The Prospects for Policy-Change in EU Asylum Policy: 
Venue and Image at the European Level

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Abstract
The upgrading of the European Commission and the European Parliament’s role in the EU policy-process
in 1999 might have been expected to herald a shift away from the previous security- and control-
orientation of asylum policy. No such shift occurred. This paper traces the continuity in EU asylum
policy’s trajectory to the continuity in its ‘policy-image’: actors seeking to fashion institutional configura-
tions in which they can more effectively assert their preferences can facilitate this institutional change by
shifting the ‘image’ of a policy – in other words, they can highlight new or neglected problems, creating
broader pressure for these to be dealt with by new actors in new venues. We disaggregate policy-images
into two elements: an element justifying an actor’s function in policy-making, and an element justifying
the pursuit of its substantive preferences. We argue that institutional change laid down in the Treaty of
Amsterdam was facilitated by a policy-image that lacked the latter element. The newly empowered actors
have subsequently struggled to assert their substantive preferences despite their institutional upgrade.

Keywords
Policy Image; Police Venue; Amsterdam Treaty; Asylum Reception; External Processing; Executive Power

1. Change and Continuity in European Asylum Policy

With the entry into force of the Amsterdam Treaty (1999), the EU’s asylum
policy might have been expected to shift away from its previous control- and
security-orientation: although still dominated by the national justice and interior

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ministry actors which had been the driving forces behind a security-centric policy, the institutional framework introduced by the Treaty formally boosted the power of the European Commission and Parliament (EP). Yet, any expectations that the upgrading of these actors in the policy-process would lead to policy-change have been scarcely met.

It is here argued that the failure of institutional change to translate into policy-change can be traced back to the continuity of EU asylum’s ‘policy-image’ – i.e. to continuity in the broadly held perceptions of how the policy should be handled, around which support can be mobilised for political purposes.

It is widely recognised that particular institutional set-ups can mould policy-making outcomes by privileging select actors, and thus the matching of certain problems to certain solutions. One body of analysis suggests that actors’ behaviour is therefore characterised by efforts to remould institutional arrangements, or seek out institutional configurations favourable to the realisation of their preferences (‘venue-shopping’). According to this body of analysis, actors can facilitate and legitimise institutional alteration, or a full shift of venues, by successfully changing an issue’s policy-image. In other words, they can alter broader perceptions of how a policy area should be dealt with, highlighting neglected or new problems, and instrumentalising the general expectation that these will be treated by new actors in new venues to facilitate institutional change.

Our focus is upon what happens after institutional change has been achieved. We suggest that, in order to ensure that they can effect policy-change subsequent to an institutional upgrade, actors must have legitimated institutional alterations by changing the policy-image along two axes: firstly they must have altered it in such a way that it legitimates their function in the policy process (here termed the functional dimension); secondly, and perhaps more importantly, they need to have altered it in such a way that it legitimates the pursuit of their substantive preferences (the substantive dimension).

At the Amsterdam Intergovernmental Conference (IGC) on the reform of the European Union’s treaties, in particular the supranational actors (the Commission and European Parliament) had successfully shifted the functional dimension of asylum’s policy-image, legitimising an upgrade in their place in policy-making. They had showed that they could improve the quality of the policy-making process itself by, respectively, neutralising agenda-setting, and legitimising outcomes.

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2) Much of this builds on the work of Baumgartner and Jones, for example: Frank Baumgartner and Bryan Jones, *Agendas and Instability in American Politics*, (Chicago: UoC Press 1993).