

***Informational Lobbying Strategies and Interest Group Access in the
European Union***

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Abstract

Lobbying in the EU is defined by an exchange of information: well-informed interest groups supply understaffed and pressed-for-time decision-makers with policy-relevant information for legitimate “access” to the EU policymaking process. While we know quite a bit about the informational needs of decision-makers, an interest group’s capacity to meet these needs remains relatively uncharted territory. This analysis examines the informational determinants of interest group access to the EU. I assess an interest group’s informational lobbying capacity in terms both of the types of information supplied to decision-makers and the tactics used to convey this information. Which information types and which information tactics buy the most access to the EU? Results from an empirical analysis indicate that information tactics are, on balance, more significant determinants of access than information types. The medium, in other words, is more important than the actual message. I also find that largely discredited “outside” tactics, like organising public events and launching media campaigns, are very important in granting interest groups access to EU decision-makers.

The currency of lobbying in the European Union is information. Information plays an important role in shaping an interest group's organisation and behaviour, its day-to-day activities, and even the extent to which it can affect decisions in its own favour. At root, information defines how interest groups interact with EU decision-makers. Groups are relative experts on the policy issues affecting their interests most and have access to considerable technical, specialist and politically salient information on these topics. EU decision-makers, woefully understaffed and pressed-for-time, find it helpful, if not necessary, to draw on this information in order to reduce uncertainties about potential policy outcomes. Importantly, interest groups find themselves in a good position to take advantage of this informational asymmetry. They thus supply information in exchange for legitimate access to the policy-making process with the goal of having their voices heard at the EU level and, ultimately, steering the EU policymaking process.

Lobbying as information exchange has long found considerable support in the existing literature (Crawford and Sobel 1982; Austen-Smith 1993; Bouwen 2002; Hall and Deardorff 2006). But while formal models predict when and at which stage of the policymaking process interest groups are likely to provide information (Crombez 2002; Hojnacki and Kimball 1998) and large-scale stocktaking research has provided insight into the vast informational repertoires of interest groups (Mahoney 2008; Schlozman and Tierney 1986; Baumgartner *et al.*, 2009), how informational lobbying ultimately relates to access remains relatively uncharted territory. The scant work that has addressed the issue does so almost exclusively with reference to demand-side factors.¹ Access, in other words, is understood as a function of the informational needs of decision-makers. The actual capacity of interest groups to meet these needs, however, is largely ignored. Instead, this capacity is arrived at entirely via assumptions about a group's interests and organisational structure. Private interest groups, like businesses and professional associations, are assumed to "naturally" have recourse to technical and expert information because their interests revolve around issues related to the market and production. Diffuse interests, like NGOs and religious groups, are assumed to naturally have recourse to political salient information or information about public opinion because they represent large subsections

¹ The one exception, to my knowledge, is Eising (2007b). Eising, however, does not distinguish between information types and does not consider how the way that information is conveyed is also related to access. I will discuss Eising's contribution in further detail below.

of the population and are more politically engaged. Given these assumptions, informational exchange becomes an altogether mechanical process: those groups naturally predisposed to having a certain type of information will gain access to those decision-makers who value that type of information most.

Clearly these demand-side explanations of access only tell us part of the story. We know a great deal about the informational needs of decision-makers, but very little about an interest group's actual capacity to meet these needs. Missing from the literature is a supply-side account of the informational determinants of access. Such an account is important not only because it will give us a more accurate picture of interest group access to the EU, but it will also allow us to empirically examine the informational determinants of access and test the demand-side assumptions noted above. I argue that an interest group's capacity to supply information to decision-makers begins with a consideration of the full range of strategic choices groups make with regard to information provision. Specifically, I examine two supply-side factors: the *type* of information being sent to decision-makers and the *tactics* used to do so. Information type can range from technical data and expert knowledge, to legal information, to information about the economic and social impact of a proposed policy, to information about public opinion. Information tactics can include so-called "outside" tactics like mobilizing citizen support behind a policy as well as old-fashioned shoe-leather strategies like writing a letter, making a phone call or meeting over dinner or drinks. Examining these supply-side factors provides insight into the information types and tactics that ultimately grant interest groups the most access to EU decision-makers.

This analysis draws on data gathered in 64 elite interviews and an online survey of 308 interest group representatives active in lobbying at the European level. Survey questions are used to systematically tap the full repertory of information types and tactics used by a broad range of interest groups in the EU as well as the frequency with which these groups have access to EU decision-makers. This data is then used in regression analyses of the informational determinants of interest group access to the main EU decision-making bodies (European Commission, European Parliament, Council of Ministers) as well as the Coreper and the EU's two consultative bodies, the Committee of Regions (CoR) and the European Economic and Social Committee (EESC). Interview data is used to help explain the regression results. Three central findings are presented. First, some

evidence is found to support the assumption that meeting the presumed informational needs of decision-makers results in greater access. Second, I find evidence that the type of information sent is far less important in determining access than the tactics used to send the information. Groups use certain tactics to increase the salience of the information type. To turn a phrase, the medium is more important than the message. Lastly, evidence suggests outside tactics are not inferior to inside tactics in terms of gaining access. Instead, while the use of inside tactics have been institutionalized through the EU's various intermediation efforts, outside tactics provide groups with a unique tool for increasing the salience of lobbying efforts.

The remainder of this analysis proceeds as follows. First, I present a brief overview of the existing literature on the informational determinants of access. I organise this literature in terms of information types and information tactics. Next I present my supply-side approach to access. I discuss how survey questions were used to measure an interest group's capacity to provide information to decision-makers. I then present results from regression analyses using survey data. Results are explained with reference to the existing literature and interview data. Lastly, I conclude with a short summary of my main findings and a brief discussion of the relevance of this analysis to future research.

Informational Lobbying and Access

Lobbying is inherently interactive. Relationships and even just face-time with decision-makers are key prerequisites to influencing policies and steering the policy-making process. What counts, then, is interest group "access" to the right people in the right places at the right time. In his seminal 1951 work, Truman already pointed out the importance of access to interest group lobbying. "Power of any kind," Truman notes, "cannot be reached by a political interest group (...) without access to one or more key points of decision in the government. Access, then, becomes the facilitating intermediate objective of political interest groups." (quoted in Bouwen 2004a: 338). Scholars are keen to stress that access is a *sufficient* but not a *necessary* condition of influence (Eising 2008; Mahoney 2008). However, given a series of (perhaps intractable) methodological issues with measuring influence directly – not least of all, the difficulty associated with

categorically linking specific lobbying efforts to specific policy outcomes -- access has come to be seen as a useful proxy for influence (Dür and de Bièvre 2007a; Eising 2008).

As something inherently interactive, access tends to be understood in terms of an exchange between interest groups and decision-makers. While the larger interest group literature has a long history of modelling this exchange in terms “pressure and purchase” tactics, in the EU context lobbying is best understood in terms of informational exchange. “In Brussels”, as Broscheid and Coen put it, “the key to lobbying success is not political patronage or campaign contributions, but the provision of information” (2002: 170). There is simply a huge demand for policy-relevant information in the EU resulting from the fact that EU decision-makers are grossly understaffed, under-resourced and pressed for time, especially compared to the extent of their tasks (van Schendelen 2005; Crombez 2002). The literature assessing how interest groups meet these informational needs and exchange information for access is rather limited. Scholars tend to approach the question in one of two ways: either in terms of the types of information interest group exchange for access or in terms of the information tactics used during the exchange process.

Information types

Bouwen has provided an elegant and influential exchange model of interest groups access focusing on information types (2002; 2004a; 2004b). Access patterns, for Bouwen, are determined the by type of information certain EU decision-maker tend to require. This informational need is a function of a decision-maker’s unique role in the EU policymaking process. The Commission serves a largely apolitical and technocratic function and thus requires a large amount of technical, operational and expert information. The Parliament, as the EU’s only elected supranational assembly, requires information that allows it to evaluate the Commission’s proposals from a “European perspective”. Finally, the Council is a wholly intergovernmental institution and carries out executive policymaking functions. As such, according to Bouwen, it requires information that can facilitate bargaining between member states. From these demand-side factors Bouwen deduces the types of interest groups we can expect to have the most access to the various institutions. His logic of matching an interest group’s informational capacity to the informational needs of decision-makers is rather mechanical and is based on assumptions about the types of information

various interest groups can be expected to have. First, companies have frequent access to the Commission because they are assumed to naturally have recourse to “technical and expert knowledge” derived from the fact that they are active in the market and concerned with issues of production and profit maximization. European associations (essentially groups of companies working at the EU level) have the most access to Parliament because they are assumed to have information about the “European encompassing interest”. Finally, national associations (groups of companies working at the national level) exchange information about the “national encompassing interest” to the Council.

Bouwen’s basic exchange model of access has been quite influential. Michalowitz (2004) expanded Bouwen’s logic to an examination of several private interest groups (multi-national firms, large national firms, and small and medium sized enterprises (SMEs)) as well as “public interest groups”. Mirroring Bouwen’s assumptions, technical information is assumed to grant multi-national firms access to the Commission, and “expertise with regard to the national situation” is assumed to be translated as more access to the Council for national firms (89). SME’s, however, are relatively disadvantaged because they have almost no natural ability to supply information. Public interest groups, possessing information about “public support” are hard pressed to find an audience outside the Parliament. Dür and de Bièvre also consider the informational exchange potential of public interest groups (in particular NGOs). Their estimation, however, is even less optimistic. NGOs are distinctly disadvantaged in that they cannot generate technical and expert information. As such, these groups are invariably “compelled to constantly appeal to general principles like equity, social justice, and environmental protection” making their informational contribution of “little value” to EU decision-makers (Dür and de Bièvre 2007b: 82).

Eising (2007b) addresses the fact that the evidence presented in these demand-side studies is only piecemeal and calls attention to the need for a consideration of the supply-side factors of access. Eising tests informational lobbying alongside institutional context, organisational structure, and a group’s choice of “national or EU strategies” as determinants of access. Importantly, Eising does find evidence that information provision “improves access” to EU decision-makers (352). However, Eising’s model is limited in the sense that he uses a very vague “information” variable that lumps together a broad range of information

types: political, legal, technical and economic information. Despite providing evidence that information buys access, Eising does not tell us which types of information grant interest groups the most access and in which EU institutions.

Information tactics

Informational lobbying is not only about the type of information being sent to decision-makers, but also the tactics used to convey this information. How does the use of various tactics relate to more or less access? The main distinction here is between outside tactics and inside tactics (Walker 1991; Gerber 1999; Kollman 1998). Outside tactics refer to interest groups “mobiliz(ing) citizens outside the policymaking community to contact or pressure officials inside the policymaking community” (Kollman 1998: 3). These tactics centre on using the media, launching public campaigns and even organising public events (ranging from rallies to conferences to cocktail parties). Inside tactics, by contrast, involve a more direct form of contact between interest groups and decision-makers and usually refers to old-fashioned shoe-leather strategies like writing letters, making phone calls and having face-to-face meetings.

On balance, inside tactics are considered more effective than outside tactics. Beyers (2004) provides three main reasons explaining why. First, inside tactics are direct and thus allow for the transmission of very technical, detailed and complex policy-relevant information. Outside tactics are indirect and, by virtue of their nature and scale, are limited in the type of information they can convey. Cost also explains the superiority of inside tactics. Simply put, making a phone call or having a face-to-face meeting is far less costly than organising a public event or launching a media campaign. Finally, there is also a detrimental political cost unique to outside tactics. Using these tactics has a tendency to damage an interest group’s reputation with decision-makers.

Empirical research, while finding an important link between tactics and access, is more equivocal in terms of which tactics are most effective. Eising’s analysis found considerable support linking inside tactics (like personal contacts and writing position papers) to access. He also found that outside tactics tend to ruin a group’s chances of access (2007b). Beyers (2004) as well as Binderkrantz (2005), however, are less categorical about writing-off outside tactics. Both studies show that the complementary use of both strategies

is rather common and question whether outside tactics are inherently inferior to inside tactics. Part of the confusion relates to how outside tactics are defined. “Protest politics”, according to Beyers, and “disruptive tactics” according to Binderkrantz, are used infrequently and only by a minority of groups. Other forms of traditional outside tactics, like the use of different media strategies, however, are used very frequently by a broad range of interest groups. Both studies give purchase to Baumgartner and Leech’s observation that “the most effective groups may not be those that are the best at a given strategy but rather those that have the greatest repertory of strategies available to them” (1998: 148).

The Informational Determinants of Access

As Eising points out, “no coherent picture has yet emerged as to what determines the access of interest groups to the EU” (2007b: 330). Bouwen’s exchange model is elegant but “piecemeal”, focusing entirely on demand-side factors and assumptions about a group’s capacity to provide information. Information types and tactics have rarely (if ever) been considered together as complementing aspects of informational lobbying. Both theoretical and empirical work has a distinct bias toward private and (to far lesser extent) diffuse interest groups and rarely considers the broader EU interest group population.

This analysis seeks to address these shortcomings. To this end I propose a supply-side approach to testing the informational determinants of access in the EU. I bring together six different information types and seven different information tactics in a single framework of analysis that is based on evidence collected from eleven different types of interest groups active in lobbying at the EU level. The interest groups I consider are: professional associations, companies, law firms, public affairs consultancies, chambers of commerce, academic organisations, trade unions, NGOs and associations of NGOs, religious groups, think-tanks, and, lastly, public authorities (regions, cities and municipalities).² This supply-side examination of access is meant to serve two purposes. First, it will provide insight into the information types and information tactics that grant the most access to EU decision-makers in the different EU institutions. Second, it will help us evaluate some of the (largely untested) assumptions regarding types and tactics posited in literature.

² In the context of the online survey, respondents were asked to identify which type of group they belong to. While this list is by no means exhaustive, it does include certain groups, like public authorities, think tanks, consultancies, and academic organisations, which are rarely studied in the interest group literature.

Data for this analysis was collected in 64 elite interviews and a large-scale online survey of 308 interest group representatives. For the online survey, a list of 2,500 interest groups was generated using three sources: the “European Commission’s Register of Interest Representatives,” the 2008 edition of Landmarks’ “European Public Affairs Directory,” and the “Brussels-Europe Liaison Office” list.³ This last source was crucial for the inclusion of public authorities in the sample. A sampling frame of 1,000 interest groups was established using a simple proportional sampling technique. 308 responses were collected, putting the response rate at about 30%. Assessing how representative this sample is vis-à-vis the EU interest group population is very difficult. There is no definitive list of interest groups in the EU and there are only loose approximations of the number of groups that actively lobby at the European level (Berkhout and Lowery 2008). Table 1 below details the distribution of survey responses by group type. There appears to be adequate coverage for quite a few interest group types – namely, companies, trade unions, professional associations, NGOs, public authorities, and consultancies. However, one potential limitation of this study is the low response rates for law firms, think tanks, chambers of commerce, academic organisations and religious organisations. A truly representative sample would include satisfactory response rates for these interest groups as well.

(Table 1 about here)

The three main variables tested in this analysis are information types, information tactics and interest group access to EU decision-makers. In what follows I will detail how each of these variables is operationalized and measured by survey questions.

The type of information interest groups supply to decision-makers has been variously described as “expert information” about the technical details of policy (Ainsworth 1993: 44; Esterling 2004; Crombez 2002), as “private information” that only certain interest groups possess (Crawford and Sobel 1982: 1431), as well as “specialist information” related to the “consequences of some policy” (Austen-Smith 1993: 799). It can also be information that conveys “political intelligence” necessary to anticipate another

³ The Brussels-Europe Liaison Office list is available online at: <http://www.blbe.be/directory/find.asp>. This web-site was accessed in September 2009.

actor's reactions or details about procedure (Hall and Deardorff 2006) as well as information about the "political salience" and "public support" of a policy proposal (Pappi and Hennig 1999: 259). For this analysis I have established a manageable list of information types by coupling insights from the literature with data collected in interviews. In all, I examine six information types: legal information; information about the feasibility of implementing a proposal; information that makes technical or scientific data understandable / relevant; information about public opinion; information about the economic impact of a proposal; and information about the social impact of a proposal. Data was collected on all six information types by asking respondents to identify how frequently (on a scale of 1 to 5, with 1 being "never" and 5 being "very often") their organisation provides these types of information to EU decision-makers.

Information tactics have been subject to considerable stocktaking research detailing the large strategic toolkits available to many interest groups. Scholzman and Tierney's 1986 seminal work on American interest groups identifies twenty-three such tactics, ranging from direct and informal contact with legislators, presenting research results, talking to journalists, advertising, writing letters, giving testimony, organising protests, helping draft legislation, agenda setting, to campaign work. Similar surveys conducted by Knoke (1990), Walker (1991), Heinz *et al.*, (1993), and more recently Baumgartner *et al.* (2009) find "remarkably robust" support for Scholzman and Tierney's study despite "using different questions, different sampling frames, and (going) to the field in different years" (Baumgartner and Leech 1998: 149). For this analysis, insights from the literature and from interviews were used to generate a list of information tactics. Five inside strategies and two outside strategies were examined. Inside tactics include: face-to-face meetings; write a letter; write an email; make a phone call; and participate in the 'open consultation' process.⁴ Outside tactics include: start a media campaign; and organise a public event. Data was collected on information tactics by asking respondents to identify how frequently (on the same 1 to 5 scale) their organisation provides information to EU decision-makers using these different tactics.

⁴ Open consultation is an invitation for interest groups to provide information to the European Commission at the agenda-setting stage of the policymaking process.

Measuring types and tactics in terms of frequency of use (as opposed to importance, for instance) is based on the simple idea that “more is better”. In other words, sending information more frequently will result in more access. There is support for this approach in the literature. Potters and van Winden (1992) provide compelling evidence that “more letters and more personal visits produce a more favourable response by legislators” (285; see also Schneider and Naumann 1982; Zeigler and Baer 1969). In the EU context, Eising’s 2007 study of interest group access also measured information supply in terms of frequency. Empirical analysis in this study found some support for the hypothesis that “the more policy information that (interest groups) can deliver, the better their access” (2007b: 336). It seems that rather than straining interest group relations with decision-makers, a “*frappez, frappez toujours*” logic, as Potters and van Winden call it, is both “rational and effective” (1992: 285).

Access was measured by asking respondents how frequently, on the same 1 to 5 scale, their organisation is in contact with the EU’s different decision-making institutions. Six institutions were included: European Commission, European Parliament, Council of Ministers, Committee of Permanent Representatives (Coreper), Committee of the Regions (CoR) and the European Economic and Social Committee (EESC). The inclusion of these last three bodies is meant to give a more complete picture of access in the EU. Coreper performs a set of functions separate from Council and have their only specific informational needs. CoR and EESC, while admittedly only playing a consultative role in the EU policymaking, provide important access points for a whole host of diverse interest group types. For instance, CoR is mandated to represent the interests of regions, cities and municipalities, while EESC represents the interests of trade unions and civil society more broadly speaking. Interest groups would necessary take these consultative bodies quite seriously and would seek to affect legislation through their access with them.

Measuring access in terms of interaction frequency is consistent with other empirical research on access in the EU (Eising 2008; Eising 2007a; Bouwen 2004a & 2004b; Beyers 2002). Measuring access in terms of frequency also highlights the inner logic of lobbying as information exchange. As Carpenter, Lazer and Esterling (1998) explain, decision-makers are in the market for policy-relevant information, if only because it reduces uncertainties about potential policy outcomes. In order to maximize their chances of receiving

information, decision-making would necessarily seek to interact *most frequently* with those groups that are best able to provide information.

Empirical Analysis

Table 2 presents the results of an empirical analysis of survey data using ordered logistic regression. The informational determinants of access (corresponding to six information types and seven information tactics) are tested in six models, each corresponding to different EU decision-making institutions. I discuss the results for information type and tactics in turn.

(Table 2 about here)

Information Types

When it comes to information types, access patterns do seem to roughly match the presumed informational needs of EU decision-makers. As Bouwen and others predict, supplying the Commission with “technical information”, or in this case information detailing the feasibility of a proposed policy, leads to more frequent access. This technical information serves the Commission’s largely apolitical and technocratic functions and reduces the complexity and policy uncertainties that tend to define the Commission’s agenda setting and legislative tasks (Bouwen 2009). For the Council, access results from the provision of legal information. Despite being notoriously “opaque, closed, elusive and inscrutable, secretive, and intractable” (Hayes-Renshaw 2009: 73), the Council’s executive tasks at the vote state of the legislative process can be revealing. With the technical details already taken care of in the earlier policy-making stages, the Council would find itself tasked with ironing out the legislative language of EU regulations and directives. Access to the Parliament is granted by supplying information about the social impact of a policy proposal. The informational needs of the Parliament follow its internal bifurcation as an effective branch of the legislative process and as a public arena for wider political debate (Lehmann 2009: 55). For this reason, the Parliament relies somewhat on the supply of technical details and scientific expertise but also on information about “wide ranging” issues, “like a cleaner environment, higher employment” that are “known to be of interest to

a large number of citizens” (Lehmann 2009: 52). Information about social impact seems to serve both purposes, combining substantive, technical details with a specific public or social dimension. Importantly, regression results found no support for the expectation that information about “public opinion” would grant the most access to the Parliament.

Coreper and the two consultative bodies are less straightforward cases. For Coreper, legal information as well as information that makes sense of technical / expert data lead to the most frequent interest group access. It stands to reason that Coreper, acting as a gatekeeper to the Council by sending along only those pieces of proposed legislation that require further debate, would be well served by information that is meant to make overly technical information understandable.⁵ Access to CoR seems to be predicated on supplying information about public opinion. As a channel for local authorities, regions, cities and municipalities, CoR effectively serves as a hub for sub-state governmental actors. Thus, the importance of information about public opinion might reflect the fact that this institution ultimately represents sub-state level constituents. An electoral logic would make information about public opinion valuable to members of CoR. Finally, there is no clear information type that affords interest groups more or less access to EESC. This might be indicative of the EESC dual mandate to represent both trade unions and civil society. Importantly, the results for CoR and EESC should be used with greater caution than the other results. Indeed, the amount of variance actually explained in these two models (as expressed in the pseudo R^2 scores) is very limited. This might be an indication that these two consultative bodies only play a marginal role in the larger EU legislative process.

While lending some support to the assumptions in the literature, the regression results for information type also reveal an interesting trend in informational lobbying in the EU— namely, the preponderance, to speak with one interest group representative interviewed for this study, “of evidence-based policymaking in the EU”.⁶ To understand this trend it is useful to consider not only which types of information grant groups the most access, but also simply which information types groups use most frequently. Graph 1 organises data to this end.

⁵ As Lewis (2006) explains, Coreper is responsible for preparing the Council’s agenda by dividing the work into three categories: points where no ministerial decision is needed, points where decisions can be made without debate and points where debate is need. Importantly, members of Coreper are more like political generalists, at least when compared to ministers, and are “experts in the substantive questions” of each issue.

⁶ Interview, Paul Voss, Manger for Energy and Environment Policy, *AEGPL Europe*, Brussels, 16/11/2010

(Graph 1 about here)

We can see that there is a stark difference between information about public opinion and legal information and the remaining four information types. The point here is that evidence-based policymaking in the EU has created a demand for data driven, technical information. As one interest group representative explained: “It is no longer good enough to go to the Commission or anyone else with a position that isn’t scientific in nature and that isn’t reinforced by data.”⁷ As another interest group representative explained, “serious lobbying has to be based on facts and figures. Just to say, ‘we want this’ and ‘we don’t want that’ amounts to nothing. The basis always has to be science.”⁸ In short, evidence-based policymaking requires evidence-based lobbying. Hall and Deardorff’s explanation of US interest groups serving more as “service bureaus” than as pressure and purchase lobbyists seems to also apply to the EU context (2006). Indeed, under the conditions of information exchange in the EU, where information is valuable only insofar as it is couched in “scientific terms”, interest groups do appear to be providing a type of professionalized informational service to decision-makers. What is more, the highly institutionalized nature of lobbying in the EU seems to reinforce this trend. Interest groups lobbying through the online consultation process, ad hoc committees or even Social Dialogue would find that evidence-based lobbying is the more efficient way to secure access.

Evidence-based information is not only technical information. Clearly, legal information and information about public opinion might also be loosely classified as information that conveys technical details. Instead, information that decision-makers find most useful has an explicit cause-effect logic highlighting the consequences of some proposal. “We try to assess what would happen if such a proposal passed”⁹ according to one interest group representative. “In very few cases,” to speak with another, “do we send just raw data. We are always analyzing the possible consequences.”¹⁰ There are clear advantages to transmitting this kind of information. Namely, by highlighting the feasibility

⁷ Interview, Paul Voss, Manger for Energy and Environment Policy, *AEGPL Europe*, Brussels, 16/11/2010.

⁸ Interview, Dr. Marlene Wartenberg, Director, *Vier Pforten*, Brussels, 19/11/2010.

⁹ Interview, official, *Bureau of Nordic Family Forestry*, Brussels, 7/12/2009.

¹⁰ Interview, official, *Ferrovie dello Stata*, Brussel, 10/12/2009.

of a proposal or its social and economic impact, an interest group is able to reduce the perceived uncertainty of various policy outcomes. It is precisely this same uncertainty that compels decision-makers to seek out interest group expertise in the first place. By contrast, information about public opinion and legal information naturally place less stress on assessing potential policy consequences. In particular, information about public opinion can tell decision-makers where the political support lies but cannot help them realize the policy outcome that will speak to this support. Without sound and more certain policy outcomes, information about public opinion does not matter. This not only accounts for the infrequent use of legal information and information about public opinion, but the fact that these information types afford only very limited access to EU decision-makers.

Information Tactics

Regression results indicate that the tactics used to supply information to decision-makers are more important, on balance, than information types. Tactics appear to be doing most of the explanatory in all six models. In other words, and to turn a phrase, the medium is more important than the message. Rasmusen, in a 1993 study of American lobbying, already noted that the way that information is sent is linked to the persuasiveness and perceived importance of the actual informational content. For instance, certain tactics have a particular “attention-getting” value and can even be used to effectively transmit otherwise content-less information. Similarly, tactics can be used to enhance the message contained in the information. The frequent use of costly tactics, according to Potters and van Winden (1992), increases the persuasiveness, political salience, importance and even reliability of information. Lobbyists interviewed for this project admitted to using “a whole range of strategies” to convey a single message. In many cases, the same basic informational content is supplied using open consultation, writing position papers, emails, and public events.¹¹ Part of the logic is, again, “*frappez, frappez toujours*”. Even more important, perhaps, is the idea that sending the same information very frequently using different tactics says something implicit about the seriousness and commitment of the interest group as well as the urgency and importance of the message.

¹¹ Interview, Illona Kish, Secretary General, *Culture Action Europe*, Brussels, 15/11/2009.

One of the central findings of this analysis is that outside tactics are not nearly as marginalized as the literature predicts. Indeed, the regression results indicate that launching media campaigns and organising public events, despite being costly, are key determinants of interest group access to all six EU decision-making bodies. This is not to say, however, that inside strategies are somehow less important. In fact, many inside strategies considered here are important determinants of access as well. Clearly, the results provide support for the notion that using a large repertory of tactics is always better than using just one tactic (Baumgartner and Leech 1998; Beyers 2004). What still needs to be explained, however, is why outside strategies, in addition to inside strategies, are so important for gaining access.

To answer this question, first consider which tactics interest groups in the EU tend to use most frequently (graph 2).

(Graph 2 about here)

We can see that, while outside tactics might be important determinants of access, they are used only very infrequently when compared to inside tactics. Typical inside tactics, like writing emails and letters, participating in open consultation, and face-to-face meetings are simply used far more frequently than launching media campaigns or organising public events. Interest groups tend to turn to these inside tactics more frequently not because they are less costly than outside tactics, but because they are more expedient. According to lobbyists interviewed for this project, there is an important premium on providing timely information in the EU. Information that is too late loses all of its value. The idea, according to one lobbyist, is to be in the policy-making process “right from the start at the earliest possible stage because when you have a written proposal it is always more difficult to change it.”¹² Thus, emails, phone calls and simple letters are favoured over tactics that require organisation, planning and, in some case, the raising of funds.

But the fact that outside strategies are use sparingly does not explain their impact on access patterns. I argue that the costliness and infrequent use of outside tactics explain their relevance for access. In fact, outside tactics have become the main way of EU interest

¹² Interview, Martin Romer, General Secretary, *ETUCE* (European Trade Union Committee for Education), Brussels, 17/11/2010.

groups to add value to or otherwise increase the salience of a single message. Part of the issue is the relative devaluation of inside tactics. EU decision-makers, fully aware of the informational asymmetry that defines their relationship with interest groups, seek to ensure a steady and reliable stream of policy-relevant information. Social Dialogue, many formal and ad hoc committees, the online open consultation process as well as the Commission's legal mandate to "consult widely" with interest groups during the agenda setting stage of the policy process serve this function (European Commission 2007). These mechanisms necessarily require the exclusive use of inside tactics. In a sense, inside tactics have also been institutionalized and their use has lost its potential to add value to informational content. The result is that outside tactics like media campaigns and public events become the primary way for certain interest groups to get the upper-hand on other groups, to ensure that their voices are heard the loudest and that the importance and urgency of their message is most effectively conveyed.

Outside tactics are not outsider tactics. They are not, as assumed in some of the literature, reserved for "those associations on the periphery of the political system" and which are "disadvantaged in the policy process" (Beyers 2004: 216). Outside tactics are just as feasible as inside tactics, and when it comes to access, perhaps even more so. All of this reflects a larger trend towards the professionalization of lobbying in the EU (Lahusen 2002; Maloney 2009). Lobbying in the EU is less and less about shouting slogans and waving banners. Instead, it is about approaching the policymaking process as policy experts and speaking the language of decision-makers.

Conclusion

The following has sought to shed some light on the informational determinants of interest group access to the EU. It has addressed the "piecemeal" nature of the existing literature, which focuses almost exclusively on demand-side factors, by examining the supply-side factors of informational lobbying. Understanding a group's capacity to meet the informational needs of EU decision-makers is crucial for assessing interest group access to the EU policymaking process.

An empirical analysis based on interview and survey data turn up three main findings. First, regression results show that access is largely related to meeting the specific

informational needs of decision-makers, thus bearing out some of the central assumptions in the existing literature. The most important distinction to make with regard to information type is not whether it is technical in nature as opposed to politically salient, but whether or not it is couched in a specific cause-effect logic. Second, regression results also suggest that how information is conveyed to decision-makers is more important than the actual content of the information. The medium is more important than the message. Groups can increase access to the various EU decision-making bodies by sending the same information using multiple tactics and increasing the salience and urgency of information by frequently using specific tactics. Finally, this analysis has provided evidence that both inside and outside tactics relate to greater access to the EU. While inside tactics are used very frequently and outside tactics very sparingly, both can be used by groups to increase frequency of access to EU decision-makers. This result suggests that, contrary to much of the existing literature, outside tactics are not inherently less effective than inside tactics. Outside tactics, in other words, are not necessarily outsider tactics.

This analysis marks a first attempt to provide a supply-side analysis of the informational determinants of access. Its central findings must be measured against its limitations. First, and perhaps most important, is the fact that there is missing data on several important interest group types. A complete picture of supply-side factors would need to include data on these missing groups. A second limitation is related to the restricted scope of this analysis: namely, the *informational determinants* of access. This could be a point for future research. How, for instance, do non-informational determinants of access factor in? Finally, a study of access and access patterns is necessarily limited in what it can say about interest group influence or success in the policymaking process. Access might be essential to getting what you want, but it not a guarantee that preferences get translated into policy outcomes. This last point, however, is representative of the larger problem of measuring interest group influence.

TABLES AND GRAPHS

Table 1
Distribution of Online Survey Responses by Interest Group Type

Interest Group Type	Frequency	Percent
Companies	44	14.29
Professional Associations	73	23.70
Public Affairs Consultancies	30	9.74
Trade Unions	28	9.08
Chambers of Commerce	4	1.30
Law Firms	0	0
Academic organisations	2	0.65
NGOs/Association of NGOs	78	25.32
Think-Tanks	4	1.30
Representatives of religions, churches and communities of conviction	1	0.32
Public Authorities (regions, cities, municipalities)	34	11.04
Other	10	3.25
Total	308	100.00

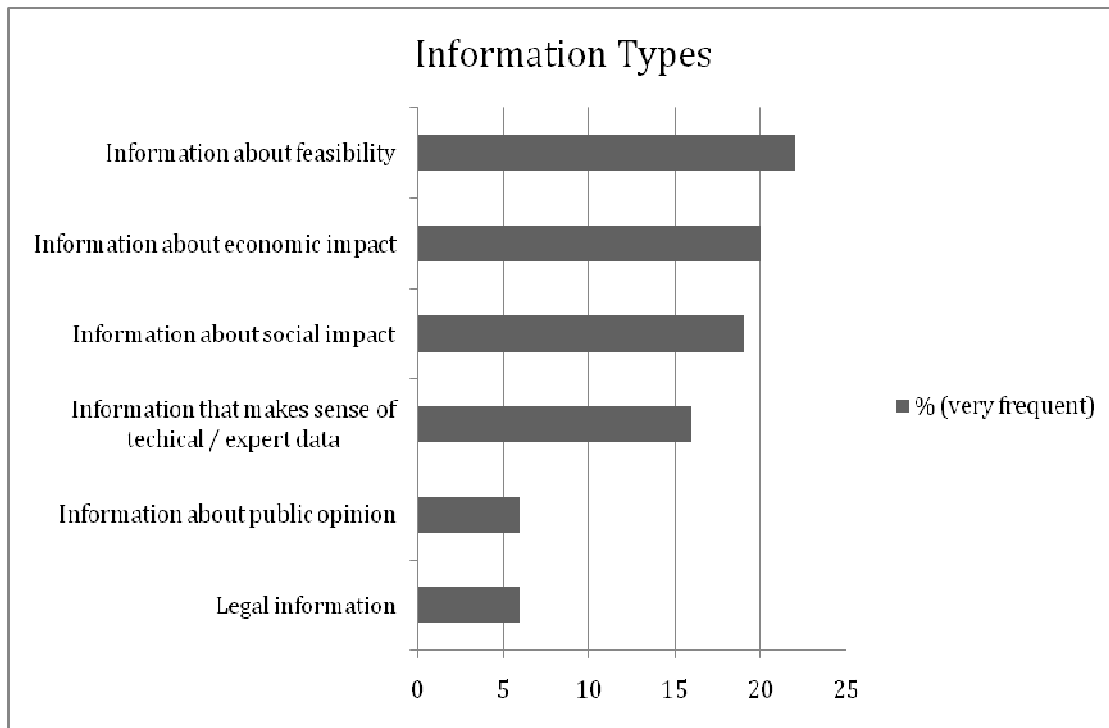
Table 2
The Informational Determinants of Interest Group Access to the EU

		EC	EP	Council	Coreper	CoR	EESC
Types	public opinion	1 (.13)	.95 (.12)	.94 (.11)	.89 (.11)	1.41 (.17)**	1.1 (.13)
	economic impact	1 (.18)	1 (.16)	1.06 (.16)	.92 (.15)	.88 (.14)	1.1 (.18)
	social impact	1 (.15)	1.45 (.19)**	1.09 (.14)	1.16 (.15)	.99 (.13)	.97 (.12)
	legal information	.85 (.11)	1.2 (.15)	1.4 (.17)**	1.5 (.19)**	1.2 (.15)	1.1 (.13)
	feasibility information	1.5 (.27)**	1 (.16)	.76 (.12)	1 (.16)	.8 (.12)	.76 (.12)
	information making sense of technical/expert data	1 (.14)	.96 (.11)	1.06 (.12)	1.48 (.18)**	1.08 (.13)	.92 (.1)
	Tactics	face-to-face	1.39 (.24)*	1.5 (.25)**	2.9 (.55)**	1.42 (.25)*	.79 (.14)
	open consultation	1.49 (.22)**	1.35 (.19)*	1.09 (.16)	1.05 (.16)	1 (.14)	1.17 (.16)
	write letter	1.3 (.19)	1.37 (.19)*	1.5 (.22)**	1.1 (.15)	1.1 (.15)	.96 (.13)
	write email	1.03 (.19)	.96 (.16)	.62 (.11)**	.52 (.1)**	.9 (.16)	1.49 (.28)*
	phone call	1.22 (.19)	1.45 (.21)**	1.19 (.17)	1.45 (.1)**	1.3 (.2)	.8 (.12)
	media campaign	.73 (.09)**	.96 (.12)	1.35 (.16)**	1.2 (.15)*	.79 (.1)	1.46 (.17)**
	public event	1.5 (.22)**	1.6 (.23)**	.85 (.11)	.96 (.14)	1.5 (.22)**	1.17 (.16)
	Log likelihood	-248.15	-290.53	-312.99	-303.81	-310.7	-335.06
	LR chi ² (13)	134.70	173.55	140.44	91.9	34.58	39.24
	Pseudo R ²	.21	.23	.18	.13	.052	.055
	N	256	256	252	250	252	255

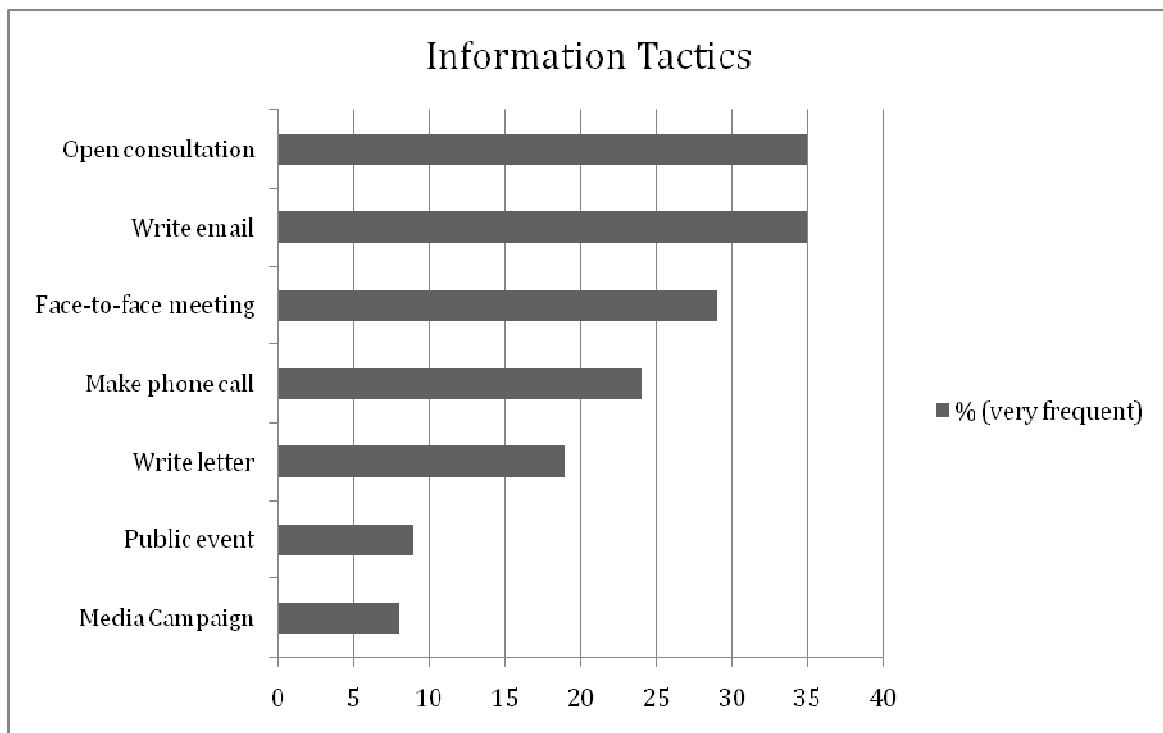
Note: entries are ordered logistic coefficients with standard errors in parentheses.

*p<0.05; **p<0.01.

Graph 1



Graph 2



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