

Crashing and Creeping: Agenda Setting Dynamics in the European Union

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Abstract

Agenda setting in the EU takes place in two ways: 'from above', through high-level political institutions urging EU action, and 'from below', through policy experts formulating specific proposals in low-level groups and working parties. This article formulates a theoretical framework for understanding the differences between these two processes. Moreover, it shows how they may interact and become intertwined in the course of actual agenda setting processes. The utility of the approach is demonstrated in two contrasting case studies: one of EU anti-smoking policy and one of EU anti-bioterrorism policy.

Keywords:

Agenda setting, European Union, anti-smoking policy, bioterrorism

1. Introduction

In any political system, how policies are initially formulated and packaged has a strong bearing on eventual outcomes. This explains why agenda dynamics are so politically charged and highly competitive: the institutions and actors successful in placing ‘their’ issue on the agenda, and capable of sustaining support for that issue over time, can influence policy outputs even when they do not hold the formal power to take decisions.

The importance of agenda-setting also holds true for the European Union (EU) policy system. The EU has now solidified its position as a critical locus of decision making in Europe, producing collective policies with binding effect and with considerable consequences for its member states. The incentives to understand how issues arrive on the EU agenda, and in what formulation, remain strong for scholars and practitioners alike.

Curiously, though, few studies have focused explicit attention to EU agenda setting dynamics. Peters offers a broad brush, descriptive look at agenda setting in the EU (2001). Pollack uses principal-agent analysis to explain why issues are moved to the European level and which institutions have influence (2003). Other works include focused case studies that relate to agenda setting processes of specific issues (Dostal 2004, Wagner 2003, Mazey 1998) or of institutions (Burns 2004, Tallberg 2003, Smyrl 1998). Some scholars have constructed bargaining models and use quantitative data to assess the agenda setting role of the Commission (Bailer 2004; Selck and Steunenberg 2004).

More systematic insights are needed if EU agenda setting is to develop into a fruitful area of research with comparative potential. This article builds a framework for understanding agenda setting in the EU context by combining insights from US agenda setting scholarship and from EU policy studies. We use the distinction between the outside-in and inside-out movement of national agenda issues developed by Cobb, Ross, and Ross (1976) and apply it to similar dynamics in the EU. On the one hand, issues arrive on the European agenda ‘from above’, through heads of state urging specific EU action or through regular meetings of institutions like the European Council. On the other hand, issues emerge ‘from below’ through officials and experts formulating new policy directions in low-level groups and working parties. The drivers behind each of these processes are distinct, and relate to the high-politics and low-politics model that has been used to characterize European policymaking. Yet, as we will also show, the two processes are connected in critical ways: through the effects of mediating institutions, actor strategies, and venue choice.

After constructing the analytical framework and developing a set of propositions, this article will probe the utility of the arguments through a comparison of two cases displaying each dynamic. The first case examines the gradual emergence of anti-smoking policy as an EU issue ‘from below’, illuminating the key factors that drive such a process. The second case explores the case of bioterrorism policy, a case in which a major focusing event drove agenda setting ‘from above’. The conclusion compares and contrasts the two cases before suggesting how our findings might spur future research.

2. Theoretical framework

The 'agenda' is the set of issues that receive serious attention in a polity (Cobb and Elder 1972: 86; Kingdon 1995: 3). Depending on who is giving this attention, several types of agenda can be discerned, such as the political agenda (the list of issues that receive serious attention from decision-makers), the media agenda (the list of issues that receive serious attention from the media), and the public agenda (the list of issues that receive serious attention from 'the general public'). Although these agendas are distinct, and the issues on them may differ at any given point in time, they are also related in several ways. Issues may move from the public agenda onto the political agenda or vice versa, and the same is true for dynamics between the media agenda and other agenda types (Soroka 2002).

Relying on a distinction between 'public agendas' and 'formal (read: political) agendas', Cobb, Ross and Ross (1976) discerned three types of agenda dynamics, depending on where an issue comes from and how it subsequently moves through other agendas. In the 'outside initiative' model, issues arise outside of decision-making arenas and are then moved onto the formal agenda. In the 'mobilisation model', issues are initiated by decision-makers, who then try to expand them to a broader public. In the 'inside initiative' model, finally, issues arise within government and are not expanded beyond the sphere of decision-makers. Each of these three models of agenda setting is characterized by a distinct set of agenda dynamics. To elucidate these differences, Cobb, Ross and Ross show how the three models differ in terms of four stages of 'issue careers': issue initiation, issue specification, issue expansion, and issue entrance.

In the context of the EU, the distinction between public and formal agendas is less likely to be relevant. As the literature on EU governance shows, public involvement in EU decision-making is very limited. Political protest plays a much smaller role at the EU than at the member state levels (Imig and Tarrow 2001; Marks and McAdam 1999). Moreover, the existence of an EU 'public sphere', a precondition for having an EU public agenda, is questionable to begin with. A focus on formal-public agenda dynamics is therefore less relevant in an EU-context than it might be in other polities.

Nevertheless, a parallel distinction can be made between types of agenda processes in the EU, building on the distinction between 'high politics' and 'low politics' in the EU (Peterson and Bomberg 1999; Caporaso and Keeler 1995; Hoffmann 1966). Ideal-typically, issues can come onto the agenda in one of two ways: either they are placed onto the agenda 'from above' by the political leaders in the European Council (the 'high politics' route) or they are placed onto the agenda 'from below' by experts working together in Commission Expert Groups or Council Working Parties (the 'low politics' route).

The underlying logics of the two processes are very different. The high politics route is primarily a political one, while the low politics route is primarily a technocratic one. As such, this distinction bears close resemblance to the one between 'political venues' and 'venues of science' discussed by Timmermans and Scholten in this volume. This has implications for each of the stages discussed by Cobb, Ross and Ross. Issue initiation relates to the way in which an issue is created. In the high politics route, issue initiation is driven by high-ranking political figures assembled in the European Council. The reason for placing an issue onto the agenda is the occurrence of a shared political problem, often highlighted by a symbolic event. In the low politics route, by contrast, issues will arise as a result of professional concerns among people working in the same

issue area, which operate as an ‘epistemic community’ in the sense described by Haas (1989). Convergence around a given approach may occur gradually, as different points of view grow closer to one other.

Issue specification has to do with the further elaboration of a general issue into a set of specific demands (i.e. proposals). This is closely related to the process of framing issues, which is central to much of the agenda setting literature (Rhinard forthcoming; Rochefort and Cobb 1994). The way an issue is framed is intimately linked with the specific venue in which it is discussed (Baumgartner and Jones 1993). In the high politics route, the European Council will normally limit itself to defining the broad outlines of a common approach, leaving the details for lower level institutions to work out. In the low politics route, on the other hand, expert groups and working parties will seek to formulate specific, technically sound proposals on a given issue before sending them out into the broader decision-making system. Issue specification in the low politics route is likely to reflect the sectoral biases and technical frames of the groups and working parties from which they emerge.

Issue expansion concerns the way issues are moved beyond the initial actors in specific venues to a wider set of participants. In the high politics route, issue expansion typically takes place from the European Council to lower level institutions that have the power to adopt formal decisions, such as the Council of Ministers and the European Commission. In the low politics route, issue expansion takes place toward the higher level institutions that eventually have to decide on proposals. Arguments that agenda setting is very much a ‘political’ process often reflect the dynamics of issue expansion, when a host of new actors and potential venues enter the agenda setting process and threaten existing arrangements (Schattschneider 1960).

Issue entrance occurs when an issue gains access to the formal agenda of EU decision-makers. In both routes, this is normally not the same venue as where the issue was initiated. The two processes present distinct opportunities and risks in terms of agenda entrance. The main opportunity inherent in the high politics route is that it may overcome political and institutional inertia by creating a great amount of political impetus for change. The main risk, however, lies in the watering down or return to inertia that may occur when attention shifts to new issues and the political impetus fades. The main opportunity of the low politics route lies in the creation of a self-sustaining dynamic and reaching a ‘point of no return’ by gradually expanding EU activity on a given issue. Yet, the main risk of this route is that issues may be blocked or ‘hijacked’ once they move outside the confines of low politics institutions and the circle of participants is widened.

The differences between the two routes can be summarized as follows:

Stage in issue career	High politics route	Low politics route
Initiation	By political leaders because of politically salient event	Out of professional concerns in epistemic communities
Specification	Formulation of political consensus on an EU response in the European Council	Formulation of specific and technical policy proposals in Expert Groups and Working Parties
Expansion	Toward lower levels of	Toward higher levels of

	decision-making in the EU	decision-making in the EU
Entrance	By creating political momentum	By gradually building impetus

Table 1. Characteristics of the two agenda setting routes

These two routes are ideal-typical in the sense that they will normally not occur in their ‘pure’ forms. Viewing the two routes as the ends of a spectrum, we can identify three ways in which they may be linked. First, agenda setting processes around certain issues can occur somewhere in between, for instance with issues being initiated at the intermediate level of decision-making by permanent representatives. Second, issues may change character over time and thus lead to changing agenda dynamics. An issue may originate as a low politics issue, but suddenly gain political momentum because of a focusing event or convergence of thinking at the high politics level. The reverse is also possible: an issue may begin as a high politics issue but then recede into obscurity only to be taken up by lower level officials again. Third, the two processes might be unfolding simultaneously (or nearly so), each having a reciprocal effect on the other. Issue initiation may occur primarily through the high politics route, for instance, while issue specification is influenced more by low politics agenda dynamics. In principle, any combination of the two is possible during the stages of agenda setting.

This 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. In the stages of initiation and specification, institutional constraints will largely determine which frames are feasible and effective. Legal limitations to the EU’s competences, for instance, will constrain issue initiation and shape how an issue can be specified. Moreover, the multiplicity of EU venues means that several different ‘issue specifications’ may emerge from low-level processes.

Another expectation is that, in the expansion stage, the complexity of EU institutional structures will offer opportunities for actors to steer proposals into certain venues, and to call upon sympathetic expert communities to build support. The arrival of new actors and new venues can present problems to those who desire the placement of an issue on the EU agenda in a particular form. This, in turn, may affect the prospects for entrance of an issue onto the EU’s political agenda.

3. Building impetus from below: smoking as a European agenda issue

Anti-smoking policy has gradually become an area of considerable EU activity. Starting from the ‘Europe against Cancer’ programme in the second half of the 1980s, the EU has now regulated many aspects of tobacco and smoking policy, and further measures are being discussed. This development into a fully-fledged European agenda issue has occurred gradually, without major events or sudden drives forward. It is therefore a good case to illustrate some of the dynamics underlying the ‘low politics’ route into the EU agenda. At the same time, ‘high politics’ institutions have stimulated or blocked elements of these agenda processes at crucial points, leading to distinct forms of interaction between the two routes. In this section, we will discuss the genesis of anti-smoking policy as an issue on the EU agenda. In doing so, we will follow the four stages set out by Cobb, Ross and Ross.

3.1 Issue initiation: the drive from below

EU involvement in the issue of smoking started in the mid 1980s. The 1986 SEA gave the (then) European Economic Community some room for action in the field of health, and the European Commission was eager to develop this new policy field (Duina and Kurzer 2004). Moreover, in 1986, the EU started the programme 'Europe against Cancer', which sought to reduce the incidence of cancer in Europe by tackling a number of critical determinants of cancer. Smoking was one of those determinants, and it formed a useful starting point for the Commission in its attempts to carve out a role for itself in public health policies.

Besides Commission activism, the initiation of smoking as an issue at the EU level can also be explained by the convergence of national policies and 'policy paradigms' around this issue. This convergence was fuelled by increasing scientific certainty about the negative effects of smoking. Not only did studies show that smoking led to lung cancer, but during the 1980s evidence of negative health effects on non-smokers (so-called 'passive smoking') also became clearer, reinforcing the case against smoking.

Despite the central role of the Commission in initiating EU anti-smoking policies, the European Council also played a role in these initial phases. It was on the basis of two European Council conclusions in 1985 that the Europe against Cancer programme was initiated (Hervey 2001: 111). At the same time, the further development of specific issues and initiatives within this broader framework was mainly the work of the European Commission and a select group of experts from supportive member states.

3.2 Issue specification: framing a European smoking policy

For the European Commission and anti-smoking advocates, it was important to frame the issue of smoking in such a way that it would become amenable to EU action. This was necessary for two reasons. First, the EU had a very limited legal authority to deal with health-related issues. Even though the Maastricht Treaty included a legal basis for health policy, this provision explicitly excluded harmonisation of legislation on public health grounds. Second, the European Commission had limited expertise in the field of public health. As a result, it had difficulties operating as a credible and authoritative actor in the field (Guignier 2004: 98).

These obstacles were overcome by framing the issue of smoking as an internal market issue, arguing that harmonisation of national legislation was necessary to ensure the proper functioning of the internal market. Nevertheless, it remained clear that concern for public health was the main reason for harmonisation at the EU level, as proposals for directives were explicitly presented and debated within the larger aim of reducing smoking and fighting smoking-related health effects.

Building on these foundations, the European Commission started to propose a series of measures to discourage smoking and reduce the impact of smoking on health without directly tackling tobacco consumption. These proposals included tobacco advertisements, product labelling, maximum tar levels in cigarettes, and minimum excise duties on tobacco products. In addition, in 1989, the Council of Ministers adopted a

Resolution calling upon the member states to ban smoking in public places (Council 1989). The regulatory approach was underpinned by the second and third phases of the Europe against Cancer programme, which moved from an approach relying mainly on information to an approach that laid greater stress on prevention (Hervey 2001: 111).

3.3 Issue expansion: moving toward the political level

The EU role in strengthening anti-smoking policy was strongly supported in the circle of specialists working on this issue in and around the European Commission, as well as in the European Parliament. For the measures to be adopted, however, they needed approval by the Council of Ministers. For most measures, this presented few problems since the proposals were discussed by ministers of health, which were generally supportive of a restrictive approach to smoking. Moreover, the EU proposals came amidst mounting awareness of the dangers of smoking and were therefore part of broader drive to reduce smoking-related health problems, as is exemplified by a series of Council resolutions and conclusions urging the Commission to take initiatives in this field (Council 1996; 1999a).

Problems of issue expansion arose, however, with the Commission's proposal to ban tobacco advertisements and sponsorship, arguably the most ambitious of the Commission's initiatives. A first draft for a directive was put forward in 1989, but from the beginning it encountered serious opposition. Among interest groups, the tobacco industry was strongly opposed to EU measures in this field, and they voiced their concern both to national governments and through the EU's Economic and Social Committee (Khanna 2001).

Among the member states, Germany in particular opposed the advertising ban, based on a mix of principled reluctance to interfere with individual choice and the commercial interests of its industry (Duina and Kurzer 2004: 65). After the directive had been adopted by qualified majority in the Council, Germany therefore took the directive to the European Court of Justice. The Court of Justice annulled it on the grounds that it was not clear how a full advertising ban would contribute to the proper functioning of the internal market, which was the purported legal basis for adopting the directive (ECJ 2000). For smoking as an EU agenda issue, this meant that further initiatives had to tie in much more closely with internal market considerations than had been done previously, or that other legal bases had to be found.

3.4 Issue entrance: the opportunities and limitations of agenda-setting from below

The anti-smoking case illustrates some of the opportunities and weaknesses in trying to move an issue onto the EU agenda from below. To begin with, it shows how the persistent build-up of support and expertise at the level of specialised policy communities can help to develop EU activity in a policy field. From the late 1980s, the Commission was able to propose a range of measures that were each of limited scope, that built on previous EU initiatives, and that, moreover, tied in well with existing health policies in the member states. This way, the European Commission became an important player in the field and was able to expand the EU's agenda to include smoking-related issues.

At the same time, the case also shows the limitations of this strategy, in particular with regard to the Commission proposal on tobacco advertising. Even though the

proposal was adopted under qualified majority voting, German resistance led to the ECJ case and, via this route, to the annulment of the directive. This, in turn, had a considerable impact on the framing of issues and thereby on the space available for placing the issue on the EU agenda.

The case before the ECJ has meant a pause to EU initiatives in this field, but insiders hint at initiatives to introduce an EU ban on smoking in public places in the (near) future. Since the annulment of the advertising directive, the legal basis for such action has become a pressing problem for its advocates. It has been suggested, therefore, to use the effects of smoking on employees in bars and restaurants as a way to justify a smoking ban in these places. On this basis, the EU's occupational health and safety provisions could be used as a legal basis for further measures (Hervey 2001: 111).

4: Crashing from above: bioterrorism as a European agenda issue

Agenda processes related to EU bioterrorism policy provide a useful comparison to the previous case. Here, a dramatic focusing event preceded issue initiation at the highest level of EU politics. Prime Ministers and Heads of State used a European Council meeting to condemn the deadly US anthrax attacks in 2001 and to review European vulnerabilities. The perception of a shared problem prompted an uncharacteristically sharp call for more collective politics on bioterrorism at the EU level.

Analysis, however, reveals that 'low politics' dynamics also shaped how bioterrorism policy arrived on the EU agenda. Policy units within both the Commission and Council reacted to the anthrax attacks in their own way – by bringing sectoral policymaking experience to bear on new priorities. Drawing upon policy communities for expertise, different units formulated alternative proposals and mobilized their preferred solutions. In relation to the political impetus 'from above', agenda processes 'from below' were characterized by fragmentation and specialization. Reconciliation of the two processes took place during the issue expansion phase, when strategically-minded policy units framed initiatives to fit with certain institutional venues. In the end, the emergence of bioterrorism on the EU political agenda thus reflected the outcome of interactions between 'downwards' and 'upwards' agenda dynamics. The following paragraphs trace the process in more detail.

4.1 Issue initiation: a powerful focusing event

European states have been vulnerable to terrorism for many years, but the September 2001 attacks in the US changed perceptions of the threat from international terrorism. The anthrax attacks one month later took place under different circumstances, but had an equally alarming impact in Europe. Featuring densely populated, highly interconnected societies, European states were seen to be particularly at risk (Rees 2005).

This helps explain why, in the aftermath of the US anthrax attacks, European leaders made a swift call for more EU action against bioterrorism. That call was made at an emergency European Council meeting in Ghent Belgium (Council 2001). Recalling an unusually high degree of solidarity amongst leaders, one diplomat present during discussions credited a heightened sense of urgency. Indeed, some (unconfirmed) intelligence reports at the time suggested a bioterror attack was a more likely scenario for

Europe than an 11 September-style attack.¹ Whatever the case, the high-level impetus behind the drive was clear and the issue was successfully initiated. Leaders issued a strong, if general, declaration calling for the EU to take a bigger role in anti-bioterrorism efforts in Europe.

4.2 Issue specification: diverse perspectives

The outcome of issue initiation ‘from above’, however, provided little specifics as to what shape the issue should take, and what exactly the EU response should be. As issue initiation moved to issue specification, therefore, lower level processes ‘from below’ became more prominent. Administrative units in the Commission and Council had worked on issues related to bioterrorism even before the events of 2001. Public health administrators in the Commission, for instance, were working to improve European capacities to detect and prevent the spread of communicable diseases (Commission 1999). Police, judicial, and intelligence cooperation to combat terrorism was also taking place, albeit at a halting pace, in Council working groups since the Maastricht Treaty of 1993 (Council 2000). And the Commission’s civil protection programme was a long-standing initiative aimed at improving consequence management for disasters and attacks in the Union (Council 1999b). Before 2001, however, these low-level administrative activities were not aimed towards bioterrorism explicitly as an EU issue.

This changed after the European Council’s declaration. Policy units turned their attention swiftly to formulating specific proposals related to bioterrorism. In doing so, the issue specification process took diverse approaches. Each unit drew from past experience and existing capacities to formulate proposals. Moreover, different perspectives on the ‘problem’ and necessary ‘solutions’ accompanied the proposals: in effect, multiple frames emerged.

Through interviews and document analysis, we discerned three prominent frames. The first frame emerged from a policy community of national health experts in and around the Commission’s DG for Health and Consumer Protection. This group framed bioterrorism primarily as a threat to public health. They downplayed the criminal element of bioterrorism and instead emphasized the health exigencies of a biological release (whether intentional or not). Proposals included improved coordination between national health agencies, a new rapid alert system, hospital staff training, and more attention to vaccines (Commission 2001b).

A second frame was associated with national officials participating in working groups on justice and home affairs matters in both the Commission and Council. This community shared a professional background in police and intelligence operations. Their framing of the bioterrorism issue placed emphasis on the criminal act, and the importance of stopping a bioterror attack before it starts. Solutions included joint investigation teams, improved border control, and information exchange – but also institutional reforms. A new Council configuration with jurisdiction over ‘domestic security’ was proposed (Council 2002b).

Finally, another set of administrative actors framed the issue in terms of consequence management. A community of emergency services personnel from national agencies highlighted the inevitability of a terrorist attack. Pointing towards a string of

¹ Personal interview with a member of Council General-Secretariat, Brussels, 15 June 2005.

disasters in Europe over the past decade, these officials emphasized the importance of preparing for attacks and building resilience into response systems. Their proposals adapted EU civil protection programs already in place, adding bio-response teams and EU-wide training on ‘best practice’ for bioterror response. The civil protection frame was used to publicize the importance of disaster management of any kind (Commission 2001a).

4.3 Issue expansion: mobilizing preferred frames

Differing frames help to explain why issue specification ‘from below’ took the shape that it did. But they also clarify some of the dynamics of issue expansion. As an issue moves in the EU policy system from low-level units to high-level decision bodies, other actors enter the policy fray. There is a potential for alternative perspectives to grab the limelight and for new actors to challenge embedded positions. The issue of bioterrorism, which fell across several administrative jurisdictions, was a likely candidate for competition. We found that during the stage of issue expansion, frames came to be used in a strategic way. Alternative perspectives and discourses were ‘deployed’ to protect positions and to steer proposals into preferred venues during periods of contention.²

Two events in early 2002 marked the start of issue expansion. The first was a call by permanent EU diplomats for an inventory of EU policies related to bioterrorism (Council 2002d). This signalled an opening of the formal EU agenda and the opportunity to move proposals ‘upward’ in the EU policy process. Different policy communities advanced their particular framing of the issue, deploying sympathetic experts and national officials to build support both inside and outside the EU institutions.³ The second event to kick-start issue expansion was the opening of high-level discussions about how to integrate EU decision venues related to terrorism (Council 2004a). This caused concern amongst vested bureaucratic interests, and served notice that institutional reform opportunities might arise.

Indeed, competition during issue expansion was as much about the relevant ‘policy image’ as it was about the proper ‘policy venue’ (Baumgartner and Jones 1993). Advocates of the health security frame, for instance, resisted a drive by the police and intelligence community to include health proposals as part of internal security. One official argued that joining together that ‘would tangle us up in other peoples’ business’ and lead to a loss of control over ‘their’ issues.⁴ Moreover, it would move those issues to the less sympathetic decision venues of the Justice and Home Affairs Council and its working groups.

The officials behind that drive were linked to the police and intelligence cooperation frame. This community, linked to the Council and the Commission’s DG for Justice and Home Affairs, sought to consolidate both policies and venues. They backed new Council configurations and consolidated agendas, a move that at least one other

² Elsewhere, one of us describes this as ‘strategic framing’ (Rhinard, forthcoming).

³ This information is based on 19 personal interviews conducted in the Commission, Council, and at member state level.

⁴ Personal interview with an official from the Public Health Directorate of the Commission’s DG Health and Consumer Protection, Luxembourg, 17 June 2005.

policy community interpreted as a ‘power grab’.⁵ Using the argument for better coordination, police and intelligence officials at the EU level wrapped their proposals in the politically expeditious terminology of terrorism to, in the words of one official, ‘use the groundswell of support for antiterrorism policy’ to effect changes.⁶

Experts associated with the civil protection frame also resisted such efforts. They worked to foreclose an effort to tie the Commission’s civil protection capacities closer to justice and home affairs matters. National emergency management directors preferred existing institutional arrangements – and pushed their particular perspective on the issue to argue the case.

4.4 Issue entrance: fragmented agendas

Despite the high-level politics that started the agenda career of bioterrorism at the EU level, its eventual arrival onto the formal agenda for decision-makers was driven by the lower level processes described above. Subscribing to different frames and deploying selective discourses, policy communities based in various EU administrative units steered their proposals to preferred venues. Attempts to integrate different policies and those venues largely failed. In the end, the proposals taken up by decision-makers reflected this fragmentation. Each set of proposals was based on existing capacities, but adjusted to fit new priorities with the help of framing.

Since policy venues sympathetic to the agendas of each expert community received the respective proposals, most recommendations were eventually adopted (see respectively Council 2004b, Council 2002c, Council 2002a). Criticism soon followed, with some observers questioning the EU’s fragmented approach and claiming its ‘old’ agenda is ‘neither new nor innovative’ (Balzacq and Carrera 2005: 1).

5. Conclusion

This article has sought to build a theoretical framework for understanding agenda setting processes in the EU. We drew on concepts developed in the agenda setting literature and adapted them to fit with some widely accepted characterizations of EU policy-making. Our framework helps to track how an issue career evolves at the European level and pinpoints some of the dynamics behind that process from two different perspectives – a route ‘from above’, where issues reach the agenda via high-level political institutions, and a route ‘from below’, where issues reach the agenda via low-level technocratic institutions. The findings of two case studies suggest the utility of this distinction but also point at important interactions between the high politics and low politics routes in EU agenda setting.

The cases show that strategic framing is a crucial part of EU agenda setting and, moreover, that framing processes are closely linked to the institutional venues in which an issue is discussed. In the case of anti-smoking policy, the issue evolved in a close circle of policy experts, which led to a set of specific, expertise-driven proposals to reduce the health effects of smoking. In the case of bioterrorism, by contrast, the

⁵ Personal interview with an official from the Civil Protection Unit in the Commission’s DG Environment, Brussels, 9 March 2005.

⁶ Personal interview with an official from the Council’s General-Secretariat, Brussels, 15 June 2005.

European Council set the broad political parameters for future policy, fuelled by a series of highly salient terrorist attacks. As a result, the driving forces behind attempts to place the issue on the agenda were quite different in the two cases.

At the same time, the two cases also show how the two routes may become intertwined and may affect each other. In the case of anti-smoking policy, even though the main impetus was from below, high politics institutions played a role in two crucial stages of the process. In the mid-1980s, the European Council was instrumental in placing the Europe against Cancer programme onto the EU agenda, which also started EU activity in anti-smoking policy. In the late 1990s, German resistance against the tobacco advertising directive led to a politicization of the issue, which narrowed the scope for EU action in this field. In the bioterrorism case, initiatives from above were met by unfolding processes within lower level policy units within the Commission. While the European Council provided the political urgency that raised the issue to the top of the EU agenda, the Commission's policy units were able to mould frames and to select venues involved in formulating responses.

The consequences of the interaction between high politics and low politics institutions were quite different. Where high politics institutions took the initiative to place an issue onto the agenda (as in the Europe against Cancer programme and bioterrorism), the two processes reinforced each other and propelled the issue high onto the agenda. Where an issue was initiated in low politics institutions and then drawn into the domain of high politics (as in the proposal for a tobacco advertising directive), the drive to agenda prominence was (at least temporarily) disrupted.

A plausibility probe like the one presented in this article provides limited grounds for generalization. Nevertheless, a few comments in light of future research are in order.

First, in presenting our approach we made no assumptions regarding which type of policies are likely to follow a 'low' versus a 'high' agenda path. Even the most technocratic of issues can earn high level attention (the importance of the EU's milk quota mechanism during global trade talks comes to mind). Likewise, highly salient issues can emerge through low level agenda processes, if technocratic experts try to overcome national resistance by appealing to broader networks and even directly to the public (our case of anti-smoking policy stands as an example here). Of course, a widely publicized event like a terrorist attack or avian flu will likely prompt high level action at the European level. As our study shows, however, any future assumptions regarding the link between a particular agenda dynamic and issue type must also appreciate the interaction between the two agenda processes.

Second, we identified key factors that influenced agenda outcomes when different agenda pathways intersected. As issues moved through the agenda 'from below', bureaucratic, expert processes eventually confronted agenda dynamics 'from above', such as intergovernmental bargaining and public salience effects. Conversely, as issues moved through the agenda 'from above', dynamics related to bureaucratic strategies and low level venue choice eventually impacted upon that process. A question arises whether the direction from which an issue starts its agenda career impacts outcomes. More research is needed to tease out how certain dynamics from one side affect an issue career that began on the other.

Finally, our approach focuses on the intersection and dynamic interaction between agenda processes. The implication is that agenda setting leading to policy change is more

likely to become blocked instead of facilitated by this interaction. In other words, one might assume from our approach that incremental change rather than major reform is most likely in the EU. Most policy studies of the EU certainly seem to confirm that tendency. However, our focus on the use of frames and intentional venue choice suggest cases might exist when low and high level agenda processes connect, bringing together common frames, like minded actors, and sympathetic venues. The EU's fragmented institutional structure (where anti-smoking reforms can be steered into health ministers meetings, rather than internal market meetings, to overcome national resistance, for example) might even facilitate greater change. More case studies are clearly needed.

Our findings make a useful addition to the expanding literature on agenda setting processes at national levels. Our analysis highlights the interactions between policy community experts and broader political actors, and how those interactions influence agenda setting. Such interactions are magnified and even exaggerated in the elite-led EU, providing unique insights to scholars studying cases of EU agenda setting. Without a public 'demos', a truly European political space, and a pan-European media, studies of EU agenda setting place elite agenda strategies under a strong—and revealing—microscope.

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