

Media and lawmaking

Exploring the media's role in legislative processes



Lotte Dienneke Melenhorst

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Media and lawmaking

Exploring the media's role in legislative processes

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Media and lawmaking

Exploring the media's role in legislative processes

Media en wetgeving
Een verkennening van de rol van de media in wetgevingsprocessen

Proefschrift voorgelegd tot het behalen van de graad van
doctor in de sociale wetenschappen: politieke communicatie
aan de Universiteit Antwerpen te verdedigen door
Lotte Dienneke MELENHORST

Prof. dr. J.J.M. van Holsteyn
Prof. dr. P. Van Aelst

Antwerpen, 2017

"Laws are like sausages. It's best not to see them being made."

Source unknown,
often misattributed to Otto von Bismarck (1815-1898),
likely to be inspired by a quote of John Godfrey Saxe (1816-1887)

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On October 16, 2012 at 14:50h, I received an e-mail with the subject: “Vacancy” from my dear friend Cathelijne Bouwkamp, saying: “Have you seen this one already?

<http://www.academictransfer.com/employer/LEI/vacancy/15890/lang/nl/>. Best, Cathelijne”. At 15:16h I replied: “Wow, no, how cool. I think I’d better write a letter. THANKS!”. At 15:19h she replied: “That’s what I was thinking! Good luck!”. And that’s how it all started. Until then, doing a PhD sounded like something rather scary, and I had no clue what to write a dissertation about. But once I read the vacancy text I realized that this was my topic. Cathelijne, without you I would never have known this vacancy existed – and this book would not have come about. I cannot thank you enough.

I applied for the job with the help of my former thesis supervisor Kristof Jacobs. He was convinced that I was able to get the position. When I left after we prepared my job interview, he said: “Don’t be a woman!”. Although I’m not sure what certain colleagues would have thought about this advice, I decided that I would not be insecure and do whatever I could to get the position. And before I knew it, I did. When we met the next day, Kristof shook my hand and said: “Well, we’re colleagues now!”. To me that sounded hilarious: I still felt like a student, and it took a long time before I realized that we actually were. Kristof, thanks for your amazing support.

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Chapter 1

Introduction

1.1 The intense media-politics relationship

In the Dutch television series “Looking inside the soul: Politicians” (*Kijken in de ziel: Politici*), journalist Coen Verbraak interviewed (former) politicians about their profession and about themselves as politicians. The episode called ‘the media’ starts with stories from various politicians about the importance of media performances for one’s position within the party. The Member of Parliament (MP¹) Albayrak argues: “There are ratings of Members of Parliament that have been quoted most often, and that were on the screen the most”. When Verbraak asks whether who is well-known and who is not is taken into account when the list of candidates for the elections is drawn up, she responds by saying: “Yes, and to my taste a bit too much (..), because it means that people who for example make an important contribution to legislation, who work hard, who master the finer points of politics behind the scenes, who are controlling the government very well, but who are just not mediagenic enough, that

¹ The abbreviation ‘MP’ is used throughout the study to refer to a member of the Lower House; the word ‘senator’ is used to refer to a member of the Upper House. If the text says ‘MPs’, members of both Houses of Parliament are meant, unless explicitly indicated otherwise.

1.1 The intense media-politics relationship

they are punished rather than rewarded” (NTR, 2011).²

The latter quote implies various things: firstly, that in the perception of this MP, appearing in the media is important; secondly, that according to her too much importance is attached to media performances with regard to future elections; and thirdly, and most interestingly, that in her perception being successful in terms of getting media coverage seems to be in contrast with being a good MP in terms of their legislative work. This suggestion is relevant, because it concerns an element of the media-politics relationship that has not been subject to much scholarly research, i.e. the relationship between media and lawmaking. We know quite a lot about the media’s role in other political processes, like parliamentary questioning: parliamentary questions are not only an information-seeking instrument for MPs, but also a means for them to get media attention and to communicate their message to the public (e.g. Van Santen, Helfer & Van Aelst, 2015). And media attention is a potential result of parliamentary questions, but often also serves as the source of these questions (e.g. Vliegenthart & Walgrave, 2011). However, we know less about the media’s role in legislative processes. Are the media interested in lawmaking? Do politicians use the media as an instrument during legislative processes? And does media coverage influence lawmaking?

Studies in various countries show that the media affect the work of politicians. According to researchers politics is mediatized, meaning that political actors adjust more than before to the ‘media logic’ (e.g. Altheide, 2004; Brants & Van Praag, 2006; Esser, 2013; Mazzoleni, 2008; Strömbäck, 2008; Strömbäck & Esser, 2014). According to some, the media even have become a political institution on their own (e.g. Cook, 2005; Schudson, 2002; Sparrow, 1999). Large-scale empirical studies show that the media can set and influence policy agendas (e.g. Baumgartner & Jones, 1993; Soroka, 2002; Tan & Weaver, 2009), and that political actors use the media to influence the legislative agenda (e.g. Sellers, 2010). It is almost impossible to think of contemporary politics without (thinking of) the media. Politicians monitor the media closely and respond to the

² All translations in this study are conducted by the author.

1.1 The intense media-politics relationship

issues of the day. The presence and practices of journalists plays a major role in the everyday behavior of politicians. Politicians adjust to and anticipate the way journalists operate and report (Davis, 2009; Strömbäck, 2008; Van Aelst & Walgrave, 2011).

Politicians may depend on journalists for information and visibility, but journalists depend on politicians to do their work as well. The contact between politicians and journalists is characterized as reciprocal (Kepplinger, 2007) and as a complex interaction (Cook, 2006; Davis, 2009; Sellers, 2010). According to Cook (2006, p. 159), "the media are a product of politics and feed back in to influence politics as well". In this context Sellers (2010) refers to 'cycles of spin'. Based on his research of strategic communication in the US Congress, he argues that the interaction between legislators and journalists has several stages. Politicians create and promote messages, journalists cover these messages, and this media coverage feeds back into the policy process. Following a similar line of reasoning, Wolfsfeld (2011, p. 30) argues that the interrelationship of media and politics should be perceived as a 'Politics-Media-Politics' cycle. This cycle starts with political change that is followed by changes in the coverage of the news in the media, resulting in further political change. Thus the media reflect political change, but also magnify and accelerate change.

Scholars have tried to disentangle whether journalists and politicians in their complex and reciprocal relationship are equally powerful, or whether one of the two groups dominates the other. The fact that conclusions point in different directions (see for example Strömbäck & Nord, 2006; Van Aelst & Vliegenthart, 2013) illustrates the complexity of the relationship between journalists and politicians. Overall, the body of knowledge that has evolved over the past decades suggests that media effects are contingent on a number of factors, but also that more research is needed to develop better insights into media influence on politics (Walgrave & Van Aelst, 2006) as well as into the use of the media by politicians (Van Aelst & Walgrave, 2016). In this study one of the key questions that remains unanswered will be discussed; namely whether and how media play a role in legislative processes.

1.2 Symbolic versus substantial politics

Because of the intensity and reciprocity of the media-politics relationship, it is likely that if journalists pay attention to issues, politicians will do so as well. Over the last decades indeed various studies have demonstrated that what is on the media agenda matters for what is on the political agenda (e.g. Cobb & Elder, 1981; Davis, 2009; McCombs, 2004; Van Aelst, Thesen, Walgrave & Vliegenthart, 2014; Vliegenthart *et al.*, 2016; Walgrave, Soroka & Nuytemans, 2008). Politicians' perception of the political agenda setting power of the media concurs with these findings. Politicians consider the media to be an important, or even the most important, political agenda setter (Lengauer, Donges & Plasser, 2013; Van Aelst *et al.*, 2008; Walgrave, 2008).

In their overview of media and political agenda setting studies, Walgrave and Van Aelst (2006) however show that scholars often focus on the US and that results diverge. Whereas some scholars assert the media's political agenda setting impact is limited, others claim it is strong. To explain such inconsistencies, scholars stress the complexity of the interactions between journalists and politicians and the contingency of the media's influence on politics (Walgrave & Van Aelst, 2006; Wolfe, Jones & Baumgartner, 2013, p. 13). In sum, most studies confirm that the media matter for the political agenda, but the strength of the media impact varies.

It is important to realize that "there is no such thing as *the* political agenda but only an archipelago of different loosely associated political agendas" (Walgrave & Van Aelst, 2006, p. 94). In practice, scholars that study political agenda setting effects never study the political agenda, but always one or more specific political agendas (Dearing & Rogers, 1996, p. 18). In order to differentiate between types of political agendas, Walgrave and Van Aelst (2006) propose to distinguish between symbolic and substantial political agendas. Symbolic political agendas have limited and primarily rhetorical implications, such as parliamentary debates or the public communication of politicians, e.g. presidential speeches (Reinemann, 2014; Van Aelst & Walgrave, 2011). Substantial agendas like laws and

1.2 Symbolic versus substantial politics

budgetary spending, on the contrary, have considerable societal consequences because they transform policy intentions into policy decisions and legislation (Brants & Voltmer, 2011). Political agendas can be held by political actors or institutions and it is argued that they can be placed on a continuum, ranging from symbolic to substantial. In other words, scholars do not argue there is a hard and clear-cut distinction between symbolic and substantial political agendas; instead, political agendas can be more symbolic or more substantial. According to Walgrave and Van Aelst (2006, p. 95) MPs may even simultaneously run a symbolical and substantial agenda if they pay attention to issues just to show they care about it or to get into the media (i.e. symbolical), but who also hold legislative power and may propose to change bills in response to media coverage (i.e. substantial).

In terms of consequences for the daily lives of citizens, the media's influence on substantial agendas arguably matters more than that on symbolic agendas. For example, if politicians respond to media coverage only by asking oral questions about an issue, this has less fundamental (potential) consequences than if they decide to introduce a legislative proposal. In practice, scholars who find strong media influence tend to study symbolic political agendas (Walgrave & Van Aelst, 2006). For example, we know that the media affect the oral and written parliamentary questions that are being asked (e.g. Van Aelst & Vliegenthart, 2013; Van Santen, Helfer & Van Aelst, 2015; Vliegenthart & Walgrave, 2011; Vliegenthart *et al.*, 2016). However, the few existing analyses of political agendas with actual regulatory or legislative consequences find limited or no media effects on the attention paid to issues (Pritchard & Berkowitz, 1993; Walgrave & Van Aelst, 2006). In fact, although scholars emphasize that it is an important research subject (e.g. Brants & Voltmer, 2011), substantial political agendas are rarely studied.

Because of the societal implications of policy measures, it is important to develop insights into media effects on debates that have actual and substantial policy consequences. An aspect of politics that definitely has such implications is lawmaking: if bills become laws, they introduce general rules that most often apply to all citizens.

1.2 Symbolic versus substantial politics

However, also in research areas outside political communication, academics have rarely studied legislation itself (Voermans, 2011, p. 38). Media coverage may influence political decision making in the context of lawmaking, that eventually translates into legislation. This type of media effect on politics is as yet under-studied, which leaves us ignorant of the actual media influence on the functioning of politicians in their important capacity as legislators (Van Aelst *et al.*, 2008, p. 495).

When studying substantial politics, it is relevant to take an integral approach and study the entire policymaking process. Media effects studies usually focus on the agenda setting phase (Pritchard & Berkowitz, 1993), but, as phrased by Michelle Wolfe (2012, p. 110): “what about media influence beyond agenda setting?”. The moment at which the legislative agenda is set, i.e. when it is decided that new legislation will be developed, is not the end of a political procedure; in fact, it is the start of a political legislative process. It is argued that in the US House of Representatives press attention goes beyond agenda setting and affects later stages of the legislative process as well (Cook, 1989, p. 170). If legislators want to get something done, they must be both ‘outside players’ who are visible in the media and ‘inside players’ who negotiate inside the House. Wolfe *et al.* (2013, p. 21) suggest that in this context the media may set or constrain a substantial political agenda by shifting policymakers’ attention to a policy problem or a particular solution. American scholars argue that politicians may also use media tactics to communicate with their voters and with other legislators (e.g. Cooper, 2002; Kedrowski, 1996). Still, there is very little recent empirical research studying the media’s role during legislative processes, in particular within European parliamentary and multi-party systems.

More knowledge is valuable in itself, but also helpful in order to have informed debates about the (un)desirability of media attention for and influence on lawmaking. The underlying normative question is what the findings concerning the media’s role in legislative processes mean in terms of the functioning of representative democracy. Scholars often perceive the process of mediatization and the institutionalization of media logic in politics as detrimental to

electoral democracy, because it results in a decline of power and influence of political actors (e.g. Swanson, 1992) and because journalists fail to provide citizens with information about important policy issues that is necessary to hold the government accountable (e.g. Esser, 2013; Gurevitch & Blumler, 2000).

However, Sellers for example argues that the media coverage of policymaking processes resulting from the interaction between politicians and journalists can “provide useful signals to voters about the parties’ policy priorities and proposals” (Sellers, 2010, p. 15). Do journalists provide citizens with the necessary information to act as informed participants in democracies? In other words, do the mass media pay enough attention to parliamentary legislative processes? In order for citizens to be able to judge the quality of representation and make an informed decision about whether to reward or punish the MP or party that one voted for at previous elections, it is important that the media report on consequential decision making processes such as lawmaking. At the same time, the media arguably should translate public responses to proposed bills. Do the media provide a platform for public debate about bills, which serves as a source of information for politicians about opinions in society? And because of concerns about the development of a ‘mediacracy’ (e.g. Van Dalen & Van Aelst, 2014, p. 42), it is important to learn whether substantial political processes such as lawmaking are (also) mediatized.

1.3 Research question

The aim of this study is to investigate whether media coverage influences legislative processes and impacts the content of laws. On the one hand, legislative processes are often rather lengthy and technical, and therefore may be incongruent with media logic. Scholars suggest that the rather short attention span of the media may limit effects on more slow democratic processes (e.g. Dearing & Rogers, 1996; Protess & McCombs, 1991). Or as Voltmer and Koch-Baumgarten write in their edited volume on *Public Policy and Mass Media* (2010, p. 2): “there seems to be a fundamental mismatch

1.3 Research question

between the way in which the media operate and the processes of policymaking”.

On the other hand, it is plausible that media attention matters for lawmaking. Considering the consensus about the media's increasing power, one would expect media reports to play a role in all parts of the political process. Generally speaking, politicians are news junkies (Davis, 2007; Van Aelst *et al.*, 2008). If parliamentarians follow what the media report about legislative processes they are involved in, they may be susceptible to what they read in the newspapers, hear on the radio and see on television. Research suggests that mass media serve as a source of information for MPs, providing clues about problems in society and opinions of the public and other politicians; they can profit from the window of opportunity this public information creates (Van Aelst & Walgrave, 2016). The media send signals about the relevance of interests and arguments to political actors involved in legislative processes, and “as an input into the political system that reweighs information, the media can exert a large influence on the policy process (Wolfe, 2012, p. 123). It is thus plausible that MPs respond to media coverage when discussing proposed bills.

In this study I explore and analyse the media's role in the legislative process. The main research question is: does media coverage play a role in legislative processes, and if so, how? I discuss whether media attention plays a role in lawmaking and the mechanisms via which it influences legislative processes. I investigate the media's influence on the functioning of the legislative process as such, as well as its effect on the eventual legislative outcomes. The former means that I study whether during the lawmaking process political actors respond to media coverage, for example during legislative debates or via the introduction of amendments. The attention to outcomes refers to whether the final content of and support for the bill are affected by media coverage.

The empirical analyses are conducted in a single country, the Netherlands. This is a parliamentary representative democracy with a multiparty system, a bicameral parliament and a democratic corporatist media system (Hallin & Mancini, 2004). Legislative processes are defined as the formal deliberations about bills from the

moment they are introduced to parliament until they are published in the official law gazette. I adopt a qualitative and actor-centered approach; I focus on the behavior of individual political and journalistic actors. Many political agenda setting studies (implicitly) claim that media coverage mechanically leads to political attention (Walgrave & Van Aelst, 2006, p. 98-99). The idea of the actor-centered approach challenges this mechanical reasoning and argues that it is individual journalists and politicians who decide to pay attention to an issue – or not. In order to be able to study their behavior at the micro level, I adopt a case study approach. By conducting in-depth case study analyses of the behavior of political and journalistic actors in three cases, I am able to develop knowledge of the media's role in lawmaking. Consequently, this book adds to current knowledge about media and politics in various ways: a) it shows the media's impact *beyond* the agenda setting phase; b) it provides insights into the media's impact on *substantial* political agendas; and c) it does so by providing *in-depth* information on the individual-level mechanisms driving the behavior of political actors during legislative processes.

1.4 Structure of the book

In Chapter 2, I present an overview of what we know about the relationship between media and lawmaking. Political agenda setting studies suggest or assume that media do influence policy agendas, but whether and how media affects subsequent phases of policymaking processes, in particular legislative processes, remains unclear. Based on the literature, I explore the potential media effects on lawmaking. This overview shows that there is a gap in the literature about the media-politics relationship when it comes to how media attention affects the behavior of MPs with regard to lawmaking *in parliament*. Moreover, a prior quantitative analysis of the newsworthiness of legislative processes in the Netherlands shows that 80% of all bills in parliament receives no media coverage at all (Van Aelst, Melenhorst, Van Holsteyn & Veen, 2015), but if coverage is substantial, it is likely that the parliamentary process is

1.4 Structure of the book

influenced by this coverage (see also Melenhorst, 2013).

To study this impact and potentially other relevant mechanisms, I analyze three legislative processes that received ample media coverage on the basis of a heuristic model that guides the case studies. To select the cases, I adopt a sequential case selection strategy. Four research questions are central for each separate case: 1) What does the media attention related to the bill look like? 2) Do politicians in parliament respond to media attention, and if so, how? 3) Do politicians try to generate or influence the legislation-related media coverage? 4) Does media coverage influence the legislative outcome, and if so, how? For each case, I first perform qualitative content analyses of all parliamentary documents of the legislative process and of all press, radio and television coverage of the (topic of the) bill. Subsequently I analyze semi-structured interviews conducted with the main political actors involved, as well as with (parliamentary) journalists that produced the media coverage of the (topic of the) bills.

In Chapter 3 I present the results of the first case study, i.e. the legislative process concerning the bill 'regulation of the remuneration of top-ranking officials in the public and semipublic sector' (*Wet normering bezoldiging topfunctionarissen publieke en semipublieke sector*, 32.600). The bill addresses the remuneration of senior officials in the public and semi-public sector. Structured by the four research questions, I analyze whether this legislative process, including several substantial changes in the content of the bill, is inspired by, or a response to media attention (see also Melenhorst, 2015). The analyses show that the largely incident-driven media attention played a role in the legislative process. However, media coverage rarely had a direct, substantive effect and was mainly used to underline or reinforce political actors' existing positions.

Chapter 4 presents the results of the second case study, i.e. the legislative process concerning the bill 'employment and security' (*Wet werk en zekerheid*, 33.818). The bill restructures employment law in the Netherlands and incorporates three issues, namely dismissal law, the legal status of flexible workers, and unemployment benefits. The in-depth analysis shows that media coverage affected

the legislative process to some extent, but does not indicate that the media had a strong influence on the positions of parties or politicians. In particular the agreements reached prior to the introduction of the bill were far more influential than journalistic attention. Media coverage was again mainly used to underline or reinforce political actors' already existing positions, although the extensive coverage with a critical tonality enhanced the doubts various political actors had. However, media coverage alone is not enough: criticism has to be voiced elsewhere as well, and the role of the media attention is subordinate.

Chapter 5 deals with the results of the third case study, i.e. the legislative process concerning the bill 'study loan higher education' (*Wet studievoorschot hoger onderwijs*, 34.035). The bill introduces a student finance system that replaces the existing basic grant with the possibility to apply for a student loan. The analyses show that media coverage did play a role in the legislative process, but that it did not affect the content of and support for the bill. Media coverage directed politicians' attention to specific topics, but it never served as an autonomous, influential source of information for Members of Parliament (MPs). Media coverage was used by MPs to strengthen their position or to attack political opponents; several MPs also tried to create media coverage, to create visibility for their party, and maybe even influence the policy content. Overall, however, media coverage has not influenced the legislative outcome of the process.

Chapter 6 discusses the similarities as well as differences between the three cases. This comparative analysis of the case study data results in a preliminary model of media-lawmaking interaction. The three separate studies show that coverage rarely contains information that is new to the MPs who deal with the bill. Politicians in both Houses of Parliament, and from opposition as well as coalition parties, primarily use media attention rhetorically during legislative debates. Explicit references are more common in the Lower House of Parliament; and because media coverage is often critical, it best suits the aims of opposition MPs. Politicians sometimes try to get into the media to create visibility for their parties' position; journalistic interest for the actual legislative process is often limited. With regard

1.4 Structure of the book

to legislative outcomes, the cases show that the media's influence is limited, primarily since parties' positions towards bills are often already determined prior to the legislative process, for example because of what is in their election programs or part of the coalition agreement, or because parties signed an ad hoc agreement about the particular topic. With regard to the differences between the cases, the mechanisms at play do slightly diverge. The type of media coverage and its influence on the legislative process may differ between bills because of their political context; incentives for MPs to respond to media coverage seem stronger with a bill that is driven by public indignation, like in the first case, and weaker if a bill results from an ad hoc political agreement, like in the second and third case.

In Chapter 7 some concluding remarks are presented. I argue that the media's influence on lawmaking is mainly an emphasizing effect: media coverage puts emphasis on issues, arguments or actors. As one of many sources of information political actors have at their disposal, media can highlight a bill's consequences, a particular argument, or the position of an expert. Media coverage is also and primarily used as a rhetorical instrument in legislative debates and helps to emphasize the topicality of an issue, to influence the direction of the debate, and to show the validity or relevancy of an argument. To conclude, I discuss various normative implications of the study and its main findings and argue that when it comes to lawmaking political actors are keeping an eye on media coverage, but that legislative processes are not dominated by or confined to what is covered in the media.

Chapter 2

Exploring the media-lawmaking relationship

Political agenda setting studies strongly suggest that the mass media influence policy agendas, but whether and how these media affect later phases of policymaking, in particular the legislative process, remains largely unclear. In this chapter I explore the potential media effects on lawmaking, based on the literature and expectations from scholars in the field. After a subsequent preliminary investigation of the potential media effects on the content and duration of the legislative process, I present the case study approach that guides the analyses in the following chapters.

2.1 What we know about media and policymaking

Media and politics are inextricably bound up with each other. Politicians respond to issues that are highlighted in the media, and

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the media report on debates and votes. Their relationship has a reciprocal character (see for example Davis, 2009; Sellers, 2010; Strömbäck, 2008): politicians and journalists interact frequently, with journalists responding to the behavior of politicians and politicians responding to the coverage produced by journalists. According to Cook (2006), because of the interactive nature of the relationship between journalists and politicians it is difficult to distinguish the legislative process from the news process.

It is rather obvious that media respond to political developments, because it is their journalistic role and task to inform the public and report on what is happening in parliament (e.g. De Beus, Brants & Van Praag, 2011). The reverse is less evident: there is no (unwritten) rule that states politicians should act upon media coverage. Nevertheless, because research shows that politicians are frequent media consumers (e.g. Davis, 2007; Van Aelst *et al.*, 2008), it is highly plausible that mass media coverage is an important source of information for politicians. However, as argued by Wolfe and colleagues, there is ample knowledge about media effects on public opinion, but little about how media directly affect policy. Their diagnosis is that “students of political communication have devoted little time and energy in examining the policy connection of media effects. Neither have policy scholars displayed any deep understanding of effects of the media” (Wolfe, Jones & Baumgartner, 2013, p. 176).

2.1.1 Political agenda setting

Research on the relationship between media and politics often focuses on the start of the political process. The question asked is to what extent the media influence the topics on the political agenda. Although some scholars argue the media follow rather than set legislative agendas (e.g. Walker, 1977), many agenda-setting studies indeed show that the media agenda influences the political agenda (e.g. Cobb & Elder, 1981; Davis, 2009; Walgrave, Soroka & Nuytemans, 2008). By paying attention to a particular issue, journalists can at least partly set this political agenda. This applies to

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lawmaking as well, and politicians may even try to use the media to influence the legislative agenda (Cook, 1989, 2005; Sellers, 2010).

The media are considered to be important in the initial stages of the political process (Esser & Pfetsch, 2004, p. 388; Soroka, Lawlor, Farnsworth & Young, 2013), but the political battle is not fought and decided when an issue is on the political agenda. On the contrary, this is just the beginning of the political process. However, not many scholars studying media and politics focus on policy and “those who do tend to concentrate on one stage of the policy process, agenda setting, in order to gauge media influence” (Wolfe, 2012, p. 110). That the media define relevant problems and interests (Bachrach & Baratz, 1962) and that political actors anticipate responses in the media (Davis, 2007; Sellers, 2010) implies that the media may also be influential when a bill is being discussed. Moreover, media attention influences the agendas of other media outlets and journalists imitate each other (e.g. Boyle, 2001; Golan, 2006; Vliegenthart & Walgrave, 2008). This means it is very likely that, once a topic has received attention, the media will closely follow the course of the policymaking process, instead of ignoring it once it is placed on the political agenda (Soroka *et al.*, 2013). However, “we know a great deal more about the media as an agenda setter than at any other point involved in making policy” (Wolfe, 2012, p. 110).

Moreover, research on media influence on policy processes is focused on the United States (Eissler, Russell & Jones, 2014). These studies show that US policy is characterized by long periods of stability, but that quite suddenly large policy changes can arise (Baumgartner & Jones, 1993, 2002). Media attention attracts policy attention to public problems that are low on the agenda of policymakers, and creates a sense of urgency to come up with solutions (Yanovitzky, 2002). Media attention is one of the factors that contributes to the occurrence of such policy changes and because political actors and journalists mutually influence each other, news coverage feeds back into the policy process (Cook, 2006; Sellers, 2010). The media respond to the political agenda and the media influence this agenda (Wolfe, Jones & Baumgartner, 2013).

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2.1.2 Media and lawmaking in the United States

It is not the aim of this study to focus on the media's role in policymaking in general, but it is the aim to study the media's role in a particular type of policy process: lawmaking. Most of the rather limited existing research on the media-lawmaking relationship is conducted by American scholars. In his seminal book *Making Laws and Making News* (1989), Timothy Cook argues that these two processes are strongly interrelated. Based on an analysis of the visibility of members of the House of Representatives in television news, a series of semi-structured interviews and surveys of press secretaries, as well as his own experience as an assistant press secretary in the House, he concludes that "making news has frequently become integral to the legislative process" (Cook, 1989, p. 168).

Politicians' media strategies affect their legislative work and "news media help House members set the legislative agenda, define the alternatives, influence public moods, and affect outcomes" (Cook, 1989, p. 169). National media can influence which issues get most attention during the legislative process, how these issues should be understood, and can enhance the reputation of politicians. Different from most research, Cook not only studies how media coverage can help members of Congress to get issues on the legislative agenda, but also looks at the subsequent phases of this process. He argues that "setting the agenda is only the first step in the journey of legislation; press attention affects later stages, too" (Cook, 1989, p. 170). Although he does not systematically study how media coverage affects the final stages of lawmaking, i.e. the support for the bill and the eventual content of the law, his study does suggest that media attention plays a role in legislative processes beyond agenda setting.

Cook argues that media strategies play an important role in lawmaking in the US. However, he uses a very broad definition of legislative processes. Whereas it is common to perceive the moment a bill is passed, signed or published as the formal end of the lawmaking process, according to him "the legislative process involves not only enactment of bills, but implementation of their provisions by the executive branch and oversight of the results by Congress" (Cook,

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1989, p. 151). Therefore basically all behavior of the politicians in the House is considered to be part of their 'legislative work'. In addition, Cook examines the news coverage of the House and the strategies of House members for seeking it.

Although his study provides interesting insights into the work of US legislators, the focus on media strategies has two limitations: first, the role of media coverage that is non-strategic, or even non-political but issue driven, is not considered; and second, there is no analysis of the actual influence of the 'news making' behavior of politicians on legislative outcomes. Although it is suggested that it matters throughout the process, Cook's study does not provide insights into the effects of media and media coverage on the content of bills.³

Several other US studies contain suggestions about media effects on lawmaking. However, as Kunelius and Reunanen (2012, p. 57) correctly conclude, empirical evidence often concerns the strategies and orientation of politicians towards the media, instead of the media's actual influence on decision making. In his study of national media coverage for US Senators Hess (1986, p. 103) argues that senators may use the media to get legislation through Congress: he argues that they try to influence voters via the media, hoping that these voters will subsequently put pressure on other legislators to support a bill. The extent to which these legislators are receptive to this may then also depend on the media coverage for the issue (Cook, 1989, p. 121). Various other American scholars have shown that politicians use media strategies to reach their voters, but also to influence legislation, at the national (Kedrowski, 1996) as well as at the state level (Cooper, 2002; Rosenthal, 1997). It is argued that such media tactics augment rather than replace traditional means of legislating (Cooper, 2002, p. 368). A survey of Congress members shows that their media strategies are primarily aimed at agenda setting and issue framing; the media are perceived as much less

³ In the current study the limitations of Cook's approach are overcome in various ways: a more common and limited definition of legislative processes is used (see subsection 2.3.2); the role of non-strategic and non-political media coverage is studied (see subsection 2.3.4); and in addition to the media's role during the legislative process, also the media's effects on legislative outcomes is studied (see subsection 2.3.1).

2.1 What we know about media and policymaking

effective to influence other stages of the legislative process (Kedrowski, 1996, p. 187). In line with Cook's ideas about media strategies, Sellers (2000) argues in *Cycles of Spin* that by drawing media attention to an issue, politicians may move related legislation through Congress more successfully. Based on his study of strategic communication campaigns in the US Congress, he concludes that "coverage of a particular message encourages legislators to pay more attention to the issue and arguments making up the message" and that "greater attention to these considerations encourages legislators to support the message's policy recommendation, which then becomes a more likely outcome of the policy process" (Sellers, 2010, p. 153).

However, as mentioned previously, not only media coverage that is the result of a deliberate media strategy potentially influences legislative processes. Other media coverage that is relevant to the bill under consideration may be at least as valuable or useful to politicians. Although "the media have no power to pass laws", the media shape the contours through which legislation moves (Wolfe, 2012, p. 123). When paying attention to a bill, journalists filter information and thereby emphasize certain issues and activities. By highlighting some and disregarding others, the media may limit the feasible alternative policy solutions (Wolfe, Jones & Baumgartner, 2013, p. 183). Media coverage can trigger so-called 'positive feedback' by amplifying certain existing arguments, interests or participants, leading to (quick) policy change; it can also trigger 'negative feedback' that impedes change or favors the status quo, by introducing new arguments, interests or participants (Jones & Wolfe, 2010; Wolfe, 2012). The media can also influence the discourse of debates by the way in which journalists pay attention to an issue (Soroka *et al.*, 2013). By doing this, media attention can help "set the tone for subsequent policy action" (Jones & Wolfe, 2010, p. 31). Indeed, a study of media attention for and policy responses to the problem of drunk driving between 1978 and 1995 shows that increased media attention led to the introduction of bills about the issue by legislators in Congress (Yanovitzky, 2002). It also caused an increase in the amount of federal legislation that was passed,

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suggesting that media coverage not only affects the introduction of bills, but also influences whether they become formal law.

There is also a strand of US research that studies media effects on the duration of legislative processes. On the one hand, it is suggested that media coverage may lead to acceleration of this process (Linsky, 1986; Livingston, 1997) and can incite policymakers and politicians to take a position and make a decision. Also, media attention might speed up the process due to the increased attention for certain arguments and interests (Jones & Wolfe, 2010). By making sure a legislative process ends quickly, actors can also try to prevent more (negative) media attention. On the other hand, there is research that shows that media attention decelerates legislative processes. The period between the introduction of a bill and the final vote turns out to be significantly longer in the US when there is much media attention for the bill (Wolfe, 2012). Because of media coverage political actors will slow down the parliamentary procedure. One reason is that media attention makes the legislative process, including new arguments and interests, more visible (Wolfe, 2012, p. 116). As a result, politicians may take more time to weigh the pros and cons in order to come to a final assessment. This may create a need for extra information, which they can gather by asking additional questions to a member of government or relevant interest groups. It is also possible that members of government choose to take more time to discuss a bill; they buy time to ensure that there is enough support for their proposals in parliament. Both options, acceleration as well as deceleration of the legislative process, are theoretically possible and plausible in practice.

Due to the US bias in the existing literature, we have little knowledge of media influence on lawmaking within the West-European context. What role the media play once an issue is placed on the substantial political agenda is yet unclear, especially within West-European parliamentary democracies with coalition governments. For example, in the US only members of Congress can introduce legislation, whereas in parliamentary democracies it is common for cabinet members to also have this power (Strøm, 1995, p. 53-54). Representation also has a rather particular meaning in the

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US with members of the House primarily representing their constituency, whereas for members of parliament in most European democracies representing their party is an important motivation; politicians tend to vote according to their party's position, contrary to Congress members in the US, where "within a party, even widespread agreement on a policy position does not guarantee that party members will act together to pass legislation" (Sellers, 2010, p. 5). In particular because most western European countries are parliamentary democracies with multiparty systems and coalition governments (Laver & Schofield, 1998), the political dynamics are difficult to compare with the American presidential democracy with its two-party system and the presidential veto. In sum, both political systems and media systems in Western European countries are different from the US (Hallin & Mancini, 2004), so it is not self-evident that the American conclusions are applicable.

2.1.3 Media and lawmaking in European countries

There are some European studies that address aspects of the relationship between media and lawmaking, but there is no comprehensive account of the media's role during legislative processes. A Norwegian study found that when framing is strong, supported in society and accompanied by journalistic engagement, extensive media pressure can affect changes in prior decisions as well as legislation (Ihlen & Thorbjørnsrud, 2014). Based on an analysis of three cases in which decisions to force immigrants to return to their country of origin were reversed, Ihlen and Thorbjørnsrud show that sustained media coverage played a key role in this outcome. Whereas in all three cases a residence permit was granted, in two of the cases this decision was accompanied by a change in legislation. Although the authors do not go into how the new laws came into place, this in-depth study does show that media coverage can cause changes in legislation.

A somewhat similar picture occurs in a study of policy priorities and policy change in Belgium. Walgrave, Varone and Dumont (2006) show that external pressure, of which media attention is one

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indicator, sometimes plays a role in policy change. However, the amount of media coverage, alongside with street protest and parliamentary pressure, explains only some variance in the issue emphasis in legislation, i.e. the relative proportion of legislation passed per issue in a given year. Government agreements are the best predictors of the overall legislative output (Walgrave, Varone & Dumont, 2006, p. 1029). This suggests that although media may have some effect on legislative outcomes, other factors, such as the compromises coalition parties reach, are more important to understand the development of new laws. In addition, the authors raise a question of causality: they suggest that legislative change may (also) lead to media coverage, or even that legislation that is about to be passed may get media attention. However, the type of longitudinal, quantitative analysis they conduct does not allow for testing “this plausible counter-argument” (Walgrave, Varone & Dumont, 2006, p. 1034); neither does it provide insight into the processes that lead to the passage of these laws, and the potential role of the media therein.

A study that does focus on the behavior of MPs during legislative decision making processes shows that in this phase getting media attention is important for certain MPs. In line with the US literature on the use of media strategies during legislative processes, Landerer (2014) shows that in Switzerland especially parliamentarians in an opposition role try to gain mass media coverage. They respond to prior media coverage and anticipate the media attention their legislative behavior may receive. More generally, MPs face a tension between policy activities and so-called ‘audience oriented’ activities (Landerer, 2014, p. 305); by the latter concept Landerer means that politicians are more concerned with their audience and therefore with getting media coverage, than with the policymaking process in question (see also Landerer, 2013, p. 253). Based on the interviews he conducted with MPs who were involved in three highly mediatized legislative processes, Landerer does not draw any inferences about whether the audience orientation of MPs affected the legislative outcomes. However, he does conclude that the audience orientation of MPs may be problematic for reaching “substantial and stable outcomes in legislative decision making processes” (Landerer, 2014,

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p. 315).

In addition to these studies suggesting a (limited) media effect on legislative processes and outcomes in European countries, politicians themselves believe that media affect lawmaking. For instance, British MPs argue that legislative debates are influenced by journalists and media coverage (Davis, 2009, p. 214). According to these MPs the media may amplify debates, force the speed of response, or change policy directions. The relationships between journalists and MPs are institutionalized and reflexive, and besides trying to get publicity, politicians also make use of journalists as sources of information about politics and policy (Davis, 2009, p. 215). Although the study does not go into the effects of this strong interaction on concrete legislative processes, the fact that the politicians involved in these processes themselves believe media are important in legislative debates is an indication that, at least in the UK, it is plausible for the media to affect lawmaking.

As noted by Thorbjørnsrud and colleagues, scholars of media effects have not always clearly distinguished between the roles of elected officials and of civil servants (Thorbjørnsrud, Ustad Figenschou & Ihlen, 2014, p. 4). A developing field of research in European countries does focus specifically on media influence on non-elected policymakers that work for public bureaucracies (e.g. Fredriksson, Schillemans & Pallas, 2015; Reunanen, Kunelius & Noppari, 2010; Schillemans, 2012; Thorbjørnsrud, Ustad Figenschou & Ihlen, 2014). Governments and civil servants are increasingly adjusting their behavior and organizational structures to the demands of the media. However, and similar to research in the US, such studies usually do not consider what the consequences are for the content of policy or policy outcomes, but focus on the interactions between journalists and bureaucrats, on behavioral and organizational adaptation to the logic of the media, and on the underlying motivations of policymakers to get, avoid or respond to media coverage. An exception is a study of Norwegian policymakers, in which it is argued that sometimes laws or regulations are changed in response to ample critical media coverage. How this mechanism precisely works is not discussed, but the authors state that “the

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initiative for such a change must come from the political executive, but it can also be the result of advice from civil servants within the communication staff who deem the media coverage of a certain case as simply too significant to be ignored” (Thorbjørnsrud, Ustad Figenschou & Ihlen, 2014, p. 17). These results support the suggestion from agenda setting research that media coverage may contribute to the introduction of new legislation.

In sum, neither the US nor the European literature addresses media effects on parliamentary legislative processes at the level of individual actors. Most media effects research studies agenda setting effects. The few studies that do incorporate later phases of the policymaking process either only study duration effects or investigate effects on strategic behavior of legislators, without systematically analyzing the consequences for the resulting legislation. As Cooper (2002, p. 369) acknowledges, “just because a legislator perceives his or her media efforts as effective, we do not know that they are”. Researchers that do study effects on policymakers often look at the behavior of government officials, rather than of members of parliament (e.g. Fredriksson, Schillemans & Pallas, 2015; Linsky, 1986; Schillemans, 2012). And scholars that do study parliament so far often aggregate effects at the level of issues or policy domains (e.g. Jones & Wolfe, 2010; Vliegthart *et al.*, 2016; Walgrave, Varone & Dumont, 2006) or do not study effects on legislative outcomes. As a result, it remains unclear whether and how media coverage for a particular bill affects the behavior of individual MPs during the concerning legislative processes, and whether that has consequences for the eventual legislative outcome of that particular process.

2.1.4 Media and policymaking in the Netherlands

To unravel the complex interaction between media coverage and political actors, this study focuses on lawmaking in the Netherlands, which is a multiparty system that is typically characterized as a consensus democracy (Lijphart, 2012). The Dutch media system is classified as a democratic corporatist model (Hallin & Mancini, 2004) with high degrees of journalistic professionalism and a non-partisan

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press. Parliament has a bicameral structure and both cabinet ministers and members of the Lower House of Parliament can initiate legislation (Andeweg & Irwin, 2014). The vast majority of bills however originate in cabinet (Bovend'Eert & Kummeling, 2010, p. 198); moreover, private member's bills hardly ever become formal laws (Andeweg & Nijzink, 1995).⁴ Because of the absence of the legislative discontinuity principle, bills do not die after a dissolution of Dutch parliament (Van Schagen, 1997). In parliamentary democracies with coalition governments, of which the Netherlands is a typical case, the media may play an important role in the daily political routines. Political majorities are not always self-evident and parliament is a powerful institution, so it is plausible that there are ample opportunities for actors to influence political decision making, also via the media.

A broad range of journalistic and (popular) scientific books suggests that there is an intense interaction between journalists and politicians in and around the *Binnenhof* ('Inner Court'), the square with parliament and government buildings (e.g. Bloemendaal, 2008; Brants, 2012; Chabot, 2010; Geelen, 1998; Luyendijk, 2010; Van Gunsteren & Habbema, 2009; Van Os, 2013; Van Weezel, 2011; Vis, 1975). Although the media's role in legislative processes has not been studied in the Dutch context, there is extensive political agenda setting research in the Netherlands. It shows that the media influence symbolic political agendas, such as parliamentary questions (Van Aelst & Vliegenthart, 2013; Van Santen, Helfer & Van Aelst, 2015) and parliamentary debates (e.g. Van Noije, Oegema & Kleinnijenhuis, 2008). In a study of the interaction between the media agenda and parliamentary documents that encompass both symbolic and substantial elements, Vliegenthart and Roggeband (2007, p. 297) however find that rather than influencing each other, both parliament and the media respond to developments in the outside world. A

⁴ Recent figures show a similar picture over the past ten years: although the total number of private member's bills has increased somewhat, per year on average only thirteen such bills are introduced and only four are passed (data from the *Centraal Informatie Punt* of the Lower House and from https://www.eerstekamer.nl/doorlooptijden_wetsvoorstellen_8).

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survey shows that Dutch MPs perceive the media to be an important political agenda setter (Van Aelst & Walgrave, 2011). The media are considered to be more influential than traditional political powers, such as the ministers, political parties or interest groups.

The importance of the media for policymaking in the Netherlands is confirmed by research that originates in public administration. Interviews and surveys with public officials that work for government departments and (semi)public organizations show that they actively monitor the media and that their anticipation and adaptation to the media is profound (e.g. Korthagen & Klijn, 2014; Schillemans, 2012). A study of governance processes and policymaking in government organizations nuances the power of the media somewhat. The media do not constantly interfere in governance processes and only have selective attention for decision making processes (Korthagen, 2015). However, if the media affect governance processes, they have considerable impact. Korthagen argues that these effects are not necessarily negative: although media attention can decrease the trust between actors and complicate decision making, it also has a democratizing effect, opening up policy processes to formerly outside actors, and it may contribute to the adequateness of decision making processes. A study by Van Gestel (2006) on the interplay between local media and law enforcement also nuances ideas about media effects on policymaking. Two case studies of local policy processes show that (critical) media reports did not have an influence on the content of local government policy. Although the study suggests that media may speed up or slow down decision making processes, media coverage did not affect the policy solutions adopted by the local government.

Despite the scholarly attention for media and policymaking in the Netherlands, there is only very little research about media effects on legislation. We do know that Dutch legislative processes usually do not receive much media attention: four out of every five bills never receive any press coverage at all in the national newspapers (Van Aelst *et al.*, 2015). In addition, only 10% of all bills receive 'serious' attention, i.e. more than just a few short, descriptive articles. The mere handful of bills that do get the full attention of journalists, often

2.2 Lawmaking and media coverage: a quantitative prestudy

receive a relatively large amount of coverage. This concurs with the pattern of media attention for European legislation in international newspapers: a small number of bills receives a lot of media attention, while most legislative processes remain completely out of the media's spotlights (De Bruycker & Beyers, 2012). According to Van Aelst and colleagues (2015) media attention for legislative processes is selective and predictable: whereas bills that are part of the budgetary cycle are usually not covered at all, processes that are characterized by political conflict and bills that are politically significant are likely to get attention in the press. This indicates that "journalistic attention is triggered only when there is political debate and friction" (Van Aelst *et al.*, 2015, p. 546). Otherwise, and thus in most cases, bills go by unnoticed.

2.2 Lawmaking and media coverage: a quantitative prestudy

That media coverage for lawmaking is unequally distributed in the Netherlands is an important observation: it means that a large majority of bills is not mediatized. However, it also raises the question what happens to those bills that *do* get media coverage. To get a better impression of whether the media influence the content and duration of legislative processes in the Netherlands, I conduct a quantitative prestudy (see also Melenhorst, 2013). The aim is to see whether newspaper coverage affected bills discussed in the Dutch parliamentary year 2012-2013. The dataset contains information on all 76 bills that became law between September 2012 and March 2013 and on their media coverage; the study is limited to bills that passed the full legislative process. The dataset contains highly diverse bills in terms of origin, content and moment of introduction. I analyze these bills to identify how many adjustments have been proposed by members of parliament and government, as well as the duration of the legislative process (in weeks).

2.2.1 Data and operationalization

First, to study the number of changes proposed to each bill, I count the number of government amendments, the number of parliamentary amendments, and the number of motions that have been introduced in both Houses of Parliament. Although motions that are introduced with bills have a more symbolic character than amendments, they can de facto be perceived as amendments; they do not adjust the text of the bill, but they may be used to propose changes with regard to, for example, the interpretation, execution or evaluation of the law. Secondly, I study the total duration of the particular legislative process in weeks, measured from the bill's introduction in parliament to the final vote in the First Chamber (for a similar approach, see Wolfe, 2012).

Media coverage for each bill is operationalized as the number of newspaper articles about each bill, measured from a year before its introduction to the Lower House, because bills are often announced a few months prior to the moment they are introduced, until the day of the final vote in the Upper House. This means that the period covering media attention is unique for each bill. Via LexisNexis all articles that have been published in national newspapers are collected.⁵ Parliamentarians may consider audiovisual media as more influential (Van Aelst & Walgrave, 2011, p. 299), but this is no major problem for this approach, because empirical research has argued that in practice, newspapers likely have a stronger influence on politics than audiovisual media (Walgrave, Soroka & Nuytemans, 2008). Moreover, research has shown that the television news follows the direction of newspapers (Reese & Danielian, 1989) and that newspapers have a stronger influence on television news than vice versa (Golan, 2006; Vliegenthart & Walgrave, 2008).

The criterion that is applied to select the relevant articles is that each article should contain at least one implicit or explicit reference to the intention or proposal to regulate an issue via legislation.

⁵ They are the *AD/Algemeen Dagblad*, *Boerderij Vandaag*, *Dag*, *Dagblad De Pers*, *De Telegraaf*, *De Volkskrant*, *Het Financieele Dagblad*, *Het Parool*, *Metro*, *Nederlands Dagblad*, *NRC.NEXT*, *NRC Handelsblad*, *Reformatorisch Dagblad*, *Spits*, *Trouw*.

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Implicit references are taken into account since in their articles journalists only rarely explicitly and literally refer to bills. Instead of mentioning the often elaborate title of a bill or even mentioning the word 'bill' at all, they more often write about the 'intention' or 'plan' of a minister to regulate a particular issue. Also, they refer to parliamentary debates without mentioning that what they write about was a *legislative* debate.

The search strings are developed by the author, according to a standard scheme. First I search for articles using the name of the bill and equivalents for it. Subsequently I formulate additional, broader search strings; I add abbreviations, synonyms, alternative ways in which words are spelled, and everyday variants of the concepts. Subsequently the search term is extended with topics from the official summary of the bill and with aspects that were addressed in any amendments and motions. Finally, I check all search results to exclude irrelevant articles; via a broader search term I check whether any relevant articles are missing.

2.2.2 Analysis

To study whether there is a connection between media attention for bills and various characteristics of the legislative process, correlations are calculated. The Shapiro-Wilk test for normality shows that all variables in the analysis are not normally distributed. Therefore Spearman's correlation test is chosen. To subsequently test media effects two separate regression analyses are executed. Because the dependent variables are count variables and in both cases the mean is not equal to the variance, the negative binomial regression analysis is the most appropriate method (Hilbe, 2011). In the first analysis the dependent variable is the total number of proposed changes, in the second analysis it is the total duration in weeks.

The primary explanatory variable in both regression models is the number of articles on the bill. To distinguish the potential influence of the media coverage from the characteristics of the bills, control variables are added. In the first analysis the duration of the process is controlled for; a longer process provides more opportunities for

introducing amendments. In the second analysis the number of proposed changes is controlled for; it may take more time to discuss these.

Second, in both analyses the origin of the bill is controlled for, with a dummy variable that indicates whether a bill is based on an international treaty or EU-directive. If a bill implements a decision that has already been made at the international level, it is less probable that adjustments will be made or that the process takes much time. Third, the political conflict about the bill is controlled for, to be able to separate the sensitivity of the issue from any media effect and because previous research suggests that conflict itself is a predictor of media attention (Van Aelst *et al.*, 2015). As an indicator for conflict a dummy variable is used that indicates whether the Lower House, the Upper House or both had a divided vote, or if the bill was carried unanimously or dealt with as a formality.

2.2.3 Results

The relationship between media attention and the number of amendments is presented in Figure 2.1. To almost half of all bills without media attention no amendments have been introduced, to the other half only a few adjustments were proposed (with a maximum of eight). There are no bills without media attention that have been amended heavily (nine or more proposed amendments). When it comes to bills that have received a lot of media attention (ten or more articles), without any exception amendments have been proposed. This strongly suggests that there is a relationship between media attention and the number of amendments. The results indicate that the more articles are being written about a bill, the more government amendments, parliamentary amendments and motions are being proposed.

Regarding the duration of the parliamentary phase there also seems to be a relationship (see Figure 2.2), although a rather weak one. Of the bills that have not received any media attention the majority has a medium length duration (26-50 weeks). Of the bills that solicited 1-9 articles, a majority had a long duration of at least 51

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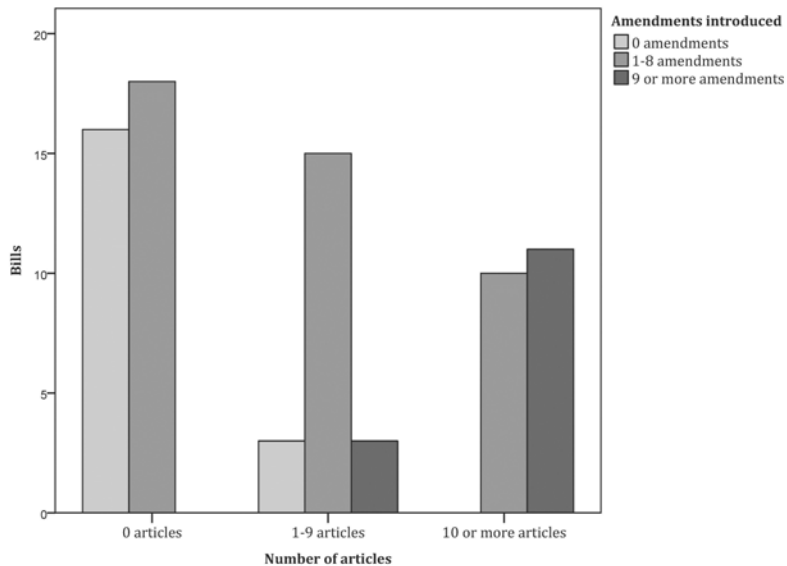


Figure 2.1: Relationship between the number of newspaper articles, bills and amendments introduced

weeks. Conversely, the number of bills that took 25 weeks or less to get passed and have received a lot of coverage is limited. These results suggest that bills that are covered in the press are more often part of a relatively long legislative process. Lawmaking processes that no journalist writes about are often relatively or even very short.

The statistical test of media attention and the course of the legislative process shows several significant results (see Table 2.1). There is a positive correlation (.265) between media attention and the duration of the parliamentary phase: the more media coverage a bill receives, the longer the legislative process takes. There turns out to be a strong and significant correlation between media attention and the number of amendments.

If the print media write more frequently about a bill there are significantly more government amendments, parliamentary

2.2 Lawmaking and media coverage: a quantitative prestudy

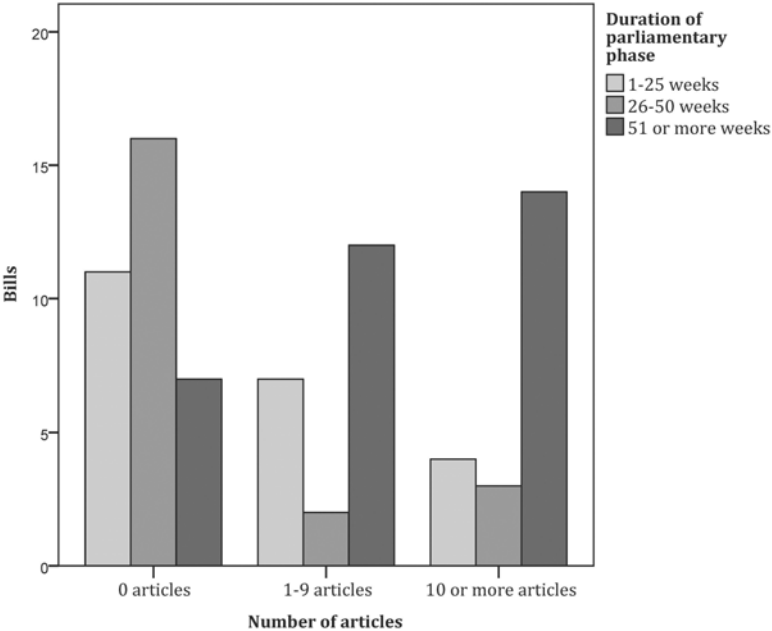


Figure 2.2: Relationship between the number of newspaper articles, bills and duration of parliamentary phase

amendments and motions in both the Lower and Upper House. The correlation between the amendments (.651) and motions (.698) introduced by members of the Lower House and the total number of newspaper articles is strongest.⁶ The correlation between media attention and parliamentary action (i.e. parliamentary amendments and motions) is considerably stronger than the correlation between media attention and governmental action (i.e. government

⁶ The various types of adjustments proposed correlate strongly with each other. This means that it is for example likely that, if a member of the government introduces an amendment, members of parliament will introduce motions and amendments as well.

2.2 Lawmaking and media coverage: a quantitative prestudy

	Government amendments	Parliamentary amendments	Motions Lower House	Motions Upper House	Duration (weeks)	Number of articles
Government amendments	-					
Parliamentary amendments	.518***	-				
Motions Lower House	.290**	.652***	-			
Motions Upper House	.259*	.431***	.401***	-		
Duration (weeks)	.319**	.493***	.301**	-.022	-	
Number of articles	.249*	.651***	.698***	.438***	.265*	-

Note. $N = 76$. * $p < .05$. ** $p < .01$. *** $p < .001$ (one-tailed)

Table 2.1: Correlation (Spearman's rho) of amendments, duration and number of articles

amendments). This suggests that the behavior of MPs correlates stronger with media coverage than the behavior of members of government does.

The findings provide us with an important indication of the relationship between media and legislation: media attention and the legislative process are associated. The bills that receive much coverage turn out to be the ones that are heavily 'worked on' in parliament; both government ministers and the members of both Houses of Parliament introduce amendments. Also, there is a correlation between media attention and the number of weeks that it takes for a bill to become law. Journalists and political actors thus move in a similar direction when it comes to legislation. If politicians are relatively active during the decision making process in parliament, journalists are more active as well, and vice versa.

The follow-up question is what the media's influence on

2.2 Lawmaking and media coverage: a quantitative prestudy

Characteristic	Number of amendments	
	Exp(B)	Standard deviation
(constant)	.1855*	.2963
Media attention	1.011**	.0033
Duration (weeks)	1.006*	.0029
Origin (0=Dutch, 1= international)	.435*	.3616
Political conflict (0=no, 1= divided vote)	2.147**	.2812

Note. $N = 76$. * $p < .05$. ** $p < .01$. *** $p < .001$.

Table 2.2: Media influence on amendments: results of the negative binomial regression analysis

lawmaking looks like. Does more media attention lead to politicians complying with the wishes that are voiced in the media, for example by introducing amendments? And does more media attention cause deceleration or acceleration of the process? Table 2.2 shows the exponential regression coefficients ($\text{Exp}(B)^7$) and the standard deviations for the regression analysis that was employed. The amount of media attention influences the number of amendments introduced by members of parliament and government: to bills that received more media attention, significantly more amendments are introduced. The expected number of change proposals increases with 1% per article that is published ($\text{Exp}(B)=1.011$, $p=0.001$).

Even when controlling for the duration of the legislative process, the origin of the plan, and the level of political conflict, there is a significant effect of media attention on the number of amendments. This means that media attention influences the number of expected changes if we keep the scores on the control variables constant. With a bill that newspapers published 10 articles about, we can expect three change proposals. If there are 30 articles about a bill, the expected value increases to four change proposals. And with bills

⁷ With negative binomial regression, coefficients are the natural logarithms of the expected successes. To be able to interpret the effects on the dependent variable they are converted to incident rate ratios (see for further elaboration for example Cox, West & Aiken, 2009).

2.2 Lawmaking and media coverage: a quantitative prestudy

Characteristic	Duration in weeks	
	Exp(B)	Standard deviation
(constant)	55.147**	.2004
Media attention	1.002	.0024
Number of amendments	1.007	.0189
Origin (0=Dutch, 1= international)	0.599	.2854
Political conflict (0=no, 1= divided vote)	1.149	.2518

Note. N = 76. * p<.05. ** p<.01. *** p<.001.

Table 2.3: Media influence on duration: results of the negative binomial regression analysis

that get 70 articles, six change proposals can be expected.⁸ Even if we control for the duration of the legislative process, the origin of the bill, and political conflict, there is a significant effect of media attention on the number of proposed changes. If more attention is being paid to a legislative process by the national press, more government amendments, parliamentary amendments and motions are introduced during the legislative process – independent of duration, origin and political conflict.⁹

The second analysis (see Table 2.3) shows that media attention does not have a statistically significant effect on the duration of the parliamentary phase of the legislative process. The number of articles on a bill does not influence the length of the legislative process. Also with the control variables included the main effect is not significant, indicating that the duration of bills is not related to the amount of media attention.

⁸ The reliability of the predicted values decreases with higher scores on the media attention variable; see Appendix I.

⁹ The control variables also show significant effects. If the duration of a legislative process is longer, more changes can be expected. The expected number of proposed changes with bills that have an international origin is about half the number of changes we can expect with bills that have a national origin. If there is political conflict about a bill, the expected number of change proposals is twice as high as with a bill there is no conflict about.

2.3 Introducing the case study approach

The results of the preliminary investigation show that when the amount of media coverage for (the topic of) a bill increases, the number of proposed changes increases as well. Put simply, if bills receive more media attention, more amendments – in particular parliamentary amendments – are introduced. This suggests that media coverage encourages politicians to propose changes, which is in line with Wolfe's (2012) suggestion that policy elements may be adjusted in response to (new) media information. However, the possibility that the contrary may (also) be true cannot be ruled out: media attention may be a consequence of the developments during the legislative process. Also, the fact that there is a media effect on the number of proposed changes does not tell us anything about *how* this dynamic works. In my prestudy only the amount of media attention is measured and not the content of the coverage, so it does not shed light on the precise dynamics. In addition, because in this preliminary investigation the number of *proposed* changes is central and not the number of changes that is actually passed, it does not say much about whether media coverage affects legislative outcomes. Finally, in order to develop comprehensive knowledge of the media's role in lawmaking, not merely newspapers but a wider array of mass media should be taken into consideration.

To learn about the dynamics at play and to study how mass media coverage affects legislative processes, we need more in-depth knowledge of the media-lawmaking relationship. Such detailed knowledge can best be obtained by adopting a case study approach, which allows me to look at the micro level and study the behavior of individual actors, both separately and in interaction with each other, in the context of specific legislative processes. With this approach I join Wolfe and colleagues (2013, p. 180) who state that scholars studying media effects on policy processes should have an "awareness of interaction and feedback effects". I conduct three case studies. Each case under consideration contains one legislative process, including the coverage of the (topic of the) bill in national newspapers, magazine articles, radio and television items.

2.3 Introducing the case study approach



Figure 2.3: Research questions embedded in a heuristic model

2.3.1 Guiding questions

The three case studies are guided by research questions that are embedded in a heuristic model (see Figure 2.3). Starting from existing knowledge from previous research, in particular knowledge about lawmaking in the Netherlands, media attention may play a role during legislative processes in various ways. The guiding questions for the case study analyses are:

1. What does the media attention related to the bill look like?
2. Do politicians in parliament respond to media attention, and if so, how?
3. Do politicians try to generate or influence the legislation-related media coverage?
4. Does media coverage influence the legislative outcome, and if so, how?

Ad 1: Media attention

Media attention is a precondition for media influence. The first research question is: *what does the media attention related to the bill look like?* To answer this question, various characteristics of media coverage will be taken into account (see Figure 2.3). Firstly, the distribution of media coverage over the various phases of the legislative process is studied. The more attention there is, the stronger the incentive for political actors to respond, similar to what

2.3 Introducing the case study approach

saliency and agenda setting studies show (e.g. Baumgartner & Jones, 1993; Cook, 2005). If there is ample media attention for a certain issue, this can be an indicator for politicians that the issue is salient and deserves political action. If media attention is unequally distributed over a period of time, and in particular if the peaks in coverage coincide with important moments of legislative processes such as debates, there may be stronger incentives for MPs to act upon media coverage.

Secondly, the content of the coverage is relevant, i.e. the positions that are presented in the media, because media attention can provide politicians with new information and point their attention towards specific topics (Jones & Baumgartner, 2005; Wolfe, 2012). Also, media effects are stronger if more media focus on the same issue, frame it in a similar way, and cover it persistently (Eilders, 2000). Congruent coverage is expected to evoke a relatively strong response from political actors.

Thirdly, what matters in particular is the visibility of political actors. MPs can use the media strategically to influence what happens in parliament and strengthen their policy position (e.g. Cook, 2005; Kunelius & Reunanen, 2012); in order to achieve this, media presence is a precondition (Van Aelst & Walgrave, 2016). By entering the media arena, political actors become more visible to their political colleagues, which may subsequently have an impact on the course of the legislative process.

Ad 2: Behavior of political actors

Strictly speaking, the media are not involved in the lawmaking process; actors in parliament (and government) are the ones that may respond to media reports. Their behavior may have consequences for legislation. The second research question is therefore: *do politicians in parliament respond to media attention, and if so, how?* The legislative process, i.e. the parliamentary deliberation about a bill, formally starts once this bill is introduced. During the following process politicians can ignore the media, or refer to media coverage, or respond to it implicitly by copying or mirroring – parts of – the media content. More specifically, media effects can be direct

2.3 Introducing the case study approach

as well as indirect and may be anticipatory, immediate, or corrective (Kepplinger, 2007).

There are three types of action (see Figure 2.3) politicians can undertake. Firstly, they can ask parliamentary questions. Previous studies show that many oral and written questions, especially in the Netherlands, are a response to media coverage (Van Aelst & Vliegthart, 2013; Van Santen, Helfer & Van Aelst, 2015). When questions concern the topic of a bill under consideration, they can be used by MPs¹⁰, for example to announce or stress their position prior to debates about the bill. Secondly, politicians can respond in their contribution to legislative reports and debates. Legislative reports are a platform for MPs to ask questions about the bill; debates serve as a platform to communicate one's standpoint concerning the bill to the minister and to other parties, as well as to the general public. Thirdly, politicians can propose amendments during the legislative process. An amendment can be rather technical, but it can also be a proposal to more or less fundamentally change the content of a bill. Introducing a proposal to change a bill arguably goes a step further than just voicing a standpoint or asking a question. It is the most active and constructive way for political actors to show that they care about an issue and think the bill should be adjusted.

Politicians can use media coverage as a source of information and as such it may influence the topics that are discussed (Linsky, 1986; Yanovitzky, 2002). It may serve as a primary source of information, or as a supplemental source that allows them to check information that reached them via other channels (Brown, 2010, p. 134). If policymaking is perceived as a process of information-processing, the media play a fundamental role (Jones & Wolfe, 2010). Politicians often consider media attention as a proxy for public opinion (Cook *et al.*, 1983; Cook, 2005; Esser, 2013; Herbst, 1998; Kenamer, 1992; Pritchard & Berkowitz, 1993) and by acting upon what is in the media, politicians can adjust their position in accordance with the views of the general public. In particular if there is also media attention for the legislative process and the positions of the various

¹⁰ Senators in the Netherlands also have the right to ask written PQs, but this instrument is used by them only very infrequently.

2.3 Introducing the case study approach

actors involved, MPs may be pressured to respond to public opinion and thereby for example move away from the interests of pressure groups (Cook, 1989, p. 171-175). In addition, policymakers monitor the media to get information about the political environment in which they operate (Veltmer & Koch-Baumgarten, 2010, p. 3). They may for example respond to such information in parliament by adjusting a proposal or by using the coverage to attack political opponents. It may also be that media are not the cause of the behaviour of political actors in parliament, but that media attention provides a window of opportunity for politicians to ask a question, promote a position or introduce a change proposal, if the media discourse is congruent with their framing of an issue (Veltmer & Koch-Baumgarten, 2010, p. 9).

Ad 3: Media-politics interaction

Actions based on media attention are not mutually exclusive and can occur at the same time or successively. For example, amendments are usually introduced or announced during legislative debates. The responses may trigger the attention of journalists, thereby evoking more media attention. US research dating back to the 1980s shows that policymakers use the media to achieve their political goals and get majority support for policy (e.g. Hess, 1984; Linsky, 1986). Getting media coverage may be a way for politicians to communicate with and put pressure on other politicians (Cooper, 2002) and to strengthen their position in the policy process (Kunelius & Reunanen, 2012). In addition, entering the media arena can be a means for MPs to communicate with their voters and show what they are doing in parliament (Cook, 1989; Cooper, 2002; Hess, 1986). Therefore the third research question is: *do politicians try to generate or influence the legislation-related media coverage?*

Politicians and journalists influence each other, with political actors responding to media coverage and journalists responding to what happens during a legislative process (Sellers, 2010; Wolfsfeld, 2011). Because of this dynamic the relationship between 'behavior of political actors' and 'media attention' can be modeled as a feedback loop (see Figure 2.3). This model resonates with political agenda-setting studies that show the reciprocal nature of the

2.3 Introducing the case study approach

media-politics relationship (e.g. Kepplinger, 2007; Sellers, 2010; Van Noije, Oegema & Kleinnijenhuis, 2008).

Ad 4: Legislative outcome

Bills and amendments need majority support to take force. Political support for the bill and amendments may be influenced by the interaction between media coverage and legislative debates in parliament. Because political predispositions seem particularly powerful in policymaking, some scholars argue the likelihood that media attention changes policymakers' beliefs is low, in particular with regard to issues they consider to be important (Linsky, 1986; Yanovitzky, 2002). Others however believe that this is possible if the information in the media challenges them with 'cogent contrary information' (e.g. Kingdon, 1984). The fourth research question therefore is: *does media coverage influence the legislative outcome, and if so, how?*

Media coverage may have two types of consequences for the outcome (see Figure 2.3). Firstly, it may affect the support for motions and amendments. Secondly, it may affect the eventual support for the bill as a whole. It has been suggested that media exposure may be an effective way to convince other politicians to support policy proposals (Cooper, 2002; Sellers, 2010). If journalists write univocally about a topic, or if MPs put pressure on their colleagues (not) to support a bill or an amendment, politicians may accommodate towards this position. In addition to such effects from prior coverage, there may be an anticipatory media effect. During the legislative process, and especially when it comes to the final decision making, political actors may anticipate the media coverage that their position can generate (Davis, 2009). If they expect an intended policy choice to generate unfavourable coverage, for themselves or for their party, this may contribute to the decision to adjust their position.

2.3.2 Legislation in the Netherlands: the rules of the game

The three cases under study are recent legislative processes. In order to understand these cases, it is important to have some basic knowledge of the Dutch legislative procedure (Andeweg & Irwin, 2014).¹¹ The legislative process starts in the Lower House, where the bill – after the Council of State has been consulted – is introduced by Royal Message. Note that the political process under consideration in this study is not the preparation of bills, but the subsequent parliamentary phase. This parliamentary phase starts with the bill being consigned to a parliamentary committee. From that moment on members of the Lower House can introduce amendments. Such amendments are proposals to change the text of the bill and a majority of the chamber has to vote for them to become included. Motions do not change the bill but are a request to the minister to take something into account with regard to the bill; motions can be proposed only during the second term of the debate or legislative deliberation.

Throughout the parliamentary phase bills can also be amended by members of government. The minister involved can adapt the content of the bill by sending a government amendment to parliament, until the vote in the Lower House. The difference with parliamentary amendments is that government amendments directly change the text of the bill: no vote is needed.

Votes in both Houses of Parliament are usually counted per party, and can take place by means of a show of hands, through a roll call vote or by standing vote (Louwerse, Otjes, Willumsen & Öhberg, 2016, p. 6). The Lower House votes on the amendments first and subsequently on the (potentially amended) bill. When the Lower House in majority agrees with a bill, it is sent to the Senate. Members of the Senate can only reject or accept the bill and are expected to focus on (technical) judicial aspects, the relation to international law,

¹¹ See also the procedure as described on the website of the Dutch government: <https://www.overheid.nl/?id=388>.

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and the bill's suitability and feasibility (Knippenberg, 2002).¹²

The Dutch legislative procedure does in essence not differ from the situation in most other parliamentary systems (Van Schagen, 1997). The lawmaking process is in part set in the Constitution and in part based on customs that are laid down in the standing orders of parliament. A first important characteristic is that both ministers and members of the Lower House can initiate legislation (Andeweg & Irwin, 2014, p. 170). However, compared to other countries, very few private member's bills are introduced in the Netherlands; almost all bills come from members of government (Bovend'Eert & Kummeling, 2010, p. 198). A second characteristic is that the Upper House or First Chamber has less formal rights compared to the Lower House: senators only have the right to propose motions, not amendments (Money & Tsebelis, 1992).¹³ A third important characteristic of lawmaking in the Netherlands is that there is no discontinuity principle at work, which means that the process can hypothetically take forever (Andeweg & Irwin, 2014; Van Schagen, 1997; Voermans *et al.*, 2012, p. 115). Most other West-European countries apply such a discontinuity principle, which means that pending legislation is dropped at the end of a parliamentary term and/or when there is a change of government. As a consequence of the absence of this rule, in the Netherlands almost all bills that are introduced, are also passed – although this may take a while. Between 1995 and 2008 each year on average 260 bills were introduced at the Lower House (for an overview of the number of introduced bills, see the *Rapport Vertrouwen en zelfvertrouwen. Analyse en aanbevelingen parlementaire zelfreflectie*, 2008-2009, p. 88). In many neighboring

¹² The vote in the Upper House is decisive; once a bill is passed here, it is signed and published in the official law gazette. The Netherlands has a bicameral legislature in which the Lower House does not have the power to cancel Upper House decisions (Money & Tsebelis, 1992). And although the King or a minister could theoretically refuse to sign a bill, this almost never happens in practice (Bovend'Eert & Kummeling, 2010, p. 203). This means that the end result of a legislative process is in effect known once the Upper House voted on the bill.

¹³ Yet the First Chamber can postpone a bill until the Second Chamber has passed a complementary bill that meets its objections, if so desired (Andeweg & Irwin, 2014, p. 167).

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countries the yearly average is around 250, which means that the Netherlands stays in line with that average (Bräuninger & Debus, 2009, p. 819).

2.3.3 Case selection

As discussed in section 2.1.3, most legislative processes in the Netherlands receive no media attention at all. In order to answer the central research question on the media's role in and impact on legislative processes, it is of course necessary to select legislative processes that have received media coverage as cases for the analysis. I focus on cases that have received ample media coverage, since this increases the likelihood of finding actual instances, and possibly multiple and varying instances, of media influence. To make sure there are several potential moments of media influence, I select bills to which multiple motions and amendments are introduced, as well as passed. Because the vast majority of bills originate in cabinet and private member's bills hardly ever become law, and especially because by focusing on media-covered lawmaking the population of cases is already narrowed considerably, the selected cases are bills that were introduced by government. Because I am interested in media effects on the legislative process as well as on the content of the bill, I only study bills that have become law.

On the basis of these criteria, I select three cases with variation in terms of legislative process and media coverage. The case selection results from a sequential case selection strategy (Curtis, Gesler, Smith & Washburn, 2000, p. 1002). This means the selection of subsequent cases is the result of a rolling process: each case is selected once the previous case study is completed. As a consequence it is possible to study recent cases and, more importantly, to take the results of the previous analyses into account.

Table 2.4 shows an overview of the case selection. The first case is the bill 'regulation of the remuneration of top-ranking officials in the public and semipublic sector' (*Wet normering bezoldiging topfunctionarissen publieke en semipublieke sector/WNT*, 32.600); the second case is the bill 'employment and security' (*Wet werk en*

Similarities				Differences			
Case	Media coverage: amount	Potential moments of influence	Initiator	End result	Policy area	Target group	Parliamentary support
1: <i>WNT</i> (2011-2012)	Ample: 1038 items	Ample: 29 amendments & 3 motions	Government	Passed	Interior Affairs	Elites	Unanimous
2: <i>WWZ</i> (2013-2014)	Ample: 509 items	Ample: 31 amendments & 16 motions	Government	Passed	Social Affairs and Employment	Ordinary citizens (all)	Broad: coalition & three committed & two non-committed opposition parties
3: <i>WSHO</i> (2014-2015)	Ample: 508 items	Ample: 42 amendments & 12 motions	Government	Passed	Education	Ordinary citizens (subgroup)	Limited: coalition & two committed opposition parties & two one-man factions

Table 2.4: Case selection overview

2.3 Introducing the case study approach

zekerheid/WWZ, 33.818); and the third case is the bill 'study loan higher education' (*Wet studievoorschot hoger onderwijs/WSHO*, 34.035). The left side of Table 2.4 shows the similarities: all cases received ample media coverage; there were ample potential moments of media influence; the bills were introduced by the government; and the bills passed both Houses of Parliament.

The sequential case selection strategy results in deliberate variation in period¹⁴, policy area, target group, type of media coverage and parliamentary support (see the right side of Table 2.4). First, in order to avoid analyzing bills that originate from the same ministry and are discussed by the same parliamentary committees, I select cases that cover different policy areas.¹⁵ The first bill refers to interior affairs policy; the second case is about social affairs and employment; the third case deals with education policy.

Second, because in the first case study interviewees emphasized differences in media interest between topics that concern elites (such as the first case) versus ordinary people, the second case selected has direct consequences for all citizens, at least potentially. Because interviewees in the first two rounds emphasized another difference in bills with consequences for all Dutch citizens versus a specific yet substantial group of citizens, the third case has direct consequences for a large subgroup of citizens, i.e. students and their parents.

Third, because the parliamentary support for the bill in the first case was unanimous, as a second case a bill is chosen that was not supported by all parties. The second case study reveals that a number of parties felt inclined to support that bill for reasons not directly related to the bill as such. It is also suggested that (non-committed) opposition parties may interact more with media, which concurs with previous research that suggests the government opposition dynamic

¹⁴ The variation in terms of period means that the legislative processes took place in successive years. Because the case studies are conducted subsequently, the time period between each legislative process and the case study analysis is comparable. The position of the legislative process in the electoral cycle is not used as a criterion for case selection (the case study analyses also do not provide indications that this played a role in the cases studied).

¹⁵ I have no prior expectations about particular differences between the policy areas.

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influences media effects (e.g. Thesen, 2013). Therefore the third case chosen is not supported as broadly as the other two bills were.

2.3.4 Methods and data

The case studies are conducted to develop in-depth knowledge about the media's role in lawmaking. Each case study combines chronological content analyses of media coverage and parliamentary documents with semi-structured interviews with the most relevant political and journalistic actors involved.

Data collection

For all cases, the process of data collection is identical. First, parliamentary documents related to the legislative process are retrieved from the governmental website '*Officiële Bekendmakingen*'.¹⁶ Next, for studying media attention, via LexisNexis all articles that mention the (topic of the) bill, published in all national newspapers and magazines, are collected.¹⁷ All radio and television broadcasts of the national television and radio channels that mention the (topic of the) bill are collected via the digital archives of the national broadcasting organization *NPO (Nederlandse Publieke Omroep)* and of the various specific broadcasters. This means that a broad range of media items is taken into consideration: every item that mentions at least one of the search words is taken into account (for media data collection per case see Appendixes II, III and IV).

In addition, and following the content analyses, interviews are conducted ($N = 96$) to collect specific information from the actors involved about their motives and behavior. These interviews are

¹⁶ www.officielebekendmakingen.nl.

¹⁷ Because the aim of the study is to develop insights into the media's role in lawmaking, coverage of various media outlets is taken into account; because the aim is not to systematically compare the attention in and effects of various media outlets and media types, the study does not contain such a differentiation and consequently refers to 'the media' in general.

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semi-structured: the topics discussed are similar each interview, using a topic list that functioned as a conversation guide, but the course of the interview and exact formulation of questions may vary (Arthur & Nazroo, 2003). Per type of actor, in each interview the topics are discussed starting from the actors' own behavior during the process under study. This approach follows the suggestion by Van Aelst and Walgrave (2011, p. 308) to draw more on measures of concrete behaviour instead of general perception questions by confronting politicians with specific cases of increased media attention. Printed copies of articles written by the interviewee, transcripts of items made by the interviewee, or media items in which the interviewee(s party) is mentioned are discussed during the interview. The interview location is chosen by the interviewee; an alternative is proposed by the interviewer if the proposed location is expected to be busy or noisy.

The interviewees include parliamentary, departmental, as well as journalistic actors. The parliamentary actors are those MPs that acted as spokespeople on behalf of their party with regard to the bill in both the Lower House and the Upper House.¹⁸ The departmental actors are ministers, policy officers, legislative lawyers and spokespeople. The journalistic actors are journalists working for print media, radio and television. All interviews are conducted by the author and took on average between 50 and 70 minutes.

Content analyses

Per individual case a content analysis is conducted of the parliamentary documents, the media coverage, and the interview data. One codebook for the analysis of the parliamentary documents and media coverage is inductively developed for each case. In addition, for each case one codebook for the analysis of all interview data is developed inductively. All coding work is done in MAXQDA, a professional software program for qualitative and mixed methods data analysis.

¹⁸ For a full list of interviewees see Appendix V. In total 58 MPs were approached; of them only six have not responded or participated.

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For each case the procedure for inductively developing a codebook for the analysis of the parliamentary documents and the media coverage is similar. An initial codebook is developed by scanning through a sample of newspaper articles and reading the explanatory memoranda of the amendments. In this phase non-partisan actors that assisted in the legislative process, including employees of the legislative office and committee assistants of parliament, were consulted in order to develop an understanding of the main debates and political positions (for an overview, see Appendix V). All coding is done by the author. This approach allows for refining the codebook during the coding process, in order to increase the validity of the analysis through the accumulation of (contextual) knowledge about the case. By going back and forth in an iterative process and adjusting prior coding correspondingly, every effort is made to ensure a reliable and consistent analysis (see also Melenhorst, 2015).

The codebook for the analysis of the parliamentary documents and media coverage distinguishes five types of positions of political, societal or journalistic actors. This focus on positions allows for a comprehensive analysis of the content of the documents in which the varying positions on a similar topic can be compared, within and between documents. It also allows the relationship between the various parts of the heuristic model (see Figure 2.3) to be studied, even if politicians do not use explicit media references; for example, if an MP reacts to a position that was previously visible in a media item during his contribution to a legislative debate without explicitly referring to that coverage, this can be traced via a comparison of the coding of this position in the media and parliamentary documents. Every position on an issue related to the bill that is presented in a text is coded, whether it is explicitly claimed by an actor or mentioned by a third person.

The first category contains positions that criticize the status quo (e.g. “My party thinks it is ridiculous that directors of housing corporations receive bonuses”; “Minister Asscher thinks too large differences have developed between people with a permanent and with a temporary contract”; “The basic grant has an undesirable

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redistributive effect”).

The second category contains positions that are congruent with the content of the bill (e.g. “Managers in the education sector are in the future not allowed to earn more than 223.666 euros”; “The period in which employees are allowed to have temporary contracts will be shortened from three to two years”; “The earnings threshold should be abolished”).

The third category refers to positions that criticize the content of the bill (e.g. “The largest objection to the bill is the special position of the health care managers, who are allowed to make agreements themselves about the top salaries”; “The *SP* is strongly against shortening of the *WW*”; “The current Bachelor’s students have a problem: they will face a loan when they want to do a Master’s”).

The fourth category contains positions that propose an alternative to the bill (e.g. “There should be a complete ban of bonuses in the public and semi-public sector”; “*CDA* and *GroenLinks* want that a second contract can also have a longer duration”; “She proposes to acquit part of the loan of students that take a Master’s of more than one year when they finish successfully”).

The fifth category contains other positions that are related to the bill, for example positions in which an actor proposes non-legal measures, defends the status quo or criticizes the communication about a bill (e.g. “The bonuses of *NS* managers will partly become dependent on the customer service of the company”; “What we need first is the vision of the cabinet that will make the convergence of permanent and temporary types of labor possible within an employment contract”; “The results of the study, that show that around a quarter of all students are not aware of the changing legislation, are terrifying”).

Coding is done at the level of the quasi-sentence (inspired by for example the Handbook of the Comparative Manifesto Project, see Werner, Lacewell & Volkens, 2011). Each quasi-sentence contains one statement or message, which may cover one sentence, part of a sentence, or a combination of sentences. All text segments that are relevant to the content of the bill are coded. The position codes are not mutually exclusive, because, for example, one quasi-sentence can

2.3 Introducing the case study approach

contain both a position that is critical of the content of the bill and a position that proposes an alternative to the bill, or because one statement can reflect two complementary alternative positions.

In addition to positions, the actor(s) taking the position, the parliamentary instruments referred to and addressees and media references are coded. All 'actor' codes are at the aggregate level, such as a political party or an interest group. Individual actors are assigned the code of the group they belong to, e.g. a text segment in which the actor is a spokesperson of a political party is assigned the actor code of this party. Because in the Netherlands members of government are not also members of parliament¹⁹, all governmental actors are coded with the actor code 'government'. If a position code is assigned to a text segment, an actor code is always assigned to it as well. All actors must be mentioned explicitly, except for the actors 'government' and 'journalist'. With regard to the former, when, for example, in a newspaper item it is mentioned that the bill will introduce a specific measure, but it is not explicitly mentioned that this measure is proposed by the government; the actor-code 'government' is nevertheless assigned. With regard to the latter, if in a media item a position is expressed by a journalist, the actor code 'journalist' is assigned.

'Parliamentary instruments' can be any instrument that is used in parliament, such as a motion or amendment. For a code to be assigned, either the parliamentary instruments should be mentioned explicitly, or a synonym or description that points to the use of that instrument should be used. For example, journalists usually do not explicitly mention 'amendment' in media items; however, if they refer to a "change proposal", the instrument-code 'amendment' is assigned. An actor is coded as an 'addressee' if this actor is explicitly addressed by an actor in the context of a position (such as the actor 'Upper House' in the segment "I reveal that the system does not work and costs much more money than the minister thinks. I have hope that the members of the Upper House will be sensitive to that"). A 'media reference' is coded whenever a text segment refers to a particular

¹⁹ Except for when a cabinet has resigned; then ministers and state secretaries can be members of the Lower House, until the next government takes office.

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media item or to media coverage in general.

The codebook for the analysis of the interview data is developed in a similar inductive manner. The interviews are partly transcribed by the author, and partly transcribed by assistants²⁰ and checked by the author. All coding is done by the author. An initial codebook is developed on the basis of the various components of the heuristic model (see Figure 2.3). Based on the interviews, the codebook is further refined. By again going back and forth during this iterative coding process and adjusting prior coding correspondingly, effort is made to ensure a reliable and consistent analysis of the interviews. Coding is done at the level of the (quasi)sentence and focuses on statements about the media coverage (RQ1), its influence on the behavior of parliamentary actors (RQ2), the effects of that behavior on additional media coverage (RQ3) and the consequences of this interaction for the support for the amendments and the bill itself (RQ4). In addition, codes are developed for statements about media use, as well as about the journalistic interest in the bill, the journalistic perception of the reader, and journalistic goals.

Triangulation

Due to the fact that I have access to parliamentary documents, media items and interview data from at least two perspectives (political and journalistic), I am able to triangulate my findings to assess the reliability and validity of the data. The analyses in this study are primarily based on the content analyses of the parliamentary documents and media attention. The interviews are used to validate these findings, to gain an idea of the motivations of political and journalistic actors for their behaviour during legislative processes, and to illustrate the results via quotes. In order to avoid bias and present reliable evidence, I triangulate my observations when and wherever possible. This means that already *during* the interviews, I check the accuracy of the statements, based on the data I have collected via the content analysis of parliamentary documents and

²⁰ Many thanks to Anthony Heeren, Willemijn Bot, Eline Rats, Astrid Elfferich and Rozemarijn van Dijk.

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media coverage. I also evaluate my evidence by looking for specific patterns. If, for example, multiple parliamentarians in interviews behave defensively and argue particularly strongly against being influenced by media coverage, I am aware of the possibility of their reports being biased towards downgrading the extent of media effects. I also look for signs of interviewees answering questions carefully, such as correcting earlier statements that were untrue, or further specifying things they said previously.

Limitations

As with any research method, the choices I made with regard to the case studies prompt some limitations. They concern the case selection, the analyses of legislative debates, the definition of legislative processes, the selection of interviewees and the focus on individual political actors.

Firstly, I only study bills that became law. Because one of the questions is whether media coverage affects the eventual content of legislation, no 'negative cases' are selected (see section 7.2 for a discussion of the implications of this choice).

Secondly, with regard to the analysis of legislative debates, I use the proceedings of the Dutch parliament as provided by the governmental website '*Officiële Bekendmakingen*' and do not take the non-verbal communication of political actors into consideration. Also, the proceedings are not literal transcripts of the debates, but are slightly edited verbatim accounts from the Parliamentary Reporting Department (*Dienst Verslag en Redactie*).

Thirdly, I consider the moment the bill was introduced to the Lower House as the start of the legislative process. Although it can be argued that the preceding period is relevant to understand (the context of) a bill, I believe it is more important to stay as close to the formal procedure as possible; therefore I consider the introduction of the actual bill to be the start of the legislative process.

Fourthly, concerning the selection of interviewees, I focus on political and journalistic actors and do not study representatives of for instance interest groups. This is not to say that interest groups are irrelevant: however, because the main aim of the study is not to

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provide a comprehensive explanation of legislative outcomes, but has the more modest aim of singling out the media's role in legislative processes, it suffices to provide space during the interviews for the interviewees to address the role of interest groups, if relevant to the media-politics interaction.

Finally, I study individual political actors; the fact that I treat them as individual actors does not mean that they operate individually and that their decisions are always autonomous. MPs are members of parliamentary parties and their decisions are discussed in parliamentary meetings with their colleague MPs, their contact with the media will often be mediated by communication officers, and they are assisted in their work by personal assistants and policy officers. Whilst acknowledging this, I believe that for analytical purposes it is legitimate to perceive the MPs and journalists as key players and as the individual actors that are most interesting and relevant to study for the purposes of this book.

Relevance

The aim of this study is to analyze whether media coverage affects the parliamentary phase of legislative processes, and if so, how the mechanisms via which such effects occur work. The in-depth knowledge that is necessary to reach these goals is obtained by combining content analyses of media and parliamentary documents with interviews conducted with political and journalistic actors. The case studies of the specific legislative processes are presented in Chapter 3, 4 and 5. This case study approach allows for a careful reconstruction of the course of each lawmaking process, from the perspectives of the individual politicians who were involved in it and the journalists who covered it. At the same time the software-assisted analyses provide broad, yet detailed overviews of the decision making processes and the mass media coverage for the (topics of the) bills.

By combining these rich data sources potential media effects can be signaled and corroborated, and if political actors indeed seem to respond to or anticipate media coverage, their underlying motivations can be analyzed. This adds to current knowledge about

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media effects and the relationship between media and policymaking in at least two ways. On the one hand, this study shows whether and how politicians react to or use the media in their particular role as legislators within multi-party parliamentary democracies; on the other hand, it provides insights beyond the agenda setting phase of legislative processes and traces media effects on later phases of policymaking. It allows the reader, not (only) as a scholar but (also) as a citizen, to gain insight into the daily media-politics interaction in the context of lawmaking. As such, it provides a basis for further scholarly and normative debates about the media's role in legislative processes.

Chapter 3

Regulating top salaries: an in-depth analysis of *de Wet Normering Topinkomens*

3.1 Introduction

An issue that received extensive media coverage in recent years in the Netherlands is top salaries, especially those in the (semi)public sector. There is widespread dissatisfaction with the fact that some managers and top-ranking public officials receive high salaries plus bonuses, while many other people still face consequences of the economic crisis, e.g. freezing of wages or losing one's job. The Netherlands is not unique in this respect: top salaries have been the topic of recent public and political debate in many countries (Dekker, 2013).

After over a decade of ample media attention for the issue and debate in Dutch parliament, in January 2013 a law was enacted that regulates the remuneration of senior officials in the public and

3.2 The case: bill regulating top salaries in the (semi)public sector

semipublic sector. Did the media attention affect the legislative process, and if so, in what manner? Structured by the four guiding questions presented in subsection 2.3.4, I study empirically whether this particular legislative process is fueled by or a response to media attention (see also Melenhorst, 2015). The content analyses of media coverage and parliamentary documents, as well as in-depth interviews with politicians and journalists involved, show that the media attention indeed trickled into the legislative process. However, media coverage rarely had any direct substantive effect and was mainly used to underline or reinforce political actors' existing positions.

3.2 The case: bill regulating top salaries in the (semi)public sector

The bill 'regulation of the remuneration of top-ranking officials in the public and semipublic sector' (*Wet normering bezoldiging topfunctionarissen publieke en semipublieke sector*, 32.600) regulates the remuneration of senior officials in the public and semi-public sector. The bill was introduced into parliament by government in January 2011 and was published in the law gazette in November 2012. During the process a total of four government amendments, 29 parliamentary amendments and three motions were introduced, of which eight amendments and two motions did pass. This resulted in major changes concerning the bill's scope and application, its transition period, and the type of salary maximum applied to specific sectors. The bill was supported unanimously in both Houses of Parliament.

The political debate about salaries in the (semi)public sector started in the early 2000s. In the following decade ample (emergency) debates about top salaries were held, motions requesting policy change were passed, paragraphs in coalition agreements were devoted to top salaries, and advisory committees were set up and published reports on the topic. The political awareness about and dissatisfaction with top salaries in the

3.2 The case: bill regulating top salaries in the (semi)public sector

(semi)public sector first resulted in a bill on the publication of publicly funded top incomes (*Wet openbaarmaking uit publieke middelen gefinancierde topinkomens*, 30.917), that was passed unanimously by the Lower House in November 2005 and dealt with as a formality by the Upper House in February 2006.

However, the publication of top salaries turned out to be unsatisfactory for most political parties. In the following years once again several (emergency) debates were held and many parliamentary questions were asked (a total of 67 oral and written parliamentary questions about top incomes between 2006-2010), often responding to media coverage. The coalition agreement of the new Balkenende IV-government (*CDA, PvdA, CU*²¹), presented in February 2007, stated that incomes in the public as well as the semipublic sector would be regulated and maximized respectively, using the increased salary of the prime minister as the maximum. In June 2008, the Minister of Interior Affairs, Ter Horst (*PvdA*), announced a bill regulating top incomes in the semipublic sector (*Normering topinkomens in de semipublieke sector*) with the ministerial salary as the norm for the highest management levels.

This bill was however not yet introduced by the time the next cabinet, i.e. the Rutte-I minority cabinet (*VVD* and *CDA* with parliamentary support of *PVV*), took office in September 2010. In its coalition agreement legal regulation of (semi-)public officials' remuneration was not mentioned; it only stated that the upper limit of the severance pay for top salaries in the collective sector would be fixed at €75.000. In October an emergency debate about salaries in the education sector, requested by the *SP* and *PvdA*, was announced in the current affairs program *EenVandaag*. The next day the subject of the investigative journalism program *Zembla* was the 2000 top managers in the public sector who exceeded the so-called '*Balkenendenorm*', the unofficial salary norm equal to the salary of prime minister Balkenende; this broadcast was followed by oral parliamentary questions by *PvdA* MP Heijnen. Minister of the Interior Donner (*CDA*) announced that he was working on a report in

²¹ For an overview of Dutch parliamentary party groups, their abbreviations and characterizations, see Appendix VI.

3.3 Data

response to the advice of the Council of State, which meant that the bill would be introduced soon. In November 2010, Junior Minister of Foreign Affairs Knapen (*CDA*) referred extensively to this bill in his answers to parliamentary questions about top salaries at the international development organization *SNV*. Responding to questions by *SP* MP Van Dijk about the top salary of a university chairman, Junior Minister of Education Zijlstra (*VVD*) also referred to the bill in preparation. After the Christmas recess, on January 14, 2011, the bill was indeed introduced into parliament.

3.3 Data

A total of 178 parliamentary documents related to the legislative process, including the bill, memoranda, parliamentary proceedings, amendments, motions, and governmental letters, have been retrieved. Via LexisNexis all articles and items published in all national newspapers and magazines that discuss the remuneration of officials in the (semi)public sector in some way (not necessarily as the main topic) are taken into account. The same criteria have been applied to the selection of radio and television broadcasts of the national television and radio channels (see Appendix II). This resulted in 999 print articles and 21 broadcast items for the period the bill was debated in parliament, i.e. from January 1, 2011 (two weeks before the introduction of the bill) until November 15, 2012 (the day the law was published in the law gazette). Thirty people have been interviewed: political actors, departmental actors and journalists. The interviewees include fifteen MPs who acted as spokespeople with regard to the bill in the Lower House and the Senate, two ministers that were responsible for the bill, policy officers and legislative lawyers working at the department, and nine journalists working for print media, radio and television (for the full list of interviewees see Appendix V).

3.4 Results

In order to answer the general question whether media attention played a role in this particular legislative process, the four research questions will be answered subsequently. The first section describes the media attention on the (topic of) the bill. Next, we look at the behavior of MPs to see whether – and if so, how – they respond to media attention. The third section deals with the question of reverse causality, to see whether politicians try to get or influence media coverage. This brings us to the final section on the legislative outcome, which discusses whether the media coverage influenced the support for the amendments and for the bill.

3.4.1 Media attention

To answer the research question about the media attention for the (topic of the) bill, I go into the attention for the legislative process, i.e. the focus and the distribution of the coverage. Subsequently, the types of coverage are discussed, distinguishing between informative and evaluative attention. Finally I discuss the media visibility of political actors.

Attention for the legislative process

The content analysis shows that a large part of the media coverage is about the status quo and not directly related to the legislative process. Most media coverage contains at least one position that is critical of this status quo and is incident-driven coverage in which actors criticize, for example, salaries paid to specific public officials (e.g., the president of a university), by a specific organization (e.g., a housing corporation) or in a sector as a whole (e.g., the health care sector). In addition to coverage that deals with top incomes, the salary of top-ranking officials is often discussed as part of a broader story, for example about the malfunctioning of an individual official or the effects of privatization. There is not much coverage of the actual lawmaking process as such: during the two-year period, only 12% of all coverage contains one or more references to the legislative

3.4 Results

Legislative element	Percentage of items (%)	Absolute number of items (N)
Bill	12	119
Legislative debate/report	.4	39
Amendment	1	15
Motion	0	0
Vote/support in parliament	3	31
Any legislative reference	12	120

Table 3.1: References to the legislative process (*WNT*) in all media coverage: items with at least one reference to legislative element

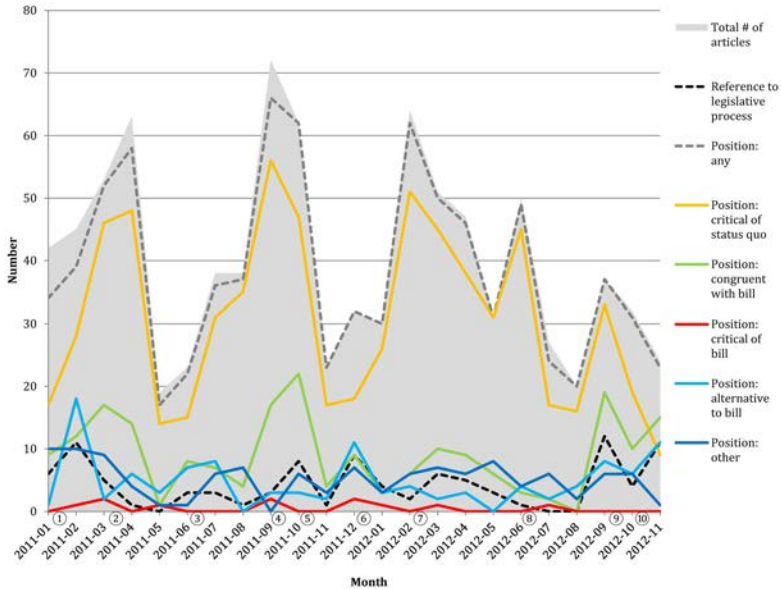
process (see Table 3.1).²² Most of these items contain references to the bill itself; they contain a much smaller number of references to legislative reports and debates ($N=39$), the vote or support in parliament ($N=31$) or parliamentary amendments ($N=15$). There are no references to motions and government amendments.

Journalists only pay attention to the bill during key moments in parliament, such as its introduction and after votes, or mention the bill briefly in items about related topics. Often the incident coverage contains a short reference to the fact that a bill is proposed by the government. There is some coverage of the parliamentary debates, with a focus on the outcomes and the proposals that receive majority support. There is no coverage of the three motions and only 1% of all coverage pays attention to amendments, summarizing them in one or two sentences.

Distribution of coverage

The overview of the distribution of newspaper coverage over the course of the legislative process (Figure 3.1) shows that the period is dominated by critical coverage (yellow line). The incident-driven coverage continues over the course of the two years, irrespective of

²² The percentages and numbers of items with a reference to an element of the legislative process do not add up to the percentage and number of 'any legislative reference' because the categories are not mutually exclusive (e.g. one newspaper article can contain references to the bill as well as to an amendment).



Note. The numbers in the figure indicate key moments in the legislative process.

Figure 3.1: Media attention in newspapers per month and key moments in parliament *WNT* 2011-2012

the phase of the lawmaking process.

Throughout the process, only a small minority of all newspaper articles contains references to the legislative process (black dashed line). At the moment the bill is introduced in the Lower House (1) and the first amendments are introduced (2), some media pay attention to this process. There is little attention for the bill during the committee phase (3-4), and some attention during the first legislative debate in which most amendments were introduced (5), as well as during the second legislative debate and the vote in the Lower House (6). The 'peaks' in coverage with references to the legislative process after the bill was sent to the Senate in December 2011 are not clearly related to key moments of the legislative process (7-8-9-10).

3.4 Results

This coverage mainly consists of letters to the editor from individuals or interest groups and short references to the fact that there is a bill under consideration in the Senate in articles presenting salary overviews or reporting on incidents. During the legislative debates and the vote in the Senate (10), there is a relatively large amount of media attention for the bill. This coverage is almost exclusively in relation to a passage in the coalition agreement that had just been signed and that announced a new bill further regulating top salaries.

Content of coverage

The media coverage that contains positions related to the bill is predominantly in favour of regulation. Positions are often congruent with the bill (Figure 3.1; green line) or supportive of an alternative to the bill (turquoise line), i.e. proposals to make the bill stricter or to broaden its scope. Actors opposing legal regulation are not visible (red line); if there is any debate, this concerns the question whether *more* sectors and elements should be included in the bill.

There is frequent media attention for reports on top salaries published by interest groups like employers' organizations and by investigative journalists. The media pressure is amplified by the fact that journalists refer to previous coverage denouncing top salaries. By frequently naming and shaming, journalists establish or contribute to the impression of a public opinion hostile towards high public salaries; they seem to reinforce a 'spiral of silence' (Noelle-Neumann, 1974) concerning arguments against regulation and the justification of such high incomes. In sum, there is ample and congruent media attention for top incomes in the semipublic sector during the legislative process. Most coverage contains positions criticizing or condemning high salary incidents; only some media reports refer (briefly) to the bill under consideration.

Visibility of political actors

The positions of the various political parties were present in the media. Table 3.2 includes all parties that participated in the legislative process in the Lower and/or Upper House, rank ordered

Political party	Standing	Newspaper & magazine articles	Radio & television items
<i>SP</i>	Opposition	68	5
<i>PVV</i>	Opposition	67	4
<i>PvdA</i>	Opposition	62	6
<i>VVD</i>	Coalition	30	0
<i>CDA</i>	Coalition	22	0
<i>GL</i>	Opposition	15	2
<i>D66</i>	Opposition	7	0
<i>CU</i>	Opposition	5	1
<i>SGP</i>	Opposition	0	0
Total		286	19

Table 3.2: Political parties in media coverage (*WNT*): number of items with at least one reference to party

by the number of references in newspapers and magazines.²³ Note that the parties that are mentioned most frequently in the press are the same parties that are mentioned most often in radio and television items.

The parties that are mentioned most are the opposition parties that were most active with regard to the issue of top salaries in parliament: *SP*, *PVV* and *PvdA*. The *SP* and to a lesser extent the *PvdA* had been protesting against high salaries for over a decade. At the time, the *PVV* was supporting the minority government of *VVD* and *CDA* via a parliamentary support agreement, but was not committed on this issue; the *PVV* can be considered an opposition party with regards to the bill. That the *PVV* and the *PvdA* receive relatively much attention partly has to do with the fact that newspapers and radio reports pay attention to the fact that they made a deal to pass two amendments, which was rather exceptional. The coalition parties *VVD* and *CDA* also received substantial attention. Part of the media

²³ The classification of parties is based on the situation of the Rutte-I minority cabinet. The *PVV* was at the time a supporting opposition party, but was not committed to policy on this issue via the parliamentary support agreement. However, during this legislative process, on November 12, 2015 a new government took office. This coalition was formed by the *VVD* and *PvdA* and is known as the Rutte-II cabinet.

3.4 Results

attention for the *VVD* and *PvdA* is driven by the fact that in November 2012 a new coalition was formed by these two parties; this coalition agreement announced additional bills regulating top salaries.

The picture is slightly different when it comes to radio and television: there is no attention at all for the coalition parties. As in the printed press, most attention is paid to *SP*, *PvdA* and *PVV*. However, most of this coverage is not directly related to the bill and often these parties are only visible because their positions are mentioned shortly. In only a few cases the spokespeople of these parties on the bill are present: there is one radio interview with *PVV* MP Gerbrands, and two radio items in which parts of the contributions of various spokespeople to the legislative debate are broadcast. The responsible ministers of Interior Affairs – first Donner (*CDA*), from December 2011 on Spies (*CDA*), and from November 2012 on Plasterk (*PvdA*) – were rarely present on radio and television: only in two radio items responses of minister Donner to the legislative debates are broadcast. Minister Spies is interviewed on television and is a guest in the late night show *Pauw en Witteman*, not on the legislative process as such but with respect to incidents with housing corporations.

3.4.2 Behavior of political actors

To answer the research question as to if and how MPs respond to media attention, this section discusses the ways in which the behavior of politicians during the legislative process is related to media coverage.

Parliamentary questions

All 26 parliamentary questions (PQs) about top incomes are a reaction to media attention. Most questions refer explicitly to media coverage; other questions concern incidents that were covered by the media. The opening question is usually whether the minister has read the article, followed by a question as regards his or her response to the situation addressed in that article. This means that members of government indirectly respond to media coverage. In responding,

they often refer explicitly to the bill under consideration. One of the departmental actors explains that “especially when there is a bill, you can say under certain circumstances in [response to] parliamentary questions, that you are working on a bill and that you will take it into consideration”. When an answer is elicited from a minister, MPs can refer to this answer in legislative debates to remind ministers about their position and promises. Because ministers announced in answering PQs that there would be legal regulation of top incomes, politically it was no option to withdraw the bill, even after the bill was amended heavily (see below).

PQs are also used to draw attention to amendments MPs introduced. For example, in a series of questions in response to a news item about the salary of a health care director an MP (*SP*) asks: “Are you willing to embrace the amendments for a remuneration maximum that have been introduced during the debate about the [bill]?” (*Vragen gesteld door de leden der Kamer, met de daarop door de regering gegeven antwoorden*, 2010-2011). Other MPs act similarly, by asking whether one of their amendments that was passed would in the future avoid excessive salaries (*Vragen gesteld door de leden der Kamer, met de daarop door de regering gegeven antwoorden*, 2011-2012). During the legislative debate an MP from the *PVV* explicitly mentions “the innumerable PQs that have been asked by my own and other parties” to emphasize that the level of the remuneration of interim managers is shocking (*Behandeling Wet normering bezoldiging topfunctionarissen publieke en semipublieke sector*, 2011-2012, p. 85). Media-inspired PQs are thus related to and integrated in the legislative process.

Legislative reports and debates

There is congruence between the positions in the media and in the legislative debates. This suggests that media coverage may serve as a source of inspiration for MPs. However, in the media positions criticizing the status quo are predominant, whereas in parliament positions related to the bill dominate. Also, the analysis of the data from a chronological perspective does not indicate that MPs respond to prior media coverage in legislative reports, which are produced

3.4 Results

during the committee phases in Houses of Parliament. During the legislative debates in both Houses media attention plays a role, although it is not the cause of the content of their contribution. Five out of eight MPs involved in the debate in the Lower House, representing both opposition and coalition parties, explicitly refer to coverage in newspapers of that day. In the interviews they explain they did so to underline the necessity of the bill or a change proposal, to show the topicality of the issue, and to show that public debate is translated into legislation. It is also used to enliven the debate: "It is a nice way to underline your argument," one of the MPs explains. "You use it more rhetorically, to reinforce your words, rather than that it is the cause of the content of your plea."

In both Houses of Parliament politicians refer to media coverage in a more general way. For example, MP Heijnen (*PvdA*) argues that his amendment will end the damage caused to the public's confidence "when they read that the managers of charities they wanted to give money to, earn excessive salaries" (*Behandeling Wet normering bezoldiging topfunctionarissen publieke en semipublieke sector*, 2011-2012, p. 76). Senator Ester (*CU*) refers to "stories in the media about a director of a housing corporation" (*Behandeling Wet normering bezoldiging topfunctionarissen publieke en semipublieke sector*, 2012-2013, p. 9) who drove a Maserati paid by public money and received a severance pay of 3.5 million euros. The minister also refers to "the reporting on and the images of excessive salaries" (*Voortzetting behandeling Wet normering bezoldiging topfunctionarissen publieke en semipublieke sector*, 2011-2012, p. 3) to show that he understands why the debate is dominated by proposals to broaden the scope of the bill. In addition to mentioning media attention, MPs use examples of excessive salaries at specific schools, hospitals or housing corporations that were covered extensively in the media. In this way incidents that became public via the media became part of the legislative process. In sum, MPs do not seem to change the content of their contribution in response to media coverage, but political actors do use media coverage rhetorically during legislative debates to strengthen their position in these parliamentary debates.

Introduction of amendments

The amendments to the bill are not a direct response to media coverage. This is true for both government amendments and for amendments (and motions) proposed by MPs. The amendments are essentially a continuation of existing debates about the regulation of specific sectors, such as the health care sector, or remuneration elements, such as bonuses. None of the interviewees argued that their amendment(s) were a direct response to specific media coverage, nor that those introduced by others were. Several politicians draw a comparison with PQs to argue that the close relationship between PQs and media coverage does not exist when it comes to amendments. They emphasize that amendments have a more general character, while media attention often covers incidents; this makes amendments not very suitable to directly respond to media attention.

There is, however, an indirect relationship between media coverage and some amendments. Being a continuation of existing debates, several amendments and motions concern topics addressed in PQs previously, since the legislative process started but also in earlier years. In the agenda setting phase, MPs did respond to media coverage more directly and as a result media attention may have contributed to the increased demand for the bill. All interviewees emphasize that there has been both public and political debate about top incomes in semi-public sectors for years. Some earlier parliamentary debates were ad hoc, requested in response to media coverage, e.g., in 2010 about two investigative journalism broadcasts by *Zembla* and *EenVandaag*. Finally, there were annual debates about top incomes, in which politicians responded to media coverage, and where frequently motions were passed to request regulation of a specific sector. Media attention mainly seems to address and present problems; parliament subsequently develops solutions. Media coverage focusing on (semi)public top salaries did set the agenda and kept this issue on the agenda, without offering legal solutions. The introduction of amendments is thus with a substantial time lag a next step of the parties that were engaged with the topic before. One MP states that generally speaking “it is the rule rather than the exception

3.4 Results

that public debate leads to amendments". In this way politicians suggest that amendments are no short-term responses to specific incident-driven media coverage, but that some may be inspired by the continuous coverage of the issue at stake.

In sum, politicians respond to media attention. Specific coverage is used directly during parliamentary debates and in PQs to keep the issue on the legislative agenda. Amendments are a delayed and more indirect response of MPs to the more general and overall coverage of a topic.

3.4.3 Feedback loop: the politics-media influence

The third research question concerns the attempts of politicians to generate or influence media coverage. An important observation (see above) is that despite ample coverage for the issue in general, journalists pay little attention to the legislative process. The coverage of incidents and the bill often results in separate articles or items, mainly because of a practical separation of labor among journalists. Incident coverage is mainly produced by investigative journalists and journalists with a specific area of expertise, such as health care or education, whereas coverage of the bill is primarily produced by political journalists focusing on parliament. Politicians argue that journalists are usually not interested in legislative processes. "Legislative debates are usually very predictable and not something the average reader is interested in," a political journalist explains. "We report very little on the discussion in the Lower House as such. It is more about, what does the reader get out of it? We are not a 'party horn'." According to this journalist, legislation is potentially interesting as it is announced and when it is passed – and only if it "changes the world".

Moreover, journalists argue that legislative processes are only interesting if there is conflict, especially between coalition partners. This is something politicians are well aware of: MPs refer to 'conflict' as almost a prerequisite to attract media attention. Various MPs who introduced amendments explain that they did not even try to get journalistic interest because, due to the lack of political conflict, this

would be pointless. One of them nevertheless did try: “I tried it, but they didn’t think it was interesting enough. (...) Because there was no expectation that ‘the shit’s hit the fan’, that there would be tremendous fights or conflicts”. This suggests that traditional news values such as conflict, impact, and unexpectedness, are important for media attention in general but also for the newsworthiness of legislative processes (Van Aelst *et al.*, 2015). The simple fact that parties disagree about a bill is not enough to attract this attention; and in this particular case of legislation, there is no serious conflict. Newspapers and radio reports do pay attention to the fact that the right-wing party supporting the minority government (*PVV*) and a left-wing opposition party (*PvdA*) made a deal to pass two amendments, and that a majority in the Lower House supports amendments the minister strongly advised against. Journalists however indicate that in these cases attention was not drawn to the amendments by MPs, but that they themselves followed the debates and noted these newsworthy facts. Overall, most politicians hardly try to generate or influence the legislation-related media coverage.

3.4.4 Legislative outcome

To answer the final research question with respect to the impact of media coverage on the legislative outcome, it is helpful to distinguish between support for amendments and support for the bill as a whole. To start with the latter: the media coverage for top incomes, at least as perceived by politicians, plays an indirect role in the unanimous support for the bill in both Houses of Parliament. Over the course of many years, the continuous media coverage for top salaries in the (semi)public sector contributed to political support for legal regulation. In the words of a senator: “If the matter of top incomes, those scandals (...), if there wouldn’t have been a societal cause, the bill would never have come about.” Media coverage showed that in a broad range of organizations top-ranking officials were paid salaries that exceeded the ministerial salary, which had been an unofficial salary norm for years. The continued media attention for incidents contributed to support. Even liberal parties that tend to oppose

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government intervention in this sphere became proponents of legal regulation. An MP explains: “The mechanism came into force that the media start searching for incidents; if one medium scores with a case, the others start doing the same thing. (..) In the end there were so many cases that actually nobody was willing to defend it.” The long-term coverage changed the perception of political actors, as they argue themselves, from considering excessive salaries as being incidents to seeing them as a structural phenomenon.

The incident-driven media attention also plays a role via anticipation. MPs seem to anticipate media coverage when it comes to an actual vote, because they know journalists may pay attention to the bill. Eventually all parties supported the bill. According to one senator, formerly critical parties supported it as well because there would be a parliamentary majority for the bill anyway, but also in view of potential media coverage. This is an example of ‘self-mediatization’ (Meyer, 2002; Strömbäck & Esser, 2014), i.e. pro-active adaptation of politicians to the media. Furthermore, several senators are managers or members of supervisory boards of (semi)public organizations and opposing the bill could easily be interpreted as being motivated by self-interest. Because it was not in line with public opinion, parties that may have been hesitant realized that not supporting the bill could lead to unfavourable media coverage and ultimately public, political and electoral damage.

Another question is whether the media attention plays a role in the decision of parties to support proposals to change the bill. A majority of the Lower House supported a number of amendments, resulting in major changes. The scope and application of the bill were broadened; a transition period was introduced; and the type of remuneration regime applied to several sectors was altered. There is no pattern, however: some amendments on topics that are not covered by the media did not pass, whereas others did; and vice versa. There are no objective indications that media attention directly influenced parties’ decisions (not) to support amendments. Also, none of the interviewees refers to media coverage as something their parliamentary party took into consideration in the decision to support or reject an amendment.

In sum, media attention does not have a direct influence on the decision of politicians (not) to support amendments. The media coverage for the issue in the broader sense and in the longer term however definitely may have contributed to the awareness and willingness of political actors to legally regulate the salaries of top-ranking officials, and ultimately to the support for the bill.

3.5 Conclusion and discussion

Does the influence of media coverage go beyond setting issues on the political agenda? This first of three case studies analyzes in-depth if and how media attention plays a role in a particular legislative process. The case under study is the process from bill to law that led to the regulation of the remuneration of senior officials in the (semi)public sector in the Netherlands. This first case study suggests that media attention played a role in various respects. The top incomes in the (semi)public sector had been subject of public and political debate for years. The long-term, congruent, one-directional and primarily incident-driven coverage contributed to the bill becoming a law. During the legislative process, politicians referred to media coverage to illustrate or strengthen arguments. They strategically used PQs in response to media coverage and linked it to the legislative process. There are no indications, however, that the media coverage caused or forced political actors to do things they would not have done without this media coverage.

The content of the law was not directly influenced by media coverage. Political journalists hardly reported on, let alone interfered in the process of amending the bill. Some of the changes in the bill however reflected media content: it were not so much specific articles or items, but the congruent media coverage as a whole – during the legislative process, but also in previous years - that strengthened the awareness that top incomes needed to be regulated more strictly.

These inferences are based on this single case, with a unanimous public opinion and support of political actors across the board. It is likely that in other cases, for example regarding an ethical subject or

3.5 Conclusion and discussion

a more general socio-economic issue, there are more contrasting public and political opinions. This first case however suggests that legislative processes are not immune to media attention, but definitely not dominated by the public debate as reported in the media. In the context of lawmaking, political actors are (at least sometimes) present in and responsive to the media, but the results of this first case study do not suggest that the legislative processes and legislative outcomes are decided by media coverage. In order to understand to what extent the results of this case are similar to or different from other cases, in the next chapter a legislative process that resulted in a restructuring of employment law will be studied.

Chapter 4

Restructuring employment law: an in-depth analysis of *de Wet werk en zekerheid*

4.1 Introduction

Employment laws are important to the lives of all citizens, whether they are employees, employers, have temporary or fixed contracts, work part-time or fulltime, are freelancers or even pensioners. These laws influence the terms of employment for people, the rules governing dismissal and the arrangements for those that become unemployed. In the Netherlands there has been permanent debate about various aspects of employment law, for instance about the rules governing dismissal. Also calls for a formal regulation of the trend towards a more flexible labor market have been heard, especially in recent years. After a series of agreements between the coalition parties, the so-called social partners (i.e. employers organizations and trade unions) and a number of supporting opposition parties, in

4.2 The case: bill restructuring employment law

2014 a bill restructuring the existing employment law was passed.

The legislative process as well as the period preceding and following the discussion about the bill was accompanied by ample media coverage. Did this media attention affect the legislative process, and if so, in what manner? Structured by the four research questions presented in subsection 2.3.4, I study whether the parliamentary reports and debates about the bill and the (proposed) changes in its content are inspired by or a response to media attention. The in-depth analysis shows that the media coverage affected the legislative process to some extent, but does not indicate that the media had substantial influence on the positions of parties. The political and historical context of the bill, in particular the agreements reached prior to its introduction, were far more influential than the media attention. Media coverage was predominantly used to underline or reinforce political actors' existing positions. However, the extensive coverage with a critical undertone did increase doubts amongst political actors. For several MPs media attention did serve as a source of information and as such this was reflected in the development of several parties' concerns about the bill. As a result, media coverage played a role in the development of some amendments. However, media attention did not lead directly to the introduction of amendments, and most amendments were not related to media coverage whatsoever.

4.2 The case: bill restructuring employment law

The legislative process concerning the bill 'employment and security' (*Wet werk en zekerheid*, 33.818) is the second case under study. The bill restructures employment law in the Netherlands and addresses three broad issues, i.e. dismissal law, the legal status of flexible workers, and unemployment benefits. The bill was introduced into parliament by the government in November 2013, and was passed and finally published in the law gazette in June 2014. A total of four government amendments, 31 parliamentary amendments and 16

4.2 The case: bill restructuring employment law

motions were introduced during the process; 8 amendments and 7 motions were passed, changing parts of the bill, including dates of commencement, evaluation moments, the severance pay in small to medium-sized enterprises, and legalization of the education duty. The bill was supported by the coalition parties *VVD* and *PvdA*, the so-called 'constructive' opposition parties *D66*, *CU* and *SGP*, as well as by opposition parties *CDA* and *GL*, in both Houses of Parliament. In the Lower House also the one-man faction *Bontes* supported the bill. This implies that only a few parties voted against the bill; the *SP* and the *PVV*.

The three key topics of the bill have a long history of public and political debate. At the time of the introduction of this new bill, the legislation governing dismissal in essence remained unchanged since the Second World War (*Memorie van toelichting Wet werk en zekerheid*, 2013-2014, p. 2). There had been debate about reforming the rules governing dismissal for decades, but without much success. For several years, especially since the financial and economic crisis in 2007-2008, Dutch governments considered all kinds of cutbacks. One of the areas in which cuts were considered was unemployment insurance. Also, with regards to the labor market flexibilisation trend, there has been ample discussion about the development towards more temporary and flexible contracts.

In July 2012, the Members of Parliament Ulenbelt (*SP*) and Hamer (*PvdA*) presented the private member's bill 'Security for flex' (*Zekerheid voor flex*) to the public. The primary aim was to create more security for people with temporary and flexible labor contracts. After the parliamentary elections in September 2012 a new government was formed and in October 2012 this Rutte-government, consisting of *VVD* and *PvdA*, presented its coalition agreement. The introduction of chapter XI about the labor market reads: "Further improvement in the functioning of the labor market is needed for all employees. There are not enough new job opportunities for older employees in particular, and flexible workers deserve better protection. Being able to move quickly from one job to the next with as short a period as possible on benefits is in the interests of all concerned. By reforming the law on the termination of employment

4.2 The case: bill restructuring employment law

and modernizing the Unemployment Insurance Act (*WW*), we can make the transition from one job to the next substantially shorter. We will seek agreement with the social partners on a social agenda which will include these plans" (*Regeerakkoord VVD-PvdA*, 2012, p. 45). The *PvdA* subsequently withdrew support from the private member's bill; the party's wishes were incorporated in the coalition agreement.

In April 2013 the government came to a 'Social Agreement' (*Sociaal Akkoord*) with the social partners, i.e. employers organizations and trade unions. This agreement covered various labor market topics, including the ones that were eventually translated into the bill under consideration here. In November 2013, the government eventually introduced the bill, called 'Labor and security', into parliament. Because the coalition parties of the Rutte-II government did not have majority support in the Upper House, the government looked for ad hoc support by opposition parties. In October 2013, the coalition had reached an agreement with three opposition parties, *D66*, *CU* and *SGP*, about the budget for 2014. As part of the package deal, these parties – also known as the 'constructive opposition' – were expected to support the bill restructuring employment law.

The selection of this legislative process as the second case is the result of the sequential case selection strategy (see subsection 2.3.3). This bill differs from the first bill (see chapter 3) in several respects. First, to have diversity in the issues under consideration, the policy area is different: this bill is about social affairs and employment. Second, various interviewees in the first round emphasized differences in media interest between topics that concern elites versus ordinary people. The first bill primarily applies to elites (i.e. top managers in the (semi)public sector); the second bill has direct consequences for all, or at least many ordinary, citizens. Third, because the parliamentary support in the first case was unanimous, as a second case a bill was chosen that was not supported by all parties. Finally, in order collect valid and reliable interview data, the legislative process is more recent than the first one.

4.3 Data

A total of 110 parliamentary documents related to the legislative process, including the bill, memoranda, parliamentary proceedings, amendments, motions and governmental letters, have been retrieved. Via LexisNexis all articles and items published in all national newspapers and magazines that discuss the labor market or (un)employment (insurance) in some way (not necessarily as the main topic) are taken into account. The same criteria have been applied to the selection of radio and television broadcasts of national television and radio channels (see Appendix III). This resulted in 481 print articles and 24 broadcast items from the period the bill was debated in parliament, from November 15, 2013 (two weeks before the introduction of the bill) until June 24, 2014 (the day the law was published in the law gazette). Thirty-two people have been interviewed, both political actors, departmental actors and journalists. The interviewees include eighteen MPs who acted as spokespeople with regard to the bill in the Lower House and the Senate, three departmental actors, and eleven journalists in print media, radio and television (for a full list of interviewees see Appendix V).

4.4 Results

In order to answer the general question whether media attention played a role in this legislative process, the four research questions (see subsection 2.3.1) will be answered subsequently. Firstly, the media attention for the (topic of the) bill will be discussed. Secondly, I study whether and how political actors respond to media attention and thirdly, I analyze whether politicians tried to receive or influence coverage. Finally, I discuss whether the media coverage influenced the support for amendments and for the bill.

4.4 Results

Legislative element	Percentage of items (%)	Absolute number of items (N)
Bill	36	180
Legislative debate/report	10	53
Legislative round table	0	0
Amendment	5	25
Motion	0	0
Vote/support in parliament	18	92
Any legislative reference	40	202

Table 4.1: References to the legislative process (WWZ) in all media coverage: items with at least one reference to legislative element

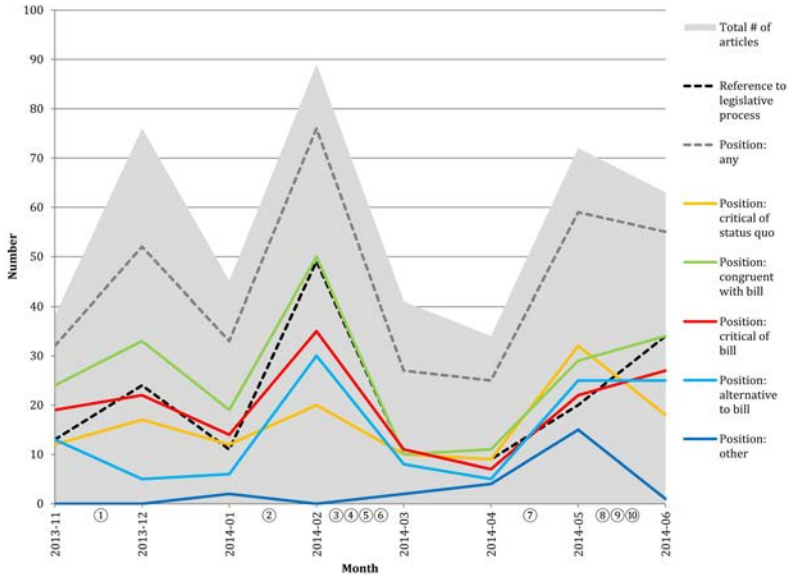
4.4.1 Media attention

The first question is what the media attention related to the bill looks like. I will go into the focus and distribution of the media attention for the legislative process, the types of coverage, and the media visibility of political actors.

Attention for the legislative process

The content analysis shows that a large part of the coverage is related to the bill: 40% of all media items contains at least one reference to one or more aspects of the legislative process (see Table 4.1). The actual bill is referred to most, with 36% of all coverage ($N=180$). This indicates that there is a lot of debate in the media about the desirability of the bill; the bill is also frequently mentioned in media reports that reflect on the large reforms of the Rutte-II government.

In 18% of the media items the support or vote in parliament is mentioned. Often media items contain phrases like “The plans will get majority support in the Lower and Upper House” (NOS, 2013) or explain that because *D66*, *CU* and *SGP* already signed an agreement with the government, these parties will support the bill. In 10% of the coverage a reference is made to a legislative report, debate or procedure. Amendments are mentioned in 5% of all coverage ($N=25$), and different from the first case, two newspapers (*Nederlands Dagblad* and *Reformatisch Dagblad*) explicitly use the



Note. The numbers in the figure indicate key moments in the legislative process.

Figure 4.1: Media attention in newspapers per month and key moments in parliament WWZ 2013-2014

word ‘amendment’. The media attention contains no references to a legislative round table²⁴ or to any of the motions introduced.

Distribution of coverage

Figure 4.1 shows a clear relationship between the peaks in press coverage and the key moments in the legislative process. The total number of articles peaks during the Lower House phase of this process in February 2014 (grey area). The number of articles that contain references to the lawmaking process (black dashed line) is

²⁴ A legislative round table is an expert meeting with MPs in the context of a legislative process.

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also highest during this phase, when the legislative debates and vote in the Lower House take place.

At the time of the introduction in the Lower House on November 29 (1), there is substantial attention for the bill. The coverage of the legislative process drops during the committee phase (2), which is understandable since the House was into recess until mid-January. In February 2014, the number of articles referring to the legislative process increases strongly. This peak coincides with the introduction of a government amendment (3), as well as with all parliamentary amendments (4) and Lower House motions (5), and with the time when both legislative debates and the vote in the Lower House took place (6). Attention decreases strongly once the bill goes to the Senate and remains low during the first part of the committee phase (7). During the second part, at the end of May, which is also the direct run-up to the plenary debates about the bill in the Lower House, the press coverage increases again (8). During the debates (9) and the vote in the Senate (10), the relative amount of attention for the legislative process increases again sharply.

Types of coverage

The positions presented in the media are primarily congruent with the content of the bill (green line) and critical of the bill (red line). These contradictory signals often occur together, if both an aspect of the bill and an actor criticizing that aspect are mentioned. In particular during the Lower House phase, there is also quite some attention for alternatives to the bill. This concurs with the finding that there is relatively much attention for amendments to the bill. Compared to the first case, positions that are critical of the status quo are much less visible.

Throughout the whole period, there are many opinion pieces in a wide range of newspapers, from the specialized *Financieele Dagblad* (FD) to general newspapers such as *NRC Handelsblad*. They are written by columnists and editors, but also by various types of experts – e.g. professors, economists and lawyers – commenting on (specific parts of) the bill. A striking example of a very critical article in FD, published on the morning of the legislative debate in the Lower

House, is by Ferdinand Grapperhaus, a lawyer, professor in employment law and member of the Socio-Economic Council. He depicts the bill as a “labyrinth of form regulations and procedures that does nowhere fulfill its objectives of simplicity, honesty and bigger chances at work” and wonders “what the use is of this revision” (Grapperhaus, 2014). During the Upper House phase of the legislative process, such critical articles continue to appear. Sometimes senators are explicitly addressed, as in an extensive piece published in *De Volkskrant* in the weekend before the bill was sent to the Upper House. Two employment lawyers and a professor in employment law write: “We doubt whether the Lower House has really gained in-depth knowledge of the worries from legal practice and worry that she is primarily guided by political motives. Upper House, know your job!” (Boontje, Sick & Loonstra, 2014).

Another substantial part of the media attention consists of primarily informative pieces in which journalists report on the content of the bill or a particular stage in the legislative process. Journalists often approach such articles from a readers’ perspective and explain what the consequences of the bill will be. Sometimes an overview of the criticism on (parts of) the bill is integrated into these articles. An example is an analysis in the weekly *Elsevier*, published in the week after the bill was introduced. The article informs readers, with a focus on employers, about the changes in the bill, but it starts with the rather ominous sentence: “It all sounds so nice”. The content of the bill is discussed and interpreted, in sentences like: “The employer will have to deal with a couple of thousand euros of judicial costs. Worse: employees can lodge an appeal and appeal to the court of cassation, something that is currently not possible.”

There is also separate coverage, both written and audiovisual, in which experts are asked to reflect on the quality of the bill as a policy instrument. Specifically, it is often questioned whether the – broadly supported – aims of the bill can be reached with the measures proposed. Only few experts come to a positive conclusion. There are also various examples of experts voicing critical opinions, in radio and television shows, such as an employment lawyer who argues in the radio show *WNL Opiniemakers*: “The bill ‘Employment and

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security' should not come about, because it leads to unemployment and insecurity" (WNL, 2014). Journalists show interest in such critical comments: "If prominent people are dissatisfied about something, that is news", according to one journalist.

The more evaluative media coverage often raises and reinforces doubts about the desirability, effectivity and feasibility of the bill. Although the three topics central to the bill (regulation of temporary employment, unemployment benefits and the rules governing dismissal) are all discussed in the more informative coverage, the critical coverage is primarily directed towards the regulation of temporary employment. Most critics of the effectiveness of the bill focus on the measures that should encourage employers to give permanent contracts to people who have been temporary employees (flex workers) for a long time. With regards to these measures, there is also critique with respect to the consequences for small- to medium sized enterprises. In this coverage, a particular pressure group is visible: *Ondernemend Nederland (ONL)*, an employers' organization that is very critical. Most other interest groups are connected to the 'social partners' who signed the 'Social Agreement' that forms the foundation for the bill; they generally express support.

Within two weeks after its introduction, *Het Financieele Dagblad* conducted a survey on the bill, in cooperation with market research company *TNS NIPO*. An article based on this survey emphasized that "over a quarter of the employers expects to let their flex workers go earlier if by the middle of next year the new rules for dismissal will come into force". According to the survey a substantive part of the employers was not willing to execute the bill and thinking of ways to circumvent the law. A follow-up article discussed the varying political responses to the survey: opposition parties feared that the bill would worsen the labor market position of young people, whereas the government parties did not think so. This is the only example of original opinion research instigated by journalists.

Some media coverage refers to reports about labor market developments, published by respected institutions such as the The Netherlands Institute for Social Research (*SCP*) and the Employee Insurance Agency (*UWV*), but this research is usually not explicitly

related to the legislative process. An interesting exception is a long article in *Trouw* about a report by the *SCP*, in which the researcher argues that “The new ‘flex-bill’ (..) is more likely to work counterproductive, than that it will counteract the ‘over the top flexibilisation’ of the labor market” (Visser, 2014). This researcher is portrayed as an expert and the study is used to reflect – critically – on the effectiveness of the bill.

The rather extensive media coverage of the legislative process is both retrospective and prospective. It consists of informative as well as evaluative reports. There are pieces in which journalists report on events, such as the introduction of the bill, a legislative debate or a vote on the bill, articles that anticipate on such events, or that do both in a single item. Items published in the run-up to the legislative debates are often written with the ‘ordinary citizen’ in mind. One reason mentioned for linking articles to legislative events, is “to just inform the reader (..) that this is (..) coming up for discussion.” A reason mentioned frequently for publishing items (directly) prior to a debate or a vote, is that “you want to inform the reader as quickly as possible”. Trying to be early – or even: the first – seems self-evident to all journalists and is a ‘journalistic law’, also when it comes to lawmaking. And while most journalists argue that they did not write pieces with the aim of influencing MPs, sometimes they actually do: a journalist argues that she chose a certain formulation “especially because (..) the Upper House has to judge [the bill] on that. (..) Is it feasible?”

There is no media attention for motions, but some attention in newspapers for amendments. Some amendments receive coverage because of their specific content; the religious-oriented newspapers devote quite some attention to amendments introduced by Christian parties. Usually however only those amendments that have passed or are expected to receive majority support are covered. “Amendments that receive majority support and can thus become reality, are more interesting than amendments that don’t (..), because then it’s only about (..) the idea behind it,” one of the parliamentary journalists explains. Another says: “If you see there is a broad majority, you can anticipate that it will happen. (..) Than it is more important to the

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Political party	Standing	Newspaper articles	Radio & television items
<i>CU</i>	Supporting opposition	37	3
<i>D66</i>	Supporting opposition	32	3
<i>SGP</i>	Supporting opposition	31	2
<i>CDA</i>	Opposition	26	3
<i>VVD</i>	Coalition	25	2
<i>PvdA</i>	Coalition	23	2
<i>GL</i>	Opposition	16	0
<i>SP</i>	Opposition	13	2
<i>PVV</i>	Opposition	7	0
<i>PvdD</i>	Opposition	1	0
<i>50PLUS</i>	Opposition	1	0
<i>OSF</i>	Opposition	0	0
Total		23	2

Table 4.2: Political parties in media coverage (*WWZ*): number of items with at least one reference to party

readers, so that they are very well informed.” She adds: “You cannot report every idea of a political party or alteration of a bill. That drives the readers crazy.” That one amendment received coverage but ultimately did not pass, shows that the assessment of the journalist can be incorrect. “I thought that maybe it would stand a chance. That is why I described it.”

Visibility of political actors

Several political actors were present in the media, primarily MPs commenting on the bill and presenting amendments, but also senators who were critical of parts of the bill. Table 4.2 includes all parties that have participated actively in the legislative process in the Lower and/or Upper House, ordered by their number of mentions in the newspapers.²⁵ Note that the parties that are mentioned most

²⁵ All parties are represented in both Houses of Parliament, except for the *OSF* (only represented in the Upper House). *D66*, *CU* and *SGP* signed an agreement with the Rutte-II cabinet and were therefore supporting opposition parties on this bill.

frequently in the newspapers are the same parties that are mentioned most often in radio and television items. Magazine articles did not refer to party positions and therefore are not included in the table.

The three parties that are mentioned most often are the opposition parties that signed an agreement (*Herfstakkoord*) with the government and were expected to support the bill. The number of references to these parties is comparable (all more than 30 times), partly due to the fact that journalists often mention them together; these three parties were known as the 'constructive opposition' or 'C3'. Journalists referred to the fact that these parties would support the bill, but were particularly interested in their opinions because it could have policy consequences if they criticized the bill. Other parties that were mentioned relatively frequent were the coalition parties *VVD* and *PvdA* and the opposition party *CDA*: despite the fact that this party was rather critical of the bill, it eventually supported the bill in both Houses of Parliament.

The responsible Minister of Social Affairs and Employment Asscher (*PvdA*) is present in the written as well as audiovisual media during all phases of the process. At the time of the introduction of the bill, parts of his press conference were broadcast. Once the bill had passed the Lower House and at the moment the bill passed the Upper House, both on television and on radio the minister was interviewed and participated in discussions with other (political) actors. All in all, there was substantial media attention for the legislative process. For the journalists it is obvious that the bill was covered. According to them the bill had a major impact on society and would affect the lives of many citizens: "This [bill] can affect everyone. And everyone knows people it affects," one of the journalists argued. Another journalist stated: "This is a very sizeable [bill], a lot changes. (...) [It also] really has very large consequences for the whole economy. (...) If it brings about what the minister hopes for, than there are so many changes.. So this bill needs attention. I think no newspaper, no journalist is able to get around that." That the topics of the bill, in particular the rules governing dismissal, had been debated for years was relevant as well. Journalists talk about a "political taboo", mention that politicians "had trouble getting started on it for a very

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long time” and how “remarkable” it is that after years of discussion, almost all parties agreed on how to deal with this issue.

However, some journalists emphasize that the legislative process was less newsworthy than the moment the measures were announced, i.e. the presentation of the ‘Social Agreement’: “The Social Agreement was the important thing, a lot has been written about that. And the rest is just technical execution. I wrote a piece about that every once in a while, but (..) by then it is ‘yesterday’s story’, so to speak.” So despite the fact that the content analysis shows there is ample coverage of the legislative process, from their journalistic perspective this process is not particularly interesting. There was not much political tension or conflict and it was known in advance that – certainly in the Lower House – the bill would pass. This has consequences for the amount and for the content of media coverage. In the words of another journalist: “Once the bill was there, everything was known already. So than [you make] shorter pieces, and [pieces from] your own point of view, like such a survey.”

In sum, there is extensive media attention for the topics of the bill during the legislative process. Positions that are congruent with the bill and that criticize the content of the bill are present throughout the process. The media attention is informative, i.e. explaining the content of the bill and its likely consequences for people’s daily lives, and evaluative, i.e. providing a platform to journalistic, societal and political actors that doubt or criticize the bill. Almost half of all coverage is related to the legislative process.

4.4.2 Behavior of political actors

To answer the question if and how politicians respond to media attention, this section discusses the ways in which the behavior of MPs during the legislative process is related to media attention for the various aspects of the bill.

Parliamentary questions

Although 11 of the 13 parliamentary questions (PQs) about topics related to the bill asked during the legislative process are a direct

reaction to media coverage, only two of these PQs are related to the legislative process. In both cases it is the Junior Minister mentioning the bill in her response to questions, and only briefly. One of the sets of questions that is *not* a response to media coverage but instead refers to a publication on the website of employers' organization *ONL*, also has a clear link with the bill. In these PQs, posed on 10 December 2013, *CDA* MP Van Hijum argues that there are worries about the bill, because it will increase the cost of dismissal for owners of small- to medium sized enterprises.

In sum, there is no strong and direct relationship between media coverage and PQs during the legislative process. This is understandable when one takes the relative short duration of this particular legislative process into account: the bill was introduced at the end of November 2013 and published in the law gazette already in June 2014.

Legislative reports and debates

The content analysis shows that there is congruence between the positions present in the media and positions in legislative reports and debates. The diversity of positions in legislative reports and debates is much bigger than in the media, however, which can be explained by the fact that it is impossible for journalists to report on every issue and question in parliament. A chronological analysis of the topics indicates that MPs do not seem to respond to media coverage in legislative reports; there are no explicit references to media publications and the reconstruction of the preparation of the parties' contributions to the legislative reports does not lead to examples of issues MPs picked up from the media. Still, most MPs say that they kept an eye on the media coverage about the topics of the bill, either ad hoc or by monitoring the media in a structured manner.

Various MPs, in particular from the Lower House, state that media coverage served as a source of information for them during this legislative process. "This is an example of a bill (..) of which the discussion was constantly fed by topical matters," an MP recalls. Yet media coverage is only one source of information political actors dispose of, and for preparing the legislative reports and debates it is

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not the most important one. Senators argue that the type of information provided by the media usually does not suit their purposes well. Some senators do consider mass media coverage relevant, because it may provide “a brief analysis of what is actually the core of the bill”, something that according to one senator he sometimes risks losing sight of. With regards to this bill another senator argues: “They [the media] have not pointed me at topics that I would not have thought of myself (...). But they have confirmed some of the thoughts I had, and in that sense they play a small role”. Yet another senator suggests media coverage is useful to check “whether I am on the right track. In public opinion, in newspapers, in background articles, I search for objections”.

Notwithstanding some senators saying media coverage is relevant, there are only few reflections of it during the legislative debates, and none in the legislative reports. There are some rare examples, however. One senator explains that he looked up a research report that he referred to in the debate, because he learnt about it via the media. “I took this research into account because I picked it up from the media (...). So the media coverage around [the bill] of course helps, especially to focus us.” In addition, during the legislative debates in the Upper House, five explicit media references are made, for example by *GL* senator Thissen who talks extensively about a newspaper article: “In the *Trouw* that fell on the doorstep this morning, the economist and professor from Tilburg Ton Wilthagen argues that the bill Employment and security is based on a sort of wishful thinking that stems from the Social Agreement. (...) The bill is well-intended, but works counterproductive, he says” (*Behandeling Wet werk en zekerheid*, 2013-2014a). The media references are mainly a way to strengthen one’s own arguments, for example by showing that a person with authority supports the position of one’s party. “I only do it if I am sure that it supports my story, strengthens it, so it impresses the minister more,” an MP explains. In sum, some senators consider media coverage relevant for this legislative process, but they have not substantively responded to it in legislative reports and they have only done so by way of an exception in the legislative debates.

The importance of media coverage as a source of information for Lower House MPs is somewhat higher. Again, however, there are few MPs responding to the media in legislative reports and debates. As with senators, there is a less concrete effect of media coverage on the forming of opinion of MPs: “Media have been of importance, (...) in the thinking about the bill and eventually also in the questions that have been asked about it”, an MP explains. According to her this did not result in amendments, but she believes it did affect “the dilemma’s and the discussion we have had about it with each other”, in particular about the rules for temporary contracts and the severance pay. This corresponds with another finding of the content analysis: the broader topics that were most prominent in the media were also most prominent in parliament. Of the three key topics of the bill, two – flexible employment and dismissal – received much attention in both, while the third – unemployment insurance – was relatively invisible and also debated less prominently, in particular in the Lower House.

Lower House MPs followed the media closely with regards to this bill. They mention various reasons: first of all, they want to know what is going on in society. Media coverage contains information about the position of people or organizations ‘in the field’, about the position of experts and relevant research, about potential consequences of the bill, about public opinion and even about the political context of the legislative process. One MP values specialist journalists as a source “because I think that the people who write for these newspapers (...) know what they are talking about”. He elaborates: “Sometimes you benefit from the work a journalist does. (...) It gives a reasonable impression of the breadth of the debate, or the various opinions in the debate.” These are “also the opinions of other [political] parties, because (...) you choose your position in relation to how others choose their position”. With regards to expert knowledge, another MP explains: “I remember that in the *FD* a number of employment lawyers (...) had a say. That is useful to me, for example the route via the cantonal judge, is that going to do what it should do? I don’t know everything about that, so when you read those kinds of things back, you think: right, I actually forgot that, or I

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hadn't seen that, or we should pay attention to that." She concludes: "It has a very useful function, in that you read back things about which you think: I have not looked at it this way before."

However, again, media coverage is only one of many sources of information MPs have at their disposal. Some MPs argue that the value of media coverage is in fact very limited: "If as a spokesperson you have to get your information concerning content from the regular media, than you are not doing your job well. (...) You must always know more, especially with regards to such important topics, than a journalist knows." Although this MP believes media coverage is not useful for developing knowledge about a bill, she does consider the media helpful to develop knowledge about what various parts of the public think, because "you need to get the bigger picture. That is why all media are relevant, and why I think *De Telegraaf* and *Metro* are just as relevant as a more financial (...) article in the *FD*".

Another indirect way in which media coverage played a role in this legislative process was via media-driven emails and letters from citizens. This was particularly the case with this bill, because the informative coverage made citizens acquainted with the changes the bill would bring about, being framed as 'what does this mean for you?'. An MP states: "When they write a lot about a bill in newspapers, people start to email more. Then people connect their situation, that they are not happy with, to what is being debated in The Hague." Another MP argues: "Media messages are often an important catalyst." One topic people expressed their worries about via emails, according to several MPs, is flexible employment; this played a role in reinforcing doubts about that specific element of the bill.

During the legislative debates in the Lower House several politicians referred to media attention. The survey conducted by a newspaper, mentioned earlier, was referred to in order to substantiate doubts about the effectiveness of the measures for temporary employment. There are a number of other explicit media references, for example when a Christian-democratic MP substantiates his position by saying: "Various labor market experts, amongst whom Ferdinand Grapperhaus this morning in the AD, join

that plea" (*Behandeling Wet werk en zekerheid*, 2013-2014b).²⁶ A Green party MP even refers to online media coverage published during the debate, when he says that "Miss Van Nieuwenhuizen wants postponement on other issues as well, as the amendment shows, and if I can believe the news sites, there is more to come" (*Behandeling Wet werk en zekerheid*, 2013-2014b). The minister also referred to a statement in the media, but without explicitly mentioning that this was the case. He referred to the fact that the *SP* party leader Roemer graded the bill a '7-', which he did in a radio interview on the day the bill was introduced into parliament. In sum, as regards Lower House MPs media coverage was present at this legislative process, but during the debates the references are mainly of a rhetorical nature. Only in a more indirect and therefore less tangible manner, the media coverage served as a source of information for political actors and affected the attention for the various topics of the bill.

Introduction of amendments

The amendments and motions that are introduced are not a direct reaction to media coverage. Preceding the introduction of some parliamentary amendments, however, media coverage did play a role. Although their role is limited, the media are relevant here as one of the channels via which concerns about the consequences of the bill reach MPs. MPs indicate that if a specific concern is for example voiced in direct contact with representatives of interest groups and broadly debated in the media, this can be a reason to take the matter seriously. As such, it may contribute to the introduction of an amendment.

It is not so much specific coverage that inspires MPs to introduce an amendment, but more generally the tone of the coverage over a longer period of time, combined with similar critical voices via other communication channels. This mechanism seems applicable primarily to some amendments that are related to the prominent debates about flexible employment and dismissal. An MP explains

²⁶ The reference is technically incorrect, because the article he refers to was not published in the *AD*, but in the *FD*.

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the mechanism with regards to one of the amendments: “That was something we were hearing quite quickly from various sides. I think it (..) was in the media, but also in conversations we have had. That is (..) a typical case of: alright, (..) we have to arrange something better for that.” The reason for this amendment thus were concerns picked up in direct contact with people plus “what you read about it in the media: that runs parallel to each other.”

An aspect of this particular legislative process that is mentioned frequently in the interviews, is the role of the ‘Social Agreement’ and the budget agreement. As a consequence of these agreements, many parties felt they had little room for manoeuvre; this goes for the introduction of amendments as well. Reflecting on the process, one MP argues that “maybe in the end, in what was reflected in amendments and motions, (..) was a bit less than what it would have been otherwise. Because there was the Social Agreement behind it, where we did not get that much space anymore.” According to various MPs, this political deal had implications for the number of amendments and motions and for their content. Parties committed to the agreement could not always propose the far-reaching amendments they probably would have liked.

In sum, it is clear that politicians have responded in parliament to media attention for the various topics of the bill. In both Houses of Parliament, political actors reacted to the media by making more or less explicit references to media coverage, mainly to underline or reinforce their already existing positions. There are no such effects on legislative reports, and the modest number of media-inspired PQs is also hardly related to the legislative process. Because MPs of coalition and supporting opposition parties felt they had limited to no room for manoeuvre, the potential impact of the media was limited. For several MPs media attention was as one of their sources of information and was reflected in the articulation of parties’ concerns about the bill. As a consequence, media coverage played a role in the development of some amendments. However, media coverage alone is not enough: criticism has to be voiced elsewhere as well, and media attention is subordinate.

4.4.3 Feedback loop: the politics-media influence

The third research question concerns the attempts of politicians to generate or influence media coverage. The content analysis of the media coverage shows there is substantial attention for the legislative process. More specifically, in various broadcasts and articles political actors are quoted or paraphrased and amendments are discussed. This suggests that political actors have successfully tried to generate or influence the coverage of the legislative process. The interviews confirm that there are indeed instances in which Lower House MPs contacted journalists about this bill. None of the senators says to have done so; most of them did not have contact with any journalist whatsoever. Some senators even suggest it does not fit their job to be in the media about a bill that is being debated: "If I hear a senator on the radio, or see [a senator] in the newspaper (..): that is 'not done' for a senator", one of them argues. Another senator argues that being a good legislator and being in the media do not go together. "Our role is not so much to serve the media, but to make sure the legislative process goes well: (..)and that often doesn't go together, because serving the media is [creating] fuss and getting the minister into trouble. And a good legislative process is finishing it in such a way that (..) the quality [of the bill] is good."

Interviews with journalists as well as Lower House MPs suggest that most of the time contact is initiated by the journalist. In the days prior to a legislative debate, most parliamentary journalists either make a phone call to all or several spokespeople on the bill or take a walk through the parliamentary building to ask what the parties' stances are and whether MPs are planning to take any action during the legislative process. Most journalists followed the legislative debates – at least in the Lower House – from the press gallery, or watched it online in the office. "When it is almost finished, I quickly go to the House, to catch them and have a talk afterwards", one of them explains. In addition to that and due to the fact that most parliamentary journalists are in and around the parliamentary buildings very often, there is frequent non-planned, ad hoc contact between politicians and journalists. One political journalist explains: "You run into them very often (..). So that also happens between

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times.” There are some instances in which MPs approach journalists with regards to this bill. One of the MPs explains that she contacted a journalist from a specific newspaper she thought might be interested in her amendment. This resulted in coverage of that specific initiative.

In general, however, Lower House MPs are not proactive when it comes to media coverage. When approached by journalists, they were willing to cooperate, but only a few MPs say they themselves approached a journalist. They assess in advance whether they think they can count on journalistic interest. Amendments that are introduced by the coalition parties and/or the ‘constructive’ opposition parties can count on some media interest, because the MPs can assure the journalist that these will pass and thus have policy consequences. The main reason why MPs try to get media coverage for their amendments is to create visibility for themselves and/or for their party. “You just want to bring your standpoints into the spotlight”, one MP explains. “When I have introduced [an] amendment (..), yes, then I like it if I get the credits for it, because I devised it. (..) You have to make sure that it is linked to you and [your party]. That is obviously what you try to achieve.” Another MP explains: “You want to show your voters what your position is, [with regards to] things that are very important for your party. (..) Such an amendment is (..) very important to me, (..)so I’d like a lot of publicity for it. So than that is the one that you single out.”

Another reason for MPs to try to influence media coverage is of a more strategic nature. Media coverage puts pressure on other parties with regards to legislative debates: “It can be [a way] to create a reality nobody can disagree with”, as one MP states. However, none of the MPs indicate that this mechanism played a role with regards to the amendments with this bill; the primary reasons seems to be the delicate political balance due to the agreements with the social partners and with the ‘constructive opposition’, combined with the fact journalists are primarily interested in amendments with majority support. Parties that were committed to the agreement took part in multiple negotiations about the bill achieved something that was worth accepting the bill, and knew in advance that they could count on a majority for some of their amendments. They knew the

die was cast and were less inclined to try for additional success. In addition, those parties were afraid to offend others by ‘playing the game’ via the media. On the other hand, parties that were not part of the agreement had virtually no chance of getting majority support for their initiatives and could therefore not count on much journalistic interest – and were aware of that.

The overall picture is that there has been quite frequent contact between Lower House MPs and journalists. Several MPs tried to get coverage for their position or initiatives, and some succeeded. The primary reason was to create visibility. For the parties that could count on journalistic interest increasing parliamentary support for their proposals was not relevant. This clearly suggests the importance of the political context, i.e. the agreements regarding the bill.

4.4.4 Legislative outcome

The fourth and final question is: does media coverage influence the legislative outcome, and if that is the case, how? For answering this question, I distinguish between support for amendments and support for the bill.

Despite the interaction between MPs and journalists during the process, media coverage seems to have had very little, if any, consequences for the legislative outcome. To start with the support for the bill, most political parties had very little freedom for maneuver. First of all, the parliamentary parties of the coalition were supposed to support the bill, because it resulted from the coalition agreement; parties in the Upper House are formally not committed to this agreement, but they were expected to support the bill as well. Because the coalition parties *VVD* and *PvdA* did not have majority support in the Upper House, enough parties for getting such support in the Upper House were committed to the bill beforehand: *D66*, *CU* and *SGP* were ‘bound to’ the bill by an interim agreement (*‘Herfstakkoord’*) in the fall of 2013.²⁷ Thirdly, the *CDA* was not

²⁷ The agreement was reached with the parliamentary party groups of *D66*, *CU* and *SGP* in the Lower House; their parliamentary party groups in the Upper House were not

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formally committed to any agreement, but this party is traditionally supportive of the ‘social partners’ (De Jong, 2013). The fact that the bill was based on an agreement with these partners meant that the *CDA* felt it should support the bill. One of the MPs explains that in a comparative perspective, “this bill is very different, to the extent that it is the heart of the Social Agreement”, and “of all the bills I have dealt with, this is the one with the most pressure on it”. Several MPs supported the bill in spite of the critical coverage. A senator explained in referring to a very critical column about the bill: “To be very honest, (..) I find such columns very difficult, because really, I think he is right. But I mean, you know, party discipline, Social Agreement...”

There were few opposition parties left that could freely choose whether to support the bill or not. Media coverage may have played a role in their final assessment of the bill, mainly in the sense that it increased doubts and worries. A senator argues that during this legislative process critical newspaper coverage “brings doubt. (..) As parliamentary party we have doubted until the very last moment about what we should really do. And that just has to do with the fact that such rather authoritative bodies and people [had] such a harsh judgement, were so (..) critical about that bill.”

With regards to the media-politics interaction during the process and the support for some of the amendments, somewhat of a pattern is visible, in particular with respect to amendments and motions relating to the two most prominent topics in both the media and in parliament, flexible employment and dismissal. The media coverage served as a catalyst that increased doubts and worries about the desirability of the proposed measures. It was however not the only source of information for MPs. In addition to criticism that reached them via other channels, the negative comments by societal actors and various experts in particular reinforced the doubts political actors already had. The mechanism with regards to the introduction of these amendments thus also applies to the support they received.

Another similarity is that several MPs indicate that if they would not have been bound to an agreement, they would have had more

formally bound to the agreement.

room to act in response to (media) criticism. Several amendments supported by the coalition and constructive opposition parties together were however the maximum of what was achievable within the political framework and constraints of the agreements. Some MPs are explicit about the fact that media coverage affected their decision to introduce or support amendments: “It has, and it is very consequential. Because we are not making a theoretical law in isolation. (..) The input of society via the news is very important.”

In sum, the media-politics interaction was relevant for the legislative outcome only to some extent. MPs of some parties incorporated media coverage in their final assessment of the bill and amendments. To others, the media’s role was marginal or non-existent: again, the political context played a dominant role. A majority of parties did not have much leeway and did not feel they could incorporate comments and criticism, voiced via the media, as extensively into their considerations as they would probably have done otherwise.

4.5 Conclusion and discussion

What happens to a legislative process when the bill under consideration is heavily covered by the media? This second case study analyzes in-depth if and how media attention plays a role in the lawmaking process that restructures employment law in the Netherlands. This second case shows that media coverage is reflected in the legislative process of the bill ‘Employment and security’ in various ways. However, the content analyses of media coverage and parliamentary documents, as well as the interviews with relevant political actors and journalists, indicate that this media impact is limited and clearly subordinate to the political context. The context within which the major political parties could act was defined in advance by various agreements.

Media attention mainly played a role in the parliamentary discussions about the bill by affecting the behavior of political actors indirectly. During legislative debates, several politicians referred to media coverage to stress their positions. The coverage in general, not

4.5 Conclusion and discussion

specific articles or items, also affected the way political actors thought about the bill. Most of them monitored the media and as such it was sometimes a source of information for them, primarily because it sketched the broad outlines of the bill, or it focused their attention on a specific concern about the bill. Journalists often produced informative pieces to prepare their readers for the changes that were to take place. Several political actors tried to and succeeded in getting coverage for their party. The media also functioned as a platform for other actors, such as lawyers or professors, to comment on or criticize the bill. Media attention contributed at least slightly to the awareness amongst political actors that they wanted to amend the bill or support amendments introduced by others. For some MPs, what they heard or read in the media played a minor role in their assessment of the bill as a whole.

Nevertheless, these mechanisms do not seem to have drastically changed the course of the legislative process: the outcome is not affected much, if at all, by media attention. What the analyses and interviews show is the primacy of politics. By the time the bill was introduced into parliament, negotiations had already taken place and continued to take place between the coalition parties, the 'constructive' opposition parties, and even some of the remaining opposition parties. As a result, many parties were relatively happy with what they achieved. They did not have an incentive to use the media, strategically or otherwise, and some even expected it would be counterproductive to try and do so; they felt committed to either the political agreement or the agreement between the social partners.

The media's role 'beyond agenda setting' with regards to this bill is thus limited. This second case study suggests that even when media reporting is monitored closely by political actors, this certainly does not steer or determine the course of the legislative process. In this case, the media at most modestly serve as a catalyst and put emphasis on signals from society that may not have reached politicians effectively via other channels.

Chapter 5

Introducing a study loan: an in-depth analysis of *de Wet Studievoorschot Hoger Onderwijs*

5.1 Introduction

The Netherlands has a long history of financially supporting students that follow higher education. Public financial student support policies have existed since the establishment of the Kingdom of the Netherlands in 1815. As from 1986, the system provides a basic grant to all students (Slaman, 2014). Ever since then, there has been discussion about the desirability of this system, primarily motivated by growing financial and political pressure; over time the number of students increased tremendously (Slaman, 2014, p. 273). Although there has been political debate about abolishing this basic grant and the student financing system has been adjusted multiple times, the principle of the basic grant remained intact until 2015.

In May 2014, the coalition parties *VVD* and *PvdA* came to an

5.2 The case: bill introducing a new student finance system

agreement, with opposition parties *D66* and *GL*, that was necessary to achieve majority support in both Houses of Parliament. Subsequently the Minister of Education introduced a bill to abolish the basic grant and introduce a study loan. Media attention did not wane once the agreement was signed; the legislative process that followed got substantial media coverage. Did this media attention affect the process, and if so, in what manner? Guided by the four questions presented in subsection 2.3.1, I study whether the parliamentary reports and debates about the bill as well as the (proposed) changes in the content of the bill are inspired by or a response to media attention. The analyses show that media coverage did play a role in the legislative process, but that it did not affect the content of and support for the bill.

5.2 The case: bill introducing a new student finance system

The bill ‘study loan higher education’ (*Wet studievoorschot hoger onderwijs*/WSHO, 34.035) introduces a student finance system to replace the existing basic grant with the possibility to apply for a loan. The possibility to lend money for study purposes already existed, alongside a basic grant, but from September 2015 onwards this basic grant is abolished. The bill was introduced in September 2014 and passed the Lower House in November 2014 and the Upper House in January 2015. In both Houses of Parliament the bill was supported by the coalition parties, i.e. *VVD* and *PvdA*, and by *D66* and *GL*, two opposition parties that had signed an agreement about the issue in April that year. In the Lower House also two one-man factions, *Van Vliet* and *Klein*, supported the bill. This implies that various opposition parties did not support the bill, including *CDA*, *SP* and *PVV*. The bill was published in the law gazette in February 2015. The legislative process contained 42 amendments and 12 motions; 5 amendments and 5 motions passed, changing among other things the connection with child allowance, the minimum monthly repayment, the value of student vouchers and the monitoring of the bill.

5.2 The case: bill introducing a new student finance system

Although the main system change introduced with the bill is the abolishment of the basic grant and introduction of the student loan, the bill also addresses related topics. This broader package of measures includes that the supplementary grant for students with a low parental income is increased; the earnings threshold is abolished; a remittance is introduced for students that get delayed due to medical conditions; the repayment phase is extended; and the loan is available for everyone under the age of 55 years. Also, the public transport card students receive becomes available to *MBO* (secondary vocational education) students under 18. The expected proceeds of this new system are invested in higher education; because of the time lag, the first cohorts of students will receive a voucher of €2.000 for professional training after their graduation. In order to control the new investments, the councils representing students and staff at colleges or universities get the right of assent with regard to the outlines of the institute's budget.

The package of measures included in the bill is the outcome of a long political process. In his dissertation, Slaman (2014) presents the political history of student financing in the Netherlands and shows that since 1815 there has been a permanent struggle about student financing. Since 1986, the system contained a basic grant for all university students, but political debate about abolishing this grant developed already in the early 21st century, inspired by a growing desire to reduce the budget for student support. This financial pressure increased and during the formation of a new cabinet in 2010 *VVD* and *CDA* came to a compromise (Slaman, 2014, p. 272). The coalition agreement of this Rutte-I government proposed to introduce a 'social student loan system' for students in Master's degree programs only (*Regeerakkoord VVD-CDA*, 2010, p. 32). A bill ('To study is to invest', *Studeren is investeren*) was prepared to formally effectuate this intention, but this bill never became law; it was rejected as controversial by the Lower House after the cabinet resigned in April 2012. The coalition agreement of the new Rutte-II government proposed a 'social student loan system' again, this time for students in both Bachelor's and Master's degree programs (*Regeerakkoord VVD-PvdA*, 2012, p. 17). This time the cabinet

5.2 The case: bill introducing a new student finance system

proposed to introduce the new system by September 2014 and to maintain the supplementary grant for students with a low parental income, to replace the free public transport card for students by a reduced-fare card by 2015, to make this card available for *MBO* students, and to invest the proceeds of the system in education and research.

For practical and pragmatic reasons, the cabinet decided to first introduce a bill with respect to a loan system for Master's students (*Wet sociaal leenstelsel masterfase*, 33.680), and planned to subsequently propose a bill for such a system in the Bachelor phase. The first bill was introduced in June 2013 and proposed the loan system for Master's as of September 2014. The bill received substantial media attention. As the Minister of Education, Science and Culture Bussemaker (*PvdA*) said during the legislative debate about the bill in December 2013: "It has been a while since we debated with each other about the content. There has predominantly been debate in the media" (*Behandeling Wet sociaal leenstelsel masterfase*, 2013-2014, p. 30). During this debate, it became clear that none of the opposition parties was willing to support the bill. This was a political risk for the cabinet: *VVD* and *PvdA* did not have majority support in the Upper House. If none of the opposition parties in the Lower House would vote for the bill, it was highly unlikely that in the Upper House enough opposition parties would grant support to get a majority.

During the debate, the minister announced that she would propose a new, integrated bill in the spring of 2014 to introduce a loan system in both the Bachelor and Master phase. In order to increase the likelihood of majority support in the Upper House, the minister started negotiations with the parties that proposed a loan system in their election programs: *VVD* and *PvdA*, and opposition parties *D66* and *GL*. They came to an agreement in May 2014 about what was called *Het Studievoorschot* (*Het studievoorschot: naar een nieuw stelsel van studiefinanciering en een ambitieuze onderwijsagenda*, 2014), literally translated 'the study advance'. These plans were worked out by the minister in the bill 'Study loan higher education'.

The selection of this particular case is the outcome of the sequential selection strategy (see subsection 2.3.3). In addition to the selection criteria that apply to all three cases, the results from the first two case studies are taken into consideration. As a result, the bill that is central in this chapter differs from the two bills studied previously. First, the policy area is different: this bill contains education policy. Second, because it was suggested in the interviews of the second case study that media coverage could be different when a topic applies to a specific group instead of all ‘ordinary’ people, this bill strictly speaking targets a particular subgroup: (future) students. Third, because it was suggested that media effects may be stronger when there is more opposition to the bill, a bill was selected that received limited (but sufficient, because the bill has to have passed to meet the selection criteria, see subsection 2.3.3) support in parliament.

5.3 Data

For the content analysis 109 parliamentary documents are taken into account. Via LexisNexis all articles and items from national newspapers and magazines that were published during the legislative process in parliament are retrieved that discuss student finance, grants, and loans. The same criteria are applied to the selection of radio and television broadcasts of national television and radio channels (see Appendix IV). This results in 477 print articles and 30 broadcasts from September 5, 2014 (two weeks before the bill was introduced into parliament) until February 10, 2015 (the day the bill was published in the law gazette).

In addition to the content analysis of the parliamentary and media documents, 34 people have been interviewed. The interviewees are political and departmental actors involved in the legislative process, as well as journalists who published articles or made items about it. The interviewees include 21 MPs who were the spokespeople on behalf of their parties in the Lower or Upper House, three departmental actors, and 11 journalists (for a full list of interviewees see Appendix V).

5.4 Results

In order to answer the research question whether media attention affected the legislative process, and if so, in what manner, I answer the four research questions (see subsection 2.3.1). Firstly, I explore the media attention for the (topic of the) bill. Secondly, I discuss whether and how political actors respond to media attention. Thirdly, I study if and how these actors try to get and influence media coverage. Finally, I analyze whether media attention has influence on the support for the bill and its amendments.

5.4.1 Media attention

To answer the question about the media attention, I discuss the distribution and type of media coverage and the visibility of political actors.

Attention for the legislative process

The content analysis shows that much coverage is related to the legislative process. However, coverage is not so much focusing on the actual content of the bill, but more on its political characteristics. Journalists are interested in which parties will (not) support the bill, and in whether the bill will pass the Upper House.

In total 29% ($N=146$) of all media coverage contains references to the legislative process (see Table 5.1), mostly to the vote or support in parliament (19%) of the coverage. There is also relatively much attention for the legislative reports, debates or procedures (14%) and for the bill itself (12%). The legislative round table is mentioned in five items; this is a small number, but still remarkable considering the fact that such formal parts of the parliamentary process usually do not get any media attention at all. Also noteworthy is that only two media items contain an implicit reference to amendments, although none of the journalists writes or talks literally about amendments. No motions are discussed in the media. Even though a number of the 42 amendments was introduced several times, primarily because of

Legislative element	Percentage of items (%)	Absolute number of items (N)
Bill	12	59
Legislative debate/report	14	68
Legislative round table	.9	5
Amendment	.4	2
Motion	0	0
Vote/support in parliament	19	98
Any legislative reference	29	146

Table 5.1: References to the legislative process (*WSHO*) in all media coverage: items with at least one reference to legislative element

technical adjustments, it shows that journalists were clearly not interested in proposals to change the content of the bill.

Political focus

Most references to the legislative process are to the vote or support in one or both Houses of Parliament (168 references in 98 media items). This is indicative of media interest in the political and ‘procedural’ aspects of the legislative process. Journalistic interest was drawn to these elements because the introduction of the bill was preceded by a political process in which the minister first did not find enough support for a bill introducing a loan system for Master’s students and then had to negotiate with opposition parties for almost half a year in order to come to an agreement. Because it was clear that the *VVD*, *PvdA*, *D66* and *GL* would support the bill in the Lower House – representatives of these parliamentary parties had signed the agreement – journalists referred to their support quite frequently. A headline in *NRC Handelsblad* is telling: “Criticism in abundance, but the loan system will get there” (Dekker, 2014). Journalists emphasized that the debate would not be exciting and discussed the critical comments that were voiced by opposition parties or interest groups. *Het Parool* wrote on the day of the first legislative debate in the Lower House: “Studying becomes more expensive; the basic grant will go down. The opposition in the House does one more attempt to

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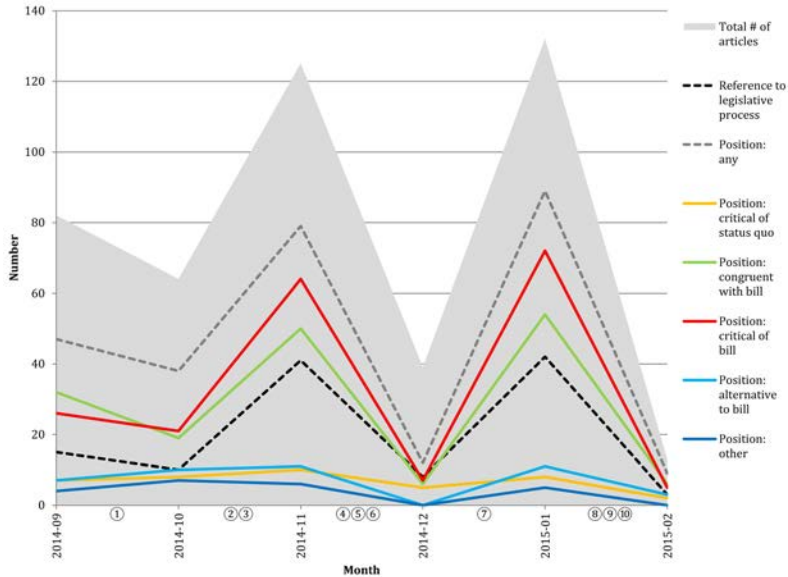
torpedo the plan. But *VVD*, *PvdA*, *D66* and *GroenLinks* persist. The battle between proponents and opponents of the bill is about image and time” (Duin, 2014).

Journalists were particularly interested in which parties would support the bill in the Upper House. The prior bill was put on hold and negotiations were started mainly because the coalition did not have majority support in the Upper House. The parliamentary party groups in the Senate were however not part of the negotiations, so it was not certain whether all four parties would support the bill in the Senate. Three developments even added to the journalistic interest for the Upper House.

Firstly, three days after the vote in the Lower House, there was a student demonstration in The Hague against the loan system. The students organizing this event targeted the Upper House; the vote in the Lower House was already taken.

Secondly, shortly before this bill was discussed in the Senate, a government bill about health care was rejected by the Upper House. This is highly unusual and this rare defeat was perceived by many as a blow for the cabinet (e.g. Niemantsverdriet, 2014). The student loan being the first bill that was put to vote since, journalists explain they closely monitored the developments; if a second bill would be defeated, it might cause a political or even cabinet crisis. As a journalist noted: “Will the Upper House refer another bill to the trash can? Opponents of the loan system for students smell blood: can the Senate, after the health care bill, also block the controversial proposal to replace the basic grant with a loan?” (Keultjes, 2015).

Thirdly, senator Koole of the *PvdA*, the party group that ‘caused’ the rejection of the health care bill, publicly criticized the loan system. In interviews Koole said that he had not decided what to vote yet: “Only after the answering by the minister, I will decide my vote. But I do oppose the over-the-top thinking in terms of efficiency” (Hendrickx, 2015). Because journalists found out only in a very late stage that there was political conflict about the health care bill, with this bill they were eager to follow the political developments closely and write about the potentially limited support in the Senate.



Note. The numbers in the figure indicate key moments in the legislative process.

Figure 5.1: Media attention in newspapers per month and key moments in parliament WSHO 2014-2015

Distribution of coverage

Media attention peaks around the debates and votes in both Houses of Parliament (see Figure 5.1). The total number of articles is about equally high in November 2014 and in January 2015 (grey area). The other phases of the legislative process are less newsworthy, which is reflected in the number of articles that contain references to the lawmaking process (black dashed line). There are clearly two peaks around the plenary debates in parliament (5 and 8), with about 40 bill-related articles. There is also media attention around the introduction of the bill in September (1). Media attention wanes in October when the committee phase, including a round table, takes place (2-3). In November most amendments are introduced and the

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debates and vote in the Lower House take place (4-5-6). A few days after this vote, a demonstration against the bill is organized. In the Upper House in December and early January 2015 the committee phase takes place including an expert meeting (7). This part of the process does not receive much journalistic interest. Journalistic interest increases with the legislative debates and vote in the Upper House (8-9), which are accompanied by substantial media coverage. Finally, the publication of the bill in the law gazette in February (10) is not reported.

The total number of references to the legislative process is arguably a conservative indicator of media attention: authors not always explicitly state that the topic they write or talk about is a particular bill. For example, in an opinion article in *De Telegraaf* the author criticizes the fact that the additional grant remains intact and mentions “the new loan system for students” (Janssen, 2014) without explicitly referring to the bill being debated in the Lower House. Something similar happens in journalistic articles, for instance in the *Nederlands Dagblad*: “The cabinet should explicitly take the effects of new policy plans on the debts of Dutch citizens into account, Schouten thinks. She refers to the loan system as an example” (Sloot, 2014). Such reports do not contain explicit references to the legislative process, although they do concern the content of the bill; the ‘study loan’ or ‘loan system’ had become familiar concepts over time. People usually referred to those concepts instead of for example to the ‘bill study loan’ or the ‘loan system law’, so there likely is de facto more attention for the lawmaking process than the number of bill-related articles presented in the graph shows.

Types of coverage

Throughout the process, about two thirds of all newspaper coverage contains at least one position (Figure 5.1; grey dashed line). Media coverage consists primarily of positions that are critical of the bill (red line) and positions that are congruent with the bill (green line). Few articles pay attention to positions that are critical of the status quo (yellow), that propose an alternative to an element of the bill (turquoise line), or to other positions (blue line). The positions that

are present concern a range of topics, but primarily touch the core of the bill, i.e. whether the loan system should be introduced or whether the basic grant should remain intact, and what the consequences will be for the accessibility and quality of higher education.

The coverage of the bill is primarily of an evaluative nature, containing positions from the two categories that are most frequently visible in the media, i.e. positions congruent with and critical of the bill. Articles often contain both phrases that discuss the measures the minister proposes with the bill, as well as comments from political or societal actors criticizing these measures. Parts of articles explain what the main policy measures in the bill are and what they mean for current and prospective students, and their parents. Therefore these articles contain positions that are considered congruent with the bill. The evaluative component contains judgments of and comments on the bill, predominantly in the form of critical positions. Sometimes this coverage refers to policy alternatives, but the emphasis is on the critique.

An example of such coverage is an article in the *Reformatisch Dagblad*, the day after the introduction of the bill: "Minister Bussemaker (Education) introduced the long-awaited bill to replace the free basic grant by a loan yesterday. A flow of criticism developed, from the Council of State to student unions" (Redactie politiek, 2014). It subsequently discusses criticism voiced by the Council of State and comments by three student unions and four opposition parties. In closing, the article shortly mentions the parties that signed the agreement and support the bill, and a comment of a coalition MP. Overall, there is hardly any coverage that is predominantly informative about the content of the bill, except for some articles on the days after the bill passed the Senate.

In addition to journalistic articles providing a platform to critical voices, articles were published on the opinion pages of newspapers. In such articles representatives of interest groups and ordinary citizens comment on the bill; several columnists and journalists published their opinion. Sometimes opinions are critical: "The bill about the loan system is ill thought-out and hardly feasible, and does not contribute to the quality of higher education", according to a

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Political party	Standing	Newspaper articles	Radio & television items
<i>PvdA</i>	Coalition	48	8
<i>D66</i>	Committed opposition	40	7
<i>GL</i>	Committed opposition	37	6
<i>VVD</i>	Coalition	25	6
<i>CDA</i>	Opposition	22	4
<i>CU</i>	Opposition	20	1
<i>SP</i>	Opposition	16	3
<i>PVV</i>	Opposition	7	0
<i>SGP</i>	Opposition	6	1
<i>OSF</i>	Opposition	1	0
<i>PvdD</i>	Opposition	1	0
<i>Klein</i>	Opposition	0	0
Total		223	36

Table 5.2: Political parties in media coverage (*WSHO*): number of items with at least one reference to party

professor of financial economy in *Metro* (Eijffinger, 2014). Some opinions are more supportive of the bill, although they often contain reservations, like a student who writes in an opinion article in *NRC Next* (Balduk, 2014): “I may be the only student in the Netherlands that says so, but I think the reforms are a blessing”. There are hardly any experts present in the media – except if you consider students and representatives of student organizations experts on the issue.

Visibility of political actors

Positions of political parties were visible in the media. Table 5.2 includes all parties that participated in the legislative process in the Lower and/or Upper House, ordered by the number of references in the newspapers.²⁸ Note that the parties that are mentioned most frequently in the newspapers are the same parties that are

²⁸ All parties are represented in both Houses of Parliament, except for *Klein* (only represented in the Lower House) and the *OSF* (only represented in the Upper House)

mentioned most often in radio and television items. Magazine articles did not refer to party positions and are not included in the table.

The four most frequently mentioned parties signed the agreement about the study loan: *VVD* and *PvdA* and the opposition parties *D66* and *GL*. Journalists often mentioned that these parties would support the bill and thereby create majority support (see also the frequent references to the support for and vote on the bill in Table 5.1). The relatively high number of references to the *PvdA* is due to the attention for the potentially dissident *PvdA* senator Koole. Of the opposition parties, *CDA*, *CU* and *SP* received most attention in newspapers. *SGP* and especially *CU* were mentioned relatively often, mainly by the two newspapers with a Christian character, i.e. *Nederlands Dagblad* and *Reformatorisch Dagblad*. The positions of opposition parties are often reported via quotes from MPs, mostly from the Lower House. In particular *CDA* MP Rog is quoted frequently.

The parties mentioned most often on radio and television are *PvdA*, *D66*, *GL* and *VVD*, followed by *CDA* and *SP*. Focusing on the visibility of the spokespeople of parties in the Lower House, we see that *CDA* MP Rog and *D66* MP Van Meenen are both interviewed in a radio show. There is a short interview with *SP* MP Van Dijk at the student demonstration, and parts of his contribution to the legislative debate are broadcasted in two items; there are radio interviews with the senators Koole (*PvdA*) and Ganzevoort (*GL*). Other actors present in the media are (former) representatives of a range of student organizations. However, in line with what we know from the literature, those with formal political power get most media attention (e.g. Bennett, 1996); the person invited and interviewed most often is the Minister of Education, Jet Bussemaker (*PvdA*), who appeared in 13 radio and television items during the legislative process.

5.4.2 Behavior of political actors

This section answers the question if and how MPs respond to media attention. First, I discuss responses via parliamentary questions. The next part goes into the ways in which media attention was reflected

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in legislative reports and debates. Third, I discuss whether media attention has an effect on the introduction of motions and amendments.

Parliamentary questions

In this particular legislative process, media-inspired parliamentary questions (PQs) do not play an important role. During the process only two sets of PQs relevant to the topic of the bill were asked, both by *CDA* MP Rog. The first set is about the compatibility of the loan system with an international treaty and refers to an article published in an online university magazine. The second was introduced in response to coverage in the *NRC* and another online university magazine, shortly after the vote on the bill in the Lower House. In the months prior to the legislative process, three sets of PQs have a link with the bill, two of which refer to mass media coverage as the source and one to an online university magazine. In his questions, *SP* MP Van Dijk refers directly and extensively to the introduction of a loan system. The responses of the ministers to the two other sets contain references to the bill.

The reason for MPs to ask PQs seems to be to emphasize the consequences of the proposals and strengthen one's own critical position. One of the MPs explains he asked the questions "in this case to reveal the consequences of the accursed loan system, also towards of course the elections later on, in which we will again take a position on that". Another argues: "If as a politician, you say: 'a loan system is bad, because students will get higher debts', and you read it in the newspaper the next day, than you pose parliamentary questions and in fact say: look, minister, it's not just me saying this. The newspaper also says it, and the students say it as well."

The fact that there were not many PQs about the issue is likely to be related to the relative short duration of the legislative process, i.e. less than five months. In that short period and because of the ample journalistic attention for the issue, MPs did not need PQs to draw attention to their position or get information from the minister.

Legislative reports and debates

There is congruence between the positions in the media and in parliament. As was already touched upon (see subsection 5.4.1), not all positions from the legislative reports and debates are reflected in the media, but a rather large range of sub-debates is mentioned in the media. Most positions refer to the core of the bill, i.e. the desirability of a study loan system. Both in the media and in parliament all five categories (see subsection 2.3.4) of positions are present, but some more than others. In particular alternatives to elements of the bill are relatively less present in the media than in parliament.

The committee phase in the Lower House consisted of a round table and two legislative reports with ministerial responses. The round table was organized by the parliamentary committee on Education, Science and Culture; all committee members could propose guests to invite to this session. Media attention played a role in one of the invitations. On the initiative of VVD MP Duisenberg a student was invited to this meeting, because this student wrote an opinion article in which he supported the loan system, in the *Volkskrant* on June 3, 2014 (*Herziene convocatie rondetafelgesprek wetsvoorstel studievoorschot*, 2014).

The content analysis provides indications that in the Lower House MPs asked questions in legislative reports about topics because of prior media coverage. In the second legislative report, the *SP* does so explicitly as they “wonder whether the government has taken note of the article *Actiegroep helpt Amerikanen van zware studieschulden af*” (*Nader verslag Wet studievoorschot hoger onderwijs*, 2014, p.2), an article that was published two days earlier in *Nederlands Dagblad*. The *SP* also asks for a governmental response to research that shows that “37% of the current Bachelor’s students does not know they will not receive a basic grant anymore for their Master’s”, referring to an article on the website of a local newspaper (*Nader verslag Wet studievoorschot hoger onderwijs*, 2014, p. 9). And third, the *SP* asks how the government justifies its position that studying is a good investment in one’s future “when looking at the recent media coverage that three quarters of both *hbo’ers* and *wo’ers* will experience difficulties in finding paid jobs” (*Nader verslag Wet*

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studievoorschot hoger onderwijs, 2014, p. 3).

In line with the general expectation that members of opposition parties can use the media better than members of coalition parties (e.g. Green-Pedersen & Stubager, 2010; Thesen, 2013), the *SP* is not the only party that refers to media coverage: the other active opposition party *CDA* behaves similarly. The *CDA* refers to an article on a university magazine website that shows students will have to pay more money when interest rates are higher (*Nader verslag Wet studievoorschot hoger onderwijs*, 2014, p. 46), and refers explicitly to recent newspapers coverage: “Can the government also indicate whether she is familiar with the article by Leo Prick in the *NRC* of Saturday 25 October, in which he demonstrates in clear calculations that the repayment of study debts will fall short? Can the government explain her vision on this article” (*Nader verslag Wet studievoorschot hoger onderwijs*, 2014, p. 49). The minister responds to these media-based questions in her written answers. Overall, however, the number of explicit media references in the committee phase of the Lower House is limited, considering the fact that over a thousand questions have been asked. Moreover, in the committee phase of the Upper House, there are no explicit references to media coverage at all.

Media attention plays a role in the legislative debates in both Houses of Parliament. It is mainly used by opposition MPs to put pressure on the minister, a coalition MP or an MP from one of the committed opposition parties. In the words of an opposition MP: “What you do is (...) making every effort to [use] what is uncomfortable for the coalition”. A coalition MP explains that media coverage was not very useful for him: “The newspapers didn’t really write things that helped me, so there was not much to quote, really.” In the Lower House, MPs from the *PVV* and *CU* refer to a statement by the minister in the television program *WNL op Zondag* on the Sunday before the first legislative debate took place, namely that the basic grant was out-of-date. This was a sensitive statement, because the minister also argued that in the past the basic grant made higher education accessible for large groups of citizens. Referring to this statement was a way for the MPs to get the minister to repeat inside parliament what she said in the media before, because thereby the

statement would become part of the legislative history. *PVV* MP Beertema uses an opinion article by Leo Prick, that the *CDA* referred to as well, to criticize *D66*. *SP* MP Van Dijk refers to the media and media coverage seven times during the debate. For example, he uses a newspaper article published on the day of the legislative debate, to illustrate his fundamental critique that abolishing the basic grant will result in fewer students: “Read for example *Trouw* of today. In that newspaper there is a story of a mother who says: if the basic grant is dropped, we’re just not going to do it; in that case I wouldn’t have studied myself and for my children it will be an enormous problem, because the costs will end up on my plate.” Van Dijk uses this to put pressure on *PvdA* MP Mohandis: “Mister Mohandis thus charges the parents” (*Behandeling Wet studievoorschot hoger onderwijs*, 2014-2015b, p. 14). Van Dijk uses other media references to criticize the minister, *GL* and *D66*, by referring to a television item and to various recent and older articles published in *de Volkskrant*.

There is an interesting media-politics interaction concerning *CDA* MP Rog. In his contribution to the debate, Rog refers to a media statement of the minister. Other MPs ask Rog questions about a media performance by himself. On the morning of the first legislative debate, an interview with Rog was published in *De Telegraaf*, wherein he argues that it will become too easy for students to borrow money from the government and that this has negative consequences for the budget and for the level of investment in higher education. Both *PvdA* MP Mohandis and *GL* MP Klaver refer to the article and ask Rog questions about it. One MP explains he referred to the article and not to the underlying document Rog shared with all MPs, “because I expect people to have rather read an article in the newspaper than a calculation”.

Later in the debate, the journalist that interviewed Rog published a follow-up article on the website of *De Telegraaf* in which, amongst others, Van Ojik, the party leader of *GL*, is quoted. Rog immediately confronts *GL* MP Klaver with his statement: “The party leader of *GroenLinks* just said in *De Telegraaf* that the state may indeed have to pay a lot of money for students that borrow a lot and take a long time for their studies. He calls that the social [element] of the system. I

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don't think there is anything social about that, but he does. For the treasury that may indeed become a problem, mister Van Ojik says. (..) Can mister Klaver acknowledge here that it is because of him that we are stuck with a system in which it is rewarding to run up debts?" (*Behandeling Wet studievoorschot hoger onderwijs*, 2014-2015a, p. 49). A discussion develops and eventually Klaver concludes: "I appreciate *De Telegraaf* as the best read newspaper of the Netherlands – for a moment I wanted to say 'quality newspaper' – and I appreciate the journalist of this newspaper, who always loyally sits on the gallery to follow us, especially on this dossier. He is probably writing at this very moment. In the article mentioned, statements are written that suggest something should be amended. I don't think that is in order, so I cannot go into that" (*Behandeling Wet studievoorschot hoger onderwijs*, 2014-2015a, p. 49).

Media coverage plays a less prominent role during the debates in the Upper House, but one interruption concerns *PvdD* senator Koffeman's assessment of prior and future media coverage. Koffeman argues that since the government has to search for coalitions to get majority support in the Senate, senators are not judging the bill based on its content only. According to him party discipline is used in an attempt to bind senators to agreements made in the Lower House. Koffeman continues: "The foregoing caused that the reporting about this bill in the media has narrowed to the question whether three or more members of the *PvdA*, *D66* or *GroenLinks* in this House can be found that will vote against this bill during the voting by call this evening. If that is the case, than the coverage in the coming days will be dominated by the question whether the voting behavior of the so-called dissidents could be related to the opportunities they did or did not get from their party for a second term" (*Voortzetting behandeling Wet studievoorschot hoger onderwijs*, 2014-2015, p. 17). *GL* senator Ganzevoort states to experience this as a personal attack and asks whether Koffeman has indications that he is not judging the bill on its content. Koffeman: "There are a lot of signs in the media. The media thus experience that in this House the agreements made on the other side [in the Lower House] will be followed". Ganzevoort: "Are the media more important to mister Koffeman than the integrity

of his fellow senators?” Koffeman: “This is certainly no attack on the integrity of my colleagues. However, I do find that for a number of parties it has been determined beforehand in the media, also in conversations with representatives of those parties, that they will vote for the bill, despite the fact that they have been very critical about it” (*Voortzetting behandeling Wet studievoorschot hoger onderwijs*, 2014-2015, p. 17).

This political confrontation is illustrative for the way in which media coverage played a role in the Senate. As already discussed (see subsection 5.4.1), the coverage in the weeks prior to the plenary debates in the Upper House had a strong political focus. Because of the earlier rejection of a health care bill, that addressed amongst others the so-called ‘free choice of doctors’, journalists were very interested in the voting behavior of the senators. On December 30, 2014, after the rejection of the health care bill, but before the debate about the study loan, *De Telegraaf* published a full-page advertisement by five student organizations that said: “We are looking for 3 heroes in the Upper House that want to stop the loan system. We know you are there! Speak up, stop the loan system!”. As one of the senators argues: “What happened in that phase, (...) shortly after the [bill on] the free choice of doctors, the idea came into being that it would very well be possible that it will be much more critical and tense than we expected previously. Immediately all journalists come.”

Indeed, various journalists argue that their interest was at least partly due to the prior rejection of the health care bill. A newspaper journalist explains he followed this phase of the legislative process more intensely than the debates in the Lower House, “..because there were hints, from the Lower House and from societal organizations that were opposed to the bill, that they hoped there would be senators, like with the free choice of doctors, that dared to be dissidents”. Interestingly, he did not expect this bill to be rejected. “I wrote this piece, but I remember that it was less tense than with the free choice of doctors. Everybody did have the expectation that it would nevertheless [pass]”, he argues. “Maybe that as a journalist you hoped a little bit, not because you have an interest in it, but just

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because it is nice, because you just experienced it with the free choice of doctors, that (..) there would again be such a situation". According to another senator, the media coverage and the speculations about the degree of support for the loan system "had an effect on the atmosphere, there was a certain tension".

PvdD senator Koffeman also refers to the fact that shortly before the debate it was decided at a party congress of the *PvdA* that senator Koole and some of his colleagues were unlikely to be reelected because of their low position on the list of candidates. It was suggested that this might result in not following the party line – supporting the bill – because they did not have much to lose. In addition to the attention for the fact that Koole was critical of the bill as such, there was some attention for the specific content of his critique, i.e. the focus on 'the investing student' and on the performance of students ('*rendementsdenken*') instead of on what Koole called 'the responsible student', who is responsible for his or her own living costs but also has a responsibility towards society. This media attention is noticed by all senators and was referred to in the legislative debate. This happened rather implicitly, for example when *VVD* senator Bruijn says about the criteria that are used as financing parameters: "They unarguably have adverse effects, leading to understandable criticism – I also look at the *PvdA* – about over the top *rendementsdenken*" (*Behandeling Wet studievoorschot hoger onderwijs*, 2014-2015b, p. 9). According to one senator, it is obvious to act upon such media coverage: "If you read something like this, that he [Koole] is worried about that, then of course you read that very carefully. (..) And then you do something with it, of course."

In both Houses of Parliament, MPs followed very carefully what was published in the media about the study loan, during the legislative process but also prior to that. Media coverage was considered to be most useful by Lower House MPs; they have the right to propose amendments and motions and can change the content of the bill. Although in this particular case they do not indicate that the media were an important, autonomous source of information, all MPs monitor the media. "The media have here and there put the spotlight on parts of the study finance, like the medical

students, or the top sportsmen, and that is of course also the task of the media, to be the spokesperson of what is going on in society”, a Lower House MP explains.

Media coverage however did not contain much novel information for MPs. Most MPs had been spokespeople on the issue for a long time already and there had been debate about student grants for years. MPs had ample research at their disposal; interest groups and individual citizens approached them with information; they discussed the topic with people from their own party; and they invited experts and people from the field to expert meetings. Also, the lack of new information was due to the content of the media coverage, which was primarily directed towards the political process. An MP explains: “Often it is very different, but in this specific case, I was already very familiar with the topic, and I very much chose my sources. There are a lot of other bills where you really use the media as a source of information that feeds you. But to be honest, I haven’t had that here.” Because the opinions of most parties were clear and fixed in an early phase of the process, media coverage did not change parties’ positions. It only confirmed their opinions – which shows that political actors view media from a particular perspective and see the things they want to see, and also that the debate was polarized without much room for parties to adjust their existing positions.

The strongest effect the media had on legislative debates was the strategic and rhetoric use of coverage. “To reinforce our own position, and to emphasize the differences of opinion. That is what it’s about, of course: politics is creating an image”, one MP states. Another argues that media coverage has been helpful: “Journalists have (...) cooperated very well. They for example went to interview students, and you can read that back in the debate. *De Volkskrant* for example had portraits of young people (...) who said: if this [bill] is passed, I will not go to university anymore. Somebody like that in the newspaper can be used very well to strengthen your plea. Because if a Member of Parliament says something, that’s just one thing, but if a youngster, a victim, says it, that is of course much stronger.” According to another MP, an article he referred to “was a good source, because what he did fitted the frame that I came up with.” One of the

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Lower House MPs summarize the media's role in the debate as follows: "It was appropriate that it caused a great deal of controversy in the media, and that this media coverage had an influence on our debate. Not with regards to my position, but with regards to my coloring, with regards to my choice of examples and some accents."

Introduction of amendments

The content analysis and the interviews do not provide evidence for a direct relationship between media coverage during the legislative process and the introduction of motions or amendments. None of the proposals to change the bill were an immediate response to a newspaper article or radio or television item. With regards to only one amendment the media may have played a subtle role; it was one of the sources of information that inspired the MP to write it. This amendment to partly cancel the debt of medical students was in part inspired by articles about the situation of these students in the months prior to the introduction of the bill. The MP argues: "I cannot mention one specific moment, like: this article caused this amendment, but is it a reciprocal process. (...) At a certain point that group of students [started] emailing me, writing articles in the newspapers. And then, at some point, you pick it up and acknowledge, okay, this is an issue, we have to do something with it."

With regards to the motions introduced in the Upper House, there is no relationship with prior media coverage at all. In the Lower House media attention may have played a role with regards to a single motion. MPs in the Lower House from parties that supported the bill mention that they have responded to the image in the media that the accessibility of higher education was in danger and that some people, in particular children from families where it is not obvious to go to college or university, were scared to contract a study loan. An MP: "That played a role for me, to insist on good information and on monitoring". He calls it the '*Rog-Van Dijk-effect*', referring to the MPs from *CDA* and *SP* respectively who according to this MP fueled the media: "This kind of media coverage, that is somewhat tendentious in my view, plays a role in what people think." On the one hand, these MPs were worried that this coverage would become a

self-fulfilling prophecy: journalists provided a platform to those saying that people might decide not to go to university, so some people would indeed decide not to do so. On the other hand, several MPs acknowledged that it was impossible to predict what the consequences of the bill would be. Therefore they wanted to monitor the effects early and precisely. Eventually the committed opposition parties and the coalition parties introduced a joint motion in which they requested monitoring of the consequences of the bill for specific groups of students after four years.

Also relevant are the official promises (*'toezeggingen'*) from the minister that were requested in the Senate. These promises are part of the legislative history and relevant to the law. Senators from various parties asked the minister to take things into consideration, resulting in 16 promises by the minister that were officially documented. One of these promises was requested by opposition party *CDA*, one by opposition party *CU* and coalition party *PvdA*; all other promises were requested by one or more of the four agreement parties. These promises cover a broad range of issues, varying from the promise to use the term 'responsible student' instead of 'investing student', to the promise to consult deans of Bachelor studies about students' move to Master studies. A majority of promises is related to the major debate about the bill: whether introduction of the loan system decreases the accessibility of higher education. This was also one of the main topics in the media coverage about the bill and for several senators it seems to have reinforced their urge to ask for a promise. "I remember that at a certain moment the fear that a lot of students would not go to university because of the loan system was in the media, so: the accessibility," a senator explains. "Well, that is an important signal. So then you delve deeper into that, and check what that fear is based on". It was not a reason to change position, "but we have (...) asked for an evaluation of the bill, in which this would specifically be taken into account". Another explains that media coverage was "not one-on-one" related to his requests, but that "in the media, you encounter again the voices that you also sat around the table with as stakeholders, or that you hear things that were already said in the Lower House. So, in part, the media repeat what

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you already know, magnify certain elements, and thereby shape the opinion in a certain direction". There is thus no direct link between media coverage and the requests towards the minister make promises with regards to elements of the bill, but media coverage reinforced concerns about the potential consequences of the bill.

5.4.3 Feedback loop: the politics-media influence

The content analysis shows that media coverage is related to the legislative process, but not focused on the actual content of the bill (see subsection 5.4.1). Journalists mainly pay attention to the political game, e.g. the heat of the debate in both Houses of Parliament and the political support for and resistance to the bill. The positions of members of the coalition and committed opposition parties are usually described by journalists; those of opposition parties are often reported via quotes from MPs, mostly from the Lower House. It is unlikely that those MPs were quoted against their will; in fact, it could very well be that politicians actively sought such media coverage.

The analysis of the interview data shows that there is a difference in behavior of members of the two Houses of Parliament. None of the senators has approached journalists. They emphasize that this is something they almost never do. "It really doesn't suit us here, to seek the media," a senator argues. "It really has to do with the fact that we are the *chambre de réflexion*. So we are really not here to sensation-hungry try to find a platform". Another says: "Usually I am somewhat reserved, and don't seek out for it. When I am being called, yes, then I wait and see. Generally, we don't look for publicity". A third senator does not consider approaching journalists, "because I don't believe it is instrumental. Look, when I'm being approached by a journalist, I always think in accordance with any media training, chapter one, page one: do I have a message to bring?".

There has been contact between journalists and senators, but only on the journalists' initiative. Journalistic interest was directed towards senators of the parties that signed the agreement: they were necessary for the bill to get majority support in the Senate. One of the

opposition senators explains: “That really has to do with the fact that they are very interested in the game, much more than in the content. And that means it is not that interesting for them to ask us [what we think], because they know what our position is.” The senators who were approached by journalists before the bill was put to the vote either did not cooperate because they wanted to await the ministerial response to their questions and remarks, or they did cooperate because they wanted to create visibility for their parties’ position. And some believe it was instrumental to get media coverage before the legislative debates took place: “The intra-parliamentary and extra-parliamentary game are intertwined. And the direct communication with the government inside the House is one of your instruments, and the communication via the media is another instrument. So it is not just a matter of, let’s inform the media and thereby the country about what is happening, because then you could also say, let’s wait a few days and then you’ll know. These are for each of us also instruments to influence the political game inside the House”, a senator explains.

For some parties media coverage was useful to try to get things done, but media attention was not an isolated instrument. In particular the parties that were expected to support the bill had direct contact with the ministry, via the formal channels within the legislative process as well as via informal consultation. Still, some MPs were happy to participate in interviews and get media coverage, first and foremost to create visibility to communicate with the general public, but also to communicate with other political actors, including the minister.

In the Lower House the picture is different: the contact between journalists and politicians is more frequent and initiated by both sides. The main motivation mentioned by MPs is again creating visibility, i.e. to give account to voters and to a wider audience. “The most important thing is that you want to make your position public”, an MP states. But Lower House MPs perceive media coverage also as an instrument to influence the legislative debate. They take into account the way journalists work: “You are kind of trained, as a Member of Parliament, you become more skillful. So you think: how

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can I, as short as possible, in a few words if possible, still get my message across? Because newspapers, they only write down two sentences about what you think.” An MP describes what his contact with two journalists he initiated looked like: “I contacted them, because it was an interesting new point. And it sounded good. (...) In consultation with my press officer, I chose broad media. (...) You look for media where you think your point lands best.” Once the journalists showed interest, the MP kept in touch with them and decided on a strategy. “Of course I have discussed everything one-on-one with [them], and also agreed on who would be first (...), and then the other would do it as well. And yes, we had contact the whole time”.

Getting coverage in the direct run-up to a legislative debate is considered an efficient way to influence the topics that are discussed. An opposition MP explains how it works: “It can help to strengthen your position in the debate. If I send out a press release (...), and it is in the newspaper, than it has impact. Then all other MPs read it, and the minister reads it as well. And then she says: ‘Well, I have seen what Mr. X wrote in *de Volkskrant* this morning, and I disagree’. (...) So the messages in the media play a role in the debate”. An opposition MP argues that for him media appearances are aimed at being visible, but also that he hoped they would impact the support for the bill. “You want to make clear what the position of your party is, and show that you are serious about it. (...) And if you really disagree with something, it is important to become issue owner, by approaching the media a lot. And at the same time, you always have the hope that you can find a gap in the coalition. I never cherished illusions about finding one in the Lower House. But I have always directed my statements towards what we call here ‘the other side’”, i.e. the Upper House.

Journalistic interest was not equally distributed over Lower House MPs: journalists were primarily interested in the supporting parties and the largest parties opposing the bill. MPs of smaller opposition parties were aware of this and did not attempt to get journalistic attention for their position, amendments or motions. According to one of these MPs, the lack of interest is due to the size of

their parliamentary party as well as to their position: “If you take a furious position, that is of course much more interesting for the press than when you have a nuanced story to tell. It is difficult to bring such a nuanced story to the attention of the media. It sounds much better when it is said, ‘political party: demolition of higher education has started’. (...) But you will not hear us say that, because it’s not what we think. (...) And then you see that in the media, [our] position falls away. That is the price you pay”. Several journalists admit that they were really only interested in the four parties supporting the bill and not even in the positions of the larger opposition parties, because they were “not necessary for the majority”.

Next to some contacts between journalists and politicians on the initiative of the latter, journalists frequently contacted Lower House MPs. MPs were usually happy to participate in interviews, for various reasons. First of all, parties that signed the agreement and supported the bill agreed to participate in order to make sure the coverage of the bill was accurate. An MP that was contacted to explain the content of the bill was willing to respond, “because students have a right to know what the facts are, instead of the agreement and disagreement of a member of the coalition and a member of the opposition. The system will be introduced, what does that mean for students, and what should you take into consideration. I believe that is something that is necessary”. This MP was in continuous contact with journalists during the legislative process. “They attend the debate, they text you: ‘Is it true what you are saying?’. At a certain point I got almost pitchforked as the expert of the system. (...) If you’re so into the system, you also get [such] questions from journalists. Because they just don’t want to write something down that is incorrect”.

MPs from the supporting parties agreed to interviews to emphasize elements of the bill that were successful outcomes of the negotiations from their perspective. Each party wanted to have coverage of these parts of the new system they protected or introduced. “I often went to journalists [to say] hey, do you know that this-and-that is an issue. And sometimes it was just, trying to [show] that certain successes in the negotiation turned in my direction”, one of the MPs explains. Another explains that he accepted an invitation

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to be in a radio program because “it was a good opportunity to tell our own story. That was the idea behind it, and I think that’s what I did”. Overall, MPs in the media wanted to show the public what they were doing. “We are nothing without the media. Every politician should be honest about that. Without the media everything that is happening in this building would remain secret. Instead of that, we want to tell the outside world what we think, and therefore the media are very important, to spread our points of view”.

In sum, most political actors have tried to get or influence media coverage about the bill. Senators primarily responded to requests from journalists, however; in the Lower House there was more real interaction between politicians and journalists, with both parties approaching each other frequently. Politicians in both Houses of Parliament did so primarily to create visibility for their perspectives and positions, but also to try to influence the topics that are being discussed and the direction of legislative debate about the study loan system.

5.4.4 Legislative outcome

In the Lower House, a total of 51 motions and amendments were introduced to the bill (see section 5.2). The latter are parliamentary amendments; no government amendments were introduced. As the analysis in subsection 5.4.2 showed, two exceptions aside, there was no direct relationship between media coverage and the introduction of motions and amendments. Only two media items refer to amendments – without literally mentioning ‘amendments’ – and no motions were discussed in the media. Even when looking at more general relevant topics that are discussed in the media, the content analysis does not indicate that there is a relationship between media coverage and support for motions and amendments. Moreover, the interviews confirm that media coverage did not influence the support for change proposals in the Lower House. Which motions and amendments were passed was dependent on political context: those proposals that were introduced by (one of) the parties that signed the agreement received majority support, the others did not.

Two amendments that were introduced by non-committed opposition parties did pass. One amendment, introduced by *Klein*, proposed indexing the value of the vouchers for current students; the other, introduced by the *SGP*, proposed to legally separate the basic financing of higher education from the proposed complementary financing on the basis of the so-called system of ‘quality-financing’. The minister did not advise against these amendments, in contrast to all other opposition amendments, but wrote that she respectively “leaves the judgment about this amendment to the House” and “is in principle favorable to this amendment” (*Schriftelijke reactie op amendementen ingediend bij het voorstel voor de Wet studievoorschot hoger onderwijs*, 2014). Both amendments never received media coverage. The amendments that were covered in two media items were not passed by the Lower House.

The three motions introduced by the *CDA* in the Senate did not pass. Again, there is no relationship between media coverage and support for the motions. The motions as such received no media coverage, but two motions addressed topics that had been in the media, i.e. the bill’s consequences for students of masters’ programs of more than one year and the transitional arrangement for current students.

It is difficult to judge whether the promises made by the minister in the Upper House are related to media coverage. There is no reason to believe that minister Bussemaker would not have made those promises without the media coverage. However, in view of the fact that the ministry closely monitored the media and because in the Senate, according to one departmental actor, “the approach route during the debate in the House was particularly to give comfort to the coalition parties”, it is likely that media coverage increased the pressure to make a promise. Note that ‘media coverage’ here does not refer to specific items or articles, but to media attention over a longer period of time. A senator explains that in the media he voiced his main concerns, but did not disclose his voting behavior “to increase the pressure (..) on the minister, (..) so I can try to adjust things a little bit in the direction I prefer”. The issues he raised were not new, but by emphasizing it in the media “you keep it warm”. Similarly,

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another senator explains his media performances as a deliberate attempt to communicate with the minister about the issues his party wanted promises on. “It is also substantial, or strategic, however you want to call it. There are a number of things that I want from the minister. So I am not going to say in advance, well, minister, it’s ok. (..) Repeating it every time to whichever journalist that wants to know, is also meant to make clear in the end to the ministry: these are our criteria. So that she does not only hear it via the House, but also via the press. Then she knows that I not only said it, but also that other people know I said it. (..) So in that sense you also use the media to mark your position.” The relationship between media coverage and the formal ministerial promises is summarized by a senator as follows: “Regarding the promises, I’m not sure whether Bussemaker is that sensitive to public opinion, or the pressure from it. So I don’t know, but let me say that the total package of intra-parliamentary and extra-parliamentary pressure, including the media, and including the stakeholders and the like, I don’t think it is possible to fully disentangle them. (..) But that whole complex has had an influence on the balance that is eventually found, on the outcome”.

Regarding the eventual support for the bill in parliament, there is no evidence of strong media influence. The four parties that signed the preceding agreement on the study loan are also the parties that voted in favor of the bill in the Senate. In the Lower House, additional support came from two one-man factions. There are no parties in parliament that fundamentally changed their position during the process. The fact that it was such a long-standing political debate seems to be relevant here: parties positioned themselves on the issue in an early stage. The minister negotiated with a broad range of parties in order to see whether she could get support for the introduction of the loan system, not just with the parties that eventually signed the agreement. Preparing for these negotiations, parties already developed their position. An MP explains: “Because we had meetings with Bussemaker, the minister, in the preparatory phase, we actually took up our ideas before all this became a discussion and got publicity, thus before the spring of 2014. I don’t remember any issues that I ran into (..), that we haven’t thought about

before, and [because of which] we should reconsider our assessment”.

If media coverage had any effect on the ultimate decision of parties on whether or not to support the new study loan system, it was by reinforcing and strengthening their position. Media coverage of various interest groups, particularly student organizations, reinforced the concerns of opposition parties. An opposition MP argues: “It reinforces each other. If I say: the loan system is a bad idea. And if the [student union] *LSVb* then writes an article in the newspaper that says: ‘the loan system is a bad idea’, then of course I feel strengthened. [It is] a kind of backing: look, it is also in the newspaper, these students also say it. So it is a constant process of media and politics influencing each other”.

In the Upper House, media coverage also had a reinforcing effect on parties’ positions. One of the senators calls it “informative in the sense that it confirms what you already thought and think is up for discussion. There you also see responses from readers, opinion pieces that confirm your opinion. You take that into account. And if they are different, than you think, well, everyone can have their own opinion. It is primarily about the general tendency around a bill. If the general tendency is that people are scared to contract a loan and because of that abandon their studies, if you can get that out of the media, than that is relevant”. The fact that voting by call was requested by a *CDA* senator is related to media coverage: once it became clear via the media that there was pressure on the four parties to support the bill, this opposition party hoped that a vote by call would cause some members of those parties to vote against the bill – which is what had happened with the health care bill. In particular because media attention in this phase of the process was focused on the question whether the bill would pass, in particular MPs from *PvdA* and *GL* may have experienced some pressure. “I think that for people in the party who want to vote differently, it makes it much more difficult to make their voices heard,” an opposition senator argues.

Another senator suggests that the media coverage had an indirect effect: it encouraged citizens to become active. “The media hammer on [the fact that] only three people need to be persuaded, and the bill

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won't make it. Then people start thinking, hey, it makes sense to target the Upper House. Insofar the media contribute, because they can increase the pressure". However, during the debate it became clear that it was unlikely for the bill to be rejected; it likely would be too harmful for the *PvdA* and for the government coalition if for the second time within a few weeks deviant voting behavior of a small number of senators would cause a government bill to be voted down. According to one senator, "If there has been such an incident, you feel that it is the main priority of the *PvdA* not to let that happen again. Because then the image to the outside world is that it is chaos. (..) I believe that the ample media coverage for that previous debate (..) has considerably influenced this debate. Because they wanted to avoid at any cost that something similar would happen again". A senator from one of the other supporting parties explains that the media served as a source of information about the criticism from *PvdA* senator Koole: "Those are the things that you hear a lot about via the media. Let me put it like this: they are looking for [political] fuss". However, it did not lead to serious worries about majority support for the bill. "In that period, to be honest, I never got the feeling that it would become very problematic. No".

When asked whether the media and media coverage influenced the legislative outcome, the responses of MPs in both Houses are unanimously negative. "The debate does not get a fundamentally different course because of it", a senator argues. An MP says: "It has not resulted in a different law, or something like that". The political context has been decisive with regards to this legislative process. Because the bill was based on a political agreement signed by four parties from the Lower House, the bill was not like any other bill. A precarious political balance was constructed that needed to be kept intact; changing one fundamental element of the bill at the wish of one of the parties would endanger the delicate balance: "The die was cast, and that was very clear".

5.5 Conclusion and discussion

This third case study contains an in-depth analysis of whether and how media coverage influenced the lawmaking process that resulted in the introduction of a new student loan system in the Netherlands as of September 2015. The analysis of media coverage, parliamentary documents and interviews with various relevant actors shows that media attention may have influenced the process, but did not have fundamental consequences for the process or legislative outcome.

The bill was introduced in September 2014 by the Minister of Education, Culture and Science Bussemaker (*PvdA*), but in fact was the result of a political agreement between *VVD*, *PvdA*, *D66* and *GL* in the Lower House of Parliament. Throughout the legislative process this agreement was decisive for the political decisions made. Party positions were fixed, and since most spokespeople had dealt with the topic for quite a while, media coverage did not contain new information they felt like they had to do something with. Media coverage may have directed politicians' attention to specific topics, but it never served as an autonomous source of influential information.

Media coverage was used by MPs, in particular in the Lower House, but only to strengthen their position and/or to attack political opponents. Political actors used existing media coverage in this way; some MPs tried to create media coverage. Some Lower House MPs approached journalists; MPs in both Houses enthusiastically accepted journalistic requests. The primary reason to do so was to create visibility for their party, to communicate their position to the public at large and to their voters in particular. At the same time, for some MPs it was a deliberate attempt to influence the legislative debate, and maybe even to influence policy content. Whereas it was certain that the bill would pass the Lower House, because of the preceding agreement, several opposition MPs hoped for rejection in the Upper House. These hopes were reinforced when a governmental bill on health care was rejected by the Senate shortly before the vote on the study loan bill. Journalistic attention for the (lack of) support in the Upper House expanded as a result. This increased the pressure

5.5 Conclusion and discussion

on the four parties to vote in favor of the bill, in particular on the *PvdA*, the party of which three senators had voted against the health care bill. The fact that a *PvdA* senator voiced critical comments further increased speculations on the possibility that this bill might be rejected as well.

Media attention was used by some senators of the ‘supporting parties’ to emphasize that they were not very happy with the bill and to ask for formal promises by the minister. She was requested to adjust her communication style and to pay attention to specific groups of students in the evaluation of the bill, among other things. In the Lower House, media attention was not used in this way. However, in both Houses of Parliament MPs from supporting parties responded to criticism about the consequences of the loan system for the accessibility of higher education in the Netherlands. This criticism was present in the media, but also in other sources of information at MPs’ disposal. This increased the urge of Lower House MPs from the committed parties for early and precise monitoring of the bill, resulting in the introduction and support for a motion with such content. Generally speaking, however, media coverage has not substantively influenced the legislative outcome. No amendments that fundamentally changed the bill were passed in response to media coverage; the parties that were expected to support the bill because of the agreement did so in both Houses of Parliament. The media’s role during the legislative process in parliament was limited.

This case study shows that ample media coverage is not a sufficient condition for major influence on a bill. MPs monitored the media and took coverage into consideration when preparing for the debates about the bill, but it did not change their ideas or behavior. On the contrary, most MPs felt that media coverage only strengthened their position. This concurs with the finding that politicians respond to media coverage when the framing is right to reach their pre-established policy goals (Van der Pas, 2014). In sum, media coverage played a role in this legislative process, primarily as one of the sources of information for political actors. In the end, however, this coverage did not have major consequences for the law. The deal was done earlier, even before the bill was introduced to parliament.

Chapter 6

Dynamics of media-lawmaking interaction

The previous chapters presented three in-depth case studies. In order to answer the general research question central to this book, i.e. whether and how media coverage influences the functioning of legislative processes and the content of laws, in this chapter the three case studies are compared, focusing both on similarities and differences. This results in a preliminary model of media-lawmaking interaction, emphasizing the importance of political context. Based on the case studies it appears to be crucial to take the political context in which a particular lawmaking process takes place into consideration when studying the media's role in the legislative process. Proposed legislation is often developed in response to earlier agreements, whether they be (purely) political agreements such as coalition agreements and/or corporatist agreements in which societal parties also take part. Also the historical background of a bill is very influential on the resulting legislative process in parliament. The case studies show that this wider political context needs to be taken into account when studying the media-lawmaking interaction

6.1 Media coverage for legislative processes

in order to really understand what happens during the course of the legislative process, and in particular what the media's role in these processes is.

6.1 Media coverage for legislative processes

What does media attention related to legislative processes look like? A comparison of the results leads to one similarity and four differences between cases.

The main similarity between cases is that, despite the ample attention for the issues that are regulated in the bills, the overall amount of attention for the actual formal legislative processes is limited. This concurs with the general impression that “only a tiny fraction of policy developments are reported in the mainstream news media” (Brown, 2010, p. 133). In all three cases there is some attention for legislative action, but only a small part of all legislative debates, motions and amendments is covered by the media. In their limited reporting on the legislative processes journalists focus on the main features of the bill, including change proposals that will receive or have received majority support. The interviews reveal that most parliamentary journalists do not see it as their task to report extensively on the various issues discussed during the process: 1) they do not believe their audience is interested; 2) they do not get the opportunity from the editors to do so; or 3) they believe that is an old-fashioned way of practicing journalism. In the words of a parliamentary newspaper journalist: “I think that is a bit old-fashioned. People can read that in the proceedings of the House, or in the summaries provided by the communication department”.

A first difference between the three cases is that the media coverage for the topics of the bills with political origins is more closely related to the legislative process than the media attention for the topic of the bill that is driven by public indignation. Coverage in the second and third case refers more often and more elaborately to the legislative process, whereas in the first case journalists were and

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remained primarily interested in news stories about top salaries. As a consequence, the media coverage in the first case continues unabated over the course of the two years, irrespective of the phase of the legislative process. Only a small minority of all newspaper articles contains (short) references to this process and media coverage is only weakly related to the key moments in parliament. The picture is different for the other two cases, where peaks are present in the media coverage of the (topic of the) bill. In both these cases the quantity of media coverage is related to key moments in parliament. In the months when the legislative debates take place and the votes are taken, there is more media attention, due to the political nature of these bills: negotiations were necessary to ensure parliamentary support, and journalists are interested to see how the parties concerned behave during the legislative process. In addition, in the second and third case the bills apply to ordinary citizens, instead of only to an elite; journalists in these cases not only report because they are interested in the political game, but they also want to inform citizens about the consequences of the new legislation for their daily lives. "What I always try to do is look what most readers will be faced with. And then [I try to] explain it as simply as possible, because bills are often very complicated", a newspaper journalist argues. This also explains the attention for change proposals that receive majority support: these proposals have direct consequences for citizens and are therefore perceived as important.

Another difference between the cases is that the emphasis of media coverage for the legislative process varies according to the nature of the bills. The coverage of the case emerging from public indignation is primarily incident-driven; the coverage of the case emerging from societal consensus is (often) content driven; the coverage of the case emerging from a political compromise is mainly politically driven. In line with the focus on incidents in the coverage of the first case, only a few amendments are mentioned briefly in the media. There is also little coverage on the introduction of the bill: it was agreed upon in the coalition agreement and therefore not perceived as 'news'. Journalists were not so much interested in the content of the bill, nor in the course of the process, but primarily in

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the legislative outcome. In the second case media coverage is more focused on the content of the bill. Because the bill was based on existing agreements, journalists did not expect much to change in the content of the bill during the legislative process. They reported on the content and the consequences of the bill for citizens early in the process. In the third case, journalists anticipated political support for the bill. There it was the political game, also in the Upper House, that they focused on. Because the bill was the result of an agreement with a unique combination of parties in the Lower House and because shortly before a government bill was rejected in the Upper House, journalists were eager to find out how the senators of the 'agreement parties' would behave.

Thirdly, the tone of the coverage of the bills varies, resulting in different incentives for political actors during the legislative process. Most coverage in the first case is evaluative and unidirectional. Public opinion is considered to be unanimous and the positions of most political actors (and journalists) are supportive of the bill. Coverage is congruent between outlets and (representatives of) interest groups against the bill are almost invisible. There is no real debate about the desirability of the bill; discussions concern the applicability of the bill to sectors and types of employees. As a consequence, the aggregate media coverage is perceived by political actors as indicative of public opinion and only contains incentives to further expand the bill. In the second case, the tone of media coverage is much more critical and the media raise doubts about the desirability and feasibility of elements of the bill. The evaluative elements in the coverage often come from experts. Sometimes these experts are explicitly negative, sometimes they simply cast doubt on proposed measures. As a result, media coverage contains incentives for MPs to reconsider the bill. Media coverage of the third bill is again primarily evaluative, but different in kind. Critical positions as well as positions supportive of the bill are voiced. Media coverage is similar across outlets and the main topic in the media debate is the accessibility of higher education, which relates to the desirability of the bill as such. The media coverage touches upon the fundamental question whether a loan system should be introduced or not, much more than on how

the system should be organized and implemented. As such, it contains incentives for MPs to reflect on the principles of the bill.

Fourth, in the cases built on political agreements, journalists focus on the coalition and supporting opposition parties. What we see in the second and third case is what we could expect, i.e. that those with formal political power get most media attention (e.g. Bennett, 1996). Also we know that in the Netherlands conflicts between governing parties are more interesting than conflicts between an opposition and a coalition party, because of the unpredictability of the outcome and its potential policy consequences (Andeweg & Irwin, 2014, p. 175). This logic applies to potential conflicts between coalition and supporting opposition parties as well. There is much attention for the motivations of opposition parties to sign agreements with the coalition parties in the first place and their behavior during the subsequent legislative process.

Thus, although media coverage for the legislative processes in parliament is limited in all cases, in particular the differences between the first case and the other two cases are telling. Whereas the media attention for the second and third bill is comparable in most respects, the first, public indignation-driven is different with opposition parties being relatively visible and the coverage being less related to the actual legislative process, primarily incident-driven, and unidirectional.

6.2 Political responses to media coverage

Do elected representatives in parliament respond to media attention, and if so, how? When comparing the case studies, two similarities and two differences show.

The first similarity is that media coverage first and foremost is used rhetorically in legislative debates. MPs explicitly mention newspaper articles or television programs in order to draw attention to public positions or examples that support their political goals. Political actors refer explicitly to media and media coverage in debates in all three cases. MPs rhetorically use both recent media coverage, e.g. articles published on the day of the legislative debate,

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but also older coverage they kept in their files. They use specific coverage as well as trends in media coverage, or images that were created in the media, to their advantage during debates. The rhetorical use of media information fits with the idea of politicians as strategic actors using the media for their own political purposes (e.g. Kunelius & Reunanen, 2012; Strömbäck & Van Aelst, 2013; Van Aelst & Walgrave, 2016). Using media references is primarily a tactic to enliven the debate and to strengthen one's established position. Political actors use media coverage that is helpful to them and as a consequence it tends to be more useful for opposition MPs who are not committed to the bill, than for coalition MPs. This concurs with research suggesting the media's impact is larger on opposition than coalition MPs (e.g. Thesen, 2013; Vliegenthart & Walgrave, 2011).

A second similarity between the three cases is that there is no direct relationship between media coverage and the amendments and motions that are introduced. Contrary to what the quantitative prestudy suggested, there are no indications that MPs propose changes because of things they read or hear about a bill in the media. This supports the idea that the media-policy relationship does not work in a straightforward, linear way (Cook *et al.*, 1983, p. 30). The media form one of various information sources at an MPs' disposal when they are preparing their contribution to legislative reports and debates. This concurs with Jones' and Wolfe's statement "that the media is but one of many sources of information on political issues and attributes in the complex environment in which the press and policymakers make decisions" (Jones & Wolfe, 2010, p. 20) as well as with Brown's conclusion that "we should treat the policy process as an environment where gathering, communicating and processing information is a central activity conducted through multiple channels of which the mainstream news media are only one" (Brown, 2010, p. 137). MPs read the official legislative documents, including the advice of the Council of State, and relevant studies that are published by various organizations. They receive letters and emails from citizens, interest groups and experts and invite people whose opinion they are interested in for private or committee meetings. They deliberate within their party, have contact with people in their own

network, and consult scientific literature. And in line with previous research, specialized media can instead of, or next to, the mass media be a relevant source of information (Brown, 2010, p. 131-132), in particular for senators.

Monitoring the media is not useless for MPs, but media coverage seldom contains new information for them. This finding goes contrary to the idea that the media “act as sources of readily usable, policy-relevant information” (Cobb & Elder, 1981, p. 392) and reduce the information processing tasks policymakers are confronted with (Kingdon, 1981, p. 227-236). The broad conclusion that “media provide politicians with information that they would otherwise not have or not pay attention to” (Van Aelst & Walgrave, 2016, p. 4) seems to be at most partly true in the context of lawmaking: media coverage may draw politicians’ attention to certain issues or actors, but it does not contain information MPs would otherwise not have at their disposal. Spokespeople on bills tend to be specialists with a specific portfolio, for whom the rather superficial information in mass media coverage is not particularly relevant.

Sometimes the introduction of a motion or an amendment could still be an indirect response to media attention, however. In exceptional cases, even if there is no immediate or direct relationship between media coverage and a proposed change, this coverage may contribute to the decision of a Lower House MP to propose a motion or amendment. MPs asked PQs or proposed motions during parliamentary debates about top incomes that were in part inspired by media coverage in the years prior to the introduction of the bill. The amendments may be a long-term and indirect response of MPs to various stimuli, including the lasting general media coverage of a topic. For politicians the distinction between media coverage prior to and during the legislative process seems to be less relevant; the introduction of a bill is always preceded by political debates about the topics, and in particular if the topic is in their portfolio they follow media coverage anyway. This can inspire them in this very early phase already. However, media coverage alone is not enough: criticism has to be voiced elsewhere as well, and the role of the media is subordinate and secondary. As summarized by a senator: “It is not

6.2 Political responses to media coverage

the media or politics, but it is the complex of the two together, (...) where main points come into being. With that main point the possibility arises to adjust things or to restrain things.”

A finding indicating a difference between the cases is that only in the first, incident-driven case there were links between media-inspired PQs and the debates about the bill. PQs are an instrument for MPs to respond to topical issues and ask a member of government about developments MPs are concerned about. Research shows that particularly in the Netherlands, PQs are often a response to media coverage (e.g. Midtbø, Walgrave, Van Aelst & Christensen, 2014; Van Santen, Helfer & Van Aelst, 2015). The finding that only in the first case PQs are used by MPs to connect media coverage with the legislative process may be due to the fact that the bill originates in long-standing public indignation about top salaries, combined with the fact that the duration of this legislative process was relatively long. PQs are typically incident-driven, just like this bill, and the ample non-political coverage of the topic of the bill was well suited for asking PQs. Because after the introduction of the bill it took a while for the government to respond to the committee reports, asking questions based on media coverage was also a means for MPs to put pressure on the government. This mechanism was not relevant to the other two cases due to the fact that the desire to develop legislation instead originated from corporatist groups and political parties, respectively. Also, parties committed to the bill via the political agreements had no interest in asking PQs, but were eager to finish the legislative process quickly to make sure the agreement was translated into law, that could take effect within the proposed time period.

Another difference is that only in the second, content-driven case, there appears to be a correlation between the main topics of the bill that were covered by the media in the long term and the attention devoted to them in parliament. Two topics – flexible employment and dismissal – received a lot of attention in both; the third topic – unemployment insurance – was less prominently present. Several political actors noticed this in media coverage: “It was mainly about flex[ible work], and the imminent large wave of redundancies, and much less about the technique of the bill Employment and security.

And surprisingly little has been written about unemployment insurance”, according to a senator. That this was reflected in the political debate suggests the potential presence of a political agenda setting effect on a substantial political agenda (e.g. Van Aelst & Walgrave, 2011). It is however likely that the two issues received most attention in parliament not only due to media coverage, but also because these issues were highest on the agenda of various interest groups and experts.

6.3 Political influences on media coverage

Do political actors try to generate or influence legislation-related media coverage? When comparing the case studies, three similarities and one difference appear.

The first finding is that Lower House MPs across the three cases sometimes try to get or influence coverage for their party’s position by interacting with journalists. The various parliamentary instruments however are not so much used to attract journalistic attention for themselves; attracting attention is not the aim of an MPs contribution to a debate or the introduction of an amendment. MPs are focused on the content of the legislative process and are predominantly intrinsically motivated to deliberate about bills. This concurs with the idea that MPs use ‘traditional legislating tactics’, such as contacting other MPs directly and speaking on the floor, more frequently than any media tactic and prefer these traditional means of legislating (Cooper, 2002, p. 362). MPs in the Netherlands are likely even less engaged with trying to get media coverage during a legislative process than Cooper found for US state legislators. Dutch political actors often do not say things particularly to arouse journalistic interest during the actual debate, but when in contact with journalists, they emphasize the crucial elements of their individual contribution. Because of journalists’ frequent presence in the parliamentary buildings and regular contact with Lower House MPs, it is often difficult to ascribe the initiative to one of the two. Also in the context of lawmaking, the relationship between journalists and politicians has a mutual character (e.g. Davis, 2009; Sellers, 2010).

6.3 Political influences on media coverage

The intensity of their interaction however seems to be modest: due to the limited journalistic attention for details, most of politicians' legislative work is not closely followed by journalists.

The second similarity is that the main motivation for political actors to get or influence media coverage is to create visibility. Those politicians trying to arouse journalistic interest primarily do so to communicate their position to the public and make their legislative work visible. This is in line with the idea that elites use the so-called 'media arena' to reach out to the general public and to their voters (Van Aelst & Walgrave, 2016) and that "the principle of answerability and accountability oblige political actors to inform the public of their policies, decisions and plans" (Esser, 2013, p. 162). Those MPs representing coalition parties primarily try to make their achievements visible; those MPs representing opposition parties want to publicly voice criticism. Representatives of parties that support a bill want to show to their voters that they have substantiated the promises they made in their election programs, or have developed agreements that were made with other parties into actual legislation. And if there is critical media coverage, the supporters of a bill want to defend their choices to their electorate and try to refute the critique. Spokespeople of parties that oppose a bill may also want to show that they have stayed true to the promises of their election program, by not supporting the bill or by not compromising with other parties. Critical media coverage is grist to the mill for such parties, not only to criticize the content of the legislation, but also to confront supporting parties with. The pursuit of visibility is arguably related to underlying electoral goals: although they usually do not have immediate relevance, elected politicians seem to be well aware that sooner or later elections will take place and that at that day they may be praised or punished by their voters for their legislative behavior. This means that also in the context of lawmaking, politicians have at least to some extent become used to relying on media channels for generating attention, but also for acceptance and legitimization of their political actions (Esser, 2013, p. 155).

A third and related finding is that sometimes media presence is

6.3 Political influences on media coverage

perceived by MPs as a way to communicate with other political actors, both parliamentary parties and the minister. This supports the idea that politicians primarily try to communicate with their voters, but sometimes target policy elites as well (Cooper, 2002). They know that media coverage shortly before a legislative debate is monitored closely by most politicians that will participate in the debate. The aim of getting into the media does however usually not seem to be to put pressure on other parties; the cases do not contain examples of MPs who try to get media coverage in order to increase parliamentary support for amendments or motions. Instead, politicians hope that their colleagues will refer to their media performance during debates, so their presence in the media gets extra attention and influences the issues discussed in parliament. Contrary to suggestions in previous research (e.g. Cooper, 2002; Hess, 1984; Kunelius & Reunanen, 2012), media coverage is not perceived as an efficient way to get support from other parties. In particular coalition MPs seem to perceive other ways of negotiating support as more appropriate and efficient. According to opposition MPs using the media is usually not effective, because for their proposals to be passed they need the support of coalition or supportive opposition parties. However, these parties tend not to be willing or able to support them because of political agreements. In addition, MPs experience difficulties with getting media coverage for changes they propose. Journalists are primarily interested in amendments and motions that receive majority support; MPs are aware of this and therefore often do not even try to get media coverage for proposals that are not expected to pass. Proposals that are supported by the majority do sometimes receive coverage, but in these cases the coverage is a response to rather than the cause of the support.

A fourth finding, indicating a difference between the cases, is that only in the third, political compromise case, several senators interacted with journalists. In the other cases, senators do not try to get or influence coverage, but deliberately exercise restraint when it comes to journalistic requests. In their work in the *chambre de réflexion*, for senators it is – compared to Lower House MPs – less important to respond to the media and to be visible. Only in the third

6.4 Consequences for legislative outcomes

case, some senators had contact with journalists, always on the initiative of the latter. This seems to follow from media interest in the effects of the political compromise in the Upper House. This concurs with a general statement by one of the senators: “The large media, the newspapers (...) are, to put it simply, only interested in [political] fuss. So the parliamentary press only shows up in large numbers (...), in particular the audiovisual media, if there a potential defeat of the cabinet in the [Upper] House is approaching on a subject that is interesting.”

6.4 Consequences for legislative outcomes

The fourth and final research question is: does media coverage influence the legislative outcome, and if so, in what manner? When comparing the case studies, one similarity and one relevant difference show.

The first finding is that the support for motions and amendments is not dependent on media coverage. There are no indications in any of the cases that the support for motions or amendments was affected by media coverage. In the second and third case the parties that signed the underlying agreement only supported the rather limited changes that were introduced by one of those parties and the proposals the minister did not advise against. This implies that in the Netherlands legislative politics is predominantly party politics, and parliamentary party group unity is the rule rather than the exception (Van Vonno, 2016, p. 2). The distinction between opposition and government parties is also crucial to understand the voting behavior of political parties on legislation (Louwerse *et al.*, 2016, p. 1). The coalition agreement, or an ad hoc political agreement that forms the foundation for the bill, is a decisive factor with regard to parties’ decisions to support change proposals, at least for parties that signed the agreement. Some rare exceptions aside, opposition parties did not receive majority support for their proposals and the few opposition motions and amendments that received majority support did so not because of pressure from media coverage, but usually because the minister advised positively or simply left the judgment to

the House, allowing coalition MPs and committed opposition MPs to support them. A departmental actor emphasizes the importance of the agreement for the support for amendments: “The heart of the matter is in my view the agreement that was signed (...). It is kind of similar to a coalition agreement: it is holy (...), and nobody can deviate from it, because that is the agreement. It is built out of compromises. (...) So from the moment these parties have declared (...): this is our agreement, it was really set in stone. Yes, a few amendments were introduced, some have been passed, but if you take a close look at the content of those changes, they are not very substantial. (...) Have changes been made under the influence of the media? The answer is: very limited. Very limited, and that has primarily to do with the political deal that preceded it”.

The second finding is that some parties' decisions on whether to support the bill or not are only affected slightly in the first case, if at all. In the other two cases, the support for the bill was not influenced by media coverage. In all cases, the voting behavior of parties was mainly dependent on the origin and political source of the bill. Media coverage does not seem to be decisive for or even impact on the support for bills. The influence of the often rather critical media coverage on legislative outcomes is negligible. The parliamentary support for the second bill was broad due to the underlying political and societal agreements and the support for the third bill was restricted to those parties that previously signed the ad hoc political agreement. Only in the first, incident-driven case, media coverage may have indirectly contributed to unanimous support for the bill in both Houses of Parliament. The media coverage for the (topic of the) bill over a period of many years may have contributed to the willingness of political actors to support the bill. Eventually this bill was supported unanimously in both Houses of Parliament; parties that were originally not enthusiastic felt inclined to support it, anticipating media coverage. This can be seen as an example of 'self-mediatization' (Meyer, 2002; Strömbäck & Esser, 2014), i.e. the pro-active adaptation of politicians to the media. In the other two cases, media coverage did not affect the parliamentary support for the bill.

6.5 A preliminary model of media-lawmaking interaction



Figure 6.1: Preliminary model of media-lawmaking interaction

6.5 A preliminary model of media-lawmaking interaction

Because of their exploratory nature, the case studies were guided by research questions that were embedded in a heuristic model (see Figure 2.3). Based on the empirical insights derived from the cases, including the broader observation that the political context is important to understand the media's limited role in parliamentary legislative processes, I propose a preliminary model of media-lawmaking interaction (Figure 6.1).

The basic elements of the model remain unchanged compared to the heuristic model; they have proven to be useful for understanding the media's role in legislative processes. However, the model has been simplified to the core concepts and the research questions are replaced by arrows indicating the direction and the expected strength of the relationship. Also, political context is added as a factor, to stress that media-lawmaking interaction takes place within a set of political constraints. The model may be helpful for, and adjusted by, future research on media and lawmaking.

In sum, I suggest that media attention affects the behavior of political actors, which may subsequently lead to (more) media attention. This evolving interaction between politicians and journalists may affect the legislative outcome. It would be incorrect to suggest a direct, mechanical effect of media coverage on the outcome of legislative processes; instead, the mutual relationship between politicians and journalists and their behavior during the course of the lawmaking process may play a role in the decision making that

6.5 A preliminary model of media-lawmaking interaction

constitutes the legislative outcome. To fully understand the media's role in the legislative process, it is crucial to take the political context in which the lawmaking process takes place into account. I will discuss the various elements of the model in some more detail below.

First, media attention is a precondition for media influence on legislative processes. Political actors respond to media attention that is relevant to bills within parliament, as depicted by the solid arrow. This study suggests that politicians respond primarily rhetorically in their contribution to legislative debates. Other more substantial types of responses, such as the introduction of amendments, are possible as well, but in practice rather exceptional. One should be aware that this relationship between media coverage and political responses in parliament is of course not unique to the legislative context; MPs respond to and use media coverage in most, if not all, other aspects of their political work. However, this study contributes to current knowledge by suggesting that this relationship is also relevant with regard to politicians' behavior during lawmaking processes in parliament.

Second, the behavior of political actors during the course of a legislative process can lead to media coverage. Politicians may even try to get media attention in this context of lawmaking. However, this relationship is depicted by a dashed arrow: it does not seem to be an important part of the legislative work of MPs, and definitely not of senators. In this study, if politicians try to get media attention at all, they do this not by using parliamentary instruments, but rather opt for direct contact with journalists.

Thirdly, the interaction between media attention and the behavior of political actors may affect the substantive legislative outcome. However, this relationship is depicted by a thin, dashed arrow because this study shows only a very limited, if any, effect. Although the possibility that media attention eventually plays a role in the legislative outcome can not be ruled out, the cases studied do not suggest that the media strongly affect the support for or content of bills in parliament.

6.6 The importance of political context

The media-lawmaking interaction takes place within a particular political context (presented in Figure 6.1 by the light grey area in the model). The political context needs to be taken into account when studying the media-lawmaking interaction, in order to better understand what actually happens, or does not happen, during the course of the legislative process - and in particular what the media's role in these processes is. With regard to the current study, the political context of lawmaking is crucial to understand the media's limited role in all three cases. The Netherlands is a consensus democracy with a multiparty system, coalition governments and a history of consociational democracy (Lijphart, 1969). The potential instability resulting from divisions in society and politics has traditionally been counteracted by the consensus-seeking behavior of political elites. In addition to these lasting macro-level characteristics, contextual factors are relevant for understanding the media's (limited) role in legislative processes. Both the type of media coverage and whether and how this media coverage influences a legislative process, are related to such contextual factors.

In other words, how a particular issue gets on the legislative agenda affects the media's role beyond the agenda setting phase. In the fragmented Dutch multiparty system, political and societal agreements play an important role in the development of legislation and policymaking in general. The political culture is characterized by consensus-seeking behavior of politicians and corporatist consultation of interest groups (Andeweg & Irwin, 2014). Important legislation, that for example affects the daily lives of many or all citizens, includes large reforms, or has a long political history, is likely to be the result of mutual agreements between various political and societal actors. As a consequence, the role of media attention during the subsequent legislative processes in parliament is limited: by the time the bill is announced or introduced, often an agreement has already been reached on a political level, probably behind closed doors. Even if the media pay ample attention to a bill during the legislative process, the effects appear to be limited. In a sense, it may

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simply be too late for the media to have considerable influence, at least on the legislative outcome.

Despite having limited effects on legislative outcomes, media attention can play a role during legislative processes – yet again, the political context is influential. More concretely, aspects such as whether the bill originates in a coalition agreement or in an ad hoc political agreement, whether the bill is driven by a political desire to change the law or is primarily a response to events or incidents, and whether the political debate has a long history or not seem relevant for the behavior of politicians during the legislative process and for their potential response to, or use of, the media in that process. If a bill is driven by public indignation over successive incidents, such as the first case, the media's general focus on conflict (e.g. Harcup & O'Neill, 2001) is likely to affect the coverage during the legislative process. This coverage, in turn, is likely to be used by politicians in favor of (extension of) the bill to put pressure on other politicians to respond to it.

There arguably exists an inverse relationship between factors that affect the commitment and expertise of politicians and their incentives to respond to media coverage: the stronger political actors are already committed to and informed about the topic of a bill prior to the formal start of the legislative procedure, the more limited the media effects on the legislative process will be. With regard to their commitment, if the driving force of legislation is a prior political agreement, the parties that signed the agreement are strongly committed to passing the bill, undamaged by major amendments. This decreases the likelihood that, even if there is ample media coverage criticizing certain aspects of a bill, coverage affects the legislative outcome. In particular if the bill originates in an ad hoc political agreement between the government and one or more opposition parties, the politicians involved are very careful not to disturb the often delicate balance of the agreement. Even if they feel they should respond to what is in the media, because it expresses concerns they share, they may decide not to do so in order not to offend their political partners or destroy the agreement. In the third case, for example, the decisions of parties to support or reject the bill

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were made long before the start of the legislative process. The political context, with an agreement between four parties in the Lower House, was decisive for the outcome of the legislative process. None of the other parties was 'tempted' by media coverage to support the bill, and none of the committed parties was convinced by critical media coverage to propose major changes or withdraw support.

With regard to politicians' information and expertise about a bill, the political history of a bill seems to be of particular importance. If an issue has been subject to previous political and media debate, and if political parties have already participated in parliamentary debates or political negotiations about the topic, their position towards the issue will be largely, if not completely, settled. In addition, it is likely that in this period *prior* to the introduction of the bill the spokespeople of the various parties will have gathered extensive knowledge about the issue, and have developed a network of experts from the field and from their party that nurture them with information and opinions. This existing source of expertise and relevant information decreases the chances of media coverage containing any information that is new to the politicians involved. Moreover, the fact that they already are well-informed reduces the likelihood that these politicians will change their mind with regard to a bill during the actual legislative process. MPs may respond to media coverage in a more symbolic or cosmetic manner, but if they have previously expressed a positive judgment about a bill, it is unlikely that they will reconsider their decision: they are convinced of their opinion, or the political context does not allow them to reconsider their position.

The observation that the political context of legislative processes seems to heavily influence (the potential for) media influence concurs with suggestions in the literature. It confirms the conclusion about the media's role in policy processes by Voltmer and Koch-Baumgarten (2010, p. 6) that "existing policy institutions and power constellations constrain the degree to which the media can interfere in the decision making process". They argue that media influence on policy processes depends on the policy content, the structural context of a policy field and situational factors. The specific

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characteristics of policy, the political roles and responsibilities of the actors involved and events that occur all and in combination condition media influence (Koch-Baumgarten & Voltmer, 2010, p. 219). A window of opportunity for processes of media influence occurs, according to them, if a decision making setting is weakened to the extent that the political actors involved are unstable, fragmented or are in conflict. Such a situation has not occurred in the cases studied here, which might explain the limited media influence on the legislative processes central in this study.

The conclusion that political context matters also concurs with Esser's (2013, p. 175) proposition that the 'political logic' underlying political events and processes determines both its likelihood of being mediatized and the specific media effects that are to be expected. According to Esser this 'political logic' has three facets: a policy-oriented production side, a politics-oriented self-presentational side, and a polity-oriented institutional side. He argues that the media logic, or "the media-specific rules of selecting, interpreting, and constructing political news coverage" (Esser, 2013, p. 160), affects front-stage political activities (the politics-oriented side) more than back-stage policymaking. The case studies show that because political actors often have limited room for maneuver, due to contextual factors such as existing agreements, the media tend to pay little attention to the details of the actual legislative process in parliament – the matter is usually settled already. The media coverage that is published is mainly used rhetorically by politicians during legislative debates, which is understandable considering the fact that the core content of the bills seems to be practically unchangeable. This can be seen as an example of the media logic affecting front-stage politics instead of back-stage policymaking: in their political self-presentation MPs use media coverage if it supports their position, and they try to get media attention to communicate their position to the wider public.

What Esser does not address explicitly is whether the media logic affects the polity-side. He does mention that the institutional framework conditions of politics are "somewhat beneath the surface of day-to-day politics but consequential for its execution" (Esser,

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2013, p. 174). The potential for mediatization of back-stage policymaking, in this case lawmaking, seems to be dependent on institutional polity aspects. These aspects influence or even define the room for maneuver politicians have, or at least perceive and experience, during policymaking processes. Contextual factors such as the political foundation, driving forces and particular history of a bill affect the policy decisions MPs make and therefore also the degree to which media may affect these decisions. If the political foundation is strong, if there are intense political or corporatist forces driving the bill, or if the bill has a long political history, it is unlikely for the media to heavily or substantially influence lawmaking.

Chapter 7

Conclusion and discussion

7.1 The media's role in lawmaking

“The press keeps a check on [those in] power, is the thorn in the side. That is the point of departure. But politicians and journalists often have common interests. The politician wants attention for his bill, and the journalist is looking for news. And then the distinction between ‘thorn’ and ‘side’ is sometimes suddenly lost” (NTR, 2011). These words by journalist Coen Verbraak, expressed in the Dutch television series “Looking inside the soul: Politicians” (*Kijken in de ziel: Politici*), suggest a strong relationship between journalists and politicians in the context of lawmaking. Does the available empirical evidence confirm that the media play an important role in legislative processes?

There is scholarly consensus that media and politics are intertwined and that politicians and journalists mutually influence each other (e.g. Sellers, 2010; Wolfsfeld, 2011). Political communication research has generated studies demonstrating and explaining the mediatization of politics (e.g. Strömbäck, 2008; Strömbäck & Esser, 2014; Esser, 2013; Mazzoleni, 2008). In addition

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to research about media effects on the public, scholars have devoted attention to the political agenda setting power of the media (e.g. McCombs, 2004; Midtbø *et al.*, 2014; Van Aelst *et al.*, 2014). The issue attention of the media influences the topics that are discussed by governments and parliaments. The people whom it directly concerns perceive this relationship in a similar way: politicians consider the media to be very powerful (e.g. Davis, 2007; Van Aelst & Walgrave, 2011, p. 308; Walgrave, 2008) and journalists themselves, to a more limited degree, also perceive the media to be influential (Van Dalen & Van Aelst, 2014).

The overwhelming amount of research conveys an impression that all politics is mediatized. The concept 'politics' however delineates many things, and not all types of political processes have been studied to the same extent. Moreover, scholars have become aware that media effects are contingent on a number of factors and that such effects are stronger on symbolical than on substantial political agendas (Walgrave & Van Aelst, 2006). The media may affect the symbolic behavior of politicians, e.g. what they say in speeches (Reinemann, 2014), more than the substance of politics, e.g. the issues new policies are proposed about. However, there is no principal or fundamental reason to believe that the media's influence on politics stops when it comes to substantial politics. The same goes for the timing of media effects: if media affect political agendas, they may as well influence later stages of the policy process (Cook, 1989; Soroka *et al.*, 2013).

Research further suggests that the media may affect the duration of legislative processes (Jones & Wolfe, 2010; Wolfe, 2012), but in particular outside the US context political communication scholars have "devoted little time and energy in examining the policy connection of media effects" (Wolfe, Jones & Baumgartner, 2013, p. 176). This leaves several important questions unanswered. How about the parliamentary legislative processes? Is the behavior of elected representatives in parliament affected by the media when discussing a bill? Does media coverage have consequences for legislative outcomes? The aim of this study was to explore whether and how media coverage influences the functioning of legislative

processes and the content of laws. The main research question is: does media coverage play a role in legislative processes, and if so, how?

7.1.1 A negligible impact on legislative outcomes

I focused on lawmaking in the Netherlands, and because so little is known about media and lawmaking - in particular in a non-American context - the first thing we needed to know was what media coverage for lawmaking looks like. Research suggests that such coverage is very unevenly distributed over bills (Van Aelst *et al.*, 2015). In the Netherlands most bills do not receive any media coverage at all; only 10% of all bills receives substantial media coverage. A first, quantitative exploration of media effects on legislative processes suggested that such media coverage does not affect the duration of legislative processes. This result differs from Wolfe's (2012) findings that suggest that media attention mediates the speed by which bills become laws. The different Dutch result may be due to a peculiarity of the legislative process; in the Netherlands there is no legislative discontinuity principle (Van Schagen, 1997), so slowing down the legislative process, for example in response to media coverage for a bill, is a much less effective way to stop a bill from becoming law as may be the case in other countries.

My preliminary investigation of media effects on lawmaking did nevertheless suggest that media attention impacts on the behavior of political actors during the legislative process. If journalists pay more attention to a bill, more amendments and motions are introduced. To understand this association, and study how exactly that dynamic works and if media coverage has any other effects on legislative processes, I conducted three in-depth case studies. The respective bills dealt with the remuneration of senior officials in the (semi)public sector, the restructuring of employment law and the introduction of a new student finance system. All bills received ample media coverage and there were many potential moments of influence during the respective legislative processes; if the media do affect lawmaking, the relevant mechanisms via which it does would have

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likely become visible.

The comparative analysis of the cases showed that media coverage indeed played a role in all three legislative processes, but that it had limited, if any, influence on the final outcomes. In some instances political actors referred to media coverage in legislative debates or during the process asked questions that were partly inspired by media attention, and only in very exceptional cases they introduced an amendment or motion partly because of media reports. This key non-finding suggests that the relationship found in the quantitative exploration between media attention and the introduction of change proposals may have been spurious. It rather seems that bills that address important topics, such as large reforms that affect the daily lives of many citizens, receive ample media coverage *and* are amended heavily. Interpreting the correlation in causal terms may be tempting, but that is not what the case studies showed.

It should be noted that this study suggests weak media effects, but also and more generally that MPs probably exert limited influence during the formal legislative process. Most, if not all, fundamental decisions are already made by the time the bill is introduced into parliament. As discussed extensively in Chapter 6, the political context must be taken into account when studying the media-lawmaking relationship. Bills are often developed in response to prior political or corporatist agreements, and this study suggests that the content of these agreements and the commitment of the partners involved have a strong influence on the subsequent lawmaking process in parliament. Even if there is ample media coverage during the legislative process, this does not have a strong effect on the process, nor on the outcome. The effect of media attention on support for amendments, motions and bills is negligible. Political actors may not be immune to the media and media coverage, but this coverage is not decisive and even not very influential for legislative processes and substantive outcomes.

7.1.2 Implications for media effects research

My findings contribute to knowledge about media effects on policymaking in various ways. First, the results concur with findings of other research on substantial agendas (e.g. Brown, 2010; Jones & Wolfe, 2010) and support the idea that media effects on substantial political agendas are much weaker compared to effects on symbolic agendas (e.g. Walgrave & Van Aelst, 2006). The media's role in, for example, the highly symbolic parliamentary question hours, which are often 'designed' for political actors to respond to current affairs, is very different from the media's role in complex and lengthy lawmaking processes. It seems like the less symbolic and more substantial a political agenda is, the less representatives of relevant political parties have the freedom, or feel the pressure, to act and respond to the media.

Second, this study sheds light on the media's role beyond the agenda setting phase and complements research on legislative agenda setting (e.g. Cook, 1989; Ihlen & Thorbjørnsrud, 2014; Sellers, 2010; Walgrave, Varone & Dumont, 2006). It answers appeals for research about media effects on later phases of policymaking processes (Wolfe, 2012). Although various scholars suggest that the media matter throughout the whole policy process (Cook, 1989; Soroka *et al.*, 2013), I did not find empirical evidence for such effects during the Dutch parliamentary legislative process. After the agenda setting phase, i.e. the moment the bill is prepared and introduced into parliament, legislative processes seem to be rather autonomous. This may be due to the fact that measures in proposed bills are often complicated and technical, which would be in line with studies suggesting that the complexity of issues constrains media effects (e.g. Soroka *et al.*, 2013; Yagade & Dozier, 1990). As argued in the previous chapter, it also is very likely that contextual factors limit the potential for media influence, similar to what is argued in some research on policy processes more generally (e.g. Esser, 2013; Voltmer & Koch-Baumgarten, 2010).

Third, in addition to this empirical contribution to agenda setting research, this study adds to media effects research with its multi-method approach and in-depth focus on the behavior of

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individual political and journalistic actors. By conducting a quantitative prestudy and qualitative case study analyses in which content analyses are accompanied by interviews, this comprehensive study bridges the gap between large-scale agenda setting studies, in which data are often aggregated on the level of issues or policy areas (e.g. Jones & Wolfe, 2010; Walgrave, Varone & Dumont, 2006) and studies of the behavior of individual actors that rely on interview data only (e.g. Davis, 2009; Landerer, 2014). The combination of content analyses of parliamentary and media documents and interviews with both journalistic and political actors that were themselves involved in the processes under study is promising and allows for triangulation. Moreover, the interviewees are not asked general perception questions, but specific questions about their own behavior in concrete cases (as suggested by Van Aelst & Walgrave, 2011). All in all, this leads to more nuanced and in-depth knowledge about the interaction between journalists and politicians in the context of lawmaking processes.

Fourth, with its focus on lawmaking in the Netherlands, the results of this study provide insight into the applicability of the conclusions of American research in the contemporary European context. The suggestions of American scholars with regard to media effects on legislative processes and the importance of media strategies in legislative work (e.g. Cook, 1989; Sellers, 2010; Wolfe, 2012) do not seem to fit lawmaking in European parliamentary democracies very well. Apparently the situation in the Netherlands is different from the US, where already thirty years ago "making news has frequently become integral to the legislative process" and "reporters for all kinds of news outlets can (...) be present at any stage of the legislative process and can be instrumental to shaping the results" (Cook, 1989, p. 168). Also, the conclusion that American "politicians and journalists jointly shape (...) legislative outcomes" (Sellers, 2010, p. 205) does not apply to lawmaking in the Netherlands. The situation is more nuanced or even fundamentally different in the Dutch context: journalists only sometimes attend legislative debates, and there are only rare examples of MPs trying to use the media to their advantage.

7.1 The media's role in lawmaking

There are a number of factors that may account for the significant differences with lawmaking in the United States. First of all, not all American scholars clearly delineate what they mean by 'the legislative process' and some employ a rather vague and very broad definition of lawmaking, including pretty much all behavior of politicians in Congress (Cook, 1989). Similarly, it is not always clear whether civil servants or elected politicians are meant when scholars study media effects on 'policymakers' (Thorbjørnsrud, Ustad Figenschou & Ihlen, 2014). In addition, there are significant differences between the Dutch multiparty parliamentary democracy and the American two-party presidential democracy: for example, whereas in the US bills are introduced by Congress members, in the Netherlands the vast majority of bills comes from the government. Consequently, legislative processes in the Netherlands are probably more reactive, whereas members of Congress may adopt a more proactive stance towards lawmaking and use the media more actively. In addition, whereas party politics is a crucial aspect of legislative work in the Netherlands, electoral motives and constituency interests play an important role in the work of members of the House of Representatives (Cook, 1989); both responding to and being in the media is more important for American than for Dutch MPs. In sum, the overall picture emerging from the case studies does not confirm Cook's impression that "Making news, in short, has become a crucial component of making laws" (Cook, 1989, p. 168). Rather than a 'crucial' component, MPs' interaction with journalists seems to be an incidental and subordinate component of lawmaking processes.

Fifth, this study complements existing European research on the media's role in policymaking by empirically studying suggestions about media effects during such processes. Voltmer and Koch-Baumgarten concluded their book on *Public Policy and the Mass Media* by stating (Voltmer & Koch-Baumgarten, 2010, p. 9): "We do not suggest (...) that the media's influence in the policy process is paramount or that policymaking is dominated by the dynamic of public communication. (...) However, we argue that if the media enter the policy arena they are able to change the course of decision making and the policy outcome in significant ways". It may be true

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that on occasion the media have such power, but this is not confirmed by the results of the current study. It may be possible that the media prevent bills from becoming formal law, but that mechanism did not show in the cases studied (see section 7.2 for a further discussion of the implications of the current research design). It may also be that media may play a stronger role in other types of policymaking, for example in policy processes that are more ad hoc and linked to current developments, or in other phases of the policymaking process, such as the agenda setting and implementation phase. Overall, however, the study primarily concurs with the suggestion that the media's influence in policymaking is not paramount. Thereby it also points in a different direction than Davis' research on perceived media impact in the UK, which shows that British MPs believe legislative debates are influenced by the media (Davis, 2009). It may be that the situation is different in the UK, but he arguably may find strong effects because MPs simply (subconsciously) overestimate the power of the media (Van Aelst & Walgrave, 2011).

7.1.3 The emphasizing effect of the media

This study has developed insights into the media's role in the legislative process in order to complement knowledge about political agenda setting and media effects on symbolic political agendas, and to respond to appeals for more in-depth investigations of the media's influence on policymaking. The overall conclusion is that the media do not play an autonomous role in Dutch legislative processes. By showing that the media affect lawmaking only to a very limited extent, this study strongly nuances ideas about the mediatization of politics, the perception of the media as a major 'political institution', and the challenge this poses to representative democracy (Cook, 2005; Mazzoleni & Schulz, 1999; Sparrow, 1999; Strömbäck, 2008; Strömbäck & Esser, 2014). Instead, this study fits better with the observation by Brown (2010, p. 136) that the media rarely have substantial impact on policy processes as an independent actor: "At a minimum, policymakers use the news media to help form an overall impression of the state of the political system, at a maximum it can

serve as a channel of communication for actors involved in conflict around an issue”.

If there is any media effect, I would argue that the influence on lawmaking is an emphasizing effect. This effect occurs in two ways. Firstly, as a source of information media coverage puts emphasis on an issue, argument or actor. The media can highlight specific consequences of a bill, or a particular argument, or the position of for example an expert. Secondly, media attention is most often used as a rhetorical instrument in legislative debates. It helps to stress the topicality of an issue, to influence the direction of the debate, and to argue the validity or relevancy of an argument. This concurs with the suggestion by Wolfe, Jones and Baumgartner (2013, p. 179) with respect to policy agenda setting, that “the media may be less a causal factor in setting the agenda than an amplifying one”, weighing information and helping to focus attention.

In the following section, I sketch potential ways in which the media can have this emphasizing effect in the process of lawmaking. This overview does not reflect the extent to which these motivations occurred in the cases under study, nor is it an exhaustive list of potential mechanisms. Instead, it is a discussion of and reflection on the ways in which this study suggests the media may have an emphasizing effect on lawmaking. As such this discussion primarily suggests questions for future research on the political influence of the news media.

Media as a source of information in lawmaking

As a source of information, the media can emphasize issues, arguments or actors. When media coverage is relevant to a particular legislative process, it is very likely to be consumed by MPs dealing with the bill. And although such media coverage hardly ever contains *new* information, it can highlight the position of political actors, interest groups, or individual citizens. By being in the media, actors can draw extra attention to their position and remind political actors of this position. This confirms ideas about the media's reinforcing effect on political processes (e.g. Bennett & Iyengar, 2008; Wolfe, Jones & Baumgartner, 2013). Note that in the rare occasion that MPs

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read about or see someone's position in the media they did not know about before, they will often consult additional sources to check this information and gain more in-depth knowledge about the position or argument of this actor.

Although not functioning as an autonomous source of information, the media can provide several types of information to MPs. Media provide a platform for other actors to voice their opinion, known as the 'linkage function' of the media (e.g. Kenamer, 1992). Political actors monitor the media in order to 'know what is going on' in society and in politics. The media fulfil a platform function, informing MPs about positions of societal and other political actors (Van Aelst & Walgrave, 2016, p. 7), helping them to develop an overall picture of the (political) situation (Brown, 2010, p. 132), and displaying what is communicated via the media to the public (Cohen, Tsfaty & Sheaffer, 2008). Such information is relevant to politicians, because it provides an indication of the breadth and intensity of the debate as well as of the positioning of their political friends and foes.

Political actors are not naïve or neutral in consuming media coverage. Parties and politicians have made up their mind with regard to the fundamental decision whether to support a bill or not, prior to the legislative process, if only because their election program may contain relevant proposals. With this in mind politicians look at media coverage, to see whether this coverage confirms their pre-existing opinion or to learn about the positions of their political opponents. This fits with Brown's finding that in policymaking the media can play a role in the information they provide about "the state of the politically relevant world" (Brown, 2010, p. 137-138). Policymakers are likely to follow media coverage if it fits with their belief structure (Yanovitzky, 2002). This finding relates to various well-known insights in psychological literature about confirmation bias and motivated reasoning (e.g. Kahneman, 2011; Kunda, 1990; Lord, Ross & Lepper, 1979). People tend to look for information that confirms the views and beliefs they already hold; in particular people with strong opinions on complex social issues tend to accept confirming empirical evidence almost at face value. Politicians are no different from ordinary people. MPs are well aware of the media

attention for the (topic of the) bill they deal with as the spokesperson, and they interpret what they see and hear from their own pre-existing political perspective.

Media as an instrument in lawmaking

In line with the popular idea that politicians are strategic actors, who may use and adapt to the media to reach their objectives (Sellers, 2010; Strömbäck & Van Aelst, 2013; Van Aelst & Walgrave, 2016), media attention can be used as a rhetorical instrument during legislative processes. The fact that information in the media is not new to political actors does not exclude the possibility that they employ it to reach their political or policy goals.

Political actors may use media coverage rhetorically during legislative debates to emphasize the correctness, value, or importance of one's position. MPs can use it to set or keep an issue on the legislative agenda or to influence the direction of the debate. Also, politicians employ media coverage to justify their position or to try to increase support for their position, i.e. to underline the relevance and validity of an argument. Another reason to refer to media coverage is to be responsive to actors in the media, either to journalists or to societal actors that voiced concerns. Explicitly mentioning media coverage may even be a way to attract journalists' attention and increase one's chances of receiving media coverage afterwards.

MPs may also use media references to put or to increase the political pressure on other parties. If a minister or MP says something in the media that contradicts previous statements or that was not said in parliament before, political opponents can try to increase the pressure by referring to this coverage. And if a respected expert voices an opinion that goes contrary to the position of one's political opponents, in particular when this expert is affiliated with the opponent's party, such media statements can be employed to reconsider their position, or at least to demand a response from this party.

Being in the media may also be instrumental for MPs to create visibility. This confirms the idea that press coverage can enhance an MPs reputation and direct other political actors' attention to them

7.2 Directions for future research

(Cook, 1989, p. 170). A primary motive is to create visibility for their (parties') position, to give account to one's voters, and maybe to reach potential voters as well. This concurs with research suggesting that media publicity is a means for MPs to positively influence their (party's) public image (Kunelius & Reunanen, 2012, p. 64).

7.2 Directions for future research

The choice for an exploratory approach in this study was inspired by the lack of knowledge about mechanisms of media influence on lawmaking. This comes with a cost: prior research (Van Aelst *et al.*, 2015) shows that only a small minority of lawmaking processes receive substantial media coverage, so the cases studied are definitely not representative for all bills. To what extent the results can be generalized to the population of legislative processes in the Netherlands is extremely difficult to assess. Future research should address this question, by taking the results from this study as a starting point. In particular by selecting new cases with more variation in terms of legislative outcomes, including bills that are rejected or withdrawn, the conclusion that media attention does not have a substantial effect on legislative processes and outcomes could be tested more elaborately. A case in the Netherlands that might for example be interesting to study is a health care proposal known as the bill 'limiting the free choice of doctors' (*Beperking vrije artsenkeuze*), which was rejected by the Upper House in December 2014.

Another question further research should address is to what extent and under which circumstances media coverage affects legislative processes. The comparative analysis suggests that media effects vary according to the type of legislative process, and that whether and how the media influence lawmaking strongly depends on contextual factors. Media effects on legislative processes may increase the more the characteristics of a process are suitable with the logic of the media (Esser, 2013) and adhere to news values (Galtung & Ruge, 1965; Harcup & O'Neill, 2001). If, for example, the responses to a bill are very negative and cause political conflict, a

media storm or hype may develop (Boydstun, Hardy & Walgrave, 2014; Vasterman, 2005), that asks for a political response. This may even cause the issue to be taken off the legislative agenda. By including such 'negative' cases, follow-up studies could investigate whether media coverage may have the effect to prevent a bill from becoming a law.

The Dutch Constitution determines that "Acts of Parliament shall be enacted jointly by the Government and the States General" (*Grondwet voor het Koninkrijk der Nederlanden*, 2008, article 81) and that "Bills may be presented by or on behalf of the King or by the Lower House of the States General" (article 82, paragraph 1). Because a large majority of bills is introduced by the government (Bovend'Eert & Kummeling, 2010, p. 198) and in order to capture the processes that are most relevant to citizens, the bills selected for this study were all from this dominant category. In other countries the share of parliamentary acts is often more substantial (Mattson, 1995, p. 478), as in the UK where several hundred private member's bills are proposed per term of Parliament (Bowler, 2010, p. 476). It would be interesting to see whether the media do influence private member's bills, and if so, whether the mechanisms of influence are similar or different compared to governmental bills. Because private member's bills do not originate in coalition agreements, they may, for example, be a more immediate response to problems reported by the media. Also, and in addition to being a substantial instrument for policy change, private member's bills may be an instrument for MPs to attract media attention. It is suggested that in the Netherlands getting media attention is one of the motives for introducing a private member's bill (Kas, 2016). In academic literature private member's bills are sometimes depicted as 'pseudo-legislation' (Mattson, 1995, p. 482), because their success rates are often low or the issues they concern are perceived as relatively unimportant. Solvak (2013, p. 42) argues that such bills "might be more of a communication tool, drawing attention to certain issues"; similarly, Marsh and Read (1988, p. 24) suggest they are "introduced to promote debate and publicity with no thought of success". By announcing the introduction of a private member's bill, an MP may attract considerable media

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attention. Considering that the percentage of private member's bills that is eventually passed is quite small in many countries (Andeweg & Nijzink, 1995, p. 170-171), this may indicate a symbolic use of this substantial parliamentary instrument.

This study argues that the media's minimal effects on legislative outcomes may be due to the importance of political context and the limited room for maneuver MPs experience during the legislative process in parliament. Adopting a broader interpretation of legislative processes, i.e. including the preparatory phase of bills, may be recommendable in order to develop a better understanding of both politicians' and the media's role in the period prior to the introduction of bills in parliament. Moreover, if one were to include the implementation phase of the law as well, it would be possible to compare the media's role in the phases preceding and following the formal legislative process. In these early and late stages political actors may be less committed to a political position and may have more freedom to maneuver. Their interaction with journalists could be more intense and thus one could find more and more important effects. And because this study suggests that contextual factors, such as the political agreements underlying bills, limit the potential for media influence, one may find stronger media effects in countries that have minority governments, no ad hoc political agreements, or a political tradition that is not aimed at consensus seeking and at reaching political compromises.

Another aspect that deserves attention is the role of journalists and the journalistic news selection of lawmaking. Whether or not media affect legislative processes may first and foremost be the result of media attention. If there is no media attention, it is impossible that media coverage has an effect on the legislative process. Research shows that the newsworthiness of legislative processes is both selective and predictable and that the amount of media coverage can be predicted on the basis of conventional news values such as political conflict and significance (Van Aelst *et al.*, 2015). By comparing bills that are covered heavily with bills that received very little coverage in the media, insights may be developed into how the newsworthiness of bills affects the degree of media influence. Some

interviewees in the current study suggested that if bills receive some media coverage, or if only a particular element of a bill gets attention, political actors may feel more inclined to act on it. It may be that in cases with ample media coverage MPs cannot see the wood for the trees; the likelihood that they do notice and act upon media coverage may actually increase if the media coverage for a bill is more exceptional. In a similar manner, MPs who want to amend a bill may give information that is helpful for their purposes to a journalist, in order to be able to subsequently act upon this coverage. If there is no other media attention for the bill except for this particular aspect, other politicians may perceive that issue to be important and be more inclined to support the adjustment. Furthermore, even the absence of media coverage may affect the legislative process; it might be the result of deliberate attempts by political actors not to attract journalistic interest, for example causing a bill to be quietly passed that might have otherwise caused a controversy.

In addition, scholars may consider broadening the definition and analysis of 'the media'. In this study, the media analysis is limited to the coverage in traditional mass media, i.e. national newspapers, magazines, radio and television. To broaden and deepen insights into the role of 'the media', these could be extended to online media, including social media, and to specialist journals, including trade, professional and scientific journals.

A final suggestion is to conduct comparative research. It is difficult to assess to what extent the results of this study apply to other mediatized bills in the Netherlands. But without a cross-country comparison, it is impossible to draw inferences about the applicability of the results to other countries. Nevertheless, the finding that media play a marginal role during legislative processes may travel to other countries and is in line with findings by foreign researchers (e.g. Brown, 2010; Jones & Wolfe, 2010; Walgrave & Van Aelst, 2006). It is plausible that similar effects occur in (European) countries that are comparable in terms of both the media system and the political system. If the media system can be classified as a democratic corporatist model (Hallin & Mancini, 2004) and the political system is comparable in terms of its institutional order, the

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media's role in lawmaking may be similar. This is particularly likely if bills in multi-party systems with comparable legislative procedures are built on more or less fragile agreements and party discipline, or at least in systems where party group unity is strong. Only after research similar or complementary to this study is conducted in other countries, we can draw more general inferences with a sound empirical basis, and develop more advanced theories about the media's role in lawmaking.

7.3 Normative implications

Democracy is not a one-dimensional concept and “what might be considered to be high-quality news journalism from the perspective of one model of democracy might not be the same when taken from the perspective of another” (Strömbäck, 2005, p. 332). Different models of ‘good democracy’ have different normative implications for the role of the mass media. Because it can be regarded a ‘realistic’ model of democracy (Strömbäck, 2005, p. 334), here I adopt the idea of a ‘competitive’ or ‘electoral’ democracy (Sartori, 1987; Schumpeter, 2010 [1942]) to discuss some normative implications of this study.

In this realistic model of representative democracy, elections are essential. During elections, politicians or parties compete for the votes of the electorate. In order for the electorate to hold their representatives in parliament responsible, it is of importance that voters have access to information about the behavior of MPs. Political journalists act as the principal intermediaries between politicians and citizens (Van Dalen & Van Aelst, 2012, p. 511) and corresponding to the ‘trustee model’ of journalism (Schudson, 1999, p. 119-121), journalists should provide citizens with the necessary information to act as informed participants in democracies. Elections are the moment for citizens to award or punish elected political actors for their behavior. As summarized by Christians (2009, p. 116), the basic tasks of journalism in such a democracy are to inform the public, to comment and express opinions as an independent actor, and to provide a channel or platform to other voices.

From this realistic democratic perspective, it is problematic that

most legislative processes do not receive any media coverage: the public does not receive information via the media about a majority of the political processes that result in laws. This harms the principle that journalists should monitor political elites in what they have done and promised to do, and to inform people about the record of those in office, and about the political alternatives (Strömbäck, 2005, p. 339). Even if it is taken into account that some bills may be rather technical or 'compulsory' because of EU regulation, it is problematic that there are numerous bills with consequences for the (daily) lives of many people that remain out of the media's spotlights.

The bills that are central to this study are not this type of bills. Instead, due to the deliberate selection, the bills received ample media coverage; so citizens have no reason to complain. If the media pay attention to the introduction of bills into parliament, voters know that if they have an opinion about it, this is the moment to contact MPs. And if the media report during the course of the legislative process, voters can take into consideration what the party of their choice did in the debate. Journalists are not 'lap dogs' that are uncritical of the policy process (Sparrow, 1999), but provide room for political and societal actors to voice criticism. However, attention for the content of bills, let alone for the various positions parties taken during legislative debates, is very limited. Although the media sometimes do explain the general consequences of bills for the public, certain parts of legislative processes, e.g. motions and amendments, do not always get coverage. This harms two other roles of the media in an electoral democracy, namely that "the news should be proportional" and that "media and journalism should focus their attention on the words and actions of political alternatives" (Strömbäck, 2005, p. 339).

In general, at least according to this study, journalists do not perceive it as their role to report elaborately on legislative debates: they for example think that the reader is not interested in it, or that they will not be able to 'sell' it to their editor. If they do pay attention to a lawmaking process, this is usually because there is some kind of political conflict; for journalists it is obvious that they report on the political game. Citizens that follow the mass media consequently get

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a biased impression of what happens in parliament: they hardly ever read or see anything about bills when these are discussed in parliament, and if they do, the coverage is short, purely informative about the content of the resulting policy change, and predominantly oriented towards conflict and the political game.

Mass media are considered to be a platform for public opinion and public debate. The fact that the media only have an emphasizing effect on legislative processes means that media coverage has little added value. Only occasionally it reminds political actors about the position of a particular interest group, or makes the likely consequences of a bill more visible by displaying individual's personal stories. Usually this information is not new to politicians and it rarely – if ever – changes their opinion or position.

On the other hand, the limited media coverage for legislative processes and for the details of legislative debates may have a positive effect on the functioning of representative democracy. The fact that journalists do not closely follow every move a politician makes in the context of lawmaking gives MPs the opportunity to focus on the content of the bill. It enables political elites to 'act' (Strömbäck, 2005, p. 334). This may be reassuring for those who worry that the media are turning democracy into 'mediacracy' (Van Dalen & Van Aelst, 2014, p. 42). In such a mediacracy the media would determine what is on the political agenda and more generally take over the role of political institutions. However, at least with regard to legislation in the Netherlands, there are no indications that the mass media play such an influential role. The behavior of legislators does by no means suggest that parliament as a political institution is taken over by 'the media'.

Legislative processes seem to be autonomous and arguably it is healthy that MPs – in the Lower House, and even more so in the Upper House – are not 'obsessively' occupied with what journalists write or might write in the newspaper, or present on radio and television. Different from other types of parliamentary processes, such as the question hour, MPs seem not to be swayed by the issues of the day when they are discussing and making bills. This is an important conclusion in light of the alleged mediatization of politics.

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Journalists are present in and around legislative processes, but their substantial influence is marginal and not necessarily negative from a democratic perspective. For the functioning of representative democracy, these thoughts are comforting.

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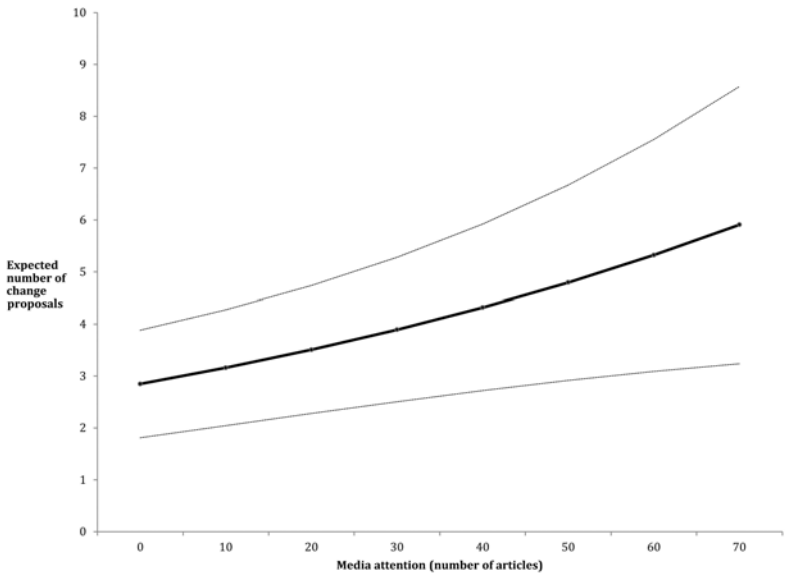
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Appendices

Appendix I: Expected changes in preliminary investigation

Number of expected changes with the amount of media attention
(complementary to Table 2.2)



Appendix II: Media coverage data collection for case 1 (WNT)

Written media

The newspapers taken into account are AD/Algemeen Dagblad, Dagblad De Pers, De Telegraaf, De Volkskrant, Het Financieele Dagblad, Het Parool, Metro, Nederlands Dagblad, NRC.NEXT, NRC Handelsblad, Reformatorisch Dagblad, Spits, Trouw. The magazines are both general magazines and specialist journals and include Boerderij, Elsevier, Forum, de Groene Amsterdammer, Nieuwsblad Transport, Quote, Vrij Nederland, Zorgvisie. The following search string was used to search for articles in LexisNexis:

(topinkomen OR (top! w/s inkomen*) OR topsalar! OR (top! w/s salar!) OR balkenendenorm OR balkenende-norm OR WNT OR bonus! OR ontslagverg! OR gouden hand! OR vertrekpre! OR ((bestuurder* OR topbestuurder* OR topma! OR topfunc! OR interi! OR exorbi! OR voorzitter OR directeur OR toezicht-houder*)) w/p (inkomen* OR salar! OR beloni!))) w/p (semi-publieke OR semi-publieke OR publiek-private OR semi-overheid OR publieke sector OR de zorg OR zorginstellin! OR zorgverzekeraa! OR zorgbestuurde! OR onderwijs! OR universite! OR HBO OR hogescho! OR corporatie! OR woningcorporat! OR woningbouw! OR staatsdeelne! OR ZBO OR ziekenhui! OR luchtverk! OR medisch specialisten OR kinderopva! OR publieke omroep OR openbaar vervo! OR vervoersbedr! OR energiebedr! OR ontwikkelingsorganisat! OR ontwikkelingssamenwerking OR ANBI OR staatsbedrijf! OR SNV OR NS OR Schiphol OR Holland Casino OR Havenbedrijf OR GasUnie OR Tennet OR ProRail OR Sanquin OR COA)

Radio and television

The catalogue of the Netherlands Institute for Sound and Vision has been used to search for the relevant radio and television items. It allows searching for terms used in the title or description (and, if available, in the transcription) of all television and radio programs broadcasted by the three national television channels and the two national radio channels. The following search terms are used: topinkomen(s), topsalaris(sen), inkomen(s), lonen, belonging, bezoldiging, topbestuurder, bonus, bonusregeling(en), ontslagvergoeding(en), Balkenendenorm, publieke sector, semipublieke sector. To check whether no items have been overlooked, I have searched for items using the same search words on the website of the Dutch Public Broadcast Organization as well as the website of specific programs (NOS Journaal, EenVandaag, Zembla). Note: in the year 2011 there was a lot of media attention for the bonuses paid at banks, especially those that were 'saved' with money of the Dutch government. However, the debate about remuneration policy in the financial sector is a separate one, that is regulated with separate policy. Therefore the media attention for salaries in the financial sector is not taken into account.

Appendix III: Media coverage data collection for case 2 (WWZ)

Written media

The newspapers taken into account are AD/Algemeen Dagblad, Dagblad De Pers, De Telegraaf, De Volkskrant, Het Financieele Dagblad, Het Parool, Metro, Nederlands Dagblad, NRC.NEXT, NRC Handelsblad, Reformatorisch Dagblad, Spits, Trouw. The magazines are both general magazines and specialist journals and include Boerderij, Elsevier, Forum, de Groene Amsterdammer, Nieuwsblad Transport, Quote, Vrij Nederland, Zorgvisie. The following search string was used to search for articles in LexisNexis:

werk en zekerheid OR WWZ OR flexwet OR ontslagwet
OR (WW AND (verkort! OR inkor! OR ingekort OR beper!
OR duur OR versobe! OR (accepteren AND niveau))) OR
transitieverg! OR (vast w/3 flex) OR nulurencontrac! OR
nul-uren-contrac! OR flexcontrac! OR drie contracten OR
ONL OR (werk w/5 (aannem! OR accepter!)) OR (fle!
w/5 vas!) OR flexmaatreg! OR ((flexwer! OR flexib! OR
tijdelij! OR vast) w/5 (contrac! OR arbeidsovereenkoms!
OR arbeidsmarkt)) OR (ontslagverg! AND 75.000) OR
((ontslag! OR arbeidsmar! OR flex! OR WW) w/5
(hervorm! OR aangepast OR uitzendkrach! OR versoep!
OR aanpass! OR aangepas! OR eenvoudi! OR sneller OR
eerlij! OR route OR korter!)) OR (WW w/5 24 maanden)
OR (recht! w/5 flexwer!) OR preventieve ontslagt! OR
3x3x3

Radio and television

The catalogue of the Netherlands Institute for Sound and Vision has been used to search for the relevant radio and television items. It allows searching for terms used in the title or description (and, if available, in the transcription) of all television and radio programs broadcasted by the three national television channels and the two

national radio channels. The following search terms are used: arbeidsmarkt, arbeidsovereenkomst, arbeidsrecht, arbeidsvoorwaarden, flex, flexwerk, flexwet, ketenbepaling, nulurencontract, ontslagvergoeding, ontslagrecht, ontslagtoets, ontslagwet, sociaal beleid, transitievergoeding, werkgelegenheid, werkloosheid, ww, ww-duur. To check whether no items have been overlooked, I have searched for items using the same search words on the website of the Dutch Public Broadcast Organization as well as the website of specific programs.

Appendix IV: Media coverage data collection for case 3 (WSHO)

Written media

The newspapers taken into account are AD/Algemeen Dagblad, Dagblad De Pers, De Telegraaf, De Volkskrant, Het Financieele Dagblad, Het Parool, Metro, Nederlands Dagblad, NRC.NEXT, NRC Handelsblad, Reformatorisch Dagblad, Spits, Trouw. The magazines are both general magazines and specialist journals and include Boerderij, Elsevier, Forum, de Groene Amsterdammer, Nieuwsblad Transport, Quote, Vrij Nederland, Zorgvisie. The following search string was used to search for articles in LexisNexis:

studievoorschot OR leenstelsel OR basisbeurs OR
studiebeurs OR prestatiebeurs OR aanvullende beurs OR
studiefinanciering OR studieschuld OR studieschulden
OR studieschuldstelsel OR studieschuldenstelsel OR stufi
OR basisbeurssysteem OR studielening OR
studieleningen OR studieleenstelsel OR
studie-financiering OR (ov w/20 studen!) OR (lenen
w/20 studen!) OR (lening w/20 studen!)

Radio and television

The catalogue of the Netherlands Institute for Sound and Vision has been used to search for the relevant radio and television items. It allows searching for terms used in the title or description (and, if available, in the transcription) of all television and radio programs broadcasted by the three national television channels and the two national radio channels. The following search terms are used: studievoorschot, leenstelsel, basisbeurs, studiebeurs, prestatiebeurs, aanvullende beurs, studiefinanciering, studieschuld, studieschulden, studieschuldstelsel, studieschuldenstelsel, stufi, basisbeurssysteem, studielening, studieleningen, studieleenstelsel, studie-financiering. To check whether no items have been overlooked, I have searched for items using the same search words on the website of the Dutch Public

Broadcast Organization as well as the website of specific programs.

Appendix V: Overview of interviewees

Last name	First name	Function	Organization	Date	Case	No.
Abels	Romana	Journalist	<i>Trouw</i>	29-3-2016	3: WSHO	74
Backer	Joris	Member of Parliament	<i>D66</i> , Upper House	9-7-2015	2: WWZ	32
Bakker*	Maartje	Journalist	<i>De Volkskrant</i>	31-3-2016	3: WSHO	75
Beertema	Harm	Member of Parliament	<i>PVV</i> , Lower House	11-2-2016	3: WSHO	63
Beirnaert	Pim	Legislative lawyer	Ministry of Education, Culture and Science	21-3-2016	3: WSHO	72
Berentsen	Laurens	Journalist	<i>Het Financieele Dagblad</i>	21-8-2014	1: WNT	15
Beverdam	Gerard	Journalist	<i>Nederlands Dagblad</i>	26-4-2016	3: WSHO	90
Bisschop	Roelof	Member of Parliament	<i>SGP</i> , Lower House	15-2-2016	3: WSHO	64
Blok	Peter	Journalist	<i>NOS</i>	23-9-2015	2: WWZ	59
Borgman	Wilma	Journalist	<i>NOS</i>	14-4-2016	3: WSHO	85
Bouman	Mathijs	Journalist	<i>Het Financieele Dagblad</i>	12-8-2015	2: WWZ	46
Brandsma	Jelle	Journalist	<i>Trouw</i>	22-7-2015	2: WWZ	39
Bruijn*	Jan	Member of Parliament	<i>VVD</i> , Upper House	18-3-2016	3: WSHO	71
Cats	Ria	Journalist	<i>Het Financieele Dagblad</i>	24-7-2015	2: WWZ	41
de Boer	Margreet	Member of Parliament	<i>GL</i> , Upper House	28-8-2014	1: WNT	18
de Koning	Petra	Journalist	<i>NRC</i>	31-7-2015	2: WWZ	44
de Lange	Kees	Member of Parliament	<i>OSF</i> , Upper House	21-8-2015	2: WWZ	50
de Lange	Kees	Member of Parliament	<i>OSF</i> , Upper House	18-4-2016	3: WSHO	86

de Wildt	Willem	Policy officer	<i>SGP</i> , Lower House	15-7-2014	1: WNT	3
de Winther	Wouter	Journalist	<i>De Telegraaf</i>	26-8-2014	1: WNT	17
Dekker	Michiel	Journalist	<i>NRC</i>	5-4-2016	3: WSHO	22
Dekker	Wilco	Journalist	<i>De Volkskrant</i>	12-9-2014	1: WNT	79
Donner	Piet Hein	Minister	Ministry of the Interior and Kingdom Relations	9-9-2014	1: WNT	20
Duin	Roelf Jan	Journalist	<i>Algemeen Dagblad/ Parool</i>	5-4-2016	3: WSHO	80
Duisenberg	Pieter	Member of Parliament	<i>VVD</i> , Lower House	10-3-2016	3: WSHO	69
Eltalhau**	Hayat	Spokesperson	Ministry of Social Affairs and Employment	10-9-2015	2: WWZ	56
Elzinga	Arthur	Member of Parliament	<i>SP</i> , Upper House	3-7-2015	2: WWZ	29
Engels	Hans	Member of Parliament	<i>D66</i> , Upper House	1-9-2014	1: WNT	19
Engels	Hans	Member of Parliament	<i>D66</i> , Upper House	29-3-2016	3: WSHO	73
Essers	Peter	Member of Parliament	<i>CDA</i> , Upper House	9-5-2016	3: WSHO	92
Ester	Peter	Member of Parliament	<i>CU</i> , Upper House	28-10-2014	1: WNT	27
Fennema**	Friso	Spokesperson	Ministry of Social Affairs and Employment	9-9-2015	2: WWZ	54
Ganzevoort	Ruard	Member of Parliament	<i>GL</i> , Upper House	11-5-2016	3: WSHO	93
Gerkens	Arda	Member of Parliament	<i>SP</i> , Upper House	12-4-2016	3: WSHO	82

Glimmerveen	Mark	Policy officer	Ministry of Education, Culture and Science	19-4-2016	3: WSHO	88
Graver	Karen	Policy officer	Ministry of Social Affairs and Employment	7-10-2015	2: WWZ	60
Groene**	Maarten	Policy officer	Ministry of the Interior and Kingdom Relations	27-3-2014	1: WNT	1
Hamer	Mariëtte	Member of Parliament	<i>PvdA</i> , Lower House	1-9-2015	2: WWZ	53
Heerma	Pieter	Member of Parliament	<i>CDA</i> , Lower House	9-7-2015	2: WWZ	33
Heijnen	Pierre	Member of Parliament	<i>PvdA</i> , Lower House	11-7-2014	1: WNT	2
Herderscheê	Gijs	Journalist	<i>De Volkskrant</i>	14-8-2014	1: WNT	11
Herderscheê	Gijs	Journalist	<i>De Volkskrant</i>	26-8-2015	2: WWZ	51
Huijbregts-Schiedon	Helmi	Member of Parliament	<i>VVD</i> , Upper House	7-8-2014	1: WNT	6
Jongejan	Deborah	Journalist	<i>Algemeen Dagblad/ Parool</i>	18-8-2015	2: WWZ	47
Kenter**	Jan	Policy officer	Ministry of the Interior and Kingdom Relations	29-9-2014	1: WNT	25
Keultjes	Hanneke	Journalist	<i>Algemeen Dagblad/ Parool</i>	19-4-2016	3: WSHO	87
Klein	Norbert	Member of Parliament	<i>50PLUS</i> , Lower House	14-7-2015	2: WWZ	36
Klein	Norbert	Member of Parliament	<i>Klein</i> , Lower House	17-2-2016	3: WSHO	65
Kneppers-Heijnert	Liesbeth	Member of Parliament	<i>VVD</i> , Upper House	30-7-2015	2: WWZ	42

Koffeman	Niko	Member of Parliament	<i>PvdD</i> , Upper House	12-4-2016	3: WSHO	83
Kok	Kees	Member of Parliament	<i>PVV</i> , Upper House	22-9-2015	2: WWZ	58
Koole	Ruud	Member of Parliament	<i>PvdA</i> , Upper House	26-9-2014	1: WNT	24
Koole***	Ruud	Member of Parliament	<i>PvdA</i> , Upper House	9-6-2016	3: WSHO	94
Koolmees	Wouter	Member of Parliament	<i>D66</i> , Lower House	11-8-2014	1: WNT	8
Koopmans	Ger	Member of Parliament	<i>CDA</i> , Lower House	16-7-2014	1: WNT	4
Kuiper	Roel	Member of Parliament	<i>CU</i> , Upper House	19-4-2016	3: WSHO	89
Leertouwer	Gijsbert	Policy officer	<i>SGP</i> , Lower House	8-7-2015	2: WWZ	31
Ludwig	Tom	Policy officer	<i>GL</i> , Lower House	15-3-2016	3: WSHO	70
Mikkers	Ruud	Journalist	<i>De Telegraaf</i>	21-9-2015	2: WWZ	57
Mohandis	Mohammed	Member of Parliament	<i>PvdA</i> , Lower House	10-2-2016	3: WSHO	62
Navis	Jan-Willem	Journalist	<i>De Telegraaf</i>	8-4-2016	3: WSHO	81
Ortega	Cynthia	Member of Parliament	<i>CU</i> , Lower House	12-8-2014	1: WNT	9
Pelgrim	Christiaan	Journalist	<i>NRC</i>	4-4-2016	3: WSHO	77
Rog	Michel	Member of Parliament	<i>CDA</i> , Lower House	9-2-2016	3: WSHO	61
Ruigrok	Thomas	Journalist	<i>WNL</i>	13-4-2016	3: WSHO	84
Schouten	Carola	Member of Parliament	<i>CU</i> , Lower House	8-7-2015	2: WWZ	30
Schouten	Carola	Member of Parliament	<i>CU</i> , Lower House	9-3-2016	3: WSHO	67
Sent	Esther Mirjam	Member of Parliament	<i>PvdA</i> , Upper House	13-7-2015	2: WWZ	35

Sent	Esther Mirjam	Member of Parliament	<i>PvdA</i> , Upper House	1-4-2016	3: WSHO	76
Slok	Job	Spokesperson	Ministry of Education, Culture and Science	5-4-2016	3: WSHO	78
Spiering**	Casper	Policy officer	Ministry of the Interior and Kingdom Relations	27-3-2014	1: WNT	1
ten Broeke	Marcel	Journalist	<i>Het Reformatorisch Dagblad</i>	23-7-2015	2: WWZ	40
ter Horst	Guusje	Minister	Ministry of the Interior and Kingdom Relations	22-7-2014	1: WNT	5
Terpstra	Gerrit	Member of Parliament	<i>CDA</i> , Upper House	10-7-2015	2: WWZ	34
Thissen	Tof	Member of Parliament	<i>GL</i> , Upper House	20-8-2015	2: WWZ	48
Ulenbelt	Paul	Member of Parliament	<i>SP</i> , Lower House	31-7-2015	2: WWZ	43
van Bergen	Wouter	Journalist	<i>De Telegraaf</i>	9-9-2015	2: WWZ	55
van Bijsterveld	Sophie	Member of Parliament	<i>CDA</i> , Upper House	29-10- 2014	1: WNT	28
van den Dikkenberg	Rutger	Journalist	<i>SC Online</i>	31-7-2015	2: WWZ	45
van der Burg	Brigitte	Member of Parliament	<i>VVD</i> , Lower House	26-8-2014	1: WNT	16
van der Loop**	Marte	Legislative lawyer	Ministry of the Interior and Kingdom Relations	29-9-2014	1: WNT	25
van Dijk	Jasper	Member of Parliament	<i>SP</i> , Lower House	8-3-2016	3: WSHO	66

van Gent*	Ineke	Member of Parliament	<i>GL</i> , Lower House	17-8-2014	1: WNT	12
van Gool	Barbara	Journalist	<i>EenVandaag</i>	21-8-2014	1: WNT	13
van Meenen	Paul	Member of Parliament	<i>D66</i> , Lower House	10-3-2016	3: WSHO	68
van Nieuwenhuizen	Cora	Member of Parliament	<i>VVD</i> , Lower House	16-7-2015	2: WWZ	38
van Ojik	Bram	Member of Parliament	<i>GL</i> , Lower House	15-7-2015	2: WWZ	37
van Raak	Ronald	Member of Parliament	<i>SP</i> , Lower House	7-8-2014	1: WNT	7
van Santen*	Marieke	Journalist	<i>Zembla</i>	13-8-2014	1: WNT	10
van Weyenberg	Steven	Member of Parliament	<i>D66</i> , Lower House	26-8-2015	2: WWZ	52
Verbraeken	Hans	Journalist	<i>Het Financieele Dagblad</i>	12-9-2014	1: WNT	21
Vliegenthart	Arjan	Member of Parliament	<i>SP</i> , Upper House	6-10-2014	1: WNT	26
Vroegindewij	Gerard	Journalist	<i>Reformatorisch Dagblad</i>	26-4-2016	3: WSHO	91
Vullings	Joost	Journalist	<i>NOS</i>	22-9-2014	1: WNT	23
Weel	Ingrid	Journalist	<i>Trouw</i>	21-8-2015	2: WWZ	49
Zaalberg	Herman	Journalist	<i>EenVandaag</i>	21-8-2014	1: WNT	14

Note. *=interview by phone; **=double interview; ***=MP was not spokesperson on behalf of parliamentary party, but active in the public debate about the bill and therefore additionally approached for an interview.

Interviewees are ordered alphabetically by last name. The people that occur in the list multiple times have been interviewed in the context of more than one case. Each interview has a unique number (see column 'number'); the transcripts of the interviews have been available for examination by the supervisors and are archived by the author. The archive also contains files with all interview quotes used in the dissertation per case, listed by interview number.

In addition to these formal interviews, during the preparations for the case studies I conducted various additional, informal (pilot) interviews. The interviewees are: Anouschka Verbruggen (legislative lawyer at the Lower House); Esther van de Laar (legislative lawyer at the Lower House); Hans Arts (legislative lawyer at the Lower House); Laura van Breugel (legislative lawyer at the Lower House); Geert Jan Hamilton (Clerk of the Upper House); Lars van de Braak (policy officer at the Ministry of Economic Affairs); Max Keulaerds (chairman of VAAN); Bob van Dijk (assistant committee clerk of the Lower House committee on Infrastructure and Environment); Joris Thomassen (assistant committee clerk of the Lower House committee on Internal Affairs); Sander Weeber (acting committee clerk of the Lower House committee on Social Affairs and Employment); Eveline de Kler (committee clerk of the Lower House committee on Education, Science and Culture); Fred Bergman (committee clerk of the Upper House committee on Internal Affairs and

Science, Education and Culture); Laurens Dragstra (assistant committee clerk of the Upper House committees on Internal Affairs and Science, Education and Culture); Ton Langenhuyzen (senior policy officer PvdA in the Lower House); Luuk van der Meer (policy officer GL in the Lower House)

Appendix VI: Overview of parliamentary party groups

Name parliamentary party group	Abbreviation	Characterization
<i>Christen Democratisch Appèl</i>	<i>CDA</i>	Christian democratic party
<i>ChristenUnie</i>	<i>CU</i>	Orthodox Calvinist party
<i>Democraten 66</i>	<i>D66</i>	Progressive liberal party
<i>GroenLinks</i>	<i>GL</i>	Environmentalist and leftist party
<i>Lid-Bontes</i>	<i>Bontes</i>	*
<i>Lid-Klein</i>	<i>Klein</i>	*
<i>Lid-Van Vliet</i>	<i>Van Vliet</i>	*
<i>Onafhankelijke Senaats Fractie</i>	<i>OSF</i>	Party representing independent provincial parties**
<i>Partij van de Arbeid</i>	<i>PvdA</i>	Social democratic party
<i>Partij voor de Dieren</i>	<i>PvdD</i>	Animal rights party
<i>Partij voor de Vrijheid</i>	<i>PVV</i>	Populist and conservative party
<i>Socialistische Partij</i>	<i>SP</i>	Leftist populist party
<i>Staatkundig Gereformeerde Partij</i>	<i>SGP</i>	Orthodox Calvinist party
<i>Volkspartij voor Vrijheid en Democratie</i>	<i>VVD</i>	Conservative liberal party
<i>50PLUS</i>	<i>50PLUS</i>	Party protecting the position of older citizens

Note. Table contains all parliamentary party groups that are referred to in this study, as represented in Parliament at the time of the study, ordered alphabetically. The characterizations are derived from Andeweg & Irwin (2014, p. 72). *These one-man factions existed only for a short time and are not discussed by Andeweg & Irwin (2014). **The *OSF* is not discussed by Andeweg & Irwin (2014) and is therefore characterized based on their party website as of December 2017.

Dutch summary ***(Nederlandstalige samenvatting)***

Media en wetgeving: Een verkenning van de rol van de media in wetgevingsprocessen

Inleiding

Er is de afgelopen jaren veel onderzoek gedaan naar de verhouding tussen media en politiek en naar de interactie tussen journalisten en politici. Een breed scala aan studies laat bijvoorbeeld zien dat de media-agenda invloed uitoefent op de politieke agenda. Uit een vergelijking van deze studies blijkt echter dat de meeste onderzoekers die een (sterk) effect vinden zich concentreren op zogenoemde meer 'symbolische' politieke agenda's. Daarmee worden politieke agenda's bedoeld die weinig tot geen beleidsconsequenties hebben, zoals bijvoorbeeld Kamervragen; onderzoek toont aan dat media-aandacht een belangrijke aanleiding is voor parlementariërs om Kamervragen te stellen, maar deze vragen leiden slechts zelden en dan nog indirect tot een wijziging in beleid of wetgeving.

Tegenover dergelijke symbolische politieke agenda's worden zogenoemde 'substantiële' politieke agenda's gesteld: politieke processen die wel tot inhoudelijke verandering van beleid leiden, zoals wetgevingsprocessen. Hoewel de invloed van de (massa)media op meer symbolische agenda's allicht interessant is, is het in termen van het functioneren van de democratie en het dagelijks leven van haar burgers minstens zo relevant om te weten wat de invloed op meer substantiële agenda's is. De rol van de media in wetgevingsprocessen is echter nog nauwelijks onderzocht. Bovendien is het bij dergelijke processen relevant om niet alleen de *agenda setting*-fase te bestuderen, maar ook het verdere verloop van de wetsbehandeling. Daarom staat in deze studie de vraag centraal: speelt media-aandacht een rol in wetgevingsprocessen, en zo ja, hoe?

Een verkenning van de relatie tussen media en wetgeving

Om deze centrale vraag te kunnen beantwoorden wordt een omvattende analyse uitgevoerd van de rol van media-aandacht tijdens drie wetsbehandelingen in het Nederlandse parlement. Uit eerder onderzoek is bekend dat media-aandacht voor wetsbehandelingen in Nederland zeer scheef verdeeld is: ongeveer 80% van alle wetgevingsprocessen krijgt helemaal geen media-aandacht in nationale kranten en slechts één op de tien wetsvoorstellen krijgt aanzienlijke aandacht. Maar wat gebeurt er in het wetgevingsproces als een wetsvoorstel wél veel media-aandacht krijgt, en het onderwerp van de wet ook tijdens de behandeling nog op veel journalistieke interesse kan rekenen? Om die vraag te beantwoorden is allereerst een kwantitatieve voorstudie uitgevoerd. Eerder onderzoek suggereert namelijk dat media-aandacht zowel effect heeft op de duur van wetsbehandelingen als op de inhoud van de betreffende wetsvoorstellen. Uit de hier gepresenteerde voorstudie blijkt dat, hoewel media-aandacht in Nederland geen (statistisch) significant effect heeft op de doorlooptijd van een wetsvoorstel, er wel sprake lijkt te zijn van invloed op het aantal wijzigingen dat voorgesteld wordt. Des te meer media-aandacht er voor een wetsvoorstel is, des te meer amendementen, moties en nota's van wijziging er worden voorgesteld.

De case study-benadering

Om te bestuderen of er sprake is van een causaal effect in de verwachte richting (of bijvoorbeeld – ook – in de omgekeerde richting) zijn drie wetsbehandelingen en de media-aandacht voor de onderwerpen van de wetsvoorstellen gereconstrueerd en geanalyseerd, telkens door een combinatie van documentanalyses en interviews met direct betrokkenen. Per casus zijn eerst kwalitatieve inhoudsanalyses van alle parlementaire documenten en van de mediaberichtgeving op televisie, op de radio en in nationale kranten en weekbladen uitgevoerd. Vervolgens zijn semigestructureerde interviews gehouden met (vrijwel alle) betrokken Eerste en Tweede Kamerleden, (medewerkers van) ministers en journalisten die over het onderwerp van de wet hebben bericht. Middels een ‘rollende’ casusselectiestrategie zijn drie wetsbehandelingen geselecteerd: de Wet normering topinkomens, de Wet werk en zekerheid, en de Wet studievoorschot hoger onderwijs. Bij de bestudering van iedere casus zijn vier onderzoeksvragen leidend: 1) Hoe ziet de aan de wet gerelateerde media-aandacht eruit? 2) Reageren politici in het parlement op media-aandacht, en indien dit het geval is, hoe? 3) Proberen politici aan de wet gerelateerde mediaberichtgeving te genereren of te beïnvloeden? 4) Beïnvloedt mediaberichtgeving de (inhoudelijke) uitkomst van het wetgevingsproces, en zo ja, hoe?

Case study 1: de Wet normering topinkomens

De eerste casestudy betreft de behandeling van de Wet normering topinkomens, die gaat over wat in de volksmond wel de ‘Balkenendenorm’ wordt genoemd: de normering van de bezoldiging van topfunctionarissen in de publieke en semipublieke sector. Dit wetsvoorstel werd na een jarenlange publieke en politieke discussie over topsalarissen in januari 2011 door minister Donner (CDA) van Binnenlandse Zaken ingediend. De wet is in de Tweede en vervolgens Eerste Kamer met algemene stemmen aangenomen en is in november 2012 in het Staatsblad gepubliceerd.

Uit de analyse blijkt dat media-aandacht op diverse manieren een rol heeft gespeeld tijdens de behandeling van dit wetsvoorstel. De

langdurige, congruente, relatief eenzijdige en voornamelijk incident-gedreven berichtgeving heeft ertoe bijgedragen dat het wetsvoorstel een wet werd. Politici refereerden tijdens het wetgevingsproces aan mediaberichtgeving om hun argumenten te illustreren of te onderbouwen. Sommige Tweede Kamerleden stelden Kamervragen op basis van een mediabericht en koppelden die aan de behandeling van het wetsvoorstel. Er zijn echter geen aanwijzingen dat de media-aandacht ervoor gezorgd heeft dat politieke actoren dingen zeiden of deden die ze zonder die berichtgeving niet zouden hebben gedaan. De inhoud van de wet is dan ook niet direct beïnvloed door media-aandacht. Dat komt mede doordat politiek journalisten slechts sporadisch aandacht besteedden aan de wetsbehandeling en bijvoorbeeld de amendering van het voorstel. Wel reflecteren sommige wijzigingen de inhoud van mediaberichten; het waren daarbij niet zozeer specifieke artikelen of individuele uitzendingen, maar het was de voortdurende congruente berichtgeving in zijn geheel (tijdens, maar ook voorafgaand aan de wetsbehandeling) die bijgedragen heeft aan de idee dat topinkomens strikter gereguleerd dienden te worden. Dit was echter een traag en indirect proces. Deze eerste casestudy wekt dan ook bovenal de indruk dat wetgevingsprocessen weliswaar niet immuun zijn voor media-aandacht, maar er zeker niet door gedomineerd worden.

Case study 2: de Wet werk en zekerheid

Als tweede casus is de behandeling van de Wet werk en zekerheid bestudeerd. Dit wetsvoorstel, van minister Asscher (PvdA) van Sociale Zaken, omvat een hervorming van het ontslagrecht, het flexwerk en de Werkloosheidswet (WW). Als zodanig was het wetsvoorstel een uitwerking van een deel van de afspraken die gemaakt waren door werkgeversorganisaties, werknemersorganisaties en het kabinet in het Sociaal Akkoord uit april 2013. Ook gaf het vorm aan de Begrotingsafspraken 2014, die het kabinet in oktober 2013 gemaakt had met de fracties van D66, ChristenUnie en SGP. Het wetsvoorstel werd in zowel de Tweede als de Eerste Kamer breed gesteund en de wet is in juni 2014 in het Staatsblad gepubliceerd. Uit de analyse blijkt dat de media-impact op

de wetsbehandeling beperkt is en sterk ondergeschikt aan de politieke context.

In de wetgevingsdebatten speelde media-aandacht een rol: diverse politici verwezen naar media-aandacht om de positie van hun partij te benadrukken. De meeste woordvoerders volgden de media (meer of minder gestructureerd), waardoor mediaberichtgeving soms een informatiebron was, die bijvoorbeeld hun aandacht vestigde op een specifieke zorg omtrent het wetsvoorstel. Hoewel er contact was tussen politici en journalisten in de context van dit wetsvoorstel, produceerden journalisten veelal informatieve stukken om de lezer voor te bereiden op de veranderingen die doorgevoerd zouden gaan worden. Er was ook aandacht voor de posities van diverse politieke partijen, en de media fungeerden als platform voor andere actoren, zoals advocaten en hoogleraren, die veelal hun twijfels uitten over in het bijzonder de effectiviteit van de wet. Hierdoor droeg media-aandacht in ieder geval enigszins bij aan het besef of verlangen bij sommige politieke actoren om het wetsvoorstel te amenderen, of door anderen ingediende amendementen te steunen.

Voor sommige Kamerleden speelde wat zij hoorden of lazen in de media een beperkte rol in hun beoordeling van het wetsvoorstel als zodanig. Toch lijken deze mechanismes het verloop van het wetgevingsproces niet wezenlijk of drastisch te hebben veranderd: de uitkomst is niet of nauwelijks beïnvloed door media-aandacht. De analyses en interviews tonen duidelijk het primaat van de politiek: tegen de tijd dat het wetsvoorstel werd ingediend bij de Tweede Kamer, hadden de onderhandelingen tussen coalitiepartijen, de zogeheten 'constructieve' oppositiepartijen en sommige andere oppositiepartijen grotendeels plaatsgevonden. Veel partijen waren al relatief tevreden met wat zij bereikt hadden. Ze hadden vervolgens dan ook geen motief om de media te gebruiken, strategisch of anderszins, en verwachtten soms dat het contraproductief zou zijn geweest om dat te doen; ze voelden zich verbonden aan ofwel het politieke akkoord, ofwel aan het akkoord met de sociale partners. Deze tweede casestudy suggereert dat zelfs als berichtgeving nauw gevolgd wordt door politici, dit het verloop van het wetgevingsproces

niet stuurt of bepaalt. De media lijken hooguit een bescheiden rol als katalysator te hebben gespeeld door signalen uit de samenleving te benadrukken die wellicht anders politici niet zouden hebben bereikt.

Case study 3: de Wet studievoorschot hoger onderwijs

De derde bestudeerde casus is de Wet studievoorschot hoger onderwijs. Het wetsvoorstel werd in september 2014 door minister Bussemaker (PvdA) van Onderwijs, Cultuur en Wetenschap ingediend bij de Tweede Kamer. Het betreft een voorstel tot hervorming van het stelsel van studiefinanciering in het hoger onderwijs, waarmee onder andere de basisbeurs wordt vervangen door een leenvoorziening. Het wetsvoorstel was de uitwerking van afspraken die het kabinet in mei 2014 gemaakt had met de fracties van VVD, PvdA, D66 en GroenLinks, toen een akkoord over het 'Studievoorschot' werd gesloten. In de Eerste Kamer stemden alleen de genoemde fracties voor, in de Tweede Kamer steunden ook de eenmansfracties Van Vliet en 50PLUS/Klein het wetsvoorstel. De wet is in februari 2015 in het Staatsblad gepubliceerd. De inhoudsanalyses en interviews tonen dat media-aandacht weliswaar een rol heeft gespeeld tijdens het wetgevingsproces, maar geen fundamentele consequenties heeft gehad voor het verloop of de inhoudelijke uitkomst ervan.

Gedurende het gehele proces was de voorgeschiedenis met betrekking tot het akkoord over het studievoorschot doorslaggevend voor beslissingen die politieke actoren namen. De posities van partijen lagen vast. En aangezien de meeste woordvoerders het onderwerp al enige tijd in hun portefeuille hadden, bevatte de mediaberichtgeving voor hen geen nieuwe informatie waarmee zij iets wilden doen. Media-aandacht heeft de aandacht van politici op bepaalde onderwerpen gericht, maar fungeerde niet als autonome bron van invloedrijke informatie. Met name Tweede Kamerleden gebruikten mediaberichten vooral om hun reeds ingenomen positie te versterken of om politieke tegenstanders mee te confronteren. Sommige Kamerleden zochten journalisten op of werkten - graag - mee aan artikelen en uitzendingen, met name om zichtbaarheid voor de positie van hun partij te creëren, soms in de hoop om het verloop van het wetgevingsdebat te beïnvloeden.

De hoop van oppositiepartijen dat het wetsvoorstel zou stranden in de Eerste Kamer werd versterkt toen enkele weken voor de behandeling de zogenoemde 'zorgwet' over de vrije artsenuitvoering in de Eerste Kamer werd verworpen. De journalistieke aandacht voor de steun voor het studievoorschot nam daarna toe. Speculaties over de mogelijke verwerping van het studievoorschot werden aangewakkerd toen een PvdA-senator er kritische opmerkingen over uitsprak. Sommige senatoren gebruikten, meer in het algemeen, media-aandacht om te benadrukken dat ze ontevreden waren met het wetsvoorstel en toezeggingen wilden met betrekking tot bepaalde thema's. In beide Kamers reageerden woordvoerders van fracties die het wetsvoorstel steunden op kritiek, die zowel in de media als elders werd geuit, over de consequenties van de invoering van een leenverzekering voor de toegankelijkheid van het hoger onderwijs. In algemene zin en over het geheel bezien heeft de mediaberichtgeving echter geen werkelijke invloed gehad op de uitkomst van de wetsbehandeling. Er zijn geen amendementen aangenomen die de inhoud van het voorstel fundamenteel veranderden en de partijen waarvan verwacht werd dat zij het wetsvoorstel zouden steunen, hebben dit in beide Kamers daadwerkelijk gedaan. De rol van media-aandacht in dit wetgevingsproces was beperkt.

De media-wetgeving-dynamiek

Als de drie casestudies met elkaar vergeleken worden, moet geconcludeerd worden dat de uitgebreide media-aandacht voor de (onderwerpen van de) wetsvoorstellen slechts een zeer beperkte rol heeft gespeeld tijdens de betreffende wetgevingsprocessen. De politieke context waarin de wetsbehandeling plaatsvindt, blijkt van groot en wellicht doorslaggevend belang te zijn: zelfs als er veel mediaberichtgeving verschijnt tijdens de behandeling in het parlement, heeft dat relatief weinig consequenties, bovenal omdat de meeste partijen hun positie van tevoren hebben bepaald en ze berichtgeving voornamelijk retorisch gebruiken als het in hun straatje past. Hoewel er op punten verschillen zijn tussen de casussen, zijn er nergens feitelijke aanwijzingen gevonden dat media-aandacht directe en fundamentele consequenties heeft gehad

voor het wetgevingsproces en de uitkomst daarvan.

Conclusie en discussie

Dit onderzoek wijst erop dat als er al sprake is van enig media-effect op wetgeving, dit beschouwd moet worden als een 'klemtooneffect'. Ten eerste kan mediaberichtgeving als informatiebron de nadruk leggen op een onderwerp, argument of actor. De media kunnen specifieke gevolgen van een wetsvoorstel, een bepaald argument, of de positie van bijvoorbeeld een expert benadrukken. Ten tweede wordt mediaberichtgeving voornamelijk strategisch gebruikt, dat wil hier zeggen als primair retorisch instrument tijdens wetgevingsdebatten. Het kan Kamerleden helpen bij het benadrukken van de actualiteit van een onderwerp, om de richting van het debat te beïnvloeden, of om de nadruk te leggen op de validiteit of relevantie van een argument.

Uiteindelijk lijkt het effect van media-aandacht op wetsbehandelingen echter beperkt te zijn, zeker wanneer men zich realiseert dat het overgrote merendeel van de wetsvoorstellen helemaal geen media-aandacht krijgt. Bovendien blijkt uit dit onderzoek dat hoewel er veel aandacht was voor de onderwerpen van de wetsvoorstellen, de aandacht voor de daadwerkelijke wetsbehandelingen en bijvoorbeeld ingediende moties en amendementen slechts zeer beperkt is. Dit kan, vanuit een meer normatief perspectief, als problematisch beschouwd worden, wanneer we de massamedia zien als een belangrijke informatiebron voor burgers over het gedrag van hun volksvertegenwoordigers. Aan een voornaam deel van het werk van gekozen volksvertegenwoordigers wordt door de massamedia niet of nauwelijks aandacht besteed.

Journalisten hebben daarnaast een bovengemiddelde interesse in politiek conflict, wat ertoe leidt dat burgers, als zij al een beeld gepresenteerd krijgen, een vertekend beeld kunnen krijgen van wetgevingsprocessen: ze lezen of horen zelden iets over wetsvoorstellen als die behandeld worden in het parlement, en als dat wel zo is, is die berichtgeving vaak kort of voornamelijk gericht op mogelijk conflict en het politieke spel. Bovendien fungeren de

traditionele massamedia slechts in zeer beperkte mate als platform voor publiek debat in de context van wetgeving.

De conclusie dat media-aandacht een zeer bescheiden effect heeft op wetgeving is tegelijkertijd geruststellend voor degenen die bezorgd zijn dat de democratie zich ontwikkelt of reeds ontwikkeld zou hebben in de richting van een 'mediacratie'. De resultaten van deze studie wijzen erop dat Kamerleden zich, wanneer zij een belangrijk wetsvoorstel behandelen, niet laten leiden door de middels de media verkondigde waan van de dag.

English summary

The overwhelming amount of research on media and politics conveys an impression that all politics is mediatized. The concept 'politics' however delineates many things and not all types of political processes have been studied to the same extent. The aim of this study is to explore whether media coverage influences the functioning of legislative processes and the content of laws. The main research question is: does media coverage play a role in legislative processes, and if so, how?

A preliminary investigation of media effects on lawmaking suggests that media attention affects the behavior of political actors during the legislative process. To study how that dynamic works I conduct three in-depth case studies in the Netherlands. They include content analyses of media and parliamentary documents and interviews with 96 political, departmental and journalistic actors.

The respective bills deal with the remuneration of senior officials in the (semi)public sector, the restructuring of employment law and the introduction of a new student finance system. All bills received ample media coverage and there were many potential moments of influence during the respective legislative processes; if the media do affect lawmaking, the relevant mechanisms via which it does would likely become visible.

The comparative analysis of the cases shows that media coverage played a role in all three legislative processes, but that it had limited, if any, influence on the final outcomes. In some instances political actors referred to media coverage in legislative debates or during the

process asked questions that were partly inspired by media attention, and in very exceptional cases they introduced an amendment or motion partly because of media reports. The effect of media attention on support for amendments, motions and bills was however negligible.

The media's influence on lawmaking seems to mainly be an emphasizing effect: media coverage puts emphasis on issues, arguments or actors. It played a role during these lawmaking processes, but had limited, if any, influence on the legislative outcomes. Political actors may not be immune to the media and media coverage, but this coverage is not decisive and even not very influential for legislative processes and substantive outcomes.

From a more normative perspective, it can be perceived as problematic that most legislative processes do not receive media coverage, and that even in the cases studied, the attention for the content of the bills, let alone for the various positions parties taken during legislative debates, was very limited. The traditional mass media also function only to a very limited extent as a platform for public debate in the context of legislation.

However, at least within the Netherlands, MPs seem not to be swayed by the issues of the day when they are discussing and making bills. This is an important conclusion in light of the alleged mediatization of politics. Journalists are present in and around legislative processes, but their substantial influence is marginal and not necessarily negative from a democratic perspective. For the functioning of representative democracy, these thoughts may be comforting.

Curriculum Vitae

Lotte Dieneke Melenhorst (Arnhem, 1988) obtained her pre-university education at the *Stedelijk Gymnasium Arnhem* (2000-2006). She acquired a Bachelor in Political Science (2007-2010) as well as a Master in Comparative Politics (2011-2012, *bene meritum*) at the Radboud University Nijmegen. In December 2012 Lotte started with her PhD research at the Institute of Political Science of Leiden University and at the Department of Political Sciences of the University of Antwerp, under supervision of Prof. dr. Joop van Holsteyn and Prof. dr. Peter Van Aelst. Her research was part of the Vidi-project *Beyond Agenda-setting: Towards a better understanding of the power relationship between politicians and journalists* of Prof. dr. Peter Van Aelst, and financed by the Netherlands Organisation for Scientific Research (NWO, grant 452-10-016). In the spring of 2015, Lotte temporarily worked as a Policy Officer at the Social Sciences department of NWO. From April 2017 onwards, she will be Policy Advisor Strategic Development at the Delft University of Technology.

In this book the question whether and how media coverage plays a role in legislative processes is discussed. Three case studies are conducted in the Netherlands, including content analyses of media and parliamentary documents and interviews with 96 political and journalistic actors. The comparative analysis shows that the media's influence on lawmaking was mainly an emphasizing effect: media coverage put emphasis on issues, arguments or actors. It played a role during these lawmaking processes, but had limited, if any, influence on the legislative outcomes.

Stellingen

behorende bij het proefschrift *Media and lawmaking: Exploring the media's role in legislative processes* van Lotte Dieneke Melenhorst.

1. Media-aandacht voor wetsvoorstellen speelt een zeer beperkte inhoudelijke rol tijdens de parlementaire behandeling van deze wetsvoorstellen.
2. De politieke context van wetsbehandelingen is van groot belang voor het verloop van deze processen.
3. Dat er weinig media-aandacht voor wetsvoorstellen is, kan vanuit normatief perspectief als problematisch beschouwd worden, in het geval we de massamedia zien als een belangrijke informatiebron voor burgers over het wetgevende gedrag van hun volksvertegenwoordigers.
4. Dat media-aandacht een zeer bescheiden inhoudelijk effect heeft op wetgevingsprocessen is geruststellend voor diegenen die bezorgd zijn, dat de democratie zich ontwikkeld zou hebben in de richting van een zogenoemde mediocratie.
5. Binnen het vakgebied van de politieke communicatie is te weinig aandacht voor wetgevingsprocessen.
6. Onderzoek naar het effect van politieke agenda setting door de massamedia is disproportioneel vaak gericht op symbolische politieke agenda's.
7. Voor de uitbreiding en verdieping van het wetenschappelijk inzicht in de relatie tussen media en politiek is het waardevol om kwalitatieve en kwantitatieve onderzoeksmethoden te combineren.
8. Voor het goede functioneren van de democratie is het van belang dat politicologen moeite doen om hun onderzoeksresultaten te delen en bediscussiëren met zowel collega-wetenschappers als niet-wetenschappers.
9. Promotietrajecten dienen zodanig vormgegeven te worden dat promovendi met een 38-urige werkweek hun proefschrift binnen hun drie- of vierjarige aanstellingstermijn kunnen afronden.
10. Het is belangrijk dat promovendi naar jazzmuziek luisteren.