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# Lobbying the European Union

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# 1 Introduction

The aggregation and articulation of interests is one of the central and broadly researched themes in the political science in the national contexts. In last decades interest intermediation in European Union has become a wide discussed theme, due to the deeper and wider European integration. The interest intermediation has been analysed from very different perspectives: studies in single policy fields, interest representation in the context of democracy theories and newly Europeanization studies. Firstly research focused mostly on institutions and national states but in last years the focus shifted to private actors and their impact on European decision-making process.

The aim of this paper is to give an overview on recent studies devoted to interest intermediation and lobbying patterns. After the definition of lobbying and description of the actors, this paper relates to the discussion about the democracy (democracy deficit) in the EU and presents the approaches of political science to the phenomenon of lobbying. The chapter 3 deals with the techniques of lobbying and particularities of EU institutions related to lobbying activities. The forth chapter is a broader excursus to the literature about actors from CEE countries followed by the conclusive remarks.

## 1.1 Definition

Several terms are used in the research literature to describe the activities of interest groups, like 'lobbying' (e.g. Mazey and Richardson 1993; Coen 1998), '*representation*' (e.g. Greenwood 1997; Grant 2000) and '*mobilization*' (Marks 1992) . However, both terms, '*lobbying*' and '*mobilization*', are problematic.

The word '*lobbying*' has acquired some negative connotations (i.e. that '*lobbying confers an unfair advantage on those that can afford to carry it out and therefore runs counter to the notion of democracy*' (Warleigh and Fairbrass 2002: 2)). What does actually mean lobbying? Latin word 'labium' means entrance hall, lounge. And that has a relation to actual discussion: political decisions are nowadays often made in the pre-parliamentarian phase of balancing the various interests. According to Beyme, lobbying means '*diverse intensive activities of social groups, chambers and companies in the political and bureaucratic vestibule*' (Beyme 1980). The oldest research definition is given by Milbrath, who concerned lobbying primarily as communication process: '*Communication is the only means of influencing or changing a*

*perception; the lobbying process, therefore, is totally a communication process*' (Milbrath 1960: 32). Van Schendelen adds a new aspect to the definition of lobbying: *'lobbying is the informal exchange of information with public authorities, as a minimal conception on the one hand, and as trying informally to influence public authorities, as a maximal description on the other hand'* (Van Schendelen 1993). The most comprehensive definition is formulated by Koeppel: *'lobbying is the attempted or successful influence of legislative-administrative decisions by public authorities through interested representatives. The influence is intended, implies the use of communication and is targeted on legislative or executive bodies'*. (Koeppel 2001: 71).

The word *'mobilization'* has limitations. This term or similar term *'resource-mobilization'* refers, especially in the earlier academic literature, to social protest movements, particularly in an American context (e.g. McCarthy and Zald 1977). Researchers using this term usually tend to focus on the resources in terms of staff and funding of protest groups, and omit the external political and social environment in which these groups operate. As Warleigh and Fairbrass point out, the later studies of protest movements, which have been loosely based on the *'resource-mobilization'* approach, *'have addressed this shortcoming by considering the external political opportunity structures (Kitschelt 1986). Despite this refinement to the resource-mobilization approach, clearly not all interest groups can (or should) be classified as part of a social protest movement (e.g. most business interest groups are unlikely to think of themselves as social protest groups).'*' (Warleigh and Fairbrass 2002: 2).

The term *'interest representation'* has no problematic connotations or limitations to some particular areas, so that is way it is the most used term in the academic literature to refer to those activities, tactics and strategies utilized by the state and non-state actors when they attempt to influence European public policy. According to definition of Warleigh and Fairbrass, *'it ranges across lobbying, the exchange of information, alliance building, formal and informal contact, planned and unplanned relationships: in other words, all forms of interaction that are designed to advocate particular ideas, persuade the decision-takers to adopt different positions or perspectives, and ultimately to influence policy'* (Warleigh and Fairbrass 2002: 2). One another reason to choose this term is the use of the term *'representation'* in the current debate on EU legitimacy (Goehring 2002: 134). But if we compare the definition of the *'interest representation'* and before in this text mentioned definition of the term *'lobbying'*, we see that they are very similar.

In this paper both terms, 'lobbying' and 'interest representation', are used synonymously, and the first one is used without taking in the consideration all possible negative connotations.

## **1.2 Actors**

Together with the dynamic development of European institutions also rose the amount of interest organisations at European level (Eising 2001: 473; Kohler-Koch, Conzelmann et al. 2004: 231). The private actors acting on the European level could be divided in two groups: business interests and non-business interests.

Business groups are widely seen as being dominant both numerically and politically in the EU arena (Jordan 1998: 31; Kohler-Koch, Conzelmann et al. 2004: 234). So they are also have been most analysed in the academic literature.

But like the title of Pedler's book 'Changes in the Arena' already implicates, in the last decades the situation is changing: *'Players who have clearly gained influence since the first case studies are the issue groups – NGOs, often known collectively as civil society'* (Pedler 2002: 3). Greenwood goes further and searches for an explanation, why civil society is engaging in the EU political system: *'A major factor is also the part played by the European Commission, both through its role in drafting policy initiatives, and through its need to work with outside interests in pursuit of European integration.[...] A number of groups, particularly in public interest fields, have been kick-started directly by Commission departments in search of allies, and sustained through functions delegated to them by the Commission.'*(Greenwood 2003: 9f).

Greenwood describes the relation between interest groups and EU institutions as an interdependency, what explains the growth of interest groups while widening the EU competencies: *'Special to the EU is its multi-level context and the way in which this shapes EU interest representation, and the intensity of the dependency of central EU institutions upon outside interests as a whole.'*(Greenwood 2003: 27).

"Decision-making in the EU, at least in the most traditional areas of policy-making, is a dynamic process which demands that actors from different institutions and interest groups

collaborate and compete to secure the outcomes they desire[...] Institutional actors do not have a monopoly on decision-making. Actors from private and public interest groups can be influential in shaping decision, either through formal consultation or by acting as sources of information, expertise and mediation between other (often institutional) actors (Warleigh 2000; Warleigh 2003: 22).

### **1.3 Lobbying and Democracy**

The EU is a supranational organization dominated by representatives of national governments (Council) and bureaucracy (Commission), the European Parliament remains weaker as national parliaments. Democracy is therefore a challenge for the EU. The debate on the democratic deficit<sup>1</sup> is ongoing for a long time and is still not resolved. What role in this context can take interest groups? Are their activities to be seen in a positive or in a negative light?

The relationship between interest groups and the European institutions has been described as being '*clientela*' (Peters 1999), with '*the Commission selecting a few groups with which it felt comfortable as the appropriate representatives of social interests*' (Peters 2004: 61). The interest groups' lobbying activities have been seen as destructive to the democratic functioning of the whole EU.

But, as Van Schendelen argues, lobbying can be seen also from another perspective. He suggests alternative frameworks for approaching phenomenon 'lobbying': integration perspective, perspective of efficient EU decision-making and perspective of citizens' welfare (Van Schendelen 2002: 100).

According to Greenwood, '*Political systems need legitimacy from their subjects in order to undertake a full range of governance functions. Legitimacy arises from two sources: inputs (the ability to participate in political decision making); and effectiveness (results). The limited nature of the EU as a political regime can partly be explained through its lack of input*

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<sup>1</sup> It is to be noted, that some authors (e.g. Moravcsik) argue that there is no democratic deficit in the EU. Moravcsik, A. (2002). "In Defence of the 'Democratic Deficit': Reassessing Legitimacy in the European Union." in: Journal of common market studies 40(4): 603-624.

*legitimacy*' (Greenwood 2004: 145). In his opinion, because of this lack, the EU is an ideal venue for interest groups which have very positive meaning: *'They bring much needed resources to policy making, implementation, and monitoring In some accounts of how European integration develops, they help the EU to acquire more policy competencies by bringing irresistible demands to member state doorsteps, and assist in the popular identification with the European Union'* (Greenwood 2004: 146). So according, to this author, interest groups not only help in policy making, but also make the EU closer to the citizens.

Sudbery links the input and the output perspectives and argues that *'legitimacy depends not only on the achievement of effective results (outputs), but also on the provision of adequate opportunities for citizens to help shape these results (inputs)'* (Sudbery 2003: 75). Her hypothesis is that *'civil society could provide one means of reducing the structural barriers to citizen involvement in the EU by encouraging debate as well as strengthening influence on decision-making and, ultimately, achieving identification with policy outcomes'* (Sudbery 2003: 77).

For a long time both the political and academic debates have focused on issues of territorial representation, the division of powers, and guaranteeing the individual rights of citizens. More recently it has been argued that the involvement of civil society organizations in European policymaking may constitute a form of participatory democracy complementing representative democracy (Smismans 2003: 473f). The EU White Paper on Governance has raised some questions regarding the transparency, accountability and representative character of EU interest groups. Some authors argue in this context that organized interests could provide a core contribution to the reduction of the democratic deficit in the EU (e.g. Abromeit 1998; Heinelt 1998; Wendler 2002).

As the principal 'obstacles in the EU's path to democratic reform' were identified the 'deficits of legitimacy and participation' (Warleigh 2003: 2). Now 'representation' is one of the central topics in the current debate on EU legitimacy. According to Goehring, 'it is evident that different types of representation and participation have to be combined and reinforced in order to build a strong enlarged, legitimate, and political Union' (Goehring 2002: 134). She points out, that the Commission must become more accountable and transparent and The European Parliament's institutional position needs to be strengthened and her another argument is that 'new channels of representation and participation have to be found and efficiently activated'

(Goehring 2002: 134). Goehring refers also in her article to the one of EU means to overcome its deficits, namely, the ‘civil dialogue’, she claims that *‘all types of dialogues, general and issue-specific, have the potential to bolster EU legitimacy (in terms of input, output and social inclusion). As long as they are well organized they could provide the EU with the required knowledge to improve its efficiency. This could, therefore, help to reinforce the output dimension of legitimacy’* (Goehring 2002: 134f).

## **2 Theoretical Approaches**

The most research literature on the role of interest groups on the EU level focuses on empirical studies (e.g. Greenwood, Grote et al. 1992; Mazey and Richardson 1993; Van Schendelen 1993; Pedler and Van Schendelen 1994; Greenwood 1995; Aspinwall and Greenwood 1998; Claeys, Gobin et al. 1998; Pedler 2002; Greenwood 2003). This literature differentiates between various categories of interest groups, such as business, professional groups, labour, public, social and territorial interests and describes their activities on the EU level. The focus of their analysis lies on the routes of influence taken and on the efficiency of these routes in terms of influence and power. Far less attention is given to the normative questions and to development of a particular theoretical framework for analysing the interest group activities and interactions with the EU institutions. But there are also authors, who try to find theory suitable for analysis of interest group activities. A very good state of the art is presented by Eising and Kohler-Koch (Eising and Kohler-Koch 2005), the authors comment on the most theoretical and empirical approaches to lobbying. These different theoretical approaches are the main focus of this chapter.

### ***2.1 Lobbying as political exchange***

The exchange approach goes back to the economic theories of exchange (e.g. Salisbury 1969), regarding supply, demand and transaction costs. When we speak about political exchange, we speak about political goods which cannot be estimated in a monetary sense. But still the exchange approach might be the way to describe the relationship between the EU institutions and private actors. One of the examples of such approach is Bouwen’s ‘Theory of Access’.

The theory of Access, presented by Bouwen, links the organizational characteristics of private interest representation and the capacity of this representation to provide access goods and to gain access to the EU institutions (Bouwen 2002: 6; Bouwen 2004: 359). Bouwen's starting hypothesis is that *'the private actors who can provide the highest quantity and quality of the critical access good in the most efficient way will enjoy the highest degree of access to the EU institution'* (Bouwen 2002: 17). Since the measuring influence is rather problematic, instead of focussing on influence, Bouwen studies the access of business interests to the EU institutions involved in the legislative process (Bouwen 2002: 5; Bouwen 2004: 337f).

The most important innovation in Bouwen's theoretical approach, according to his own evaluation, is the inclusion of different organizational forms of business interest representation. It covers not only traditional collective action, but also individual company action and third-party representation by political consultants or lawyers, what is different from the focus on collective or on individual company action in isolation from other organizational forms (e.g. Mazey and Richardson 1993; Aspinwall and Greenwood 1998; Coen 1998). One another difference to the past studies is the focusing on three main EU institutions (the European Commission, the European Parliament and the Council of Ministers) in comparative perspective with the aim to understand the logic of interest politics at the European level (see Bouwen 2002: 5; Bouwen 2002: 365; Bouwen 2004: 337f). The analysis of access in each of the three EU institutions constitutes a separate case study.

According to Bouwen, *'not all private interests have the same capacity to provide access goods. The organizational form is the crucial variable for determining the kind of access goods can be provided'* (Bouwen 2002: 10). Three important variables determine the firms' choice of the organizational form of their lobby activities and the kind of access goods that can be provided: *'Size, economic strategy and domestic institutional environment'*. Two other variables have *'an important impact on the quantity and the quality of the supplied access goods and the efficiency, i.e. speed and flexibility of the provision'* (Bouwen 2002: 10). These are the number of layers that constitute the organizational form (firm-national association-European association) and the complexity of the internal decision-making process of the organisational form. *'The more layers are involved in the provision of the access good, the slower and less flexible the access goods can be supplied. [...] The more complicated the*

*internal decision-making process is, the slower and less flexible is the provision of access goods'* (Bouwen 2002: 10).

In order to gain access to an EU institution, business interests have to provide the access goods demanded by that institution. In order to gain insight into the process of resource exchange between private and public actors at EU level, Bouwen studies the resources that are exchanged between these two groups, his main focus lies on the resources and process of their exchange (see Bouwen 2002: 7f; Bouwen 2002: 365). The resource required by private actors is 'access' to the European institutions. The EU institutions demand certain goods, 'access goods' according to Bouwen, crucial for their own functioning. These three access goods are based on different kinds of information. First one is 'Expert Knowledge', the access good 'concerning the expertise and technical know-how required from the private sector to understand the market. This technical information is indispensable in developing effective EU legislation in a particular policy area' (Bouwen 2002: 8; Bouwen 2002: 369). The importance of Expert Knowledge in the EU decision-making process has already been identified before Bouwen's work in the research on interest groups (Van Schendelen 1993; Radaelli 1995; Pappi and Henning 1999). The two other 'access goods' have not been previously identified. A second one is 'Information about the European Encompassing Interest'. This access good concerns 'the information required from the private sector on the European Encompassing Interest. EEI relates to the aggregated needs and interests of a sector in the EU internal market' (Bouwen 2002: 8; Bouwen 2002: 369). And the last one is 'Information about the Domestic Encompassing Interest'. This access good concerns 'the information required from the private sector on the Domestic Encompassing Interest. DEI relates to the aggregated needs and interests of a sector in the domestic market' (Bouwen 2002: 8; Bouwen 2002: 369). The term 'encompassing' means the amount of interested parties involved in the formulation of the interest. 'When the aggregation of interests takes place at the national sectoral level, the Domestic Encompassing Interest is involved. For the European Encompassing Interest, interests are aggregated at the European sectoral level' (Bouwen 2002: 370).

All the access goods are on the supply side of Bouwen's scheme of exchange. But the private actors can only gain access and may provide access goods, if they are also simultaneously demanded by the targeted EU institution. 'The demand for access goods is derived from the specific role of each EU institution in the legislative process. The formal powers of each

*institution in the EU legislative process and the timing of their intervention in the process determine to a large extent the institutions' demand for access goods' (Bouwen 2002: 13).*

This theoretical approach has been tested by Bouwen in the EU financial services sector. Bouwen has made 126 exploratory and semi-structured interviews to check the hypotheses across the main three EU institutions. The hypotheses were operationalized in EU institutions' ranking of dependencies and in business interests' ranking of capacities to provide access goods and when these rankings were compared in order to draw conclusions (see Bouwen 2002: 17).

The critics to this approach is pointed out by Irina Michalowitz, who assesses the value of systematisation but claims that exchange approach neglects the actors and their relationships: *'The exchange approach enables the development of a framework for assessing the relations between private and public actors in a systematic way. They conceptualise lobbying as an interaction between two sides – public and private actors. They do not take the agents of lobbying and the impact of their relationship to other actors for lobbying results into account'* (Michalowitz 2004: 43).

## **2.2 Pluralism, Corporatism or Network?**

There were researchers trying to explain the activities using pluralist or corporatist theoretical approaches. The both theories were developed studying the interest group behaviour at national level (Czada 1994). Corporatist theories focus on steering and output aspects and give the state an active role. Pluralist theories, on the contrary, focus more on the input aspects and see the state in the passive role (Schmitter 1979). . Some authors characterise the relations between interest groups and EU institutions as pluralist (e.g. Mazey and Richardson 1993), but they focus actually more on general character and see lots of interests competing freely in the European arena. The researchers with corporatist background point to the preferential treatment of some interest groups by the Commission, existence of consultative bodies which include interest groups (e.g. Gorges 1996: 10f). Schmitter and Streeck conclude that at European level pluralist patterns of interest intermediation is more likely to establish as corporatist patterns (Schmitter and Streeck 1991). Another researcher, Vivien Schmidt sees the mixed pattern of interest intermediation and calls it 'quasi-pluralist' (Schmidt 1999).

As Michalowitz points out, a major problem applying these concepts is that the EU differs enormously from the national state (Michalowitz 2002: 37). Her main point criticizing the use of both approaches in the European context is, that the basic condition of the both theories, the state, is non-existent. Her suggestion is, that the research should concentrate on single decision-making stage and analyse patterns of interaction, which could be at some stages pluralist, at some stages corporatist (Michalowitz 2002: 42f). She makes an empirical case study on one decision process about particular Directive. She draws the following conclusions: *'the structure of relations between the EU institutions and organized interests are, on the one hand, due to the active shaping of the institutions themselves and, on the other hand, very largely dependent on the legislative conditions of the procedures.[...] It can be discerned that generally the Commission tends towards corporatist behaviour whilst the Parliament tends to be pluralist. The Council can be characterized as closed or, as far as interaction with interest groups is concerned, rather corporatist.[...] In the EU decision-making pluralism and corporatism can co-exist'* (Michalowitz 2002: 50).

The most recent approach is to define the patterns of interest intermediation as policy network, introduced by Kohler-Koch und Eising (Eising and Kohler-Koch 1999). The main characteristics of the policy network approach is resource dependency, assuming that resources are dispersed over several public and private actors and these actors have to cooperate if they wish to be effective in policy-making (see Börzel 1998). According to Eising and Kohler-Koch, the interests of the actors should be regarded in the context of negotiations and functional problem solutions (Eising and Kohler-Koch 2005). Simply said, lobbying patterns are different in every context and what matters are the processes and actors involved in these processes.

### **2.3 Political-economy Approaches**

A good overview on currently existing political-economy approaches gives an article of Hosli, Nölke and Beyers (Hosli, Nölke et al. 2004). The approaches, taken into consideration in this overview are Public choice, Collective action and Critical political economy.

The example of Collective action approach is the book of Greenwood and Aspinwall (1998). By the way, this approach was typical for the pilot studies on European Union lobbying (e.g. Greenwood, Grote et al. 1992; Mazey and Richardson 1993). The authors discuss based on

the Olson's logic of collective action (1965) the difficulties to organise a collective action and to mobilise the national organizations to participate in the EU networks. The study is trying to define the factors determining the success or difficulties of collective action. The critics to this approach is supplied by Roose, who argues that in this book only the EU networks are analysed, not the organisations itself (Roose 2003: 23).

In the critical political economy approach the interest groups are being perceived as representatives of capital and labour classes. Using this approach to the role of interest group activities on European level, is the most visible issue, that capital is far more powerful than labour. This is clearly negatively evaluated in this approach. The studies using this approach see the involvement of interest groups in the EU governance as strengthening the neo-liberal character and capitalist dominance in the EU (e.g. Apeldoorn 2002).

## **2.4 Social movements' research literature**

One of the examples of social movements' research is the book of Imig and Tarrow 'Contentious Europeans', they estimated Reuters press releases about political protests in 12 EU countries and found out that only small part of protests was against EU and in the most protests actions against EU politics were organised in member states (see Imig and Tarrow 2001: 133-142). They and their co-authors in the book concentrate on *'those forms that reach upward from the grass roots towards the sources of European decision-making; across the member states as Europeans forge alliances with one another; and within Europe's institutions as public interest groups and NGOs try to influence European policies in the name of population groups they claim to represent'* (Imig and Tarrow 2001: 4).

The authors approach a phenomenon of democratic deficit in the EU from the standpoint of mass politics and seek to explain, how Europeans mobilize to make claims against policies made in their names. Their hypothesis is *'if Europe is becoming a polity, sooner or later ordinary citizens will turn their claims and their forms of contentious politics beyond their borders and towards this level of governance [...] and European integration might be creating an opportunity structure for the formation of transnational social movements'* (Imig and Tarrow 2001: 7f). In their book they also discuss the relation between lobbying and protest. The finding of one book section is that *'the reason for the absence of environmental protest in Brussels might have to do with the possibility that lobbying EU institutions is by far*

*more adequate and effective than the kind of unconventional protest action that is so common at national and subnational levels' (Rucht 2001: 136).*

### **3 Channels and Techniques of Influence**

#### **3.1 Kinds and Techniques of Influence**

In the chapters above the main focus was on the actors and theoretical approaches, this chapter focuses on practical approach to lobbying: how to influence and whom to influence and when.

According to Van Schendelen, an interest group, wanting to influence its European environment, can choose from a menu of four traditional techniques. One of them is the 'coercion', explained by Van Schendelen as follows: *'a national ministry can coerce its home environment by issuing legislation that is maintained by police, court and jail systems. It can also try to do so through the EU Council of Ministers. Private pressure groups have to play a less formal game. NGOs may set up a blockade or a hate campaign, as Greenpeace did against Shell in the 1995 Brent Spar affair. A company can threaten to move production to another country. The EU itself is ultimately based on coercive legislation'* (Van Schendelen 2002: 40). Second possible technique is 'encapsulation': a company or NGO may use part of its budget to make others dependent on them (cnf. Van Schendelen 2002: 40). The third technique listed by Van Schendelen is 'advocacy'. According to him, 'in its informal variant it comes down to propaganda, for example through an advertisement or a mass media campaign. NGOs and Trade organizations, smelling an opportunity or fearing a threat frequently rely on this technique' (Van Schendelen 2002: 41). The last mentioned technique is 'argumentation' in which 'self-interest is hidden behind seemingly intellectual reasoning, based on logically sound inferences and empirically credible references' (Van Schendelen 2002: 41).

A not less important question is when to lobby, the time point and strategy of lobbying depend on each other. The kinds of lobbying relating to the time point in policy process are summarized by Bender and Reulecke. They differentiate between 3 kinds of lobbying: 'lobbying as prevention', 'lobbying as reaction' and 'lobbying as action' (Bender and

Reulecke 2003: 117) . According to the authors, the most difficult one is preventive lobbying which aims to prevent or to postpone particular legislation before the call for legislative action exists. Lobbying as reaction means that the legislative proposal already exists and lobbying reacts to the legislative process. Lobbying as action refers to the need of legislation seen by lobbyist and his actions to initiate the legislation (cnf. Bender and Reulecke 2003: 117) .

### **3.2 Routes of influence**

Actors, seeking to participate in European policy process have to take into consideration the multi-level character of this process. Wishing to take influence in this process they have to choose between ‘routes’ of influence: ‘At its most simple level, the ‘national route’ refers to the use of national contacts and national governments to influence the EU decision-making, whereas the ‘European route’ involves seeking to exert influence by representation direct to the European institutions themselves’(Greenwood 2003: 32f).

If they choose the ‘European route’ they have to take into account that the fundamental relationship between them and European institutions is one of exchange: EU institutions seek information, interest groups seek influence. If they want to take influence, they have to provide information (cnf. Pappi and Henning 1999; Bouwen 2002; Michalowitz 2002). Some authors emphasize on other aspects of ‘European route’ like the complexity and informality of EU decision making (Peterson 1995) and describe the activities of actors as a ‘hustle’(Warleigh 2000) in which each actor must seek to construct coalitions with others in order to secure his or her objectives. According to Greenwood, *‘Interests contribute to, and are highly influenced by, the climate of ideas of EU policy making in the circles to which they have access. Brussels can be an insider’s town, where operating effectively depends upon a dense network of interpersonal and interorganizational links, and where it is very difficult for outsiders to arrive, win the day through persuasion, and go home again’* (Greenwood 2003: 2).

Lobbying is a difficult task and requires not only financial and personal resources but also a profound knowledge about the EU institutions. Each institution has different ways of dealing with external input, the lobbyists need to adapt to the structures they find.

### **3.2.1 Commission**

The Commission is a central venue for lobbying activities of interest groups because of its central role in the EU legislative process (cnf. Greenwood 2003: 44). As agenda-setter, the Commission has the formal right to initiate legislation and is thus responsible for the drafting of legislative proposals (see Bouwen 2002: 15). Due to the lack of internal resources Commission needs input from interest groups in form of external expertises and information and the contacts between interest groups and Commission vary from ad-hoc meetings to formalised arrangements (Eising 2001: 455). Following Bouwen's theoretical approach, expert knowledge is therefore the critical resource for the Commission's legislative work. *'The Commission has a substantial interest in European encompassing index because it can help to identify common European interests. The institution is not primarily interested in information about Domestic encompassing index. But Commission is interested in this kind of information on an ad hoc basis, when it needs to amend its legislative proposal to achieve a compromise in the Council and the Parliament'* (Bouwen 2002: 15).

According to that, interest groups trying to get influence on Commission's legislative proposals, have to provide rapidly expertise of good quality. One of the findings of Bouwen's research project was that European associations have the highest degree of access to the European Commission (see Bouwen 2002: 26), because Commission needs information, concerning all European countries.

### **3.2.2 Parliament**

The European Parliament has become increasingly attractive to interest groups as a result of its increased legislative power. European Parliament has a competence to amend Commission's proposals. Parliamentary amendments do not originate in a vacuum, according to the researchers, 'they are partially initiated in contacts with Commission officials, and partially by external pressure or in co-operation with interest groups. Interest groups constitute a source of information for the Parliament in the same way that they do for the Commission, enabling it to maintain a certain degree of independence from the other European institutions' (Diekmann 1998: 290; Michalowitz 2002: 46). The interest groups not only supply information but also make Parliament less dependent on the other institutions.

Most significant lobbying targets in the EP are the standing committees because most of the Parliament's legislative work takes place in specialized committees, despite that the plenary session has the final say on legislation. All legislative proposals and other documents must be considered in the committees, so they are the right venue for lobbyists seeking to influence the legislation (see Greenwood 2003: 57; Bouwen 2004: 353). What concerns the information required by European Parliament, it is less technical, because at this stage of legislative process, the Commission has already drafted a detailed technical proposal. The Parliament evaluates the legislative proposals from a European perspective, so in terms of Bouwen it requires information about European encompassing index (Bouwen 2002). Another fact, to which Bouwen draws attention, is that all MEPs are elected at the national level and they need information about their national electorate in order to increase their chances for re-election, so they need information about Domestic encompassing index (Bouwen 2002).

Greenwood points out to one interesting fact that public interest groups get better contact to the Parliamentarians because of their democratic credentials, while for business interests Parliament was an unfamiliar territory. According to him, 'there are now signs that business interests are managing their relationship with the EP more successfully' (Greenwood 2003: 63).

### **3.2.3 Council of Ministers**

At Council level hardly exist access opportunities for interest groups, at highest levels, the ministerial and the COREPER level, the interest groups have no access. If they wish to have influence on Council decisions they have to lobby national governments that they change the bargaining positions at the Council (Michalowitz 2002: 48). But according to Mazey and Richardson, 'occasionally, interest groups may secure representation on Council working groups when there are appropriate circumstances which suit a national government' (Mazey and Richardson 2001), (see also Greenwood 2003: 41).

In the case interest groups gain access to the Council, they have to present information that can facilitate the bargaining process among the Member States, in terms of Bouwen, 'the Council's critical access good is Domestic encompassing index because it gives the Member States information about the needs and interests of the domestic market' (Bouwen 2002: 16).

## 4 Lobbying and Eastern European NGOs: How Powerful are their Lobbying Activities

While Brussels may not be considered the centre of the world, it is ‘the centre for European lobbying’ (Biliouri 1999: 173). Now after the biggest enlargement in May 2004, the EU contains 25 member states and the interesting question is how interest groups from the new countries are adapting themselves in Brussel’s lobbying arena. This excursus from the general literature to the one about particular actors is devoted to the still rare literature on the interest groups from CEE countries and their lobbying activities.

According to Platzer, a new development of European federations and associations is issue- and geographically-related differentiation and broadening of networks (vertical as well as horizontal) for information, consultation and co-operation. The horizontal broadening of networks concerns a stronger involvement of partner associations from CEE countries. As Platzer points out, the associations from EU candidate member states were already full members in many European federations since late nineties (Platzer 2002: 416).

Another question is if this membership was effective for the interests from CEE countries. This question is researched by Borragan who analyses the impact of the EU’s forthcoming eastward enlargement on the arena for EU interest representation. He finds out that *‘the Central and Eastern European community for interest representation is growing in Brussels. Yet they still account for less than 2% of the Brussels-based lobbying community’* (Borragan 2002: 172). Borragan analyses the domestic milieu for interest representation in CEE countries and their activities in Brussels. One of her statements is that *‘Interest groups in the CEEC lack experience of lobbying within a liberal regime. However, through their interaction with their EU counterparts (via membership of Eurogroups) they can benefit from the experience of their Western European colleagues. [...] interest groups from Central and Eastern Europe operating in Brussels expect to make full use of the knowledge that their counterparts have about the EU decision-making process and how to influence it’* (Ciselj 2000; Borragan 2002: 170).

According to that fact that interest groups from the CEE countries lack experience about lobbying procedure and knowledge about the EU institutions as well as resources to operate autonomously in Brussels, they relate on large European associations: *‘the access of Central and Eastern European interest groups to European Institutions, although effective as*

*information-gathering mechanisms, are limited by their reliance on Eurogroups'* (Borragan 2002: 177). But this partnership is a tremendous challenge for both parties. It is not easy for Eurogroups to identify reliable counterparts in CEE countries and the expansion of membership to various newcomer groups brings internal organizational difficulties (see Borragan 2002: 174f). For CEE interests contact with Eurogroups brings a number of 'adaptational pressures': *'They need rapidly and effectively to learn and adapt to the basic rules of the European game while making sure that their own interests are not diluted in the general interest of the wider organization'* (Borragan 2002: 176f). Borragan points out, that their ability to influence the agenda of the European associations is limited, despite the fact that they pay membership fees. He concludes that *'there is little evidence of their effectiveness in relation to policy outputs and [...] the transnational activities of Central and Eastern European interest groups evidence a peculiar model of interest-group politics, where the exchange and ownership of information are more important than the actual impact on policy-making'* (Borragan 2002: 178f).

As Borragan found out, the most interest groups from CEE countries choose the membership in the Eurogroups in order to operate in Brussels, and leave out other possibilities like open own representation offices or engage third parties (political consultants or lawyers) for their aims, due to the lack of knowledge and resources. But the efficiency of Eurogroups in policy-making is highly disputed in the academic literature. McLaughlin, Jordan and Maloney argue that Euro-groups, far from being dynamic agents of integration, have tended to be rather ineffective bodies unable to engage in constructive policy dialogue with EU institutions (Mc Laughlin, Jordan et al. 1993; see also Mc Laughlin and Jordan 1993). Greenwood and co-authors argue that *'the claim of 'weak Euro groups' appears to have become a shared assumption, and part of a belief system, among some researchers* (Greenwood, Strangward et al. 1999: 127) and conclude that *'The ability of interests to contribute to the governance of the European Union depends upon the capacity of representative Euro groups to participate in tightly integrated sectoral policy networks'* (Greenwood, Strangward et al. 1999: 137).

Two other authors, Hallstrom and Greenspan Bell, have researched activities of environmental interests from CEE countries in Brussels. Hallstrom claims that *'environmental groups are often seen by EU officials as poorly trained and therefore weak, while business interests are seen in a more positive light'* (Hallstrom 2004: 179) but the challenges for the interests from CEE countries, both public and private, are even greater *'while the benefits of*

*maintaining an office in Brussels are considerable, costs can be prohibitive for CEE interests. Coming from economies where mean incomes measure less than 20 per cent of those in Belgium, it is often simply too expensive to maintain offices in Brussel*' (Hallstrom 2004: 180). So the environmental groups maintain a formal affiliation with EU-based federations. But as Hallstrom clearly states, *'such groups are disadvantaged in the informal policy game in Brussels, as they rarely possess the technical knowledge, credentials, experience or resources required by the EU'* (Hallstrom 2004: 180). His hypothesis that the Eastern European environmental groups are weak and not able to provide information required by EU institutions is confirmed through the interviews with EU officials, so Hallsstrom concludes that *'the view of CEE environmental NGOs as generally weak and of limited use by EU officials is not entirely unfounded, but hinges largely on a very specific set of ideas and preferences about the role(s) for citizen-based groups groups in the integration and policymaking process. Environmental NGOs that are not consistent with these ideas and preferences, particularly those that do not bring technical expertise or knowledge to the policy process, are typically viewed as recipients, rather than provides, of policy-relevant information'* (Hallstrom 2004: 182).

This conclusion is actually supported also by other authors working on interest group activities who claim that *'the successful groups are those that exhibit the usual professional characteristics – namely resources, advance intelligence, good contacts with bureaucrats and politicians, and above all an ability to provide policy-makers with sound information and advice. Reputations for expertise, reliability and trust are key resources in lobbying in Brussels as elsewhere [...] This means that lobbying styles may be as important as the content and objectives of the lobbying itself'* (Mazey and Richardson 2002: 141). So the consequence for the newcomers in Brussels is, if they wish to succeed and be effective, to acquire the needed knowledge and skills and to professionalize their activities as well as find new sources of funding.

## **5 Conclusive remark**

Recently the phenomenon 'lobbying' is drawing more attention of researchers due to the large numbers of actors in the Brussels lobbyist community. There are different approaches to lobbying. Some scholars see lobbying process as an exchange process, where supply side, the private actors, offer goods (expertise and specific information) in order to influence the

decision making. The European Union institutions demand expertise which they are not able to produce themselves. In this area scholars discussed long time the way the interest intermediation is organised at European level: pluralist, corporatist or quasi-pluralist. Another approach was to see the interest intermediation as network, which has in every policy new actor constellations. New impulses came up also from social movement research which recently took in the scope not only mobilizing for protest but also lobbying. To sum up, there are different approaches with their advantages and disadvantages, empirical studies in different policy fields but no general theory of interest intermediation at European level.

There is a need for further investigation concerning special groups of actors like non-business actors and the integration of actors from new member states in the interest intermediation process at European level. And the main task, to develop a theoretically established framework of research hypothesis for the analysis of lobbying behaviour is not finished yet.

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