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Panel:

Comparative interest group research in the EU – theory and methodology

Explaining convergence and variations in EU lobbying

Draft

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Abstract

The paper presents the analytical outline of a research project that intends to capture and explain differences in EU lobby strategies and in the adaptive potential of associations to changes in their environment. We want to know how business associations and general interest groups organize and have reorganize their structures and lobbying strategies in order to have the best possible impact on EU policies. The core argument is that associations have to pay tribute equally to the “logic of membership” and to “the logic of influence” which means that they have to respond to the properties of their membership and of the governance system of the EU. As we want to arrive at general explanations we have started a large-N research project that is comprehensive in terms of policy sectors and issue areas and covers business associations in the four big EU member states Germany, France, Poland, and the United Kingdom and at the EU level. Since the survey will be a replication of a survey we did 10 years ago, we also will be able to make a comparison across time. Further, we will compare business interest associations (BIA) and non-governmental organisations (NGO). A separate paper addresses the problems entailed in diachronic survey research which has to consider changes in context conditions while keeping the questionnaire as constant as possible.

Dynamic and general aspects of interest group organisation and strategies

The Europeanization of national lobby behaviour

Explaining convergence and variations in EU lobbying across issues, associations and time is last, not least, a study in Europeanization¹. National associations have, over the years, found equilibrium in adjusting their structures and strategies to meet the demands of their members and to have a rewarding exchange relation with government. With the growing importance of EU policies they have to position themselves in a system of multi-level governance. This move does not only require additional resources but also the adjustment to a new system of interest intermediation. The existing volume of research on Europeanization may provide some guidelines whether or not and to what extent we may expect such an adjustment to be successful. However, we have to keep in mind that national associations still have to operate in the national arena and that the national system of interest intermediation may deviate considerably from the EU system. This divergence may put the associations under great stress and may impede an optimal adjustment to EU conditions. To develop reasonable hypotheses we will combine our knowledge on Europeanization with the theoretical insight into the explanatory factors that determine the lobby behaviour of interest associations. Whereas the latter is addressing the conditions for a constellation at a given point in time, the former will help to explain the dynamics of change.

The study of Europeanization has a long history and thanks to the large number of case studies and above all comparative studies we have gained deep insights into the extend and conditions of the impact of European integration on national systems.² Most of these studies have focussed on policies and documented that, indeed, EU integration makes a difference. However, when it comes to the Europeanization of institutions and systemic constellations such as the systems of national interest intermediation findings are less conclusive. One of the reasons is that we lack systematic large-N studies. So far research on EU lobbying by national interest associations has focussed on influence strategies, or to be more precise on the ways and means of finding access to EU institutions.³ Research exploring the impact of Europeanization or globalization on national systems of interest intermediation is limited in

¹ We understand Europeanization as defined by Robert Ladrech (1994: 69) as “Incremental process re-orienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy-making”.

² For a state of the art report see Börzel/Risse 2006.

³ Since influence is difficult to measure most studies investigated the conditions for access. For a critical evaluation of this research practice see Dür/DeBievre (2007).

number and scope covering only a limited number of countries and a small selection of economic sectors (Streeck et al. 2006). Thus, our research will close a research gap.

Europeanization research illuminates the different ways and means that lead to pressure for adaptation. It is not just the force of legal obligations which make national systems adapt to EU input but also soft instruments of EU steering such as incentives or the propagation of best practices. Furthermore, not just top-down but also bottom-up processes of Europeanization are quite common. They happen whenever interested actors can support their case by relating to principles, norms, and rules of ‘appropriate behaviour’ as advocated by the EU. Europeanization will occur through different modes of adjustment and change the existing system to different degrees by way of absorption, adaptation or transformation. This happens mostly in a stepwise process which extends over time, though to our knowledge only very few studies empirically tested the factor time.⁴ It is well established that the impact of Europeanization is more profound on policies than on institutions and that even policy change is differential as it depends on structural conditions of the national environment (Héritier et al. 2001). As policy-regulation is embedded in wider systems of regulation and as these are highly dependent on the existing system of law and administration, it is evident that even the transposition of EU law is not uniform but always carries the imprint of the preceding national system. Taking into account the diversity of national traditions and systems, it is not surprising that Europeanization does not produce conformity but rather Europeanization in “national colours”. It is plausible to assume that these findings will also apply when we explore the Europeanization of interest groups and lobbying strategies of national associations.

Despite a wealth of research and publications Europeanization studies have not produced an explanatory theory. As Tanja A. Börzel and Thomas Risse have argued “(...) theory-guided research on the causal mechanisms of Europeanization has only begun, and it is far too early to come to firm conclusions as to what explains the observable variations in mechanisms.” (Börzel/Risse 2006: 494) Hypotheses vary depending on the preferred approach. Rationalist approaches highlight how interested actors take advantage of changing opportunity structures whereas constructivist approaches emphasise social learning.

Irrespective of theoretical inclinations, it is evident that the deepening of EU integration has a deep effect on interest groups. Trans-national collaboration becomes more frequent, regular

⁴ An exception presents the study by Balint et. al. (2008), which however compares bureaucratic change in the European Commission with developments in the public administrations of the member states of the European Union without referring specifically to the concept or term Europeanization.

and enduring and goes hand in hand with the socialization of actors into EU norms of appropriate behaviour and the dissemination of best practices. In a rationalist perspective opportunity structures have changed significantly. The ever larger transfer of competences to the EU level increases the salience of EU policies and the alterations in the institutional balance of EU institutions have modified the target system of interest groups. The expansion of the Single Market and the deepening of the Economic and Monetary Union which go in parallel with globalization, are changing national market structures and, in consequence, the membership structures of business associations. Thus, Europeanization should come in plain sight among business associations. However, the more the EU developed from a Common Market into a political system with competence in nearly all realms of political life, Europeanization should also become visible among general interest groups.

Interest groups caught in the logic of membership and the logic of influence

In order to grasp the causal mechanisms which drive or constrain Europeanization and also explain interest group organisation and strategies in general, we reformulated the Schmitter/Streeck model. Though Philippe C. Schmitter and Wolfgang Streeck (1999) designed the model to capture – in comparative perspective – how and why associations organise at national level, with only few adaptations the model is also highly useful for studying developments in EU lobbying. The core argument of the model is that an association's organisational design as well as its selection of addressees and its use and deployment of lobbying instruments are dependent on two different logics of action, termed "logic of membership" and "logic of influence". These two logics refer to (a) the need to respond to membership demand in order to avoid the loss of members and necessary resources (Waarden 1995) and (b) to the institutional structures and prevailing processes within the relevant political arena to which associations have to adapt if they want to represent their members' interests successfully (Traxler 1995).

Our analysis is thus basically built on the assumption of exchange relations. Interest associations extract resources from their members/supporters and gain access/influence in return of input they can offer to decision-makers. The capacity of associations to perform as expected by members depends on the match between organisational resources and the restrictions of the institutional environment and their ability to gain access to and influence on the policy making process depends on the type and the quality of exchange goods which are appreciated by the EU actors. From a larger perspective it is the interdependence between

state and economy which is of relevance for business – state relations. Whereas state interference in the economy is aimed to increase societal welfare, private economic actors first of all have to look after the interest of their shareholders. In order to augment public welfare, political actors need an encompassing and adequate understanding of economic processes and conditions, and they are dependent on the cooperation of economic actors or at least on the latter's compliance to what has been decided (Rueschemeyer/Evans 1985). Also Non-Governmental Organisations (NGO) representing general interests are in a similar exchange relation with the EU. The increasingly encompassing competence of the EU and the expanding activities which interfere with every day life have augmented the need for democratic legitimacy. The more the “permissive consensus” of the European citizens disappeared, the more EU policy makers became interested in closer cooperation with NGO (Kohler-Koch/Quittkat 2011). Both sides, BIA and NGO on the one hand and EU-level public actors on the other, have a considerable interest in cooperation, as it is to their own benefit. EU institutions are dependent on the know-how, active specific support, as well as general support that interest groups can deliver; interest groups on their part need the responsiveness of public actors so that the concerns of their members and/or supporters are taken into consideration. Business associations as well as NGO serve as intermediaries providing both sides with information and trading demands for support.

The relevance of EU institutions for interest groups

In line with the state of the art, the results from our own previous research confirmed the theoretical assumptions concerning the importance of institutions. To better understand our approach it is worth noting that we conceive an institution as defined by Johan P. Olsen (2010: 36) “as a relatively enduring collection of prescribed behavioural rules and organized practices derived from collective identities and affiliations embedded in structures of meaning and resources.”

The core argument is that the specific institutional setting of the EU has a marked effect (1) on the associations' need of administrative resources, (2) on the resources needed for the supply of exchange goods, and (3) on (cultural) patterns of interest intermediation. It is well acknowledged that interest groups need financial resources and manpower just to represent their members' interests and and to be on spot and intervene when the decision process takes a decisive turn (Eising 2007; Quittkat 2006). Also the exchange goods which open the door to decision-makers are not freely available. The command of expertise and information (Bouwen

2002; Bouwen 2004), and also the ability to legitimise or de-legitimise policy decisions (Princen/Kerremans 2008: 1135f) is resource intensive. On the other hand, exchange with institutions does not only require resources, institutions also provide resources. This can be meant literally as in the case of NGO which receive subsidies from the EU or do contract work for the Commission. Even more important is the indirect effect of institutions on the distribution of resources. Institutions create capabilities for empowering and constraining actors so that they might be capable or not of acting in an appropriate way (Olsen 2010: 37). Last, not least, institutions define appropriate behaviour and they do so not just by explicit rules and procedures but also by principles and norms implicit in daily practice. If the repertoires of standard operating procedures and the accepted ways of representing interests differ markedly from national formats of interest intermediation, interest groups are under pressure to adapt. And again, successful adaptation is a matter of capacities.

When highlighting these three different dimensions of institutional relevance we gain a better understanding of the different kinds of resources which interest groups need for their success. In the following we exemplify why the EU system makes interest intermediation such a resource demanding effort and what kinds of resources are needed most.

The EU: A resource demanding environment

The specific institutional setting of the EU makes monitoring and observing the policy-making process an extremely demanding task: Interest groups have to continuously check the political agenda; they have to trace single initiatives throughout the whole policy process, which is often unpredictable and of long duration. Interest representatives not only need to be very well informed about the state of the discussion but it is also indispensable that they are present at the right moment at the right place. Only under this condition they will be able to make use of the most successful instrument of interest representation: a pre-formulated amendment to a policy proposal which will be taken on board either by the Commission or by the EP (Kluger-Rasmussen 2010).

Another institutional feature also makes interest representation in the EU a costly affair. The multi-level system of EU governance makes it mandatory that monitoring takes into account the policy process at all levels of governance (regional, national, European, international) and the activities of each of the involved institutions and the complex system of inter-institutional negotiations.

Further, access to information and involvement in the EU consultation process is governed by legal procedures and administrative practices which often differ considerably from the national environment and which, in addition, are changing in the course of time. Whereas consultations at the start of the policy process are quite open, information and contacts become more difficult at the stage of final decision-making. At that stage good personal relations make a difference and these can only be established over long years of trustful and mutually rewarding cooperation.

To be able to cope with all these demands, interest associations need financial resources and manpower. Being located in Brussels is an advantage and staff who is well versed in the functioning of the EU system and who has insider knowledge and contacts is indispensable. The question is if and under what conditions associations can persuade their members to provide the required resources.

Resources needed for the production of exchange goods

Faced with a myriad of interest groups, EU institutions have a choice whom they want to grant access to consultations and whose arguments they will take into consideration. Interest groups look for direct, bilateral contacts with the desk officers in charge within the Commission or in the Council secretariat and with the responsible rapporteur in the EP because these are the most promising venue for effective interest representation. But ear-time is scarce and, consequently, only a selected few will get access. EU actors have their own interests in mind: Will the contact provide them with expert information concerning difficult or uncertain issues, will it put them in a better position to judge the feasibility of the envisaged policy change, and might it even further the acceptance in the target group? Also hearings with wide participation and online-consultations which are open to all those who want to participate do have an inbuilt selection bias. EU institutions will pay more attention to contributions from actors with whom they are familiar and who have the reputation to deliver what the EU is looking for.

Over the years the EU has developed into a “regulatory state” (Majone) and policy regulation has become ever more fine-tuned. As a consequence, the need for a broad knowledge base has extended and this need goes into different directions. One dimension is the technical or even scientific knowledge of the substance matter, another one the economic and social effects of regulation, and still another one the fit with the existing regulatory environment and the political acceptance within the regulated issue area or even beyond. Compared to the nation

states the EU has only a rudimentary expert system and it has only very limited administrative resources. Consequently, EU institutions are looking for external advice. It corresponds with the “technocratic” self-image of the Commission that it is predominantly interested in policy relevant technical expert knowledge whereas the Parliament and the Council are more receptive to information on political effects. This hypothesis has been tested and confirmed by our previous research and also by Pieter Bouwen (2004) who focused on expert knowledge and information about the domestic and European ‘encompassing interest’ as ‘exchange goods’.

Compared to the daily business of interest representation such as demonstrating presence, providing general information, keeping contact and monitoring policies, making exchange goods available needs different types of resources. The daily business is a matter for the permanent staff of the association and thus budget, manpower, and management abilities make a difference. When it comes to providing expert knowledge, the permanent staffs of an association mostly does not have the necessary expertise. The association has to rely on the members. Either individual firms or an ad hoc consortium of firms have to step in or the membership has to provide extra money to pay for external experts. The association’s role is then mainly to act as “knowledge manager”.

The role attributed to NGO differs in so far as they are considered to be mainly a legitimacy provider. They claim and are perceived as representing general interests based on universal rights and values. In this capacity they can give support to wide-ranging policy initiatives and provide legitimacy to the process of ever deeper integration. NGO also claim to have a voice in legislation that directly affects their specific constituencies. Here again their susceptibility to normative arguments and their ability to raise the question of legitimacy in public is crucial. Legitimacy is a valuable exchange good and, as Sebastiaan Princen and Bart Kerremans (2008) have pointed out, appreciated above all by actors with a concern for the public support for their policies. Whereas the Commission is mainly alarmed by broad public contestation, party groups and members of Parliament are also responsive to contestation by specific constituents. Due to the rather low politicisation of EU politics and a low level of public awareness of EU policies, so far (de-)legitimation only played a subordinate role as an exchange good in EU lobbying. NGO use it carefully because it takes great efforts to mobilize public contestation and questioning the legitimacy of a policy without visible public protest may be regarded as cheap talk. Consequently, also NGO mainly rely on their expert knowledge to gain influence and actively take part in consultations with substantive contributions (Hüller 2010: 183-213; Quittkat 2011). But legitimacy is also relevant in EU –

business relations. EU institutions are more inclined to speak to highly representative associations that stand for an important sector of the economy than the other way round. This gives an incentive to business associations to upgrade their level of organisation and to unite in encompassing umbrella associations or at least form temporary coalitions.

Bridging cultures of interest intermediation

Last, not least, institutions do not only channel interest representation by providing distinct points of access and by being receptive to diverse exchange goods. Institutions also define appropriate behaviour for both sides, that is for the administration and the political decision-makers on the one hand and the interest groups on the other. Appropriateness is only partly defined by explicit rules and procedures; it is mainly a shared interpretation of more general principles and norms. Such an unwritten code of conduct is implicit in daily practice so that actors become socialised in accepting roles and rules of the game. Conformity pays because playing according to the script makes for success. If the repertoires of standard operating procedures and the accepted ways of pursuing interests differ markedly in the EU from national formats of interest intermediation, interest groups are under pressure to adapt. Successful adaptation is easier when the difference is a matter of degree and only touches a segment of a system than when it relates to core elements of the system and has redistributive effects.

Our previous research confirmed the hypothesis that some national systems of interest intermediation are closer to the EU system than others and, accordingly, some national associations found it easier to play according to the rules of Brussels than other national associations. German and British associations familiar with a consensus-oriented system of interest intermediation and used to a co-operative relationship between public and private actors had less difficulty to align with the style of EU interest intermediation than French associations. In terms of organisation, lobby strategies and, above all, the assessment of their relationship with national as compared to EU institutions, deviant cases clustered around France as country of origin. It was quite obvious that even after decades of EU membership the traditional *étatist* state-society relations in France still dominated the lobbying approach of French business associations (Quittkat 2006). As it is a matter of socialization, a new generation of core actors may spur change but opposition may still be strong just because a change in the system of interest intermediation challenges basic norms and rules of the French political system. Furthermore, political interest brokers who occupy key positions in the old

system may resist losing power. In such a case a transformation will only happen under exceptional circumstances: a systemic change, a conspicuous performance crisis or a combination of both (Olsen 1996).

Members as a resource and constituting factor

“An association without members is nothing.” This apodictic statement by an NGO official drawing a line between citizen associations and cause groups organized by a few political entrepreneurs, certainly applies to business associations. Members are first of all an asset and a constituting element, and they are crucial for the operation of the association because they confront it with demands and they supply resources.

Members as an asset

Members are an asset because they give standing and political weight to an association. Political actors will pay more attention to an association which represents a membership of high economic importance. This may be the case because the association represents a large part of the economy or an important sector. Importance is not just measured in terms of size but most of all in terms of innovative capacity, contribution to economic growth and to international competitiveness. Political weight comes also with the sector's importance for employment, be it at the national level or in underdeveloped regions. Furthermore, a profitable sector with high volumes of investment and also high volatility of capital has political weight and, as a result, strengthens the negotiation position of the association.

Members are also crucial for the association's legitimacy. Depending on the level of representativeness, an association may more or less convincingly claim to speak for a specific sector or business in general.

Membership properties and demands

The strongest link between a business association and its members is that the very *raison d'être* of an association is to serve the interest of the members. They have to satisfy the demands of the membership which systematically varies with the scope of membership. Umbrella organisations are faced with less focussed demands than specific sector associations but they have to cover a broader range of interests and to put more emphasis on symbolic representation. In order to demonstrate that they work in the interest of the business world,

they have to be more in the news and they have to demonstrate their good working relations with top officials.

Furthermore, the EU is not equally important for all economic sectors. Some sectors experience and appreciate the EU mainly as a driving force of market liberalization; others have to face up to the EU's ambition to regulate markets and business activities. Also, the regulatory policies of the EU affect economic sectors to different degrees. Depending on the scope, intensity and maturity of EU regulation, business will attribute the EU more or less importance and expect their association to perform different roles. Whenever the most relevant framework regulations have already been established they expect no specific engagement of their national association apart from the usual monitoring that is done jointly with the EU federation. When the EU has the intention to set up a new regulatory system or deeply reform the existing one, members are alerted and want the national association to be a watchful guardian of their interests which, after all, may not concur with business interests in other member states. In general, competition is a decisive factor that shapes the readiness of business to mandate an association, be it at the national or at the EU level, to push its interests.

Demand and support are closely interrelated. When members are over a longer period of time more or less satisfied with the way their association looks after their interests, they will leave it to the discretion of the association to do their job and habitually pay their fees. In time of crisis they will become more demanding and they will be ready for an extra transfer of resources. Depending on the association's performance they might as well withdraw their support and look for alternatives. Associations representing a sector with oligopolistic market structures have to be more careful not to alienate big members because they may choose the exit option. Well resourced firms can afford "to go it alone" and big players will be accepted as partner in EU consultations. Also smaller business actors have the choice to take alternative routes of interest representation. They may choose between national branch, sectoral and sub-sectoral associations or they may turn to European associations, they can address domestic political actors, or engage consultants, which, however, is not a preferred strategy.

Members as provider of resource

Associations are dependent on their members because they provide the resources necessary for daily business and they also supply many of the essential exchange goods. It is conventional wisdom that members will endow an association with resources depending on

their own financial capacities and on their appreciation of the association's performance. Thus the number of members in combination with their resources and appreciation of their representatives will decide on the resources of the association. Accordingly, resource endowment should vary across sectors, levels of organisation and the scope of associations. Indeed, membership structure is an important factor as regards resources and relevant structural properties of the membership are sector specific.

The simple equation that membership structure correlates with associational resources and those resources decide lobbying success does, however, not really match reality. Extensive budgetary resources and manpower allow more intensive information gathering and monitoring, more frequent contacts with EU institutions, a wider choice of target groups both at EU and national level and an early engagement in the policy cycle (Eising 2009; Quittkat 2006). The frequency of contacts and the number of target points depends first of all on the scope of an association. Whereas an umbrella organisation will address a wider range of General Directorates and EP committees, associations representing a distinct sector of industry such as plastics packaging will focus their lobby efforts on the units in charge of the relevant policy regulations. More important is that having contact is not the same as access to and influence on relevant decision-makers. Finding access is rather a matter of professional management and experience which an association has accumulated over the years. And the readiness of EU decision-makers not just to open the door but also be open to the argument depends on what associations have to offer. The size and wealth of an association are not crucial for providing expert knowledge on plastics packaging or for giving a reliable judgement as to the feasibility of a policy reform. Especially, if an issue is of high salience, an association in conjunction with its members will concentrate all efforts on delivering the right exchange goods. This explains why even small and less resourceful associations manage to get access to key decision-makers.

It follows that we have to differentiate between a steady flow of resources which is meant to support the regular functioning of the association and the resources needed to produce the exchange goods in a strategic moment of ad hoc lobbying.

Membership fees, delegation of staff and participation are the resources that support the ordinary function of the association as information provider on EU issues, as watchdog on EU policies and as permanent representative of the overall interests of the membership. Here the long term experience with the association's performance and the financial capacities of members are decisive for support. The production of exchange goods needs a different kind of

membership engagement. Associations are the experts in assessing the functioning of the EU system and in launching strategic interventions but the expert knowledge concerning the material content of a policy and concerning the economic consequences and the willingness of business to comply rests with the members. The readiness of members to get engaged varies with their assessment of the urgency of an intervention, their capacity to deliver and their cost-benefit calculation of an investment in the association's activities as compared to alternative ways of promoting the member's interests.

Yet, it should also be noted that this assumption is only valid as long as an association is predominantly dependent on membership-fees and does not have access to other financial sources. So far, business associations have always offered additional services (usually outsourced in order to keep their special "associational" status) or have fulfilled (semi-)public tasks in order to attain extra (public) funding. Whereas public money is just a supplementary source of income for business associations, NGO rely quite heavily on public funds and thus are independent from their membership as regards their survival. This particularly holds true for NGO operating in Brussels. Due to the growing interest of EU institutions to gain public support, EU-level NGO are predominantly financed by the Commission. Their dependence on public funds is an important feature that distinguishes them considerably from business associations (Kohler-Koch/Buth 2011).

Adjustment to change

Dimensions of change

We are not only interested in the EU impact on the lobbying strategies as such but also whether and how changes in the associations' environment have been absorbed.

Three main developments in the last decade are most likely to have affected interest group behaviour: reform of the institutional system of the EU, enlargement, and new modes of governance. All three developments can not be investigated in isolation since they interact and by doing so change the logic of influence. Enlargement, for instance, has the direct effect of an increase in competitors seeking ear-time with EU institutions and the indirect effect that EU actors, for the sake of reducing transaction costs, more and more prefer to deal with associations which can present an aggregate view. This may result in an upgrading of EU-level federations and alter the division of labour between associations at different levels of the

EU system or it may affect strategies of coalition building. Hence, it will be hardly possible to attribute changing strategies to just one specific factor.

Enlargement: A new competitive environment?

With enlargement not just the number and constellation of competitors or perhaps alliance partners has changed but also different approaches to interest representation come in. One aspect is that the weakness of national associations in the EU accession countries results in a stronger preference for supranational interest representation. As a consequence, national associations from the old member states do not only face a different competitive environment due to the presence of associations from the twelve new member states, but also due to a changing position of the EU-level organisation. Further, it has to be kept in mind that EU associations not only compete with national associations but also with public interest representatives like national ministries or regional offices (Greenwood 2011). As many associations from the new member states, like for example many Polish organisations, usually choose the national route of access to the EU, the public competitors may gain more importance.

Ambivalent effects of the new decision-making procedures

The expansion of decision making by majority in the Council and the upgrading of the EP in the now called “ordinary legislative procedure” through the Treaty Reforms of Nice (2001) and Lisbon (2009) may have an ambivalent effect. Business associations are less affected by these changes as other interest groups. First, internal market issues have been subject to majority rule since early on and, secondly, they traditionally rely more on insider than outsider strategies, i.e. strategies based on engaging the public, to which parliaments generally are more receptive than other institutions (Eising 2009: 186). Nevertheless, we expect that the EP’s overall gain in political importance and visibility will result in paying higher attention to the EP and that the key players in the EP will be targeted more frequently than a decade ago.

However, the reinforcement of the legislative powers of the European Parliament through the Lisbon Treaty has also had an adverse effect. Meant to increase public accountability, it furthered informalisation and negotiations behind closed doors (Reh et al. 2010). In order to achieve a smooth operation of inter-institutional cooperation, an ‘informal triologue’ has been introduced. It operates effectively in the sense of providing speedy agreements but it keeps decision-making out of view. And because it frequently takes place in advance of the opening

of formal conciliation between the Parliament and the Council and because it only involves a very small number of participants, interest groups have hardly a chance to get access. The trend towards informalisation in EU decision-making asks for permanent monitoring, privileges insider knowledge and personal access to pass information to relevant actors at the right time. The high importance of personal trust to individual key players has been observed above all in the European Parliament (Ringe 2010). It privileges associations at the spot, namely EU-level associations and those with an office in Brussels and, thus, it will put pressure on all other national actors to have a physical presence in Brussels.

A trend to the contrary is stimulated by the proliferation of expert groups, comitology committees and agencies and the readiness to open them to civil society. It is an empirical question to what extent this – in contrast to earlier periods (Pappi/Schnorpfel 1996) – has increased points of access and reevaluated the role of (scientific) expertise. Furthermore, the gradual emergence of an ‘administrative European space’ (Egeberg/Trondal 2009) may alter the established division of labour between national and EU interest groups.

Changing role of interest groups in new modes of governance

The turn to new modes of governance highlighted by the White Paper on European Governance (Commission 2001) went together with a commitment to strengthen ‘public-private partnerships’ and enhanced the status of interest groups. In the past decade the Commission has made several qualitative changes in the EU consultation regime. Consultations have become more open, transparent and participatory. The Commission has not just intensified cooperation with associations in general but made efforts to strengthen the rights and value based NGO sector (Kohler-Koch 2011). This was done by introducing new consultation instruments (e.g., online consultations, policy forums and platforms) which lowered the threshold of access and by giving financial support to the formation of EU-level NGO and NGO networks. This has provoked a qualitative change in the competitive environment of business interest representation. The institutionalisation of a Civil Dialogue in more and more policy fields will further this trend. In the past, business associations had a propensity to address EU-institutions directly in a co-operative and “professional” fashion (Quittkat 2009). Only very few business associations – more likely French than German or British associations - turned to an “outsider strategy” when targeting EU institutions by using the media and national (state) actors. The hypothesis is that when business associations are more regularly faced with NGO competition they pay more attention to their public

performance and take care to argue their point in public. It possibly also affects their strategy repertoire in form of a shift from a predominantly insider approach to an outsider strategy. Such a change may be reinforced by the politisation of EU politics which comes with the expansion of EU policy domains touching on major societal cleavages and value conflicts. Higher levels of politisation may transform established policy communities and traditional patterns of alliance building. While so far business associations “have a strong preference for dealing with ‘likes’ and with like-minded actors” (Eising 2009: 184), new policy issues (e.g., corporate social responsibility (CSR), data privacy protection in the internet) might encourage more encompassing alliances, also including NGO.

Gains and potential pitfalls in empirical research

These theoretical reflections will guide us in our empirical research. We have the advantage that we have already a large data set from an empirical research conducted ten years ago (EUROLOB I). The new research project (EUROLOB II) will be based on the replication of our original survey and complemented by interviews and documentary analysis. A separate paper by Christine Quittkat addresses the gains and the problems entailed in diachronic survey research which has to consider changes in context conditions while keeping the questionnaire as constant as possible.

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