policymaking that so far have been used separately: the Disproportionate Information-Processing Model (Jones and Baumgartner, 2005) and the Agenda-Setting Routes Framework (Princen and Rhinard, 2006). These theories are the basis to build ADA and support its propositions. This theoretical framework is used to empirically analyze the intra- and inter-agenda dynamics. This is the first attempt to theorize and analyze altogether the individual and interactive dynamics of the European Council and the European Commission. In this way, the complete chain of ways the institutions perform in agenda setting is examined.

The Agenda Dynamics Approach has two central postulates. First, it posits that the designs of the two bodies, in terms of their political attributes and information-processing capacities, affect their patterns of attention to policy issues over time. Second, it argues that the individual processes of the institutions affect the way they interact in the long run. The empirical study confirms both expectations. First, the findings indicate that institutional designs highly matter in EU agenda setting. They impact the way the institutions take up issues on their agendas. Second, the results point out that knowing the intra-agenda dynamics helps in analyzing and understanding the inter-agenda dynamics.

Data and methods

The agendas are represented in this study by key policy documents issued by the institutions over time. Accordingly, the European Council Conclusions and the COM docs of the European Commission are analyzed for the period between 1975 and 2013. A longitudinal analysis is conducted because studying the agendas on a long-term basis allow us to capture the fundamental behaviors of institutions in the policy process (Baumgartner and Jones, 1993).

The development of the agendas is studied in the policy domain of organized crime. This policy field is the vehicle to identify the dynamics of the institutions. Choosing a single domain is done for methodological and analytical reasons. It is useful to focus on a policy area when making an in-depth empirical analysis of agenda dynamics, as

such study requires a well-founded knowledge and understanding of central debates and developments in a policy field and its context (Princen, 2009). In particular, studying organized crime allows us to examine the European Council agenda and the European Commission agenda under relatively equal conditions. The two political bodies deal with this policy field similarly, in contrast to the different way each institution regularly handles other policy areas. For instance, while the European Council deals specially with policy domains such as macroeconomics and the European Commission with other fields such as common market, it appears that neither institution is the 'owner' of the domain of organized crime. Furthermore, the development of organized crime in the EU framework has happened in such a way that it is neither a purely intergovernmental nor entirely supranational policy field, in contrast to other EU domains such as defense (intergovernmental) and agriculture (supranational). This is an important consideration to avoid bias, given that the European Council is an intergovernmental organization and the European Commission a supranational one. These conditions suggest that none of the institutions clearly dominates in this field.

The analysis of the intra-agenda dynamics is largely conducted in a quantitative way, by means of content analysis and the use of statistical tools. It is complemented by a qualitative analysis that adds value and meaning to the numerical findings. To identify the inter-agenda dynamics, a new method for the study of the relationship between political institutions in the European Union is used, based on econometrics: vector autoregression techniques. Using this method, a time-series analysis is carried out to model EU agenda-setting scenarios.

Analysis and conclusions

The empirical evidence reveals that, while the European Council and the European Commission have a similar agenda-setting role, their intra-agenda dynamics are predominantly different over time, because the designs of the institutions are different. The European Council agenda is considerably more erratic in how issues are addressed compared to the European Commission agenda, which is more gradual. The institutions attend issues on their agendas stimulated by at least six factors: policy inheritances, political signals, professional concerns, focusing events, EU institutional milestones and public concerns. The European Council is particularly triggered by political signals and policy inheritances to set issues on its agenda. The European Commission is mostly driven by policy inheritances. While both institutions often respond to policy inheritances, they do it to different degrees, for different motives

and with different political goals. Some similarities are present, yet to a lesser extent. Neither agenda is stable over time. Both show a punctuated equilibrium pattern.

The inter-agenda dynamics display a unidirectional pattern in the long run. That is, the European Council mostly sets the agenda of the European Commission, but not the other way around. This does not mean however that the European Commission does not influence the European Council. It rather signifies that the European Council does not respond to the European Commission on a regular basis. While the European Council is the leading institution in agenda setting, it does not exert total control of the European Commission agenda. There is space for the European Commission to decide part of the issues to attend. Other factors, such as policy inheritances –or previous policy commitments-, play also a relevant role in triggering the European Commission to take up policy problems. Largely due to such policy legacies, the European Commission responds with delay to the new impulses from the European Council. The European Commission thus also works independently without a novel indication. This situation facilitates that the European Council turns its attention to other issues for some time, as it does not need to send signals recurrently to the European Commission. It is a continuous process. This indicates that policy inheritance highly matters in EU agenda setting.

The fact that both institutions set the agenda and have distinct information-processing capacities and political attributes enables the EU to handle a large number of problems, highlighting new policy issues, producing proposals and monitoring existing matters.

The intra- and inter-agenda dynamics of the European Council and the European Commission have implications for policymaking. The institutions have designs that complement their institutional capacities, stimulating the formation of policies. But, at the same time, their architectures promote mostly dissimilar patterns in and between the agendas, situation that is likely to rather hinder such formation to happen. This suggests that policy change is conditional on the interplay of the institutions.

Finally, the findings in this study indicate that the EU system is not entirely unique. The EU is largely similar to domestic systems. Many behaviors and theories valid for the study of national agendas hold true for the study of EU agendas. However, some peculiarities are also present. The European Council and the European Commission have a hybrid performance, in that they act to an extent as both policy input and process agendas.