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**Setting the European agenda in hard times: The Commission, the European Council and the EU polycrisis**

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**Books reviewed:**

Mérand, F. (2021). *The political commissioner: A European ethnography*. Oxford University Press.

Werts, J. (2021). *The European Council in the era of crises*. John Harper Publishing.

Wessels, W., Schramm, L. and Kunstein, T. (2022). *The European Council as a Crisis Manager: The EU’s Fiscal Response to the COVID-19 Pandemic*. Baden-Baden: Nomos.

**Abstract:**

The European Commission has traditionally held a key position in setting the legislative and political agenda of the EU. However, its role has become increasingly challenged in an era of polycrisis. This is notably due to the rise of the European Council as crisis manager, which possesses the political clout, resources, and legitimacy to deal with urgent challenges. While much of the literature has debated changes in the relative powers and influence of the EU’s dual executive constituted by the European Council and Commission, a close look at their interactions in dealing with crises yields interesting insights and suggests a more complex interinstitutional choreography in agenda setting than first appears. Systematic comparative case study analysis promises to shed light on agenda setting strategies and practices across different areas and issues in a context of politicisation of EU affairs.

**Keywords:**

polycrisis; EU institutions; European Commission; European Council; agenda-setting

**EU Agenda setting in the post-Maastricht era**

The European Commission’s role as the primary agenda-setter in the EU system has been the object of considerable attention. The Treaties endow the supranational body with the exclusive right of legislative initiative under the Community Method, which is widely regarded as central to its powers and influence. It enables the Commission to strategically stir the decision-making process and exert influence on the co-legislators – the Council of the EU and the European Parliament – drawing on its technical and political expertise.

Legislative politics scholars have focused on formal legislative procedures following the adoption of the Maastricht Treaty and explored the impact of Treaty changes on the Commission’s influence as an agenda setter (e.g. Tsebelis and Kreppel 1998). Adopting a broader definition of agenda setting beyond formal procedures, the public policy literature has looked at the Commission as a policy entrepreneur (e.g. Cram 1994), able to seize windows of opportunities, frame the debates and push its preferred policy options on the political agenda across various areas and issues. This burgeoning literature has often produced upbeat assessments of the Commission’s influence.

However, the role and autonomy of the Commission in agenda setting has increasingly been challenged, notably due to the rise of the European Council (EUCO). From its creation as an informal summit of the Heads of States and Governments (HSG), it has acquired a prominent role in defining the pace and direction of integration, its new status formalised and reinforced by the Lisbon Treaty with the creation of a fix-term President to drive its work. As the EU has stumbled from crisis to crisis over the past decades – from the Eurozone crisis to the migration crisis, Brexit, COVID-19, and to the ongoing war in Ukraine and challenges to democracy – the European Council has acquired an influential role as the only institution with the political clout, resources, and legitimacy to provide solutions to these urgent challenges.

In an influential reading of European integration post-Maastricht, the ‘new intergovernmentalism’, Bickerton et al (2015) argue that integration has advanced in an intergovernmental fashion with limited empowerment of supranational institutions. Deliberations between HSG have proved essential to broker agreements in areas and on issues which are sovereignty sensitive, politicised, and contentious (Puetter 2014). The EUCO’s agenda has expanded and, despite having no legislative powers according to Treaty provisions, it has often meddled into legislative politics, infringing upon the Commission’s exclusive right of initiative. Meanwhile Kreppel and Otzas (2017) find that the Commission tends to be reduced to a ‘technical agenda setter’, which struggles to imprint its political priorities and preferences on the political agenda.

In this reading, the EUCO has replaced the Commission as a strategic agenda setter and engine of integration, reducing the latter to facilitating agreement, following up on EUCO’s initiatives and ensuring credible commitments through implementation and enforcement. Van Middelaar (2019) argues that this shift is both necessary and desirable, as the EUCO provides the EU with the political weight and legitimacy that only member state possess.

In response, scholars have disputed the pre-eminence of the EUCO, reasserting the centrality of the Commission including in agenda-setting (Nugent and Rhinard 2016) and pointing how it has often been strengthened through crisis response, including as a consequence of the EUCO’s activism and decisions (Becker et al. 2016). The debate is nuanced and hinges on the policy areas under consideration; whether discussions centre on relative or absolute gains; and which institutional functions are under consideration (agenda setting, policy management, monitoring and enforcement etc).

The three books reviewed in this article weight in this debate, reassessing the role of the Commission and EUCO in the EU institutional system in a new European integration era of ‘polycrisis’ (Zeitlin et al. 2019), marked by instability, politicisation and existential threats. They are different in their focus, nature and audience. Yet, a common thread between them is that they all deal with the institutional response to the polycrisis and power balance within the EU system. Although none of them is specifically dedicated to agenda-setting per se, all of them offer useful material and reflections.

**Setting the agenda in times of crises, from the Eurozone crisis to Covid-19**

In a significantly revamped third edition of his monograph on the European Council – first published in 1992 – Jan Werts (2022) offers a comprehensive tour of role of the EUCO in times of crises, including its internal functioning, interinstitutional relations, place in the EU system of governance, as well as detailed cases studies. A veteran EU affairs journalist who has followed European summits from their very beginning, he draws on his extensive experience, policy documents as well as insights from interviewees to provide a rich empirical account abundantly illustrated by cases and anecdotal evidence and written in a lively style. Although drawing on previous editions, this volume is original, focusing more specifically on the post-Lisbon context and crisis management, from the Eurozone crisis to Brexit, Migration and COVID-19.

The EUCO’s response to the pandemic is the sole focus of the short monograph by Wessels, Schramm and Kunstein (2022), which looks at the economic recovery dimension including the negotiations, adoption and governance of the Multiannual Financial Framework (MFF), Next Generation EU (NGEU) and Recovery and Resilience Facility (RRF) within it. A desk-based study using process tracing and documentary analysis, it offers empirical insights as well as more general reflections on the EUCO’s place in the EU institutional system and its role in crisis management. Written for researchers and students alike, it adopts a pedagogical tone and theoretically eclectic approach.

Frédéric Mérand’s *Political Commissioner* (2021) stands out for its originality and novelty. It focuses on the ‘Political Commission’ of Jean-Claude Juncker through an in-depth ethnography of the cabinet of Pierre Moscovici, its Commissioner for Economic and Financial affairs. A specialised academic monograph in the tradition of George Ross’ classic ethnographic study of the Delors Commission (1995), it uses thick descriptions and is written in an engaging prose. In a series of case studies based on observations and interviews, Mérand focuses on how the cabinet experienced and managed key files including the Greek bailouts, the flexible implementation of the Stability and Growth Pact in Spain, Portugal and then Italy, the failed reform of the Eurozone, and issues related to tax evasion and tax justice. The story ends just before COVID-19 which forms the epilogue of the book.

The three books take position – explicitly in the case of Werts and Wessels et al., implicitly in the case of Mérand – in the debate on the respective roles and influence of the Commission and European Council in an era of crises. Their respective positions are largely influenced by the focus and perspective adopted. Wessels et al. and Werts, with their focus on the European Council, unsurprisingly depict it as a central, indeed dominant actor, in large part directing the Commission and displacing its agenda setting role. Mérand, while attentive to the various constraints that weight on the Commissioner and his staff, identifies space for political agency.

Werts see the European Council as ‘the EU’s leading political body and highest decision-maker’ (26), with the Commission as its executive arm. The gathering of Heads of States and Governments has the unique ability to pool national sovereignty, resources and legitimacy; it is also able to ‘improvise’ beyond existing rules in response to events and crises. Reinforced by the Lisbon Treaty, the European Council has - in Werts’ account - overall successfully managed to navigate the Union through turbulent times. He acknowledges, however, that its agreements are plagued with limits and failures – from incomplete reforms of the Eurozone to the intractable migration conundrum – as he demonstrates in a dedicated section of the book. In crisis, he notes, the European Council increasingly takes the role of ‘a quasi-legislative initiator’ (307) displacing the Commission’s exclusive right of initiative. The European Council meddles in its agenda setting functions, often tasking the Commission, which usually – but not always – responds, albeit with considerable room for manoeuvre. In 2014, and then again in 2019, the EUCO adopted the leaders’ ‘New Strategic Agenda’ for the upcoming five years, which Werts interprets as a sign of its dominance in defining legislative priorities. Inversely, we could see this initiative as a direct response to the effort of Juncker’s ‘Political Commission’ and Von der Leyen’s ‘Geopolitical Commission’ to set the Union’s priorities and an attempt to regain an ability for strategic planning beyond crisis response. On balance, Werts sees the European Council less as an agenda setter, a role it may have been fulfilling more effectively in relatively quieter times in the early 2000s, than as a crisis manager.

The assessment of Wessels et al. is largely convergent. They argue that the EUCO has ‘exercised a de facto political and procedural leadership role’ in the COVID-19 crisis (97), commanding both the problem-solving abilities and the necessary legitimacy to address the economic and budgetary dimension of the recovery. They describe how the European Council endorsed a recovery fund in April 2020 tasking the Commission to come up with concrete proposals. The agenda setting Franco-German initiative of May 2020 on a recovery package including loans and grants as well as joint borrowing – effectively breaking the pre-existing taboo around ’Eurobonds’ – was key in defining the contours of an agreement. It was taken up by the Commission and European Council President as the basis for the proposals and ‘negotiation box’ on which the leaders painstakingly reached a final agreement at their July 2020 meeting, overcoming the resistance of the ‘Frugal Four’ and tensions with Hungary and Poland over the rule of law through carefully crafted yet ambiguous compromises. The European Council ‘de facto defined key issues for the subsequent legislative process and thus acted as ‘a real legislator” (64), closely orienting the work of the Commission, Council and EP on the MFF and RRF. The Commission was influential in framing the discussions and proposals but never captured the EUCO’s intellectual agenda (74), providing instead ‘services to the club’ (111) in drafting proposals and facilitating agreement. Its limited influence in agenda setting is contrasted with its empowerment in implementing the RRF, including the monitoring of progress and conditional disbursements, yet tempered by control mechanisms through the Council and comitology. This European Council centric account contrasts with others, which emphasise the pro-active role of the Commission and its President in framing the debate early and making concrete proposals that shaped the EUCO’s agreement (Kassim 2023).

Both Werts and Wessels et al.’s accounts thus reaffirm the new orthodoxy that the EUCO is now the foremost actor and agenda setter and has partly displaced the Commission. At the same time, they also offer some nuance. The dominant narrative is at points tempered by the depiction of a more complex two-way relationship of mutual dependence. Werts observes that the Commission President, using the institution’s extensive machinery and considerable technical and political expertise, guides the European Council’s developments and do the groundwork for virtually all major projects (312-15). In turn, the Commission refers to the Conclusions and seeks the European Council’s endorsement for national support, legitimacy and impetus for all major projects. A good working relationship between the two Presidents and high officials of both institutions is crucial for the EU as a whole. In the end, the European Council and Commission work as a dual executive with the former in the driving seat.[[1]](#footnote-1)

With his focus on the ‘Political Commission’, Mérand offers a counterpoint to these accounts, which does not necessarily challenge them directly but sidesteps them. Adopting the lenses of the political sociology of institutions and practices that is mainstream in Francophone political science, he offers a fine-grained analysis of the ‘political work’ of the Commissioner Moscovici and his staff. Political work is defined as ‘the practices that widen the space of freedom in which actors exercise their agency in the face of constraints imposed by institutions, law, economics, expertise, or diplomacy’ (7). As such, this is very much a micro-study about the political agency of the Commissioner and his team, and about the ‘policy space’ of the Commission in the specific area of economic and financial affairs. Mérand consciously stays at a distance from the proximate concept of policy entrepreneurship, more project-driven compared to the everyday inductive and adaptative political work he traces. Unsurprisingly perhaps, he does find significant scope for Commission’s influence although he is upfront about the structural constrains the cabinet must navigate identifying four: formal institutions and treaty provisions, EU laws and regulations, national diplomacy and power relations, and expertise and technocracy within and outside the Commission. Key to creating political wiggle room are ‘political will’ (or the willingness to ‘play (partisan) politics’), the ability to mobilise influential figures and political networks, and communication to frame the debate and engage the media and civil society.

Unlike Werts and Wessels, whose European Council centric case studies that follow the pace of the different summits leave limited space for divergent accounts, Mérand is clear that the Commissioner’s leeway varies across cases studies. Limited to giving the Greek government an ‘alternative within the program’ and working towards the flexible, indeed political, interpretation of tight rules for the Stability and Growth Pact for Portugal, Spain and Italy. Dead in the water when it comes to ideas about Eurozone reform, in the face of staunch opposition from Germany and the ‘New Hanseatic League’. More significant against the odds for taxation, at least initially when the Commission was able to capitalise on public pressure and support from the Parliament to pass significant transparency legislation in this sensitive area, before the issue of dealing with tax evasion and tax justice was moved ‘up’ to the OECD. Political work is not the same thing as agenda setting and it appears as though the Political Commission acted mostly as a successful agenda setter, indeed a policy entrepreneur of sort, for taxation. Not all of the *Political Commissioner*’s stories are completely new. For instance, the battle between SYRIZA’s finance minister Yanis Varoufakis and the Eurogroup is well rehearsed and largely congruent with Werts’ account. Still, what this particular chapter brings to the fore is the understanding of conflicted insiders within the Commission on how and why Greek bailouts were designed the way they were, despite their brutal consequences. This is mostly a story of emergency response, lack of expertise in bailouts and national constraints.

Mérand does not say much about the European Council as an institution, which features surprisingly little in the book, partly because the Commissioner and his cabinet are not directly involved in the meetings and also because his micro-sociological focus leads him to concentrate more on individuals, their background, characteristics and networks. Still, there is abundant commentary on how Moscovici and his teams mobilised political networks, cajoling and hitting against the resistance of member states – Germany looms large in the book alongside France, a reflection of the Commissioner and his portfolio.

**Avenues and challenges for further research**

Beyond the drafting and shaping of hard legislation, where policy ideas and initiatives ‘actually originate’ is a tricky question, one that perhaps cannot always be fully resolved. There are many owners of an idea, especially when it is successful, and it is often hard to weight who was the single creator and who pushed it through on the political agenda. Related to this is another question: the agenda setting of what? Broad ideas? Precise policy proposals? These are perennial yet unresolved questions for studying agenda setting which often lead to different focuses and conclusions. They make agenda setting a slippery subject to study, open to a multiplicity of actors, chains of causality and competing narratives.

All three books, rightly, go beyond formalistic discussions of the role of the EUCO and Commission in agenda setting and decision making, and towards tracking concrete interactions, including informal behaviours and practices through the use of close processual analysis or ethnography. As such, they provide empirically rich and more nuanced pictures than some of the most caricatural views offered by commentators of an all-bearing all powerful European Council. But the focus on one single institution tends to taint, inevitably, the analysis however careful and reflexive it might be (see especially Mérand’s methodological discussions).

Close process tracing, looking at different institutions and their interactions – or ethnography cutting across institutions but that is, one assumes, practically challenging – may help uncover the complex choreography of mutual influence and dependencies between the Commission and European Council in agenda setting, which the books point towards. The analysis would helpfully move from system level discussions of interinstitutional relations and towards typologies of strategies deployed by EU institutional actors in different contexts to set the agenda and influence or use one another, something not unfamiliar to the broader agenda setting literature. As the case studies in the books make clear, there are variations across policy areas and issues, and it would be interesting to tease out in a more comparative and systematic manner, when and why the political work of the Commission is successful or not, and when and why the European Council gets involved in detailed legislative agenda setting.

Finally, there is a need to go beyond institution-centred discussion and consider these institutions in their wider political ecosystem, including the influence of civil society organisations and public opinions on their agenda. If this is well covered by other strands of the literature for the Commission, it is less so for the EUCO. All three books point out that the Commission’s and EUCO’s priorities and strategies have become increasingly shaped by, and responsive to public opinion, in an era of politicisation of European affairs (Zeitlin et al. 2019). Recent quantitative studies begin to shed light on agenda responsiveness in both institutions (Alexandrova et al. 2016 for the EUCO; Koop et al. 2022 for the Commission). In depth comparative case studies, as proposed in these books, have potential to unpack in more granular detail how politicisation shapes agendas and strategies at the helm of the EU in times of crisis.

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1. Werts considers that it is the Council and European Parliament whose role have been downgraded more than the Commission in the new ‘decision-making quadrangle’. [↑](#footnote-ref-1)