9 Agenda-setting

Introduction

On 8 December 2005, the European Commission published its Green Paper on obesity, the health condition more commonly known as 'overweight'. The Green Paper outlined the prevalence and underlying causes of obesity within the European Union, identified possible EU actions to reduce obesity, and invited member state governments and stakeholders to submit comments. Earlier that year, the Commission had already launched the European Platform for Action on Diet, Physical Activity and Health, which brought together representatives from industry, consumer organizations and health NGOs in order to arrive at mutual commitments to reduce overweight. On the basis of the responses to the Green Paper, the Commission released a White Paper with more concrete proposals in May 2007, which was embraced by the Council of Ministers and the European Parliament and formed the basis for further initiatives in this field.

The sudden attention for the issue of obesity at the EU level was not self-evident. To begin with, why the EU? Overweight would not seem to be the most logical issue to be taken up by the EU. Cross-border aspects, the self-proclaimed rationale for EU initiatives, are not immediately clear in this case. Moreover, health (care) issues are firmly under the member state governments' remit. The EU Treaty even explicitly prohibits harmonization of legislation on health grounds. In addition, why 2005? The problem of overweight,

and the health conditions associated with it, was apparent long before that time. Why, then, did it take so long for the issue to be taken up?

These types of questions are questions about the EU's political agenda. The political agenda is the set of issues that policy-makers give serious attention to. At any given point in time, some issues are 'on' the agenda (that is, they receive attention), while other issues are 'off' the agenda (they receive no or very little attention). Understanding why issues are on or off the agenda is crucial for understanding policy-making, because paying attention to an issue is a necessary condition for doing something about it.

In this chapter, we will take a closer look at agenda-setting in the EU. In so doing, we will discuss the following questions:

- Why is agenda-setting politically important?
- What types of 'agenda' can be discerned and how do they relate to each other?
- Why do political actors try to move an issue on to the EU agenda?
- How do agenda-setting processes evolve in the EU?
- What determines whether issues do or do not come on to the EU's agenda?

We will see that agenda-setting is a highly political process because it has important consequences for the issues on which decisions are taken and the policy options that are considered. As a result, political actors actively try to bring issues on to the EU agenda or keep them off that agenda. The process through which issues come on to the EU agenda is complex and largely informal. Nevertheless, it is not purely random or idiosyncratic. Common elements and drivers can be discerned in many agenda-setting processes. We will see that certain (combinations of) motives explain why actors try to place an issue on the EU agenda. In addition, there is a 'typical' sequence of steps that are taken in EU agenda-setting processes, albeit with variations in specific cases. Finally, the agenda-setting literature has unveiled a number of factors that determine whether or not an issue will actually make it on to the agenda. At the same time, because of its informality agenda-setting processes always include elements of surprise and chance. This is what makes agenda-setting such a fascinating area of study.

The political importance of agendas

Above, we defined a **political agenda** as 'the set of issues that policy-makers give serious attention to'. The crucial element in this definition is 'attention'. Attention is basically about what is on policy-makers' minds: what they think about and discuss with each other or, stated differently, what they consider to be important issues to which they accord priority.

The **political agenda** is the set of issues that policy-makers give serious attention to.

The fact that there is such a thing as an agenda at all stems from a simple fact: people (and organizations) cannot attend to all things at the same time.

The number of issues that could be taken up is almost limitless. There is always a vast array of issues that could be addressed or that merit attention. At the same time, policy-makers can only do so many things in a day so they need to make choices about what to attend to and what to ignore (at least for the moment). This is as true for EU policy-makers as it is for politicians in a municipal council or managers in an organization. These choices result in an agenda: a set of issues that receive attention and, by implication, a set of issues that do *not* receive attention.

Agendas can be the result of a deliberate choice, when a policy-maker decides to give priority to some issue over another. They can also be a response to outside events, when policy-makers respond to what is happening around them. For instance, after the terrorist attacks of 9/11 governments in many Western countries immediately focused on issues of terrorism that had previously received much less attention. This choice was hardly the result of a deliberate trade-off between different possibilities but was almost forced on those governments as a result of the impact of and public response to the attacks.

In either case, agenda-setting is a highly political process. Agendas do not simply 'happen': they have enormous political implications. Some groups and politicians gain if an issue comes on to the political agenda while others lose. To return to the example of obesity given in the introduction, this was an issue that the food industry had little interest in raising. For them, it could only entail greater (regulatory) burdens in order to curtail the production and sale of unhealthy foods. For health NGOs, on the other hand, it was an important issue because obesity is related to a range of health conditions that they sought to combat. Hence, health NGOs wanted to get the issue on to the EU agenda, while the food industry wanted to keep it off.

Likewise, when terrorism issues became highly salient after 9/11, this was a great opportunity for those in favour of stronger law enforcement efforts to achieve some of their objectives. By contrast, advocates of, say, the protection of individual privacy, had a much more difficult time having their voices heard since their message ran against the grain of a 'political mood' focused on fighting terrorism.

As a result, political actors actively seek to influence the political agenda. They try to push the issues they want to have on the agenda, but also try to keep issues off the agenda if they have little to gain by greater attention. This kind of political struggle even occurs when an issue more or less forces itself on to the agenda, as was the case with the 9/11 attacks. In principle, there were many ways in which the attacks could have been conceived. For instance, were they an act perpetrated in a specific place by a small network of extremists or were they an attack on the values of Western civilization by a global movement of Muslim fundamentalists? In the end, the latter definition 'won', which led, among other things, to the invasions of Afghanistan and Iraq. This outcome was the result of a political struggle between proponents of different courses of action that tried to 'use' the attacks to push forward

their own agendas. Even though policy-makers were forced to respond to the attacks themselves, they still had a choice as to which aspect or interpretation of the events they emphasized.

All in all, then, agendas are not self-evident but politically highly consequential and the outcomes of political processes. This is no different at the EU level than within domestic political systems (or, for that matter, local politics). That is why it is important to understand how agendas are formed within the EU.

Types of agendas and agenda dynamics

The political agenda, the media agenda and the public agenda

So far, we have only talked about the political agenda. However, we can discern at least three important types of agendas in democratic societies:

- The political agenda, which consists of the issues that policy-makers pay attention to.
- The media agenda, which consists of the issues that receive attention in newspapers, on television and on the Internet.
- The public agenda, which includes the issues that citizens find important at a given point in time.

These agendas may influence each other but they are not identical: policy-makers may discuss issues that hardly appear in the media and are not on many people's minds, while some issues may be important in public opinion or the media but resonate much less in the political arena.

In addition, within the broader category of the 'political agenda', there are several more specific agendas. Thus, the European Commission has an agenda but so do the European Council and the European Parliament. Although they will overlap to a greater or lesser extent, these agendas are usually not identical. Even within these institutions, there are multiple agendas. For instance, the agenda of the Commission's DG Enterprise may feature issues such as the competitiveness of European firms or reducing the regulatory burden on enterprise, while DG Environment may focus on issues such as global warming or dangerous chemicals. The same is true for different committees in the EP or different configurations of the Council of Ministers. When discussing political agendas, it is therefore important to be clear about which agenda is meant: is it the agenda of the EU as a whole (i.e. the issues that are being discussed in all EU institutions), of one of the institutions or of some part of an institution?

Linkages between the types of agendas

Above, we discussed different types of agendas. The interaction between these agendas is important for understanding agenda-setting dynamics, not

just in the European Union but in every political system. In order to elucidate these different dynamics, agenda-setting scholars Roger Cobb, Jennie-Keith Ross and Marc Ross distinguished between three ways in which the various agendas may interact:

- In the 'outside initiative model', issues arise within groups in society, which then seek to reach, first, the public agenda and, next, the political agenda.
- In the 'mobilization model', policy-makers take the initiative to place an issue on the political agenda and then try to gain support for the issue by also placing it on the public agenda.
- In the 'inside access model', issues arise within government and stay there. Thus, they are placed on the political agenda without attempts being made to place them on the public agenda.

(Roger Cobb, Jennie-Keith Ross and Marc H. Ross, 'Agenda Building as a Comparative Political Process', *American Political Science Review*, 70, 1, 1976: 126–38.)

The media agenda may play an important role in between the political agenda and the public agenda: societal groups may use media attention to put pressure on policy-makers (in the outside initiative model), while policy-makers may use the media to place an issue from the political on the public agenda (in the mobilization model).

Examples of each model can easily be found in political reality. An example of the outside initiative model were the protests by French farmers on 27 April 2010, who rode into Paris on tractors in order to raise awareness of falling grain prices and demand government action. An example of the mobilization model is US President Bush's decision to invade Iraq. This had been discussed (perhaps even decided) within his government before he sought to obtain public support by raising the 'Iraqi threat' on the public agenda. The example of obesity in the EU, which we gave in the introduction to this chapter, exemplifies the inside access model. This is an issue that has arisen primarily within the EU's health policy communities and has been developed there without a great deal of public attention.

Agenda-setting dynamics in the EU

According to Cobb, Ross and Ross, political systems differ in the prevalence of each of these dynamics. Therefore, a good starting point for understanding agenda-setting in the EU is to identify how often each model of agenda-setting occurs and how this compares with other political systems. In so doing, we can use several insights from other chapters in this book.

Outside initiatives in the EU

The outside initiative model is closely linked with the strategy of outside lobbying that we discussed in Chapter 6. There we explained that outside

lobbying consists of attempts by interest groups to put pressure on policy-makers by mobilizing public opinion through protests and media attention. The French farmer protests in Paris that we mentioned above are a typical example of this strategy. In Chapter 6, we saw that outside lobbying is less widespread at the EU level than within the EU's member states, because EU policy-makers are less vulnerable to public opinion than domestic politicians. Insofar as outside lobbying occurs, it takes place mainly within well-specified groups, such as farmers.

Similarly, in Chapter 5 on public opinion it was noted that the EU is not very prominently on most EU citizens' minds and public opinion in (and on) the EU is shaped more by national than by EU circumstances. This makes it more difficult to mobilize 'EU public opinion' in support of a cause than to mobilize national public opinion within a member state.

As a result, the outside initiative model is less common at the EU level than within its member states. This is not to say that it does not occur at all. Examples of issues that came on to the EU agenda through outside initiatives can be found and there is some evidence that outside lobbying has become more important over time. Yet, this is not a 'typical' way for issues to reach the EU agenda.

Mobilization in the EU

For the same reason, the mobilization model is less common than it is in domestic democratic systems. There are several reasons why policy-makers may want to mobilize public opinion. First, policy-makers may do so because they need public interest and public support in order to have an issue implemented. However, as we will see in greater detail in Chapter 11, practical implementation in the EU usually occurs through member state governments. Implementation at the EU level itself then remains limited to refining regulatory standards and monitoring member state performance. This means that EU policy-makers have relatively little use for mobilizing public support in order to facilitate implementation.

It is instructive in this regard to compare agenda-setting around obesity in the EU and the USA. In the EU, the issue of obesity was placed on the agenda within the EU's institutions. Subsequently, it was further developed within the European Platform for Action on Diet, Physical Activity and Health, which included representatives of organizations. Hence, the whole process remained limited to a relatively small circle of policy-makers, health experts and direct stakeholders. In the USA, by contrast, after obesity had reached the political agenda strong attempts were made to involve the general public by raising awareness of the issue (in other words: by placing it on the public agenda). To this end, First Lady Michelle Obama headed a large public campaign named 'Let's Move' that had as its stated objective to eliminate obesity among youths within a generation. This made sense as part of an effort to implement obesity policies, because in the end citizens (consumers) decide

what food to buy and eat. However, within the EU's political system such large-scale awareness raising is much less common and would normally be left to member state governments.

In addition, policy-makers may seek to mobilize public opinion in order to overcome resistance within government itself. By claiming public support for their position, they may be able to override the objections of their opponents. Here, the same restrictions apply as for interest groups engaged in outside lobbying. Because EU policy-making is more 'immune' to public opinion, mobilizing public opinion is as little an effective strategy for policy-makers as it is for interest groups.

Inside access in the EU

Just as the smaller role of public opinion in the EU limits the prevalence of outside initiatives and mobilization, it increases the importance of *inside access*. This ties in with the observation in Chapter 6 that, in contrast to outside lobbying, inside lobbying is relatively more important in the EU. Inside lobbying means that interest groups try to work through and with the EU's institutions in order to have their voices heard.

The same is true for agenda-setting. Because EU policy-making largely takes place within the EU's institutions, many issues are typically raised there. Exactly who raises an issue may vary. In some cases, the EU institutions themselves (for instance, Commission officials) take the initiative. In other cases, member state politicians and/or the heads of government in the European Council take the lead. In still other cases, member state civil servants try to plug an issue at the EU level. Yet, in all of these cases the issue is raised and developed within the EU's policy-making institutions, without a direct link with the public agenda(s) in the EU.

Why do political actors attempt to bring issues to the EU agenda?

Agenda-setting always involves attempts by political actors to bring issues to the EU agenda. When we want to understand agenda-setting in the EU, it is therefore important to know why actors prefer to deal with issues at the EU level rather than within a member state or an international organization. In this section, we will take a closer look at these motives.

Tackling cross-border issues

The first reason is the most straightforward one: actors may want to bring issues on to the EU agenda because the problem they seek to address can only be solved at the EU level. This is the case when the issue has cross-border aspects. The classic example is cross-border pollution: if a factory in one member state pollutes water or air in other member states, the issue

cannot be solved at the national level of one country alone but needs to be tackled internationally. EU policies are then a logical answer to the problem. The same is true for a wide range of issues that, to a greater or lesser extent, have cross-border implications, such as international crime or issues related to trade between member states.

Tackling cross-border issues is not only a logical explanation for the appearance of issues on the EU agenda, it is also the official rationale for EU action. The European Commission often goes to great pains to argue that the initiatives it takes are meant to address cross-border problems. This principle has been codified in EU law as the 'subsidiarity principle', which states that issues can only be dealt with at the EU level if they cannot be handled at least equally well by the member states themselves.

Official ideology as this may be, the reality of EU policies does not always conform to this 'rule'. In fact, as we already saw in Chapter 8, the EU also deals with issues that have no or only very limited cross-border aspects. Just think about issues such as animal welfare, non-contagious diseases (such as obesity), smoking in public places, the quality of drinking water, the protection of natural areas, occupational health and safety, and discrimination between men and women (or discrimination more generally). These are all issues that could also be dealt with by the member states individually. What the EU does in these fields is not to address cross-border problems but to establish a European minimum level of protection that each of the member states is required to follow.

Why would politicians, civil servants, interest groups or other actors from the EU member states want to bring these issues to the EU level? Several motives may be at play here, which we can divide into political, economic, universalistic and institutional motives. We will discuss each in turn.

Political motives

A political motive for moving an issue to the EU level arises when political actors want to circumvent political opposition 'at home'. During the 1970s, for instance, British women's groups deliberately went to the EU level to fight for equal rights between men and women because they felt the EU would be more receptive to their claims than British politicians. Likewise, it has been argued that during the 1990s national immigration officials deliberately sought to establish EU immigration policies because at the EU level they would be able to adopt much more restrictive policies than in their respective member states.

The reason for this is that the playing field is often very different at the EU level than within a member state. Opponents that are strong domestically may be much weaker at the EU level, for instance because they have no access to EU decision-making. To give an example: EU environmental policies are decided upon by the Environment Council, which only includes environmental ministers. This may make it easier for environmental ministers

to have ambitious policies adopted at the EU level, where they are 'among themselves', than in their own member states, where they have to face colleagues from other departments (such as agriculture or economic affairs) in their government. By using the EU to adopt policies, they can circumvent this domestic opposition.

In addition to opposition within their ranks, member state governments as a whole may also prefer to bring an issue to the EU level because it allows them to avoid blame for unpopular decisions. If, for example, a government cuts back on unemployment benefits, that measure is politically much more palatable if the government can point to EU requirements that limit the deficits member states are allowed to run (for instance in relation to the Euro and the associated Stability and Growth Pact). Rather than take full responsibility for a measure, they can then argue that 'Brussels made us do it'.

Economic motives

The economic motive for bringing an issue to the EU level has to do with the effects of differences in regulation on the competitiveness of firms. Firms from member states with stringent standards incur higher compliance costs than firms from member states with less stringent standards. In order to create a 'level playing field', they may therefore argue for EU regulation. Often, this is not (only) done by affected firms themselves, but by member state governments that seek to create beneficial competitive circumstances for 'their' industries. For instance, equal pay between men and women was included in the 1957 EEC Treaty at the behest of the French government, which feared that French industries would be disadvantaged by the fact that in other member states women tended to have lower wages than in France.

Universalistic motives

Universalistic motives involve a belief on the part of a political actor that all citizens within the EU should enjoy the same rights or arrangements. For example, many environmental groups believe that the protection of endangered species is a value in itself, regardless of national borders. Hence, they believe the EU should protect endangered species, even if those species live within national borders and there are therefore no cross-border aspects to the issue. Likewise, some groups and politicians argue that all workers have a right to decent working conditions and that this cannot be left to individual states to decide. This, then, is a reason to take the issue up at the EU level.

Institutional motives

The European institutions themselves often have specific motives to try to bring issues to the EU level. Like national groups or politicians, they can be

motivated by universalistic motives: the idea that EU policies will bring benefits that all citizens are entitled to, regardless of nationality. In addition, the Commission and the European Parliament have clear institutional motives to attract certain issues. Dealing with more as well as more prestigious issues enhances their power and status, increases the resources they command and, in general, makes their lives more interesting. For this reason, most government organizations seek to extend their tasks and take up new, interesting issues. The EU institutions are no exception to this rule, which leads them actively to develop and push for new issues.

Combinations of motives

This overview shows the varied and complicated nature of the motives behind issues on the EU agenda. In reality, many issues are brought up as the result of a combination of motives and different actors may have different motives for bringing the same issue to the EU agenda: there may be some cross-border aspects, it may be politically convenient to discuss an issue at the EU level, firms that incur high costs support a 'level playing field', other groups may feel the EU offers a chance to 'spread the word', and EU institutions want to extend their activities. This complexity is one of the reasons why it has remained difficult strictly to demarcate the competences and responsibilities of the EU from those of the member states. Controversy 9.1 introduces one suggestion that has been put forward in this regard: the construction of a 'competence catalogue' for the EU.

From idea to proposal: the process of agenda-setting in the EU

Agenda-setting is, almost by its nature, not a formal process. The process through which policy-makers start giving attention to issues is influenced by many factors. Because it lies at the very 'origin' of policy-making, there are few procedures to follow and political actors have a lot of room for manoeuvre. Nevertheless, certain steps in the process occur in many cases and form a sort of 'common sequence' in EU agenda-setting processes. To set the stage for the subsequent discussion of agenda-setting dynamics it is useful to outline these steps. In so doing, we will focus on issues for which the European Commission has the exclusive right of initiative (see Chapter 4) because they constitute the majority of cases within the EU and because the steps are most clearly discernible in those cases. We will first sketch the steps in a 'typical' agenda-setting process, and then apply this to the example of EU obesity policy.

The steps in a typical EU agenda-setting process

Figure 9.1 gives an overview of the steps that can be discerned in a typical agenda-setting process. The origins of an issue or idea are often difficult

Controversy 9.1

A competence catalogue for the European Union?

The allocation of tasks between the EU and its member states has been subject to continuous shifts. Over time, the EU has taken up new tasks and acquired new competences. Partly, this has been the result of treaty changes, in which member states deliberately attributed new competences to the EU (and EU institutions) because they felt the EU needed to deal with certain issues. Partly, however, it has also been the result of strategic attempts by the EU institutions (in particular the European Commission) to increase the scope of existing competences and venture into fields that had hitherto not been part of the EU's remit. This has led some observers and politicians to warn against a process of 'creeping competence', in which the EU gradually acquires ever-expanding competences, even if these competences are not explicitly granted to it.

One proposed solution against creeping competence has been to include a 'competence catalogue' into the EU treaties. After the Treaty of Lisbon, such a catalogue is defined in Title I of the Treaty on the Functioning of the European Union (Article 2-6). It enumerates which issue areas fall under the exclusive remit of the EU and which are shared between the EU and its member states. This is a method that has been widely used in the constitutions of federal states such as Canada, Germany and the United States.

Do you think a competence catalogue will make a difference to the possibility of political actors to put issues on the EU agenda? To what extent do you think there is a problem of 'creeping competence' within the EU? If so, do you think a competence catalogue could help stop it?

to trace. Issues can come from anywhere. The European Commission itself develops ideas about the issues that should be taken up. Interest groups (see Chapter 6) are constantly plugging issues that they feel need to be taken up. Member state governments (both politicians and civil servants) may try to get things on to the EU agenda, and the same goes for Members of the European Parliament. At some point, however, the issue becomes part of (informal) *discussions* among politicians, policy experts and/or the media within the EU.

The first appearance of an issue in an official EU document depends on the issue area. In some areas, the European Commission publishes *multi-annual work plans* that guide work in the field for periods of five years or longer. For instance, in the field of environmental policy the Commission publishes multi-annual Environmental Action Programmes that are officially adopted by the Council and the EP. The programme currently in force is the Sixth Environment Action Programme that runs from 2002 to 2012. Likewise, the Commission's health initiatives are laid down in the Health Strategy 2008–2013. Getting an issue into a multi-annual work plan is one way of placing it more firmly on the EU's political agenda. However, such plans are only published for a limited number of policy areas.

Figure 9.1 Steps in a typical EU agenda-setting process

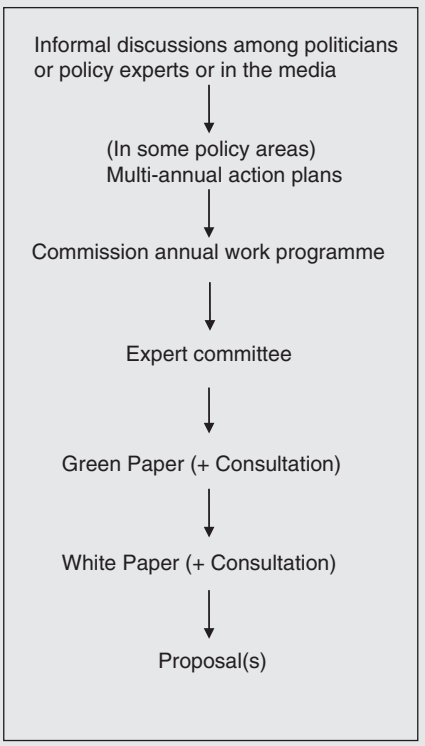

Figure 9.2 Steps in the agenda-setting process around obesity

A next step is made when an issue is included in the *Commission annual work programme*. Early each year, the European Commission publishes an overview of all proposals it is planning to put forward in that year. Ideas for issues to be included in the work programme come from the Commission's Directorates-General and, within those DGs, specific units. There are always many more suggestions than there is room for within the work programme, so the process of getting an issue into the work programme is an important bureaucratic struggle within the Commission. This is important for Commission officials and outside stakeholders alike, because once an issue is included in the annual work programme, it is officially recognized as one of the priorities for action by the Commission in that year.

When it is decided to develop a proposal, the Commission usually convenes an *expert group* to assist it in drafting a document or proposal. The composition of an expert group is completely at the discretion of the Commission. Normally, it contains policy experts from member state governments and/or interest groups in the field. For the Commission, an expert group is a way to use the best available expertise on an issue when developing proposals.

Moreover, it is a way to explore political sensibilities around an issue and to commit important stakeholders to the proposal that is subsequently published. For those stakeholders themselves, an expert group is the best possible way to exert influence on the shape of a policy proposal when much still needs to be decided. This is the reason why a place on an expert committee is highly coveted by governments and groups interested in a certain issue.

In many cases, the work in the expert group results directly in a proposal. When the issue is more complex or sensitive, however, the process may proceed through a number of intermediate steps. The first intermediate step is the publication of a **Green Paper**. Green Papers do not contain specific proposals but chart the terrain, outline policy options and offer a starting point for a discussion with interested stakeholders. For that reason, they are often followed by a formal consultation procedure, in which member state governments, the European Parliament, interest groups and often also individual citizens can respond to the issues and questions raised in the Green Paper.

A **Green Paper** is a discussion document from the European Commission that outlines general issues and options around an issue without presenting specific proposals.

A next intermediate step is the publication of a **White Paper**. In contrast to a Green Paper, a White Paper does contain specific proposals that are presented for further discussion. Here, too, member state governments, the European Parliament and other stakeholders are often given the opportunity to respond to the proposals contained in the White Paper.

A **White Paper** is a discussion document from the European Commission that presents specific proposals for EU action.

Finally, then, this may result in the publication of a *proposal* for EU legislation or other forms of policy. If these proposals are scheduled for decision-making by the appropriate institutions (in most cases the Council and the EP), the issue has moved firmly from the EU's governmental to its decision agenda.

This is a 'typical' process but it is not cast in stone. There are many variations, in which some steps do not appear, additional rounds of documents and (formal or informal) consultation are added, or the sequence of certain steps is reversed. We can see how this works in a concrete example by turning to the example of obesity again.

The steps in the agenda-setting process around obesity

Figure 9.2 shows the steps in the agenda-setting process for obesity, linking them to the general steps outlined in Figure 9.1. In the case of obesity, debates on the gravity, determinants and consequences of the problem started well before any mention in an official EU document. A consensus on the significance of obesity developed among medical researchers and practitioners, as well as health policy experts in member state governments, the European Commission and the World Health Organization (WHO), a

specialized agency of the United Nations that focuses on health issues. Among these groups, conferences were organized, studies were published, and policy options were discussed. This is how interest in the issue gained ground.

Policy work on obesity within the EU took off when the issue was mentioned in the Health and Consumer Protection Strategy for the period 2007–2013, which was launched by the Commission in April 2005 and subsequently adopted by the Council and the EP. Even before that, in January 2005, the publication of a Green Paper on obesity had been included in the Commission's work programme for 2005.

In March 2005, the Commission created the EU Platform for Action on Diet, Physical Activity and Health. The term 'platform' was used because this was a more formal institution than a mere expert group. Still, partly the purpose was the same: to bring together expertise and to create support for a certain course of action. In the specific case of obesity, however, the forum was also meant to lead to voluntary agreements on reducing overweight between industry (food, retail and the like), consumer groups and health NGOs, something a regular expert group would not do.

Later that year, in December 2005, the Commission published the Green Paper *Promoting Healthy Diets and Physical Activity: A European Dimension for the Prevention of Overweight, Obesity and Chronic Diseases*. Linked to this Green Paper was a large-scale consultation in which interested stakeholders could give their opinion on the ideas presented in the Green Paper. The results of that consultation were presented in September 2006.

In May 2007, the Commission published the White Paper on *A Strategy for Europe on Nutrition, Overweight and Obesity Related Health Issues*, with more concrete actions to be taken. On the basis of this White Paper, a High-Level Group on Nutrition and Physical Activity was formed that included high-ranking civil servants from each of the member states. The High-Level Group operates alongside the Platform created in 2005, and sometimes the two meet together. So far, no proposals for binding legislation have been adopted because work on obesity is predicated on voluntary commitments by industry and agreements between member states.

Hence, the outlines of the 'typical' agenda-setting sequences of Figure 9.1 are clearly visible in the case of obesity but there are also variations within this scheme. This is the case, to a lesser or greater degree, for many issues that come on to the EU agenda.

Why do issues make it on to the EU agenda?

In the previous section, we outlined the steps in agenda-setting processes within the EU. This is a useful starting point for analysing how issues come on to the EU agenda, and it helps to explain the role and status of various types of documents released by the European Commission. At the same time,

Fact file 9.1

A glossary of Commission documents
Commission documents come by different names. Here is a brief guide:

- A *Green Paper* is a discussion document that outlines general issues and options around an issue, without presenting specific proposals. It forms the start of a consultation among stakeholders.

Example: Green Paper *Promoting the Learning Mobility of Young People*, COM (2009) 329.

- A *Communication* informs the other EU institutions, member state governments, advisory bodies and/or stakeholders of the Commission's point of view or intended strategy on a given issue, without inviting a response.

Example: Communication on International Climate Policy Post-Copenhagen, COM (2010) 86.

- A *White Paper* is a discussion document that presents specific proposals for EU action.

Example: White Paper on*Sport*, COM (2007) 391.

- A *Work Programme* sets out the priorities of the European Commission for a given year.

Example: Commission Work Programme 2010 'Time to Act', COM (2010) 135.

- An *Action Plan* (or: *Action Programme*) is an overview of activities that the Commission intends to undertake in relation to a given issue or policy area over a period of several years. Normally published in the form of a Communication.

Example: Action Plan for the Deployment of Intelligent Transport Systems in Europe, COM (2008) 886.

- A *Report* contains factual information on the state of affairs in a given issue area.

Example: First Annual Report on Immigration and Asylum, COM (2010) 214.

it does not tell us much about the factors that drive agenda-setting. Why is it that some issues are taken up while others are not? What is the political logic behind agenda-setting processes? In the end, these are the central questions, and they cannot be answered merely by looking at the sequence of events.

In the literature on agenda-setting, several factors have been identified as being particularly crucial in this regard. Below we will review them under

three broad headings: issue framing, institutional structures and timing. In discussing these factors, we will use the case of agenda-setting around alcohol abuse to illustrate these factors and to show the possibilities and limitations inherent in EU agenda-setting processes. Briefing 9.1 gives the general background to this case.

Issue framing

Issue **framing** concerns the way in which issues are defined. It determines how an issue is conceived and, consequently, who will be involved in the policy process and whether or not the issue will command a lot of attention. Recall the example of the response to 9/11 given above. In the aftermath of the attacks, political actors from different sides offered interpretations of what the attacks constituted and what they implied. These were all attempts at 'framing' the issue: defining it in a certain way that includes some aspects and highlights some factors while ignoring others.

A **frame** is an interpretation scheme with which issues and events are defined and given meaning. **Framing** is the activity of (re-)defining an issue in such a way that it fits a particular frame.

This can also be seen in the alcohol abuse case. Much of the debate around the issue revolved around the question how the issue should be defined. Until the mid-1990s alcoholic drinks, insofar as they entered the EU agenda, were perceived as tradable commodities. Alcohol abuse was seen as an individual problem of a relatively small proportion of all alcohol consumers, which was not related to the general availability of alcoholic drinks. The question was how to ensure free trade in alcoholic drinks as part of the larger drive to create an internal market among the member states. Member state restrictions on the sale and trade of alcohol, such as excise duties to raise prices, were a potential impediment to the creation of such an internal market. The issue then was how to eliminate these impediments.

Proponents of an EU alcohol abuse policy tried to substitute this frame with an alternative frame that focused on the health effects of alcoholic drinks. According to this frame, alcoholic drinks were not 'like any other good' but required special treatment because of their negative side-effects. In this frame, alcohol abuse was not a problem of individual alcohol consumers but inherent in the wide availability of alcoholic drinks. Hence, restrictions on the sale of alcoholic drinks were necessary to reduce these negative effects and the issue was how to formulate an EU-wide policy that would support (or, indeed, require) such restrictions.

From an agenda-setting perspective, these different frames have two important consequences. To begin with, they change the focus of the policy debate and the types of policy that are deemed appropriate and viable. When it is accepted that alcoholic drinks are primarily an internal market issue (that is, the point is how to ensure their free trade among member states),

Briefing 9.1

Getting alcohol abuse on to the EU agenda

Since the mid-1990s, some member state governments and NGOs have tried to get the issue of alcohol abuse on to the EU agenda. For the Swedish and Finnish governments, the EU's internal market rules posed a direct risk to their traditionally strict alcohol policies because their citizens could now import large quantities of alcoholic beverages from other member states. To legitimize restrictions on alcohol sales, they sought to have alcohol abuse recognized as an issue at the EU level. In addition, anti-alcoholism groups from several other member states sought to involve the EU in order to put the issue more firmly on their domestic agendas and bring about more stringent policies.

Proponents of an EU anti-alcoholism policy have had to move carefully because the EU lacks a legal basis to legislate directly on health matters. Moreover, drinking patterns and (cultural) perspectives on alcohol and alcoholic drinks differ widely between member states (contrast the restrictive Nordic policies with the South European 'wine culture'), making it difficult to achieve a consensus on the issue.

Over the years, proponents of an EU anti-alcoholism policy have tried to build up momentum by emphasizing common trends that occur in all member states and that are widely seen as undesirable, such as drink-driving, underage drinking and 'binge drinking'. By highlighting common problems between member states, proponents could argue for an EU-wide approach. Their cause was helped by the rise of 'alcopops', sweet mixes of soft drinks and alcoholic drinks that appealed to (and were explicitly aimed at) teenagers. In that way, the proponents tried to change the prevailing perspective on alcoholic drinks in the EU from one of trade (alcoholic drinks as a tradable commodity like any other) to one of health (alcohol as a source of health risks and crime).

The World Health Organization's (WHO) Regional Office for Europe has also been instrumental in raising attention to the issue, publishing studies, organizing conferences, and adopting action programmes. Some of these conferences were jointly organized by the Swedish government, the WHO, and the European Commission's DG for Health and Consumer Protection.

After the health effects of alcohol had been included in the EU health action programme for the period 2003–8, DG Health and Consumer Protection worked on an EU strategy to combat alcohol-related harm, which would lay the foundation for an EU role in this area. After the DG had circulated a relatively ambitious draft, lobby groups from the alcoholic drinks industry mounted a fierce campaign in order to water it down (no pun intended …). They did so, among other things, by targeting other DGs that were more receptive to the trade and industry side of the issue. In the end, the Commission published a more modest strategy in October 2006 that relied heavily on voluntary measures and industry self-regulation. As a result, alcohol abuse is on the EU agenda now but the role the EU sees for itself is still limited.

then the logical next step is to consider policy options that liberalize trade in those drinks. It makes no sense to contemplate EU-wide restrictions because that would not fit into the frame. When alcoholic drinks are primarily viewed from a health perspective, the opposite is true. Hence, frames set the agenda in terms of which policy options will be considered.

Second, framing determines who participates. If an issue can be linked to a value that people find important, they will tend also to find that issue important. Thus, as long as alcoholic drinks are seen as an internal market issue, it will only command attention from people who care about internal market issues (or trade and economic issues more generally). However, when the issue is linked to health concerns, it will become relevant to people who take a (professional and/or personal) interest in health matters. This will change the participation around the issue. Because new participants bring with them new ideas, new preconceptions and new interests, this has important consequences for the way agendas are set and policies are made, thus completely altering the balance of proponents and opponents around an issue.

In addition to the substantive aspects of frames (such as the question whether alcoholic drinks are mainly an issue of trade or of health), agenda-setting in the EU also involves aspects of scale or authority: whether or not the issue is *European* in scope. This is particularly important in the EU because most EU policies need to be justified in terms of cross-border effects or common EU-wide problems. If they cannot, the question arises why the EU should be dealing with them, rather than the member states themselves. This becomes even more important when the EU has no clear competence in a certain policy area, such as health policy in the alcohol abuse case.

As a result, proponents of new issues on the EU agenda also need to construct a story about why the issue is European in scope. In the alcohol abuse case, they did so by pointing at problems that occurred in most member states, such as drink-driving, underage drinking and binge drinking. The argument ran such that if these problems occurred in all EU member states they were common problems, and hence all member states could benefit from a joint, EU-wide response. Opponents of an EU-wide alcohol abuse policy, by contrast, could argue that the issue was best addressed at the national (or even local) level given the nature of the problem and the differences between member states.

Institutional structures

Institutional structures greatly affect the receptiveness of political systems to certain (types of) issues. Political scientists Frank Baumgartner and Bryan Jones have used the term **venue** to explain this (Frank R. Baumgartner and Bryan D. Jones, *Agendas and Instability in American Politics*, University of Chicago

A **policy venue** is an institution that has the authority to make decisions about an issue.

Press, 1993). Venues are locations where policies are made. As we saw above, there is a great variety of venues (with their own agendas) within the EU: the Commission, the EP, the European Council, the Council of Ministers, and within each of these institutions different DGs, committees, Council configurations, and the like. Each of these venues is a place where issues are discussed.

Which issues are discussed and how they are discussed depends largely on the characteristics of a venue. The reason for this is that venues have specific (institutional) remits that they are responsible for, care about and have an interest in fostering. As a result, venues in the field of, say, foreign policy, will focus on issues that are related to foreign policy concerns. Likewise, venues that deal with economic affairs will focus on issues that are relevant to that domain. In turn, the venue that deals with an issue has important consequences for the type of policy that is being made because each venue will produce policies that 'fit' its remit.

This means that the way venues are organized is not neutral. By creating venues with a certain remit and by granting or withholding resources to existing venues, the receptiveness of a political system to certain (types of) issues is affected. This is why the American political scientist Elmer E. Schattschneider said that 'organization is the mobilization of bias' (Elmer E. Schattschneider, *The Semi-Sovereign People: A Realist's View of Democracy in America*, Holt, Rinehart and Winston, 1960: 71). Every political system will, as a result of its institutional set-up, be more receptive to some issues than to others. Thus, through the way a political system is structured, some issues are 'organized in' while others are 'organized out'. This is as true of the EU as it is of other political systems.

As a result, many of the activities of prospective agenda-setters are aimed at attracting the attention of the 'right' venue for their cause. If they deliberately do so, they engage in what is called 'venue shopping': deliberately 'plugging' issues in such a way as to place them on the agenda of the venue that is most receptive to their claims. In the alcohol abuse case, proponents of EU-wide policies tried to involve DG Health and Consumer Protection because that DG was most receptive to their cause. Conversely, when that DG circulated an ambitious draft, producers of alcoholic drinks tried to involve DGs in the field of the internal market and economic affairs because they were more sympathetic to *their* claims.

This does not only work between venues within the EU. As we saw in briefing 9.1, the World Health Organization (WHO) also played a role in putting the issue on the EU agenda. For proponents of a restrictive approach to alcoholic drinks, the WHO was an attractive venue because it is unequivocally committed to health issues and (therefore) highly receptive to claims that are based on health concerns.

This is where venues and framing come together: by framing an issue in a way that appeals to a certain venue, it is possible to attract the attention of that venue and involve it in policy debates. By defining an issue in terms

of health concerns, DG Health and Consumer Protection became involved in the issue. However, when opponents of EU alcohol abuse policies emphasized the internal market frame, other DGs became involved again and were able to limit the role of the EU in this field.

The concept of venue shopping implies that outside actors shop around more or less passive venues that are waiting for issues to come to them. This is only half of the story, however. In addition, venues are also actively looking for new issues that they can deal with. They do so for the 'institutional motives' that we discussed above. As a result, they are not (only) recipients of issues but also active players in the agenda-setting process themselves, framing and reframing issues, seeking allies and trying to build impetus for their pet issues.

Timing

In addition to framing and venues, timing plays an important role in agenda-setting processes. Sometimes an issue builds up gradually, gaining impetus over time. In most cases, however, there are moments or (short) periods in which an issue rises quickly on the agenda. These are what American agenda-setting scholar John Kingdon has called **policy windows** or 'windows of opportunity' (John W. Kingdon, *Agendas, Alternatives and Public Policy*, 2nd edn, Longman, 2003). After a short while, the policy window closes, and the issue slides down the agenda again. Major initiatives will then have to wait until the opening of a new policy window.

A **policy window** is a short period in which an issue commands a lot of attention and decisions on that issue can be taken.

According to John Kingdon, a policy window opens when three 'streams' of events come together:

- There is wide recognition of the importance of some *problem*.
- A viable and acceptable *solution* to that problem is available.
- *Political circumstances* for the adoption of that solution are favourable.

In some cases, there may be recognition of a problem but no solution is available. Or there is a solution, but it goes against the core ideological beliefs of the current government. In those cases, issues will remain low on the agenda. Yet, when all three streams are 'aligned', an issue will move to the top of the agenda.

This alignment of streams may happen suddenly because some event may dramatically highlight the severity of a problem. This is what Kingdon calls a **focusing event**. A good example of a (very strong) focusing event were the terrorist attacks of 9/11, which pushed terrorism issues to the top of agendas all over the Western world. For political actors, focusing events are

A **focusing event** is an occurrence that draws strong attention to a problem.

important opportunities to put an issue on the agenda. In the aftermath of 9/11, for instance, many issues and proposals that had been lingering without gaining much attention suddenly rose to the top of the agenda if they could be linked to (combating) terrorism.

In addition to focusing events, changes in political circumstances may also open a window of opportunity. For example, when a new European Commission is installed that expresses a novel set of policy priorities, all issues related to those new priorities rise on the agenda. Sometimes, the same can happen when government coalitions change in (the larger) EU member states. For instance, when Green parties entered governing coalitions in France and Germany in the 1990s, the issue of genetically modified organisms became much more important at the EU level.

Although the alcohol abuse issue of briefing 9.1 did not experience a strong focusing event or sudden changes in political circumstances, several events helped the issue forward. The appearance on the market of alcopops from 1995 onwards focused attention on the (European-wide) problem of underage drinking. In addition, the issue gained considerable impetus when Sweden assumed the Presidency of the EU in 2001. By organizing conferences and consistently raising the issue during its Presidency, the Swedish government was able to create more favourable political circumstances for the consideration of alcohol abuse on the EU agenda. This resulted in the publication of the EU alcoholism strategy in 2006. For the issue to move forward again, it would probably need another such push in order to overcome opposition by the alcoholic drinks industry and its allies within the Commission.

These examples show that timing is crucial in agenda-setting. Advocates of an issue may take years (sometimes dozens of years) to build up problem awareness and develop policy options, but the crucial moves to the top of the agenda typically take place in short periods of time. These windows of opportunity open quickly but they also close quickly, leading to fast changes in the content of the political agenda.

Summary

This chapter has taken a closer look at agenda-setting in the EU. It has argued that:

- The political agenda is the set of issues that policy-makers give serious attention to.
- Agendas are important in politics and policy-making because they determine which issues will be taken up for decision-making and which will not.
- Political actors actively seek to place issues on the agenda or keep them off. As a result, agenda-setting is a highly political process.

- Besides the political agenda, we can also discern the media agenda and the public agenda. Political systems differ in the way these three types of agenda are related. Cobb, Ross and Ross distinguished between three models in this regard: the outside initiative model, the mobilization model and the inside access model. In the EU, the inside access model is relatively more important than in other political systems, although the other two models also occur.
- Political actors may have various reasons for wanting to put an issue on the EU agenda: tackling cross-border problems, circumventing domestic political resistance, creating a 'level playing field' between competing firms, 'spreading the word' for an issue one believes strongly in, or satisfying institutional interests in expanding organizational tasks and resources. In reality, many issues are pushed on to the EU agenda out of a combination of motives.
- Although agenda-setting processes are not formalized, certain steps tend to occur in many EU agenda-setting processes. These steps form the sequence of a 'typical' agenda-setting process. In concrete cases all kinds of variations on this sequence may occur.
- Three (sets of) factors are particularly important in understanding why issues (do not) make it on to the EU agenda: issue framing, institutional structures and timing.
- Issue framing consists of defining an issue in such a way that some aspects are emphasized while other aspects are ignored.
- The existence and remit of institutional venues determine how receptive policy-makers are to certain claims and issues.
- Issues rise to the top of the political agenda during so-called policy windows or windows of opportunity. These windows often occur suddenly, as the result of a highly publicized focusing event or a change in political circumstances.

Further reading

Key texts on agenda-setting (in general) include John Kingdon, *Agendas, Alternatives and Public Policy* (Longman, 2nd edn., 2003), Frank Baumgartner and Bryan Jones, *Agendas and Instability in American Politics* (University of Chicago Press, 1993), and Bryan Jones and Frank Baumgartner, *The Politics of Attention: How Government Prioritizes Problems* (University of Chicago Press, 2005). On agenda-setting in the EU, see Sebastiaan Princen, *Agenda-setting in the European Union* (Palgrave Macmillan, 2009).

Websites

- Preparatory documents by the European Commission and overviews of the follow-up to those documents are available through Pre-Lex: http://ec.europa.eu/prelex/apcnet.cfm?CL=en

- A wide range of documents on specific policy issues (including Green Papers, White Papers and other agenda-setting documents) can be found on the pages of the various DGs of the European Commission: http://ec.europa.eu/index_en.htm

Navigating the EU

On the website www.navigatingthe.eu you will find online exercises for this chapter.