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TRINITY COLLEGE DUBLIN
DEPARTMENT OF POLITICAL SCIENCE
Ph.D. in Political Science

LOBBYING BRUSSELS: INTEREST GROUPS' DEMANDS AND
NETWORKS IN EU ENVIRONMENTAL POLICY

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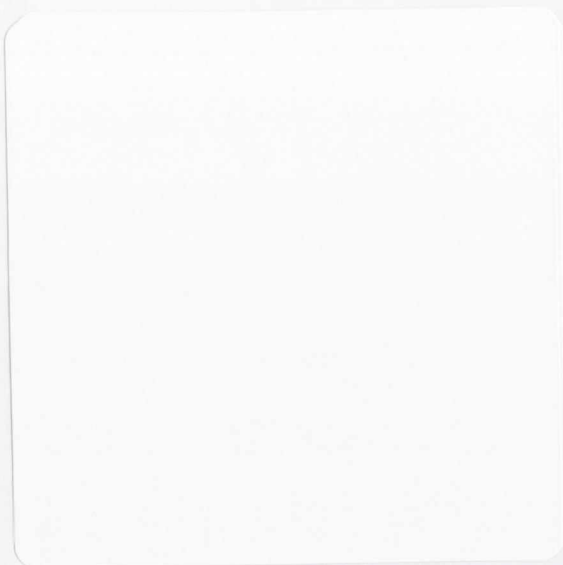
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driana Bunea

ugust 3rd 2012

Summary

This thesis examines interest groups' participation in environmental policymaking in the European Union. It investigates two fundamental questions that are essential to understanding the EU's policymaking system: first, *what policy demands do interest groups put forward and how are these demands related to each other?* And second, *under what conditions and in what ways are interest groups' policy demands integrated into the policymaking process and translated into policy outputs?*

These two fundamental questions are examined in the context of the European Commission's open consultations, an increasingly important lobbying venue and an important policy instrument used by the Commission when it formulates legislative proposals.

The thesis has three main goals: (1) to investigate key aspects of EU interest groups' lobbying behaviour such as the articulation of policy preferences, the formation of lobbying coalitions and the attainment of policy demands; (2) to evaluate the EU interest intermediation system from the perspective of the plurality of interests represented and articulated demands; and (3) to map and analyze the structuring of interest groups' inter-organisational networks.

In methodological terms, the thesis adopts an original research design that allows the research to empirically investigate the discrete policy preferences expressed by interest groups in policy position documents submitted to the European Commission during consultations on selected environmental proposals. To examine the networks of interest groups, the thesis builds on network analysis concepts and analysis techniques. To test the theoretical explanations proposed to investigate different aspects of EU

lobbying, the thesis adopts a quantitative approach and employs multi-level statistical models.

Several findings are made with respect to EU lobbying on environmental issues. First, the research finds moderate levels of pluralism in the EU environmental policy insofar the plurality of policy preferences articulated by interest groups is concerned. Second, the thesis finds that business groups' preference attainment is significantly higher than that of other interest organisations. Third, the findings confirm the importance of the social milieu in which lobbying takes place and indicate that the better connected an interest group is, the more likely it is to use consultations as a venue for articulating its policy demands. The findings also indicate that resource-rich organisations (e.g business interest groups) do not show a great interest in articulating preferences in the context of open consultations. Fourth, the findings confirm that interest groups participate in lobbying coalitions as part of their strategy to influence the outcomes of open consultations. Fifth, with respect to determinants of interest groups' preference attainment, the thesis finds that preferences that are in a median position relative to others are consistently more likely to be translated into outputs, while preferences for more regulation are less likely to be translated into outputs than demands for no regulation.

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Introduction

This thesis examines interest groups' participation in environmental policymaking in the European Union. It investigates two fundamental questions that are essential to understanding the EU's policymaking system. The first question is what policy demands do interest groups put forward and how are these demands related to each other? In other words, how is the system of interest representation structured? The second question is under what conditions and in what ways are interest groups' policy demands integrated into the policymaking process and translated into policy outputs? This second question addresses the essential question of interest groups' policy influence.

These two fundamental questions are examined in the context of the European Commission's open consultations, an increasingly important lobbying venue and an important policy instrument used by the Commission when it formulates legislative proposals (Quittkat, 2011). The focus is on environmental policy, one of the most intense areas of activity for lobbying in the EU (Coen, 2007, Bouwen, 2009).

The following chapters specify these overarching fundamental questions in the form of specific researchable research questions and answer them by drawing on theories from comparative politics and systematic research designs. The research questions include for example to what extent there are similarities and differences among groups in terms of the policy preferences they articulate? Is there a plurality of voices in the articulated preferences? Answering these descriptive questions is of paramount importance for assessing the extent to which pluralist democratic theory is relevant to EU policymaking. What factors affect interest groups' preference articulation behaviour? Do interest organisations participate in consultations as part of

lobbying coalitions? How are these coalitions structured? The answers to these questions are highly relevant to theories of interest groups' politics that focus on the importance of lobbying tactics and of the relationships among groups. And, most importantly, under what conditions do interest groups translate their demands into policy outputs?

To address these research questions the thesis builds its analytical framework on two landmark studies in the literature on US lobbying: -"*Basic Interests. The Importance of Groups in Politics and Political Science*"- (1998) by Baumgartner and Leech and -"*The Organisational State. Social Choice in National Policy Domains*" - (1987) by Laumann and Knoke. In line with the first study, this thesis focuses on the policy context in which interest groups lobby and argues that policy context directly affects interest groups' lobbying behaviour and their chances of lobbying success. In line with the second study, the thesis focuses its analysis on one policy domain and argues that a key dimension of the lobbying context is the relational environment (or inter-organisational networks) established among interest organisations. To refine these analytical perspectives, the thesis suggests an additional key dimension describing the lobbying context: the aggregate distribution of preferences articulated by interest groups. The thesis argues that the aggregate distribution of preferences creates a framework within which interest groups compete for policy influence, while policymakers decide upon policy outcomes, based on stakeholders' input and their own calculations regarding the practical feasibility and political legitimacy of different policy alternatives. This argument is in line with Riker's (1986) insight that political actors themselves construct and manipulate their policy space, and that a refined analysis should examine the effects of this structuring on policy outputs. In adopting this analytical perspective, the thesis speaks to both literatures on EU and US lobbying

and systems of interest representation, as well as to the scholarship on EU policymaking, policy networks and decision-making processes and outcomes.

The present research has three main goals: (1) to investigate key aspects of EU interest groups' lobbying behaviour such as the articulation of policy preferences, the formation of lobbying coalitions and the attainment of policy demands; (2) to evaluate the EU interest intermediation system from the perspective of the plurality of interests represented and articulated demands; and (3) to map and analyze the structuring of interest groups' inter-organisational networks.

Two arguments are made with respect to interest groups' lobbying behaviour in the context of open consultations. First, a group's structural location in the community of stakeholders has direct implications for its preference articulation behaviour and the achievement of its policy preferences. The more centrally the group is located, the more likely it is that it will make better use of consultations as a venue to articulate its policy demands. Being centrally located in the network of stakeholders should also increase lobbying success and the ability to translate preferences into policy outputs. Second, a group's lobbying success is also expected to be affected by patterns of competing demands articulated by all organisations participating in the consultation. In adopting this theoretical approach, the thesis contributes to the existing literature by proposing an innovative description of the policy context in which lobbying is articulated, and by systematically investigating its explanatory power. At the same time it considers alternative explanations suggested in the literature that emphasize the importance of organisational structural characteristics and resources. Also, by drawing on the literature on US lobbying, the present thesis contributes to the "converging perspectives on interest groups research in Europe and America", by testing the explanatory power

of theories explaining US lobbying in the EU context (Mahoney and Baumgartner, 2008; see also Mahoney, 2008 and Lowery et al., 2008).

To evaluate the interest intermediation system, the thesis builds on pluralist and neo-pluralist accounts. It investigates the pluralist description by proposing an innovative methodological perspective. This includes the formulation and application of indexes measuring the plurality of preferences articulated by stakeholders and a composite measure of preference attainment. This approach addresses the issue raised by prominent scholars of interest groups' politics suggesting a "*pluralism with labels*" description of the EU interest representation system (Coen and Richardson, 2009). This means a more refined description and explanation of the type of interest representation system that exists.

To examine the networks of interest groups, the thesis builds on network analysis concepts and analysis techniques. In doing so, the thesis brings a sociological perspective to the study of interest groups, which complements well the main theoretical approach of the thesis that emphasizes the importance of actors' preferences, structural characteristics and resources, in line with mainstream political science research studying the EU decision-making (see for example, Thomson, 2011; Thomson et al., 2006; Arregui and Thomson, 2009; Hayes-Renshaw and Wallace, 2006).

In methodological terms, the thesis adopts an original research design that allows me to empirically investigate the discrete policy preferences expressed by interest groups in policy position documents submitted to the European Commission during consultations on selected environmental proposals. This research design approach adopted has three great virtues. First, it yields very detailed measurements of policy influence conceptualized as preference attainment, controlling for the preferences expressed by other interest groups. This measurement issue is one of the

major challenges in interest group research: finding accurate and precise estimations of groups' policy influence (Dür, 2008a, 2008b). Second, this approach allows the present research to propose new, more precise evaluations of the degree of plurality in the EU interest intermediation system. This evaluation takes the form of new indexes that measure the diversity of preferences articulated by groups across policy issues and types of interests represented. Third, this approach facilitates a detailed investigation of the process of interest groups' preference formation, allowing this thesis to answer currently under-explored yet essential questions such as under what circumstances do private actors decide to articulate preferences on different policy issues? Fourth, this approach allows the thesis to provide empirical evidence of a key theoretical proposition made in the existing scholarship, namely that there is a linkage between similarity of preferences and coordinated behaviour by EU interest groups.

Outline of the thesis

The thesis is structured in the following manner: Chapter one presents the research design detailing the case selection, the empirical strategy used to identify policy issues, interest groups' policy preferences and inter-organisational ties. The chapter also provides a systematic analysis and critique of one of the most recent methods used to study EU interest groups: applying quantitative text analysis to estimate interest groups' policy positions. This discussion indicates several shortcomings of this approach and justifies the adoption of an alternative research design.

Chapter two investigates the interest representation system and examines levels of pluralism with two indexes. These indexes measure the plurality of policy demands and by the same type of interest groups across different issues. In addition, a preference

attainment index is proposed to evaluate any patterns of systemic bias in terms of preference attainment on behalf of certain advocate types. The results indicate modest levels of pluralism in the environmental policy domain. With respect to preference attainment, business groups' preference attainment is significantly higher than that of other interest organisations.

Chapter three examines a first aspect of interest groups' lobbying behaviour in the context of open consultations: their preference articulation behaviour. The chapter empirically explores the explanatory power of the inter-organisational linkages and of organisational resources as factors explaining the probability that a group will articulate a preference. The findings confirm the importance of the social milieu, indicating that the better connected an interest group is, the more likely it is to use consultations as a venue for articulating its policy demands. The results also show that resource-rich organisations (e.g. business interest groups) do not show a great interest in articulating preferences in the context of open consultations. Organisations with a Brussels office are also found to be less active in articulating demands in the EC open consultations.

Chapters four and five examine the features of the inter-organisational environment. Chapter four empirically investigates this environment in search of lobbying coalitions. To investigate whether lobbying coalitions are a reality in the EC consultations, the chapter proposes two empirical tests. The first test examines the extent to which interest groups that share an organisational linkage articulate the same policy preference. The second test examines the clustering of inter-organisational ties into distinct, separate blocks of organisations representing the same advocate type. The results confirm the presence of lobbying coalitions.

Chapter five explores the inter-organisational environment with the help of network analysis. The analysis describes the organisational networks formed around

each consultation and identifies interest groups located in key network positions. One of the key findings is that organisations lobbying on an individual basis occupy key structural roles in their networks because of their overlapping memberships in different overarching organisational structures.

Chapter six examines determinants of preference attainment. Whereas the previous chapters examined patterns of interest representation and interest group participation in the EC open consultations, this chapter investigates under which conditions groups' preferences are translated into policy outputs. The chapter specifies a theoretical framework emphasizing the importance of policy context described in terms of characteristics of issues, distribution of interest groups' preferences and inter-organisational ties. The results provide compelling evidence for some of the theoretical propositions. For example, preferences that are in a median position relative to others are consistently more likely to be translated into outputs, while preferences for more regulation are less likely to be translated into outputs than demands for no regulation.

Chapter seven presents the concluding remarks and discusses directions for future research.

Chapter 1

Researching lobbying on the EU environmental policy

This thesis presents an empirical investigation of interest groups' lobbying activities and policy influence during the policy formulation stage of EU legislative decision-making. The explanatory framework builds on Baumgartner and Leech's argument in relation to the importance of the policy context in which lobbying takes place (Baumgartner and Leech, 1998). With some notable exceptions, policy context has been thus far neglected in the study of EU interest groups (see however, Beyers, 2004; Mahoney, 2008; Klüver, 2011). The empirical approach adopted here contains three main components: (1) a focus on the European Commission's open consultations as a key element of the policy formulation stage; (2) an identification of interest groups' policy demands based on content analysis of their policy position documents submitted as part of the consultations; and (3) an investigation of the inter-organisational relational environment established between interest groups participating in the consultations (following Laumann and Knoke, 1987). This means in turn that a substantial part of the present research consists of mapping out interest groups' policy preferences and inter-organisational linkages across a set of five open consultations organized by the European Commission in the environmental policy area. In adopting this approach, the present thesis provides a detailed specification of the policy context in which interest groups lobby the European Commission. This enables the research to perform a set of tests of existing explanations of EU lobbying behaviour and policy influence that are more fine-grained than those of the previous studies.

This chapter details the empirical approach adopted and describes each of its core components. First, the chapter explains the choice to analyze EU environmental

policy and the policy formulation stage, while detailing the case selection criteria. Part two presents the empirical strategy to map interest groups' policy preferences on the basis of hand coding of their written submissions. In adopting this strategy, the present thesis differs fundamentally from one of the latest contributions in the literature to the empirical study of interest groups' participation in the EC open consultations, which suggests that quantitative text analysis (in particular *Wordfish*) is an adequate approach to estimating policy positions and levels of lobbying success (Klüver, 2009). Therefore, the third part of the chapter provides a conceptual and empirical assessment of *Wordfish* as a method of content analysis applied to the study of EU interest groups and open consultations. In doing this, the chapter underlines some of the reasons why this thesis adopted a different content analysis strategy. Part four presents the operationalization of dependent and independent variables used in the empirical analyses, while describing the data sources and collection procedures.

1.1 Case selection

1.1.1 Studying EU environmental policy

There are three reasons for choosing the environmental policy area. First, this has become a core EU policy area, characterized by important current policy developments in which the Union has clear competences and has designed “an elaborated set of policy principles” and therefore set up a “governance regime” (Weale, 2005: 131). Interest groups have extensive information about what policy demands can be addressed to policymakers and about whom they should target with their demands. In addition, the literature indicates that due to the highly technical nature of EU policymaking in this area, interest groups' participation in the design of “standard

setting and rule-making” is so relevant that “sectional interests can often have something close to veto power” (Weale, 2005: 136).

Second, as Weale rightly argues, “environmental problems and policies have been a highly salient issue in the politics of the EU. If we are looking for one area of policy that highlights the conflicts between the strong sectoral interests of producers and the more diffuse interests of citizens in general, it is likely to be found in the field of the environment.” (Weale, 2005: 126). Therefore, he argues that “[l]ooking at the policy area, then, tells us something intrinsically important about what Bulmer (1994, pp. 370–5) has called the European ‘governance regime’ of particular policy sectors and the policy networks to which they give rise” (Weale, 2005: 126). Knowing more about interest groups’ participation and policy influence in the environmental policy area provides us with important insights about the relevance of interest representation and intermediation within such governance regimes.

Third, DG Environment is the second (or third, depending on the source) most lobbied DG of the European Commission after DG Enterprise (Coen, 2007; Bouwen, 2009: 24; Broscheid and Coen, 2007). This policy domain is generally characterized by the presence of relatively large numbers of interest groups that are different in both interest types represented and in organizational form (European umbrella organizations, individual firms, local municipalities, etc.). These differences allow us to test whether interest groups’ characteristics, which are key explanatory factors in my study, affect groups’ behaviour and lobbying success (in other words environmental consultations vary on the key independent variables). In addition, the literature describes this policy area as one in which “policy-making is now relatively well developed and in some cases the appropriate ‘constituencies’ of interests have been organized and mobilized

and to some degree integrated into the policy process” (Mazey and Richardson, 2005:110).

The decision to analyze only one EU policy area is due mainly to data collection constraints, as the research relies heavily on extracting interest groups’ policy preferences by coding policy position documents formally sent to the European Commission as part of the public consultation exercises. Although this approach assured access to previously unexplored valuable data and allowed a detailed and far more precise estimation of interest groups’ preferences, the human coding of documents is labour intensive. This means that only a modest number of cases can be covered. The focus on one policy area might limit the generalizability of the findings given the fact that the literature suggests a certain amount of variation across EU policy areas in terms of modes of governance and interest groups’ participation (Mahoney, 2008: 6). However, the main aim of the study is to inquire how an alternative approach to the study of interest groups’ participation provides more in-depth insights into the structuring and dynamics of the policy formulation process. While acknowledging the limitations of the present study in terms of its generalizability, it provides a model for future research on other policy areas.

1.1.2 Studying the policy formulation stage

This research examines EU lobbying in terms of the articulation of policy demands, lobbying strategies and the determinants of interest groups’ preference attainment during the policy formulation stage of five key policymaking events in the EU environmental policy area.

The focus on the policy formulation stage is justified first and foremost by this being considered the most populated lobbying venue at EU level, where interest groups

have most chances of influencing policy (Mazey and Richardson, 2005; Hix, 2005; Guèguen, 2007). At this stage, the European Commission is particularly receptive to interest groups' policy input, expert knowledge and field information with the aim of devising politically legitimate and practically feasible legislative proposals (Bouwen, 2009; Skodvin *et al.*, 2010; Mazey and Richardson, 2005). Second, data availability and data collection constraints have informed the decision to focus on one policy stage only. Comparable, detailed sources documenting interest groups' policy preferences expressed when lobbying the European Parliament or the Council are not currently available and could not be systematically collected as part of the present research. This is instead suggestive of a trade-off that had to be made between the depth and breadth of the analytical approach of the present thesis. The choice was to focus on only one policymaking stage, one lobbying venue, and examine in great detail the specific policy demands articulated by interest groups on specific issues across several policy proposals and to leave the development of a longitudinal analysis of EU lobbying across all decision-making stages for future research.

This means however that the focus of analysis is on one of the several lobbying venues made available to interest groups by the EU institutional system (Mazey and Richardson, 2005: 239-260). Lobbying takes place during the subsequent stages of EU policymaking, targeting other EU institutions such as the European Parliament (Marshall, 2010; Lehmann, 2009) and the Council (Hayes-Renshaw, 2009; Naurin, 2007). Lobbyists sometimes opt for a strategy of litigation by addressing complaints to the European Court of Justice (McCown, 2009; Bouwen and McCown, 2007). One of the consequences of these multiple lobbying venues is that "the EU is an inherently *disjointed* policy process" and that "[d]eals done at one institutional site can be undone elsewhere" (Mazey and Richardson, 2006: 256). This in turn means that the findings

about interest groups' lobbying behaviour and lobbying success at one policy stage cannot be extrapolated to other stages in the policymaking process. Consequently, the present study does not provide insights into interest groups' activities that followed the consultations stage. Nonetheless, given the importance of the European Commission in the legislative process, interest groups' influence on the Commission's legislative proposals have important implications for final legislative acts. Both of these aspects (lobbying success during subsequent stages of the same policymaking event and lobbying success along different policymaking events within the same policy area) are left to be addressed by future research.

1.1.3 Studying open consultations in the EU

There are three main reasons for focusing on open consultations as an important stage in the EU policymaking. First, the literature indicates open consultations are the embodiment of the European Commission's efforts to institutionalize and formalize the EU interest intermediation and participation in its policymaking processes (Mazey and Richardson, 2005; Quittkat, 2011: 658; Greenwood, 2007). As such, the literature agrees that open consultations have become a major policy instrument through which interest representation is organized at EU level, along with other consultative forums such as advisory committees, expert groups or high level groups addressing specialized policy issues. Quittkat's analysis (2011) illustrates the frequency with which this policy instrument is employed by the European Commission. For the 2000-2007 time period, across all EU policy areas, 554 open consultations were organized (Quittkat, 2011: 658).

Second, in the actual policy practice, open consultations appear to play an important role in the design of European public policies, despite their non-legally

binding character. DG Environment policy officers interviewed for the purpose of the present research described open consultations as an exercise of “written brainstorming”, particularly informative in terms of the practical feasibility of different policy options, and especially with respect to those technical issues requiring very specialized knowledge. Another aspect emphasized by EC officials was that currently some consultations are conducted in such an extensive and detailed manner that the Commission has decided to externalize the data gathering and data processing to private consultancies, which then provide EC officials with the aggregate results of the consultation exercise. In addition, the EC bureaucratic rules of procedure require open consultations as an obligatory step in the development of road maps accompanying the adoption of legislative proposals, and for the consultation answers to be formally reported as part of the impact assessment that usually accompanies the Commission’s proposals (Greenwood, 2007a: 31). As such, in addition to being a useful tool of gathering technical information and field expertise, open consultations are also part of the European Commission’s efforts to gain and maintain policymaking legitimacy (Coen, 2009: 152). In this respect the literature indicates that by “[b]eing so open to interest groups of all kinds strengthens the Commission’s claim to legitimacy. It is also a useful way of avoiding the trap of receiving ‘asymmetric’ information if a limited range of interest groups is admitted to policy deliberations” (Richardson, 2000: 1014). In this respect, examining open consultations offers valuable insights about the overall EU policymaking.

The literature distinguishes between three different consultation formats employed by the Commission to get stakeholders’ policy input (Quittkat, 2011: 661): (1) *non-standardized* open consultations, which consist in the submission of written policy position documents answering to the issues raised by the Commission in the

consultation call; (2) *semi-standardized* open consultations in which interest groups are asked to write their more extensive comments under specific headings in a pre-defined document layout; and (3) *standardized* questionnaires where interest groups can choose their policy preference from a pre-defined range of options. Since 2000 when the Commission formalized the use of open consultations as part of the policy formulation process, there has been a “move from non-standardized to semistandardized open consultations [...] and in 2008 a considerable shift towards standardized open consultations – its share having more than doubled from 2007 (18.39 percent) to September 2008 (44.44 percent)” (Quittkatt, 2011: 661). This shift is argued to be an attempt on behalf of the Commission to balance considerations regarding actors’ inclusiveness and the quality of policy input received as part of these consultations. All three formats are covered by the consultations analyzed in the present research.

Last but not least, the decision to examine open consultations was informed by the fact that despite consultations being relevant for both the EU policymaking and the interest intermediation system, only few scholarly contributions have attempted to systematically examine them. Most of the existing contributions provide a very aggregate and general study of interest groups’ participation (Quittkat and Finke, 2008; Kohler-Koch and Finke, 2007), of consultation formats (Quittkat, 2011), of interest groups’ policy positions (Klüver, 2009, 2011) or general patterns of conflict over different policy issues (Persson, 2008). However, the existing contributions do not examine the following important factors: (1) the specific policy preferences articulated by interest groups participating in the consultations; (2) the aggregate distribution of these preferences; (3) the interest groups’ characteristics or (4) the structural features of the inter-organisational relational environment created around consultations. The present thesis addresses these shortcomings by suggesting a research design that allows

for a systematic investigation and analysis of all these four essential aspects related to the universe of actors, issues and preferences characterizing EU open consultations.

1.1.3.1 Selected consultations

Based on an attentive examination of current policy developments in the EU environmental policy area, five public consultation events were chosen for the purpose of the present thesis. All five consultations received media coverage in EU news portals (such as *Euractive*), tackled main topics of EU environmental policy (i.e air pollution and management of waste), involved the participation of a variety of interest organisations and focused on both technical and more political or publicly controversial issues. This makes the five consultations relevant examples of the EU environmental policymaking, while addressing one of the concerns in the literature with respect to the research of interest groups' participation in decision-making processes: “[f]ocusing only on those cases with little or no public controversy is incomplete and can be misleading, just as it would be a focus on only highly salient issues” (Baumgartner and Leech, 1998: 40).

All five represent key policy events in the recent development of European environmental policy. The formal reference to these events is the following:

- 1) The stakeholders' consultation aimed at the formulation of the proposal for a Regulation setting emission performance standards for new passenger cars (2007).¹ Throughout the thesis this consultation will be referred to as “the CO₂ emissions of passenger cars case” or simply the “CO₂ emissions case”.

¹Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles.

- 2) The consultation for formulating a proposal to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Commission (December 2006).² This consultation is referred to as the “aviation activities and the Emissions Trading Scheme (ETS) case/consultation”.
- 3) The consultation for formulating a decision on monitoring, reporting and verification mechanisms for aviation emissions included in the ETS scheme (October – November 2008).³ This consultation is referred to as the “MRV case/consultation”.
- 4) The consultation for adopting a policy proposal for a Waste Framework Directive (December 2005).⁴ Throughout the thesis this is referred to as the “waste case/consultation”.
- 5) The consultation for adopting a proposal on revising the waste electrical and electronic equipment Directive (May 2008).⁵ Throughout the thesis this is referred to as the “WEEE case/consultation”.

Each consultation took place in a different time period and preceded the adoption of a proposal for the adoption of different types of EU legislative acts (i.e, regulations, directives and decisions). The present research tried to faithfully capture the main policy tools used to legislate at EU level, as well as “the main characteristics of the EU decision-making” within the European Commission in a manner similar to previous studies (see König and Pöters, 2001: 339). Each consultation focused on a different set of policy issues and was characterized by the participation of a different constellation of

²Directive 2008/101/EC of 19 November 2008 amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community.

³Commission Decision of 16 April 2009 amending Decision 2007/589/EC as regards the inclusion of monitoring and reporting guidelines for emissions and tonne-kilometre data from aviation activities.

⁴ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain directives.

⁵ Proposal for a Directive on waste electrical and electronic equipment (WEEE).

interest groups, although some of these organisations are recurrent across different consultations. A brief description of each consultation in terms of its timeframe and main policy issues covered is presented below.

The consultation on the reduction of CO₂ emissions of passenger cars

This consultation is part of the European Commission's efforts to reduce pollution and assure better air quality standards across Europe. In February 2007 the Commission published the *Communication (COM (2007)19) on the review of the Community Strategy to reduce CO₂ emissions from passenger cars and light-commercial vehicles*. The Communication was followed by a public consultation organized throughout June and July 2007, during which 45 interest groups submitted individual or joint policy position documents in response to the consultation call. The main issues tackled by the consultation revolved around actual measures assuring the fulfilment of the already agreed target of 120g/km CO₂ emissions of passenger cars, the deadline for reaching the target and whether commercial vans should be included in the scope of the regulation. The policy formulation stage ended with the adoption of the Commission proposal on "Setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles (2007/0297)". In April 2009, a regulation was adopted by the Council.⁶

The consultation on aviation activities and the Emissions Trading Scheme

Between March - May 2005, the European Commission launched an open public consultation addressing both interest groups and individual citizens, using an online

⁶ The legislative process which followed the adoption of the proposal can be consulted at: http://ec.europa.eu/prelex/detail_dossier_real.cfm?CL=en&DosId=196572#390317.

questionnaire. The consultation focused on the adequacy of including air transport activities under the measures to reduce climate change and the practical measures that should be taken in this respect. A total number of 184 interest groups participated in the consultation. In December 2006, the European Commission adopted a “*Proposal amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community*”. Following lengthy deliberations in the European Parliament and the Council, a directive was adopted to include aviation activities in the scheme of greenhouse gas emission allowance trading.⁷

The consultation on monitoring, reporting and verification mechanisms for introducing aviation activities in the ETS

This consultation was organized by the European Commission during October-November 2008 and was part of the Commission’s efforts to legislate further the EU Emissions Trading Scheme by establishing the monitoring, reporting and verification mechanisms for aviation activities as part of the scheme. The consultation consisted in a detailed semi-structured, open-ended questionnaire covering a range of technical issues related to the introduction of air transport in the ETS. The policy formulation stage ended with the adoption of a decision in April 2009. A total number of 37 interest groups participated in the consultation.

The consultation on a waste framework directive

In May 2003, the European Commission published its Communication “*Towards a Thematic Strategy on the prevention and recycling of waste [COM(2003) 301]*”. Following this, an open stakeholders’ consultation was organized (May – November

⁷The legislative process following the EC formulation stage for this directive can be accessed at: http://ec.europa.eu/prelex/detail_dossier_real.cfm?CL=en&DosId=195168#383040.

2003) and interested parties were welcome to submit their written policy positions documents. The consultation aimed to identify the main building blocks for devising a Thematic Strategy on Waste, with an emphasis on economic instruments, landfill bans, waste prevention measures, ways to improve recycling and recovery of waste, the adoption of common recycling and recovery standards or improving the existing EU legislation by updating the definition of waste. In December 2006, the Commission published its “Proposal for a Directive of the EP and of the Council on waste. COM (2005) 667 final”. In 2008 a waste directive was finally adopted.⁸

The consultation on the review of the WEEE directive

This consultation was organized between April and June 2008, with the aim of revising the already existing Directive on the management of waste electric and electronic equipment adopted in 2003. The consultation revolved around the topics of establishing WEEE recycling, recovery and collection targets, the scope of the directive, provisions related to producer’s responsibility and waste treatment requirements. A total number of 164 written submissions were identified for this consultation. This was followed by the adoption of a proposal on revising the waste electrical and electronic equipment Directive (May 2008- RECAST). A final legislative act was however not yet adopted.⁹

⁸ The legislative procedure of this act can be consulted at:
http://ec.europa.eu/prelex/detail_dossier_real.cfm?CL=en&DosId=193712#375777

⁹ The ongoing legislative procedures can be consulted at:
http://ec.europa.eu/prelex/detail_dossier_real.cfm?CL=en&DosId=197711#396717

1.2 Mapping interest groups' policy preferences

For each consultation, interest groups' policy preferences (or demands) were identified based on an attentive content analysis of the position documents submitted to the European Commission during the public consultation stage and of interest groups' answers to the online questionnaire the Commission used as an alternative consultation tool. The decision to analyze written submissions and formal contributions has a strong justification in the literature, which emphasizes the high levels of institutionalization of the dialogue between policymakers and interest groups at the EU level. This usually takes place within formal settings such as public consultations, "advisory and consultative committees, experts groups" (Greenwood, 2007a: 347; see also Mazey and Richardson, 2005: 240; Mazey and Richardson, 2001).¹⁰ In addition, interest groups' position documents have long constituted an important data source in the well-established American literature focusing on interest groups' formal interactions with bureaucracies and participation in rule-making (see McKay and Yackee, 2007; Yackee and Yackee, 2006; Yackee, 2006; Golden, 1998; Evans, 1996). With some notable exceptions (Quittkat and Finke, 2008; Lindgren and Persson, 2008; Persson, 2008; Klüver, 2009, 2011; Quittkat, 2011), EU public consultations and the generous documentation resulting from them have generally been neglected in the literature on interest groups despite their great potential to provide essential insights as primary sources of information on European lobbying. Throughout the thesis, the terms of "policy preference" and "policy demand" are used interchangeably and denominate the same aspect: an interest group's preference for a certain policy alternative.

¹⁰ Informal lobbying and interest group - policymakers interactions taking place behind closed doors are a common reality of policymaking in Brussels. Yet currently there are no publicly available records of these meetings which could be used for the purpose of large n quantitative analyses.

A policy issue is a discrete policy problem on which the European Commission explicitly asks for interest groups' policy input. In more specific terms, for each consultation, I identified policy issues based on three sources. First, for consultations requiring the submission of written position documents, the text of the Commission's consultation call was used to identify policy issues (consultation on the reduction of CO₂ emissions for passenger cars, waste management directive and the revision of the WEEE directive). Second, for consultations based on open-ended questionnaires, the questions of the questionnaire served in identifying policy issues (the two consultations on the introduction of aviation activities in the Emissions Trading Scheme). Third, groups' written submissions or answers to questionnaires were used to identify issues added to the consultation agenda by groups themselves. To be considered an issue and included in the dataset, this latter category of issues needed to be recurrent across several contributions. However, a negligible number of such issues were identified. This is explained by the fact that the Commission used its extensive agenda-setting power and tried to rationalize and structure its dialogue with stakeholders to keep data management a feasible endeavour.

To exemplify the concept of policy issue employed by this research, Appendix 1 presents in detail all policy issues identified for each open consultation. The research analyzes 107 issues corresponding to five proposals. The total number of issues and interest groups identified per proposal are presented in Table 1.1.

Table 1.1 Number of interest groups and policy issues per case

Case	CO₂ emissions	Aviation	MRV aviation	Waste	WEEE
No. of policy issues	10	6	51	15	25
Regulatory issues	7	3	5	13	18
Technical issues	3	3	46	2	7
Interest groups					
Main business	13	26	23	69	53
Secondary business	10	24	11	32	54
Environmental NGOs	16	64	1	5	3
National authorities	1	8	2	3	12
Local authorities	1	15	0	20	34
Other	4	47	0	9	8
Total no. of org.	45	184	37	138	164
Organisational form					
European association	12	12	7	44	25
National association	9	13	1	40	39
Individual org.	24	156	29	54	93
Other	0	3	0	0	7

Based on these policy position documents, for each policy issue, an ordinal scale was constructed to estimate interest groups' policy preferences. The scale indicates that the preferences are different from each other and captures the substantive meaning of this difference. This was based on a qualitative inductive judgement made by the researcher about the substantive differences between expressed preferences with respect to the underlying policy issue in two steps. First, on the policy continuum used to represent the issue, the research identified all preferences expressed by individual interest groups. Second, the research grouped these preferences according to their main,

substantive message with respect to the desired policy outcome. Each preference received a value indicating that the preference is substantively different from the others while also expressing the rank of each preference relative to each other in terms of the underlying policy dimension characterizing each policy issue. This value was used in the dataset to indicate a group's preference on the identified policy issue. Groups expressing the same preference received an identical score.

For example, in the consultation on the reduction of CO₂ emissions for passenger cars, on the issue of what flexibilities should be allowed to car manufacturers to reach the required reduction target of CO₂ emissions, three categories of preferences were identified: preference 1 – no flexibilities; preference 2 – limited flexibilities; preference 3 – increased flexibilities (see Figure 1.1). Figure 1.2 shows for this consultation all identified policy issues and the distribution of interest groups per preference articulated in relation to these issues. The policy scale developed was constructed ex post, following the identification and comparison of all interest groups' preferences. In this case, an inductive approach was used to construct the policy scale in the sense that it was based on the substantive differences among the observed preferences. This contrasts to other approaches that posit a general ideological dimension on which actors are placed (e.g Benoit and Laver, 2012).

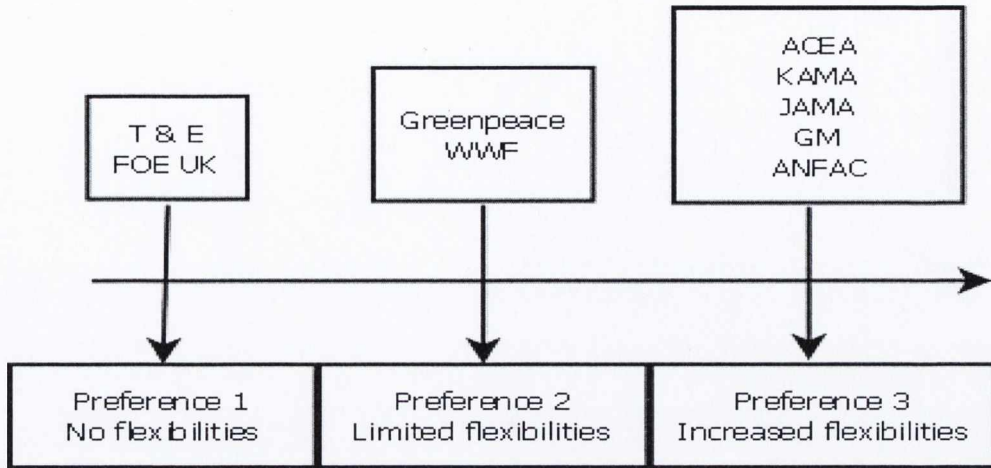


Figure 1.1: Extracting interest groups' policy preferences

Policy event: Consultation on adopting a proposal for the reduction of CO₂ emissions for passenger cars.
Policy issue: *What flexibilities should be allowed for car manufacturers to reach the required target of CO₂ emissions?* Where: T&E (Transport and Environment), FOE UK (Friends of the Earth UK), WWF (World Wild Fund), ACEA (European Car Manufacturers Association), KAMA (Korean Automobile Manufacturers' Association), JAMA (Japanese Automobile Manufacturers' Association), GM (General Motors), ANFAC (Spanish Association of Automobile and Tracks Association).

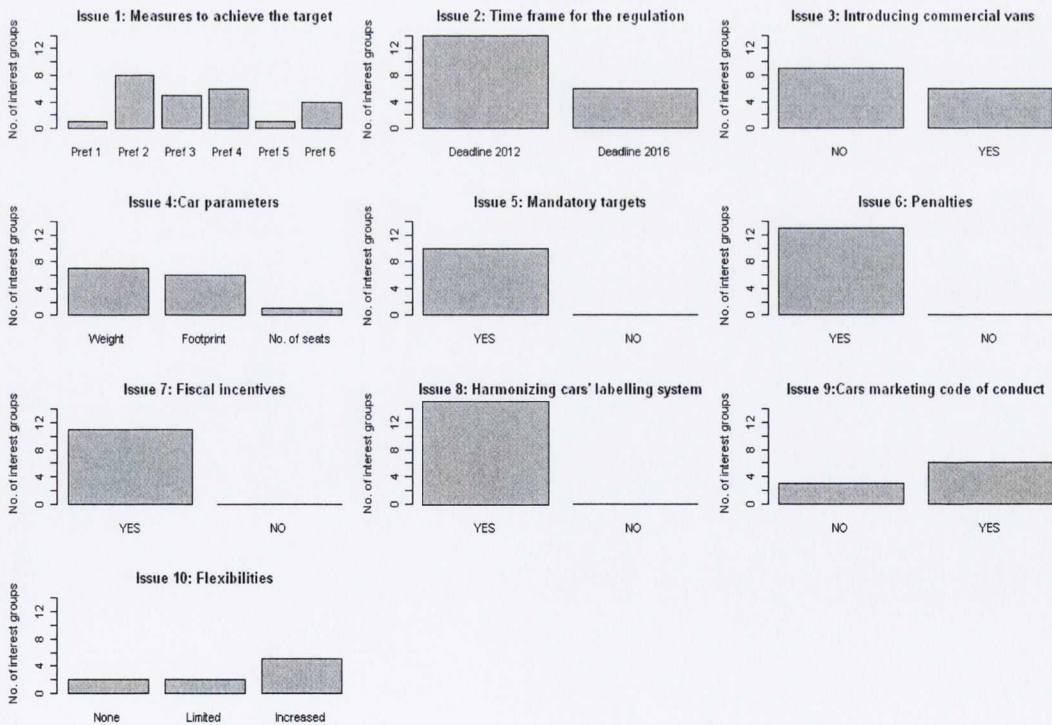


Figure 1.2: Issues, preferences and distribution of interest groups across policy preferences in the consultation on the reduction of CO₂ emissions of passenger cars.

The study examined the reliability of the coding scheme for interest groups' position documents. To do this, two research strategies were pursued. First, one inter-coder reliability test was performed on the CO₂ emissions of passenger cars case. A coding protocol was developed stating clearly what type of statements should be taken into account for recording a group's policy preference, the unit of analysis (text paragraphs explicitly addressing a specific issue), the data recording format and the guidelines for dealing with potentially ambiguous texts. Following this, another coder was asked to independently identify (1) the policy issues characterizing the consultation and (2) interest groups' preferences on each issue. Based on the same documentation, ten out of fourteen issues identified for the consultation by the two coders were identical. The coding of preferences was identical with respect to 73% of the interest group-issue dyads coded in the dataset for this event (Krippendorff's alpha = 0.77)

Second, the identification of the policy issues for this event was cross-checked with Klüver's (2009: 541) hand-coding scheme of these issues. Her coding uses a different scheme and identifies 20 categories of items in relation to which interest groups made positive or negative policy statements. Seventeen of them were identified as part of my coding scheme as well, either as policy issues per se or as policy preferences.

Throughout the dissertation, the terms "interest groups", "interest organisations" and "stakeholders" are used inter-changeably to denominate those organisations that participated in the policy formulation stage by submitting a policy position document during the public consultations. They all have a formal, well-defined organisational structure and a distinct organisational identity.

1.2.1 Assessing the alternative approach: using quantitative text analysis to extract interest groups' policy preferences

Content analysis is by now widely recognized as a well established “research technique for making replicable and valid inferences from texts [...] to the contexts of their use” (Krippendorff, 2004: 18). During the recent years, political science scholarship has witnessed a considerable development of automated content analysis techniques, with *Wordscores* (Laver et al., 2003) and *Wordfish* (Slapin and Proksch, 2008) as the two most notable contributions. Both approaches are based on the assumption that words can be treated as data and based on their frequency in a political text one can infer policy positions of political actors. The main focus of these two methods of analysis has thus far been on the study of political parties' manifestos and legislative speeches, but recently one of them, namely *Wordfish*, was suggested as a suitable analytical tool for the study of interest groups and their participation in the EU policymaking process (Klüver, 2009). The literature argues that relative to *Wordscores*, *Wordfish* has more straightforward underlying assumptions and it does not presuppose the use of any rescaling method or raw scores. In addition and most importantly, *Wordfish* does not require the existence of two reference texts expressing the most extreme policy positions. This is of particular importance in the field of EU interest groups research because such reference texts which “can be estimated with confidence from independent sources or assumed uncontroversially” (Laver, et al., 2003: 313) are not yet available. Whereas in the case of party manifestos, the external validation of the reference texts has usually been done with the help of expert surveys, no such expert surveys are currently available in relation to interest groups policy statements.

While agreeing with the fact that the methodological advancements made in the field of party politics could well contribute to the development of interest group

research, the present thesis argues that the use of *Wordfish* to study interest groups in open consultations is questionable and inadequate on several grounds. This section provides a critical assessment of *Wordfish* applied to the analysis of interest groups' position documents. This explains why a different research strategy was chosen in the present study. The findings also indicate that existing approaches employing quantitative text analysis should be more carefully considered and more rigorously examined than currently suggested in the literature. In particular, this section makes reference to Klüver's 2009 article that represents a first attempt in the literature to use *Wordfish* for the analysis of EC open consultations.

Four main substantive issues are raised in relation to the use of *Wordfish* applied to the study of EC open consultations. First, its linguistic requirements lead analysts to discard important information about interest groups. This means that the analysis allows the examination of only some parts of the population of stakeholders identified for each consultation. Second, *Wordfish* discards relevant substantive information contained by policy documents following the removal of numbers and figures from the text. Third, the analysis is based on an oversimplified interpretation of policy events and collapses different policy issues into a uni-dimensional policy space. Fourth, the scores used to indicate actors' policy positions lack a clear substantive interpretation, which in turn results into rather unclear estimates of preference attainment. Each of these points is discussed in detail below. Most of the theoretical arguments made in this part of the thesis are illustrated with examples taken from the consultation on the reduction of CO₂ emissions for passenger cars because this consultation constitutes a case analyzed in both the context of the present thesis and in the literature to exemplify and validate the use of *Wordfish* as a method of content analysis applied to the study of open consultations (see Klüver, 2009).

1.2.1.1 Discarding important information

Applying *Wordfish* as a method of content analysis requires that all analyzed documents are written in the same language. In the context of EC consultations, this means excluding from the analysis all written submissions made in languages other than English. Since many groups chose to exercise their legal right to make submissions in their native language this method excludes potentially relevant observations about individual interest groups. Obviously, this suggests a biased approximation of the number of relevant data points included in the subsequent empirical analyses investigating determinants of lobbying behaviour and lobbying success within a certain community of stakeholders, and a serious limitation of the certainty with which causal inferences can be made. This also raises serious concerns about the validity of *Wordfish* policy position estimates, given the fact that these estimates are calculated upon (and therefore sensitive to) the total number of interest groups' submissions introduced in the analysis. A question remains about how the *Wordfish* estimates would be different, had documents submitted in other languages been included in the analysis as well and how biased these estimates are by the exclusion of some written submissions. Furthermore, this aspect related to the number of analyzed interest groups is particularly relevant when considering one of the main arguments made in favour of applying *Wordfish*: its ability to facilitate large n analyses by providing information on a large number of consultations and interest groups, across different policy areas (Klüver, 2009). Yet, in practice, the method seems to systematically reduce the actual number of observations due to its linguistic regime.

In addition, this linguistic requirement implies that for example German interest groups submitting position documents in German are not included in the analysis, despite the fact that the scholarship indicates these groups as one of the key players in

the design of European policies, due to their structural power and embeddedness into one of Europe's largest economies (Hix, 2005: 230). In addition, German interest groups are also among the most numerous and active ones involved in the EU policymaking (Wessels, 2004: 205).

In this thesis, three of the five analyzed consultations include written submissions made in languages other than English. Had the research decided to employ *Wordfish* to extract interest groups' policy positions, the research would have excluded an important amount of information. For example, the use of *Wordfish* would have implied the loss of information about as much as 55% of the interest groups lobbying on the reduction of CO₂ emissions. In this latter case, the present thesis identified 45 interest groups submitting individual or collective position documents, whereas the *Wordfish* based study of this consultation was able to examine only 25 interest groups (Klüver, 2009: 540). The size of the interest groups' population is considered to be one fundamental methodological issue in the interest groups' research (Gray and Lowery, 1996; Berkhout and Lowery, 2011, 2010; Wonka et al., 2010). However, the study of EC open consultations provides an opportunity to overcome this issue by directly observing the population of interest groups based on their formal submissions. To ignore a relevant number of submissions because they are not in English is to miss such an opportunity.

1.2.1.2 Deleting relevant and informative text from the analyzed documents

A second problematic aspect related to the use of *Wordfish* is the requirement to remove from the analyzed texts any information conveyed with the help of numbers and figures, as required by its computational algorithm which takes into account only words as units of analysis. While this seems justifiable when analyzing party manifestos and

political speeches, which are by their very nature ideological texts, the exclusion of such information from policy documents is more problematic due mainly to their intrinsic technical nature for which numbers and figures represent an essential aspect. Both EU scholars and practitioners agree on the technical nature of European policymaking and legislative acts (Hix, 2005), in the case of which a significant amount of relevant information is usually transmitted with the help of technical data, numbers and figures. Therefore, the omission of numerical information implied by *Wordfish* is expected to lead to seriously over-simplified estimations of interest groups' policy positions, extracted based on incomplete information. On some issues, a preference is transmitted almost entirely with the help of numbers, in which case the quantitative text analysis proves inadequate. One relevant example in this respect is the issue of how to reach the target of 120g/km for the reduction of CO₂ emissions for passenger cars. Different interest groups' preferences were articulated on this issue: (1) lowering the target to only 233g/km, (2) a 135g/km reduction resulting from motor technological improvements plus a further 15g/km reduction coming from other technological improvements and fuel efficiency measures, (3) a reduction of 130g/km resulting from motor technological improvements plus a further 10g/km reduction from other technological improvements and fuel efficiency measures.

Another potential source of error in estimating policy positions is the *Wordfish* assumption that all position documents are equally informative in revealing groups' positions. However, in practice this is not always the case since sometimes interest organisations submit documents in which they do not express specific preferences or demands, but instead make some general points related to a policy domain. This is for example the case of seven interest organisations and their submissions to the consultation on CO₂ emissions of passenger cars (i.e ADTS, AVELE, AVERE,

ETRMA, IEA, Micheline, Shecco)¹¹. *Wordfish* indicates three of them to have the most pro-environmental stances (ADTS, AVELE, AVERE), while one of them (ETRMA), has almost the same policy position identified for the European Commission after the consultation (see figure 2, Klüver, 2009: page 543). In fact none of these groups articulated any policy preferences. Therefore, Klüver's estimates of these groups' positions based on the application of *Wordfish* are artifacts of the manner in which the method has been applied; there is no evidence whatsoever that these estimates bear any resemblance at all to these groups' policy preferences.

1.2.1.3 Policy dimensions of consultation events

The third and probably most problematic aspect regarding *Wordfish* is its inbuilt assumption of a uni-dimensional policy space. Like most other quantitative text analysis techniques, *Wordfish* assumes that the analyzed texts provide information on some "predefined policy dimensions" (Laver et al., 2003: 312; Slapin and Proksh, 2008: 711). Therefore, the use of *Wordfish* for the study of interest groups' policy preferences requires first a solid *a priori* knowledge of the policy dimension on which the consultation takes place and inevitably requires the collapsing of the discrete policy issues into one dimension corresponding to what the researcher believes to be the underlying policy dimension.

Such an approach to the study of EC open consultations is however unsatisfactory for several reasons. First, an attentive reading of both the Commission's open consultation calls and of interest groups' written submissions reveals that the

¹¹ADTS – Asociacio per la Divulgacio de les Tecnologies Sostenibles; AVELE - The Spanish Association for the promotion of Electric non-contaminated vehicles; AVERE - the European Association for attery, hybrid and fuel cell electric vehicles; ETRMA - the European Tyre and Rubber Manufacturers' Association; IEA –International Energy Agency.

drafting of EC policy proposals revolves around several, substantially different (although of course interrelated to a certain extent) discrete policy issues that can be clustered into different dimensions of one legislative proposal. As already mentioned at the beginning of this chapter, by policy issue the research refers here to those policy aspects on which the European Commission asks for stakeholders' policy input. In most decision-making processes "issues are difficult to identify" and "issues may be aggregated into different ways" (Baumgartner and Leech, 1998: 39-41). However, the present thesis argues that when studying EU policymaking, issues are relatively easy and straightforward to identify based on the usually very detailed official documentation accompanying all policymaking events. Table 1.1 shows that the present research identified a number of issues per consultation event that ranges from 6 to 51. In addition, previous research identified between 14 and 24 issues per policy proposals: König and Pöter (2001) indicate that "[t]he proposal on Free Movement consists of 22 issues, Subcontracting of 14 issues, Pregnant Women of 18 issues and Working Time of 24 issues" (König and Pöter, 2001: 340).

Reducing consultation events to one policy issue does not seem to be an appropriate approximation of the practical realities of the EU policymaking process. In their policy practice, policymakers devise detailed consultation calls in which they formulate specific questions addressed to stakeholders, asking for policy input. Their consultation reports usually provide a broad review of stakeholders' answers and policy input, while making reference to each of the issues raised as part of the consultation. This in turn is an indication that EC policymakers treat each issue in the consultation individually and do not collapse them into one policy dimension.

A third reason to seriously question the decision of collapsing consultation issues into one is found in the literature explaining legislative decision-making in the

Council. Focusing on the last stages of EU policymaking, one of the most recent analyses shows that even at the decision-making stage some legislative proposals are characterized by several issues on which political actors adopt different policy positions. For example, the most recent analysis of EU decision-making indicates that on eight environmental legislative proposals experts identified as many as 28 controversial issues (Thomson, 2011: 31). It is therefore reasonable to expect that, if during the decision-making stage legislative proposals are characterized by controversy around several issues, then during the formulation stage this should be the case even more so. During the formulation stage the scope of the legislative initiative is still to be decided and the policymaking process is assumed to be more dynamic and subject to change.

Last but not least, the justification provided in the literature to reduce consultation events to one policy dimension is found to be simplistic and unsatisfactory: “[s]ince all documents discuss only the Commission initiative for reducing CO₂ emissions from cars, one can assume uni-dimensionality and, thus, the complete texts were used for the analysis” (Klüver, 2009: 541). This justification contradicts what the creators of *Wordfish* advise, since the definition of the policy dimension seems to be made following the reading of position documents and not *a priori* as recommended by them: “first define the dimensions *ex ante* and, second, use only documents that contain information relevant to that dimension. Defining the dimension includes being transparent about what information is being used.” (Slapin and Proksh, 2008: 712).

1.2.1.4 Substantive interpretation of policy position scores and estimated policy influence

Finally, a fourth problematic aspect raised in relation to *Wordfish* concerns the substantive meaning of the scores assigned to describe policy positions and subsequently to estimate policy influence. There are three relevant arguments in this respect.

First, the substantive meaning of the *Wordfish* scores is unclear. The current yet oversimplified interpretation of these scores is that they indicate a pro or against stance in relation to an underlying policy dimension (Klüver, 2009: 543). However, this interpretation appears to be problematic when examining in detail the substantive content of interest groups' policy documents for the CO₂ emissions case. As already mentioned, the *Wordfish* analysis indicates that AVERE, AVELE and ADTS organisations took the most pro-environment stance, when in fact their position documents did not express any specific (substantive) policy preferences on any of the issues raised in the consultation. Similarly, for the same consultation, *Wordfish* indicates that the *Association of German Car Manufacturers* (VDA) took the most anti-environmental policy stance, which is found to be inaccurate based on a qualitative assessment of their position document. While VDA indeed asked for lower environmental protection standards, this organisation was most certainly not the *avant-garde* of anti-environmentalists. VDA expressed only three preferences that could be labelled as "anti-environmental", while *General Motors* and ACEA (the *European Automobile Manufacturers Association*) articulated a total of six and respectively five preferences for lower environmental standards. It's worth noting here that the *Wordfish* analysis excludes General Motors altogether from its analysis without any specification of why taking such a decision.

These examples illustrate the pitfalls of applying *Wordfish* to policy documents and make two critical points for the present evaluation of this. First, they provide empirical evidence for raising serious concerns about the validity of the *Wordfish* estimates and indicate the potential effect the omission of policy position documents can have on the accuracy of these estimates.

Second, *Wordfish* suggests a measurement of preference attainment (or policy influence) that is overly aggregate and does not allow for a clear specification of which preferences have been achieved. For example, in the consultation on the reduction of CO₂ emissions, the *Wordfish* estimation of influence indicates that: “[t]he Commission moved from 0.50 to a policy position of 0.93 towards the Traditional Automobile Industry at the ‘anti environmental control’ end of the policy scale” (Klüver, 2009: 542). The change in the Commission’s score is interpreted as an observation of the influence exerted by interest groups representing car manufacturers although this does not clearly indicate what specific preferences and/or how many preferences of interest groups representing the car industry have been translated into policy outcomes. This measurement is therefore not particularly informative from the point of view of studying preference attainment. The above mentioned statement leaves the reader wondering about the substantive meaning of this change in the policy score assigned to the European Commission and about which preference(s) have been achieved.

Third, the evidence provided in the literature concerning the reliability of the *Wordfish* estimates is unconvincing. The only reliability test performed against human coding is provided by Klüver (2009). The hand-coding scheme against which Klüver tests the *Wordfish* estimates is highly problematic. She suggests a hand-coding scheme built on the Comparative Manifesto Project, which provides some rather questionable policy scores. First, her hand-coding scheme identifies 20 overall categories of items in

relation to which interest groups participating in the consultation on CO₂ emissions of passenger cars made policy statements. Second, the test presupposes that the texts of the position documents are cut into sentences that are then assigned to the above categories, while making a qualitative judgement on whether the sentence makes a negative or a positive reference about the considered category. Finally, the test finds a high level of correlation between the hand-coding and the *Wordfish* estimates, indicative of the fact that *Wordfish* performs well in terms of estimating interest groups' policy positions.

However, this reliability test is problematic on several grounds, and so the question of the reliability of the *Wordfish* estimates remains open. First, no justification is provided on how the 20 categories of items have been identified and why "natural sentences" are the most appropriate unit of analysis for interest groups' position documents. When coding these documents, the present thesis found for example that interest groups usually articulate their preferences using full text paragraphs or document subsections, and therefore natural sentences might not be the most appropriate unit of analysis for examining their content. Second, the policy scores seem to be aggregated in an arbitrary manner by subtracting the percentage of pro-environmental sentences from the percentage of anti-environmental ones, without any further justification of why this is an appropriate approach (Klüver, 2009: 540).

In addition, the second reliability test performed by Klüver by comparing the *Wordfish* and *Wordscores* estimates is equally problematic. This is mainly because the application of *Wordscores* to the analysis of interest groups' documents is sensitive to the length of the analyzed policy documents. This required methodological adjustments, some of which are rather difficult to justify. An example in this respect is the decision to collapse several (shorter) policy position documents into one single document

matching the length of the other analyzed texts (Klüver, 2009: 544). The justification provided for doing this is the following:

“However, the most ‘pro’ environmental control document, from ADTS (Asociación per la Divulgació de les Tecnologies Sostenibles), comprises only 403 words. Since reference texts should contain as many words as possible (Laver et al., 2003: 315), I collapsed the four most ‘pro’ documents – from ADTS, AVELE (Asociación para la promoción de vehículos eléctricos y no contaminantes de España), AVERE (Association européenne des véhicules électriques) and ENGVA (European Natural Gas Vehicles Association) – into a single document (6208 words) and assigned the mean of their *Wordfish* estimates weighted by the number of words of each text as its reference value. The most ‘anti’ environmental control text, by VDA (Verband der Automobilindustrie), comprises 7227 words.”

Such arbitrary decisions can lead to biased estimates of actors’ policy positions and suggests that *Wordscores* itself might not provide the best policy estimates. This raises further questions about the reliability test used to validate the *Wordfish* scores.

In addition the above quotation indicates that *Wordfish* places ADTS, AVELE and AVERE organisations at the pro-environmental extreme of the policy spectrum. However, my content analysis revealed that in their position documents, these organisations did not express any specific preferences with respect to any of the policy issues raised in the consultation. Therefore, it is difficult to understand how these organisations are found to have the most pro-environmental policy positions when in fact they did not make any relevant policy statements.

To conclude, the use of *Wordfish* as an analytical tool for the study of interest groups’ participation in the European Commissions’ open consultations is found to be problematic on several grounds, ranging from the omission of observations and relevant and informative text, to the validity and reliability of its policy position and preference attainment estimates. For these reasons, the present thesis pursued a different research strategy aimed to analyze the content of policy position documents and to estimate interest groups’ levels of preference attainment.

1.3 Data and measurement

The empirical analyses presented in the present thesis are based on an original dataset compiled for the purpose of this study. This dataset provides information about various aspects of EC open consultations such as issue characteristics, preference level characteristics, and interest groups' structural and organisational characteristics. The information on which this dataset was compiled comes from a variety of data sources, as detailed below. The summary statistics for both dependent and explanatory variables are presented in Table 1.2 below. The variables describing the inter-organisational environment established around open consultations are constructed with the help of a classic social network analysis software (UCINET) and are detailed in chapter five of the present thesis. The section below details only the empirical strategy pursued by the present thesis in order to identify inter-organisational ties.

Table 1.2: Descriptive statistics of dependent and independent variables

Variable name	Min	Mean	Median	Max	SD
Preference attainment	0	0.54	1	1	
Articulation of preferences	0	0.48	0	1	
Saliency of issue	0.08	0.61	0.53	1	0.25
Polarization of preferences	0	221	67.94	1640	387.5
Median	0	0.71	1	1	
Regulation	0	1.23	2	2	
Lobbying support	0.01	0.62	0.68	1	0.27
Organisational ties	0	8.24	2.45	47.22	12.08
Brussels office	0	0.28	0	1	
Organisational age	0	35.6	26	185	
EC funding	0	0.01	0	1	
Mixed membership	0	0.38	0	1	
Country of origin (New vs. Old MS)	0	0.94	1	1	
Main business	0	0.33	0	1	
Secondary business	0	0.23	0	1	
Environmental NGOs	0	0.12	0	1	
National authorities	0	0.05	0	1	
Local authorities	0	0.18	0	1	
Other	0	0.08	0	1	
European association	0	0.15	0	1	
National associations	0	0.15	0	1	
Individual organizations	0	0.68	0	1	
Other organizational form	0	0.018	0	1	
Other fora	0	0.17	0	1	

1.3.1 Dependent variables

Three explanatory analyses are conducted as part of the present thesis, each explaining a different aspect of EU lobbying and explaining therefore three different dependent variables. The unit of analysis in two explanatory analyses (chapter three and six) is interest group – policy issue dyad, whereas the analysis in chapter four has as unit of analysis interest groups dyads. The following three dependent variables are used in these analyses.

Chapter three examines the conditions under which interest groups articulate preferences in the context of open consultations. The dependent variable is *preference articulation* and is expressed as a dichotomous variable indicating for each dyad whether or not the interest group expressed a preference on the considered issue.

Chapter six examines determinants of interest groups' policy influence and uses as a dependent variable *preference attainment*. This is expressed as a dichotomous variable indicating for each interest group-issue dyad whether or not the policy preference corresponding to it was translated into a policy outcome. The policy outcomes were identified based on the text of the Commission's policy proposal adopted following the consultations. The research identified the policy alternative chosen by the Commission as a policy measure. To identify which preferences were translated into outcomes, the research looked at the correspondence between an interest group's preference and the outcome formulated in the text of the proposal. The research identified policy outcomes for 79 of the 107 policy issues. The 28 issues for which outcomes were not identified are issues on which the Commission was asking for stakeholders' supplementary feedback to clarify different aspects of the considered policy event and did not aim to adopt a policy measure. These issues were part of the MRV consultation (25 issues) and waste management one (3 issues).

Chapter four conducts an empirical investigation of the lobbying coalitions articulated during open consultations. One of the empirical analyses conducted in this chapter examines the relationship between sharing an inter-organisational tie and the probability of articulating a similar preference. The dependent variable is dichotomous indicating whether on one issue the two interest groups in the dyad articulated the same preference or not.

1.3.2 Explanatory variables

The independent variables used for the explanatory analyses conducted in the present thesis are clustered into three categories: policy issue characteristics, preference characteristics and interest groups' characteristics.

1.3.2.1 Issue characteristics

The *salience of a policy issue* for the interest groups' (stakeholders) participating in the policy formulation event is operationalized as a continuous variable measuring the share of interest groups expressing a preference on one policy issue, from the total number of interest groups participating in the public consultation. This variable is constructed based on the coding of interest groups' position documents and their policy preferences.

1.3.2.2 Preference characteristics

For measuring the *polarization of preferences*, this study uses the measure proposed by Esteban and Ray (1994) and follows Thomson (2011) in its application to the study of EU decision-making. This measure takes the highest value when two large groups of organisations express preferences placed at the endpoints of the policy scale. The measure requires for policy preferences to be measured at the interval scale, for which reason I recoded ordinal preferences to a continuous scale where the minimum preference is recoded to 0 and the maximum preference is recoded to 100. All other preferences are placed on this scale within equal distances from each other and the two extreme positions. This measure is summarized by the formula:

$$Polarization(\pi, preferences) = K \sum_{i=1}^n \sum_{j=1}^n \pi_i^{1+\alpha} \pi_j |preference_i - preference_j|$$

Where, π_i and π_j indicate the share of interest groups expressing the same preference as groups i and j ; $preference_i$ and $preference_j$ are preferences of groups i and j on the continuous scale; K is a multiplicative constant, set to value 1, while α captures how sensitive the polarization measure is and is also set to 1 (both following Thomson, 2011: 265-266). This measure better captures the concept of polarization than simpler and widely used measures such as the standard deviation of the policy positions.

A second variable indicating preference level characteristics is the “*Median preference*” variable. This variable is dichotomous indicating whether or not a group’s expressed policy preference is median relative to the preferences expressed by other groups. This variable is constructed based on the aggregate distribution of interest groups’ preferences coded based on their written submissions.

The *Regulation* variable is ordinal, indicating whether a group’s preference is for “no regulation”, “regulation under certain conditions only”, or “more regulation”. This variable takes values only for the regulatory issues in the dataset (46 issues). Its construction was done in two steps. First, a qualitative judgement was made in distinguishing between regulatory and technical policy issues based on the following criterion: whether the issue was suggesting extending the scope of EU regulation to new aspects or proposing altogether new regulatory regimes (e.g: including commercial vans in the scope of the regulation on CO₂ emissions). Otherwise the issue was coded as technical. Second, an inductive approach was used to construct the policy scale. Although referring to different substantive policy aspects, on all regulatory issues the preferences of interest groups could be clustered in three main categories: “preference

for no regulation”, “accepting further regulation but only under certain conditions” and “yes, to more/further regulation, without any conditions”. While the pro/anti-regulation dimension is inherent in the nature of these issues and therefore assumed a priori, the scale indicating the preferences was constructed ex post, following the attentive identification of interest groups' preferences and the identification of a common denominator around which they could be clustered.

Finally, the *Lobbying support* variable expresses the share of interest groups articulating the same preference as the considered interest group on one policy issue, from the total number of groups taking a position on the issue.

1.3.2.3 Organisational resources

The *Brussels office* variable is dichotomous and indicates whether at the time when the public consultation took place, the organisation had an office based in Brussels. This information was collected based on a thorough examination of interest groups' official websites and email inquiries addressed to organisations regarding this aspect. The information was then double checked against one of the latest datasets providing detailed organisational information about the community of interest groups active in Brussels (see Wonka *et al.*, 2010).

The *Organisational age* variable measures the experience an interest organisation had accumulated in a particular sector at the time of the consultation (following Furlong, 2005). It is constructed by first identifying for each considered interest organisation its foundation year and then subtracting this from the year when the consultation event was organized. The variable is continuous and used as a control in the explanatory analyses. This information was collected based on interest groups' policy position documents, official websites, direct email inquiries and by consulting

the European Agenda booklets providing organisational information and contact details about different interest organisations actively involved in the European public affairs in Brussels.¹²

The *EC funding* variable is constructed as a dichotomous variable indicating whether for the year of the consultation the interest group received funding from the European Commission. These data were available on the website of the European Commission for the time period of 2003-2009. The data were cross checked with the Mahoney and Beckstrand's dataset (2011) providing similar information on EU interest groups receiving funds on behalf of the Commission. This variable was also used as a control in the models explaining preference articulation and preference attainment.

The *Organisational ties* variable is used in the explanatory analyses presented in chapters two and three and captures an interest group's structural embeddedness in the policy community of stakeholders participating in the consultations. This variable was constructed with the help of UCINET software designed for social network analysis and expresses the share of ties a group has from the total possible number of ties it could have based on the size of the matrix. Formal membership ties between the considered interest groups were recorded in a matrix format as undirected, symmetric ties and then a standardized *Degree centrality* measure was computed for each interest group for each policymaking event. This measure was then imported in the dataset containing information about interest groups' policy preferences and organisational features and used in the multi-level statistical analysis. Taking a standardized centrality measure, sensitive to the size of the network, allows for the use of these scores for cross unit analysis (Hanneman and Riddle, 2005).

¹² These booklets are made available in a pdf. format at: <http://www.europeanagenda.eu/booklet/>.

For the purpose of the present research, a group's participation in the public consultation event was the criterion used for drawing the boundaries of the policy community. The study identified formal ties existing between interest groups at the time when the consultation took place. In order to identify these ties, the following research strategy was pursued: first, a criterion for establishing what counts as a tie was established. Formal membership within the same European or national umbrella association was the criterion for individual interest groups. In other words, if two groups were full or associate members of a national or European level association, the research identified a formal tie between them. Whether the national or umbrella association is part of the consultation community is not important at this stage, the essential thing being for both of the considered groups to have the quality of full or associate member of a more encompassing structure which created the premises for a constant communication flow, an easy to reach communication forum, and formal and informal contacts on a permanent basis. A similar logic applies to national level associations' membership in European level associations. Obviously, for those national or European level associations whose formal members are also participants in the event, a tie is recorded for this organisation with each of its formal members. Information on membership was estimated for each event for the year when the consultation was conducted and data was collected based on a thorough analysis of interest groups' websites, yearly activity reports and direct email inquiries aimed to confirm the information taken from these sources or to provide information that was not available otherwise. In addition, the research recorded a tie between interest groups that submitted an identical policy position document or signed the same policy position document. The assumption behind this coding decision is that an identical or a common

written submission is a reliable indicator of a cooperation link between the considered interest organisations.

This research strategy and the criterion chosen for deciding on what counts as a tie has the important advantage of capturing formal, “coordinated, public linkages” between actors (Box-Steffensmeier and Christenson, 2010). This estimation technique suffers however from the obvious neglect of informal communication or cooperation ties that most probably characterized interest groups interactions at the time of the event as well as potential cooperation links between “strange bedfellows” or organisations representing different types of interests. This leads to an underestimation of the number of ties a group has. The alternative research strategy would have been to survey interest groups with respect to the organisational ties they had during the time period when the consultation took place. But the results would have been most probably even less satisfactory, being affected by informant bias due to the distance in time of the considered events, staff turnover in interest organisations and low response rates which are usually symptomatic for interest groups research using survey data. As such, I believe the trade off made by the present research strategy is reasonable and gives a better estimate of inter-organisational linkages than the available alternatives.

Based on this data, a set of network measures describing the policy community of stakeholders at the aggregate level in terms of inter-organisational linkages, as well as several ego network measures are computed, presented and discussed in chapter five of the present thesis. All measures are computed based on social network analysis techniques and their presentation and interpretation flow more coherently when presented in one chapter only.

1.3.2.4 Organisational structural characteristics

Several structural characteristics describing interest organisations were of interest for the purpose of the present doctoral research.

The *Advocate/Interest type* variable is categorical and identifies for each interest group in the dataset the type of interest represented. Based on an attentive examination of interest groups' position documents and official websites, six main categories of advocate types were identified:

(1) "Main business" - refers to those business groups whose activities were directly affected by the policy measures decided upon (e.g car manufacturers in the consultation on CO₂ emissions for passenger cars or European airlines in the consultations on the aviation activities and ETS);

(2) "Secondary business" - indicates those business interests that were not directly affected by the measures (e.g the European Association of Aluminium in the same consultation on CO₂ emissions for passenger cars);

(3) "Environmental NGOs"

(4) "Local authorities"

(5) "National authorities"

(6) "Other" (e.g professional organisations or consumers' NGOs).

Similarly, the *Organisational form* variable is categorical and indicates for each group whether its organizational form corresponds to one of the following:

(1) "European umbrella organization"

(2) "National umbrella organization"

(3) "Individual interest group"

(4) "Other"- indicating those cases where a clear identification of the interest group's organization form was not possible.

Interest groups' policy position documents and official websites were consulted to extract this information for each considered interest organisation in the dataset.

To capture the intra-organisational environment of European peak associations a dichotomous variable was constructed to indicate whether their membership consists of both national associations and individual firms or organisations. This builds upon the existing literature suggesting that those European associations having a mixed membership face serious challenges in the articulation of their policy preferences (Michalowitz, 2004; Beyers, 2008). The information for constructing this variable was gathered from interest groups' official websites and yearly reports.

In addition, a dichotomous variable was constructed to indicate for national and individual interest groups whether their country of origin was a new or an old member state. This variable does not take values for European peak associations for obvious reasons. The distribution of this variable shows a much more prominent representation of interest groups coming from old Member States: around 94% of national and individual interest organisations participating in the selected consultations come from old Member States.

Finally, a dichotomous variable was constructed to indicate for each interest group whether it had participated in other consultative fora (such as expert committees, working groups, public hearings, etc.) organized by the European Commission for the purpose of elaborating the selected proposals, in addition to public consultations. This is used as a control variable in two of the statistical analyses performed and is labeled as *Other fora* in Table 1.2 above. The information was taken from the European Commission's website documenting the formulation process of selected proposals. However, data was available for only three of the selected events, namely the consultations on CO₂ emissions, MRV and that on the waste framework directive.

1.4 Interviews with European Commission's officials and interest groups' representatives

A set of eight semi-structured, exploratory interviews were conducted with EC officials and interest groups representatives in Brussels, in July 2011. Five interviews were held with policy officers from DG Climate, DG Environment and the General Secretariat. Policy officers were currently in charge with the dossiers on the reduction of CO₂ emissions for passenger cars, the waste management revision and the WEEE revision, and the management of open consultations. The interview questions addressed to desk officers of DG Environment focused on the interactions between the Commission's services and the representatives of interest organisations during both formal consultations and informal policy meetings. Although the interviewees were not in charge of the selected dossiers at the time when the analyzed consultations took place, they were able to provide relevant information about different constituencies of stakeholders expressing an interest in the policy aspects targeted by the consultation. The interview with the representative of the General Secretariat focused on different consultation regimes employed across different DGs and the variety of consultation tools employed by the Commission services to get stakeholders' policy input.

Three interviews were hold with representatives of interest groups from Climate Action Network Europe (CAN Europe) and two European level associations, Eurometrec and Eurometaux. These interviews focused on gathering information about the manner in which these organisations construct their policy position documents, what is their internal organisational process through which they articulate demands on different policy issues and what is their strategy in terms of cooperation with other interest organisations when articulating their policy documents.

The aim of these interviews was to collect factual information about the policy practice related to open consultations and interest groups' inter-organisational practices with respect to these consultations. Throughout the thesis, several references are made to the content of these interviews and their substantive meaning for the purpose of the present research.

Chapter 2

Evaluating pluralism: interest groups' policy demands and lobbying success

Developing a participatory and inclusive policymaking process within the European Union has been a constant concern for the architects of European integration in the last 20 years (Kohler-Koch and Finke, 2007). Interest groups are widely perceived as channels through which societal interests express their policy preferences and as key actors in effective problem solving (Finke, 2007). Recent contributions to the study of the EU interest group system provide valuable insights into which interest groups are active in each policy area (Greenwood, 2007a; Geyer, 2001), about their capabilities and resources (Bouwen, 2002; Mahoney, 2007), lobbying strategies or access to different institutional or "influence venues" (Broscheid and Coen, 2007; Bouwen and McCown, 2007; Mazey and Richardson, 2006). However, a systematic, quantitative analysis of the policy space described by interest groups' discrete policy preferences and, most importantly, lobbying success is currently rather an exception in the literature. Currently, the literature lacks an evaluation of the EU interest intermediation system based on a detailed analysis of interest groups' formally articulated demands on a set of well-defined, discrete policy issues characterizing different policymaking events in one or more policy domains.

The present chapter addresses this issue by asking the following two inter-related research questions: *how is the EU interest group system structured in terms of the aggregate distribution of groups' formally articulated policy preferences and their levels of preference attainment? And, when examined from this perspective, to what*

extent should we adjust the commonly held view that the EU is a pluralist system in terms of interest representation and intermediation?

Evaluating the EU interest group system by focusing on the level of policy issues and by systematically examining interest groups' policy preferences is relevant for at least two reasons. First, mapping preferences is essential for understanding the aggregate constellation of demands formally articulated at EU level by interest organizations as alternative channels of representation within non-elected yet powerful EU bodies such as the European Commission (Greenwood, 2007a; Saurugger, 2008). The aggregate distribution of interest groups' preferences sets the limits within which policymakers take decisions that are politically legitimate and practically feasible (Skodvin et al., 2010, Yackee, 2005), and provides invaluable insights into the patterns of policy conflict (Browne, 1990) and interest groups' competition (Nownes, 2000; Holyoke, 2009). A detailed examination of these preferences thus provides a more refined tool for examining the EU policymaking process in terms of democratic legitimacy and policy input provided by stakeholders.

Second, estimating interest groups' formally articulated preferences is an essential prerequisite for a reliable measurement of their policy influence. This aspect has been identified as one of the most important challenges of the literature on interest groups in general (Baumgartner and Leech, 1998) and that of EU interest groups in particular (Mahoney, 2007; Dür, 2008b). If policy influence or lobbying success is conceptualized as "preference attainment" (Dür, 2008b; Beyers et al., 2008; Leech et al. 2007, Mahoney, 2007), then a detailed estimation of interest groups' preferences is a prerequisite for any analysis focusing on estimating policy influence. An accurate identification of the winners and losers of the policymaking is of paramount importance for identifying patterns of potential bias of the decision-making process and

consequently of the interest group system in favour of some particular interests. As Beyers et al. (2008) rightly argue, “[t]he bias question is one of the most enduring and important in interest groups research. It has major normative implications for the characterisation of European/EU democracy, political legitimacy and European politics generally” (Beyers et al., 2008: 1117).

In its methodological approach, this chapter builds upon two well-established traditions in the literature on US interest groups. First, following Laumann and Knoke (1987), the chapter proposes an examination of the interest intermediation system at policy domain level, by examining several open consultations in the EU environmental area. Second, in line with Browne (1990) and Salisbury et al. (1987), the chapter proposes an evaluation of the plurality of the EU interest intermediation system by using issue level data. As such, the chapter conducts an empirical investigation of groups’ policy preferences and proposes three new indexes for evaluating the level of pluralism characterizing the EU interest groups system. Two indexes measure the plurality of policy alternatives articulated by interest groups on individual policy issues, while the third is an index of groups’ preference attainment across a set of issues characterizing the analyzed policymaking events.

In constructing its theoretical argument, the chapter builds on both American and European literature on systems of interest intermediation, identifies two theoretical views of pluralism in the EU interest groups system and derives a set of observable implications that are tested against the empirics. The chapter argues that when examined from the perspective of the three proposed dimensions, at least in the environmental policy area, the EU interest intermediation system does not fit a *classic pluralist* approach, but it is best described by what the present chapter identifies as a *constrained pluralist* view. The chapter identifies on average rather moderate levels of

diversity of preferences articulated on issues, low to moderate levels of heterogeneity of policy preferences within interest type and a pattern of significantly higher levels of preference attainment on behalf of organisations representing business interests.

The analysis presented in this chapter makes a contribution to the literature on EU interest group research in two ways. In theoretical terms, the analysis addresses one important debate in the literature regarding the most appropriate label for the EU interest intermediation system (see Coen and Richardson, 2009: 337-350). The chapter provides in this respect one of the first detailed empirical investigations of the EU interest group system based on interest groups' policy preferences, based on which different theoretical labels proposed for describing this system can be tested. Second, the chapter proposes an original approach to the measurement of plurality of voices characterizing the EU interest intermediation system by computing two innovative indexes aimed at capturing the heterogeneity of policy demands articulated by interest groups, while suggesting a measure of lobbying success conceptualized as preference attainment. In addition to this innovative approach, the chapter also describes the interest groups system in line with the traditional view by looking at the advocate type and organisational form of organisations participating in the EC open consultations.

The chapter is structured as it follows. Section one provides an overview of existing approaches to the examination of EU interest group system and explains how a more refined dimension, focusing on discrete policy issues and the empirical investigation of interest groups' preferences, adds new and relevant information for the understanding of the system. This is followed by a discussion of the theoretical considerations based on which the diversity and preference attainment indexes are computed to capture the plurality of the interest intermediation system. Section three presents an aggregate description of the computed indexes and discusses them in the

light of the existing pluralist accounts of the EU interest group system. This part also presents an aggregate description of patterns of interest groups participation in the analyzed environmental consultations. Section four presents the concluding remarks.

2.1 Existing approaches to the study of the EU interest group system

The existing literature describes the EU interest group system based on two main research agendas. The first one focuses on the interest group population active at EU level (Berkhout and Lowery, 2010; Wonka et al., 2010; Hix, 2005; Greenwood, 2007a). This approach focuses on the number of groups active in the EU policymaking arena, on their advocate type and organisational form. According to this approach, the more numerous and diverse the interest groups participating in the EU decision-making events are, the closer the system is to a classic pluralist model of interest intermediation. At the end of the 1990s, Aspinwall and Greenwood (1998) described the EU interest intermediation system as being characterized by a disproportionately stronger presence and lobby mobilization of business groups. However, most of the current contributions focusing on this dimension describe the EU system as pluralist based on the fact that in general most of the existing societal, regional and national interests are represented by interest organizations at EU level (Eising, 2008).

The second approach focuses on the actual access of interest groups to the EU institutions and policy process (Mazey and Richardson, 2006; Coen, 1997, 1998; Bouwen, 2002; Eising, 2007; Woll, 2006). The logic behind this is to examine which interest groups get actual access to the decision-making processes at EU level, based on the assumption that only those organizations having access to different decision-making points can effectively channel and voice the interests they represent, becoming thus

potentially consequential over policy outcomes. Most of these contributions emphasize the “elite pluralist” nature of the EU governance system, suggesting that, in general, in terms of access to lobbying venues and key decision-making points there is a bias towards EU umbrella organizations and lobby groups representing big business (Hix, 2005; Beyers, 2004; Coen, 1998). Hix even speaks of a “primitive pluralism” characterizing the EU intermediation system, “in which there is little countervailing power to block manipulation of the political process by the owners of capital” (Hix, 2005: 231).

Based on these two approaches, the EU interest group system has been labelled as “pluralist” (Streeck and Schmitter 1991), “elite pluralist” (Eising, 2007, Coen, 1998) “semi-pluralist” (see also Eising, 2008: 7), while Coen and Richardson (2009) prefer the term “chameleon pluralism” to capture the variation in the plurality levels characterizing the EU interest intermediation system.

The existing contributions provide essential insights, but examining an interest intermediation system based only on the two above mentioned dimensions (i.e presence in and access to the policymaking process or decision-makers) presents a series of limitations. First, both dimensions provide an incomplete description of the interest group system because the information on the number and type of interest groups active at EU level does not provide any substantial insights into groups’ actual lobbying activities, policy influence attempts or policy preferences across a series of policy issues, decision-making events and policy areas. Similar approaches to the study of US interest group and its bias representation levels, focusing on counts of interest groups, have been rightly criticized for not accurately capturing the more complex dynamics which characterize the evolution of an interest intermediation system (Lowery and Gray, 2004: 20-21). Second, examining the existence of a possible systemic bias in

favour of some interests should not be based exclusively on their observed or reported access to decision-making venues but rather on a systematic and more empirical analysis of patterns of interest groups' policy preference attainment (Lowery and Gray, 2004). Third, the existing dimensions do not capture the specific policymaking context in which interest groups develop their lobbying activities and say little about the formal interactions between decision-makers and interest groups or between interest groups themselves. The existing literature on EU interest groups keeps silent over issues such as the level of contentiousness over policy alternatives and the diversity of competing policy demands to which decision makers are exposed to. As suggested in the classic literature on American interest groups (Salisbury et al., 1987; Browne, 1990) these are all essential dimensions in analyzing the structuring of an interest group system.

However, the existing contributions have the merit of identifying two broad theoretical frameworks that are currently used to describe the EU interest group system: a *classic pluralist* approach describing a fully plural EU interest intermediation system, and a "*constrained*" *pluralist* approach, according to which the plurality of voices articulated in the system is rather limited. The present study builds upon these two approaches by proposing three alternative measures of the plurality in the system to investigate for which of the two frameworks there is more empirical support. The observable implications derived in relation to each framework are presented in section 2 below.

2.2 An alternative approach: policy issues, preferences and interest groups' preference attainment

The present research acknowledges the premises for a pluralist interest intermediation system at EU level and proposes a more systematic, empirical investigation of the pluralist accounts based on two dimensions. The first dimension looks at issue level characteristics and captures the *plurality of preferences* formally articulated by interest groups for different policy alternatives, across five environmental consultations. The second dimension captures levels of *achieved preferences* across different advocate types, with the aim of identifying any potential bias in terms of influence over policy outcomes in favour of some type of interests. More specifically, as already mentioned in the research design chapter, this thesis examines EU lobbying in the context of EC open consultations, and it is therefore interested in the degree to which interest organisations translate their demands into the text of the policy proposal adopted by the Commission.

The first dimension is built upon a well-established tradition in the American literature on interest groups for which the plurality of preferences articulated by private actors and their competition to get translated into policy outcomes has long been considered a key aspect in evaluating the structure of the interest group systems (Baumgartner *et al.*, 2009; McKay and Yackee, 2007; Golden, 1998; Browne, 1990; Salisbury *et al.*, 1987). The chapter argues that by examining in greater detail the discrete preferences expressed by interest organisations on a series of policy issues, one can perform a more accurate test of the pluralist accounts of the EU interest group system. The level of diverse, competing preferences formally articulated during the

policy formulation stage gives a reliable and more complex indication of the level of plurality of voices and policy input introduced in the EU policymaking system.

The second dimension proposed, capturing a measure of achieved preferences, allows a more subtle identification of any patterns which might characterize the interactions between interest groups and policymakers in terms of winning the policy influence game. This dimension allows a detailed observation of whether or not there is a bias within the policymaking process towards the demands expressed by particular types of interests (Baumgartner and Leech, 1998). The EU interest group literature speaks of a bias in the decision-making system that favours business interests (Coen, 2009, 1998; Chari and Kritzing, 2006; Hix, 2005; Beyers, 2004; Greenwood, 2007b; Kohler-Koch, 1997; Pollack, 1997). This argument requires however further empirical testing as the existing contributions suffer from several methodological challenges when explaining lobbying success. For example, existing contributions rely largely on the use of interviews with interest groups' representatives based on which a rather broad description of groups' policy preferences and lobbying success is derived (Mahoney, 2007; but see also Michalowitz, 2007). This research strategy commonly focuses on a restricted number of interest groups, is not able to capture the full universe of stakeholders involved in a policymaking event and is only able to gather information on a group's preferences and success on a restricted number of (main) policy issues. This approach does not usually account for interest groups' preferences on other relevant issues, thus oversimplifying the realities of lobbying within a policymaking event. As shown in the previous chapter, EU policymaking events are characterized by multidimensionality. The number of issues identified per consultation ranges from 6 to 51 across the five analyzed events. As such, an accurate and reliable analysis of interest groups' success to influence outcomes should take into account all demands expressed

on all issues characterizing an event with the maximum possible precision. In addition, self-reported or peer-reported levels of policy influence or lobbying success can potentially suffer from informant bias, which translates into distorted evaluations of interest representation and interest realization within the EU policymaking system.

The approach proposed by the present chapter aims to ameliorate these challenges and allows a more refined evaluation of the relative lobby success by proposing a measure that takes into account the universe of all issues, stakeholders and preferences identified for each policy event. Most importantly, the proposed measure of achieved preferences is sensitive to one of the most important challenges of measuring interest groups' policy influence: capturing the "amount of luck" (Barry, 1980b: 350) a group has in getting its preference reflected in the policy outcome. The study computes a preference attainment index which captures both the number of other interest groups supporting the same policy preference as well as the number of interest groups opposing it. The aim of this is to capture the degree to which "the responsibility" for realizing one's policy preference is shared among different actors lobbying for the same preference as well as the intensity of "counterveiling forces" (lobbying opposition) that a group faced in getting its preference translated into policy outcomes (Austen-Smith and Wright, 1994; Mahoney, 2007; Dür and de Bièvre, 2007; Klüver, 2011). The proposed measure captures preference attainment relative to the lobbying environment described by the aggregate distribution of preferences and participation of interest organisations and is in line with what Lowery and Gray indicate as a fundamental dimension of an interest group system: "[n]umbers of allies and enemies and how they are configured across an issue domain have a direct - albeit complex - bearing on the use of influence strategies and the fate of legislation" (Lower and Gray, 2004: 22).

One could argue that in order to make more substantial claims and explanatory inferences about groups' preference attainment at interest group level, the use of process tracing would be advisable. However, this is beyond the purpose of the present thesis which is interested in capturing the big picture of lobbying in a specific policymaking setting by providing an aggregate measure of preference attainment scores per advocate type in an attempt to examine whether or not some interests, on average, are doing better in terms of getting their preferences translated into policy outcomes than others. Also, as the research tries to capture the preferences expressed by all stakeholders, performing process tracing would be virtually impossible when the number of interest groups can be as high as 184, like in the case of the consultation discussing the introduction of aviation activities in the Emissions Trading Scheme.

To examine the level of plurality characterizing the EU interest intermediation system, the research develops three indexes. First, the *policy issue diversity index* captures the diversity (plurality) of preferences expressed on issues raised within one consultation. Second, the *interest type diversity index* expresses the diversity of preferences articulated by organisations representing the same interests across issues. And third, the *preference attainment index* measures levels of preference attainment for each category of interest groups across issues and cases. Each index is discussed in detail below.

2.2.1 Policy issue diversity index

This index measures the level of diversity of preferences expressed by different interest groups on the same policy issue. It is computed based on the identification of substantially different and competing preferences expressed by interest organisations. The value of the index for issue j is computed by (1) computing for each policy

preference the proportion of the interest groups that adopted the preference from the total number of groups expressing a preference on that issue and (2) by subtracting from 1 the sum of squared shares of these proportions. The index estimates the probability that on one issue any two randomly selected interest groups adopt two different policy preferences. The mathematical expression of the index is the following:

$$H_j = 1 - \sum_{i=1}^{n_j} p_{ij}^2$$

Where, heterogeneity of preferences on issue j (H_j): n_j – number of preferences expressed on issue j , p_{ij} – the share of interest groups expressing preference i on issue j .

The index takes a value of 0 when all interest groups articulate the same preference on the issue or when p_{ij} equals 1 and n_j equals 1. The index takes a value of 0.5 if only two preferences are expressed on one policy issue and the two are supported by an equal number of interest groups. A value of 0.75 corresponds to a situation where interest groups express four different policy preferences and each preference is supported by the same number of interest groups.

2.2.2 Interest type diversity index

This index captures the level of variation with respect to the preferences expressed by organisations representing the same type of interest (i.e. business, environment, consumers' rights, local government, etc.). The value of the index for issue j and interest type k is expressed by (1) computing for each policy preference the proportion of interest groups of type k that supported the preference from the overall number of groups of type k articulating a preference on that issue and (2) by subtracting from 1 the sum of squared shares of these proportions. This index indicates the probability that two randomly selected interest organisations representing the same

interest type express a different preference on the considered policy issue. As already mentioned, this aims to capture the degree to which the EU interest group system displays any patterns of disciplined and concentrated lobbying activities of organisations representing the same interests. The mathematical expression of the index is:

$$H_{jk} = 1 - \sum_{i=1}^{n_{jk}} p_{ijk}^2$$

Where, heterogeneity of preferences (of interest groups of type k) on issue j: n_{jk} – number of preferences taken on issue j by groups of type k, p_{ijk} – the share of interest groups of type k expressing preference i on issue j.

This index works in a similar way to the policy issue diversity index. The only difference between the two is that the interest type diversity index takes into account only interest groups of the same type when computing the diversity score.

2.2.3 Preference attainment index

This index expresses the degree to which an interest group's policy preferences are translated into outputs, weighted by the amount of support and opposition the group faced from the other interest groups participating in the consultation event. This measure is computed by assigning first a score of 0 or 1 to each interest group to identify the convergence (or lack thereof) between the group's preference and the policy outcome for each issue on which the group expressed a preference. This is weighted by an index expressing the strength of opposition the interest group had to face in terms of its expressed policy preference. This weight captures the number of interest groups adopting a different and hence competing policy preference to the one

expressed by the considered interest group. This index has the following mathematical expression:

$$A_i = \sum_{j=1}^{n_j} p_{ij} O_j$$

Where, the preference attainment for interest group i : p_{ij} – preference attainment of interest group i on issue j , O_j – the share of interest groups that expressed a substantially different preference on issue j .

In theoretical terms, this “opposition weight” can take continuous values from 0 to 1. A value of 1 (possible only in theoretical terms though) indicates a situation of strongest possible opposition to a group’s preference, when only one group expressed the considered policy preference while an infinity of other groups adopted a different position. If an interest group has a value of 1 on the preference-outcome convergence score, and faces possible strongest opposition, then one can reliably infer that achieving its preference can be entirely attributed to its efforts and the group receives a 1 on the preference attainment index. Similarly, the “opposition weight” has a value of 0 in a situation where there was no opposition to the group’s expressed policy preferences, as no other group addressed an alternative, competing demand to decision makers. In this situation the overall preference attainment index for the interest group will have a value of 0; although the group did achieve its preference, no competing demands were expressed and there is consequently no way to disentangle the group’s contribution to the decision outcome. Of course, the index also has a value of 0 when the outcome does not correspond to a group’s policy demand.

These three indexes are used to examine the level of plurality within the EU interest group system in the environmental policy domain and to investigate which pluralist label is the most appropriate for describing it. The following observable

implications are derived in relation to the dimensions captured by these indexes: first, on each policy issue, the number of substantially different preferences articulated by interest groups provides valuable information about the level of plurality of voices articulated within the interest intermediation system. The more substantially different policy preferences are expressed on the same issue, the higher the level of plurality, hence the more appropriate the label of a *classic pluralist* interest group system is. By contrast, a pattern of limited numbers of policy preferences expressed indicates a *constrained pluralist* interest intermediation system.

Second, the level of preference diversity within interest group types provides information on the levels of concentration of lobbying within each category of interests represented at EU level. A high level of preference diversity within interest type indicates a highly plural interest group system, because this creates the premises for cross-cutting preferences and lobbying coalitions that prevent any single type of interest from monopolising the policy space with only one policy alternative. By contrast, a low heterogeneity index is an indication of a concentrated lobbying force from disciplined sectoral organizations, a situation which would be more in line with the *constrained pluralist* framework.

Third, in a *classic pluralist* interest group system characterized by no bias in favour of some particular interests, the average levels of preference attainment scores per interest group (advocate) type should not be significantly different from each other within each consultation. This would also be consistent with those accounts in the literature emphasizing the consensual nature of the EU interest group system and decision-making process in which all participants have something to gain from the decisions made across a set of issues characterizing a policymaking event (Mahoney, 2008). By contrast, a pattern of significantly higher preference attainment scores on

behalf of one type of interests (most commonly business) is consistent with a *constrained pluralist* interest group system. The observable implications derived from the two frameworks are summarized in Table 2.1 below.

Table 2.1: Types of pluralism and dimensions of plurality in the EU interest group system

Dimension	Classic pluralism	Constrained pluralism
Policy issue diversity	High	Moderate
Interest type diversity	High	Moderate
Preference attainment	No pattern of significantly higher levels of preference attainment across policy issues in favour of some interests. Absence of bias.	Patterns of moderate levels of significantly higher preference attainment scores on behalf of specific interests. Moderate levels of bias.

2.3 Assessing plurality in the EU environmental consultations

2.3.1 The traditional view

Before presenting and discussing the three indexes proposed for evaluating plurality, the chapter presents first the distribution of interests and organisational structures across the consultations. In doing this, the chapter provides a short and concise evaluation of the interest intermediation system based on measures used by current scholarship.

Figure 2.1 indicates that across all five consultations, organisations representing the interests of business (both “main business” and “secondary business” as categorized by the present thesis) are more prevalent in the community of stakeholders, than organisations representing environmental groups, local and national authorities. In fact, the data show that main business interest groups are overall twice as numerous as

environmental NGOs. This suggests that in the EU environmental policy, the so-called “concentrated” interests, that usually incur the costs of environmental legislation, mobilized at higher rates and were better represented than the “diffuse” interests enjoying the benefits of better environmental standards (in line with Wilson’s theory of interest groups’ politics, 1980).

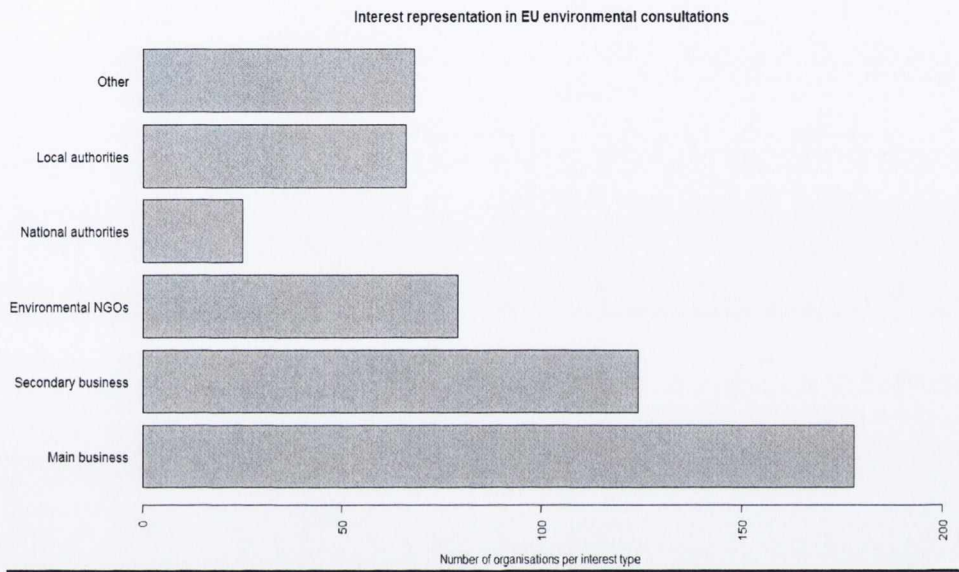


Figure 2.1: Distribution of interests represented in five environmental consultations

The examination of interest mobilization is taken one step forward and Figures 2.2 to 2.6 present for each consultation the aggregate distribution of organisations representing different advocate types. The figures show variation across consultations. The consultations on the reduction of CO₂ emissions of cars and the introduction of aviation activities in the ETS diverge from the initially identified pattern of better represented business interests: in both of these consultations one can observe either an approximately equal number of organisations representing environmentalist and main business interests, or a higher number of environmental NGOs. However, the remaining three consultations display a pattern of interest representation in which both main

business and secondary business interests are better represented than environmental NGOs.

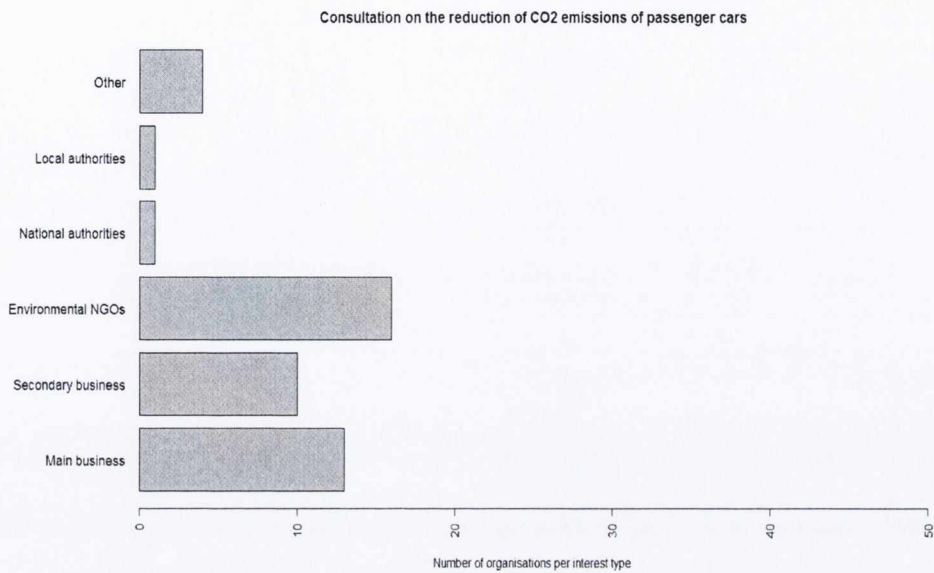


Figure 2.2: Distribution of interests represented in the consultation on the reduction of CO2 emissions

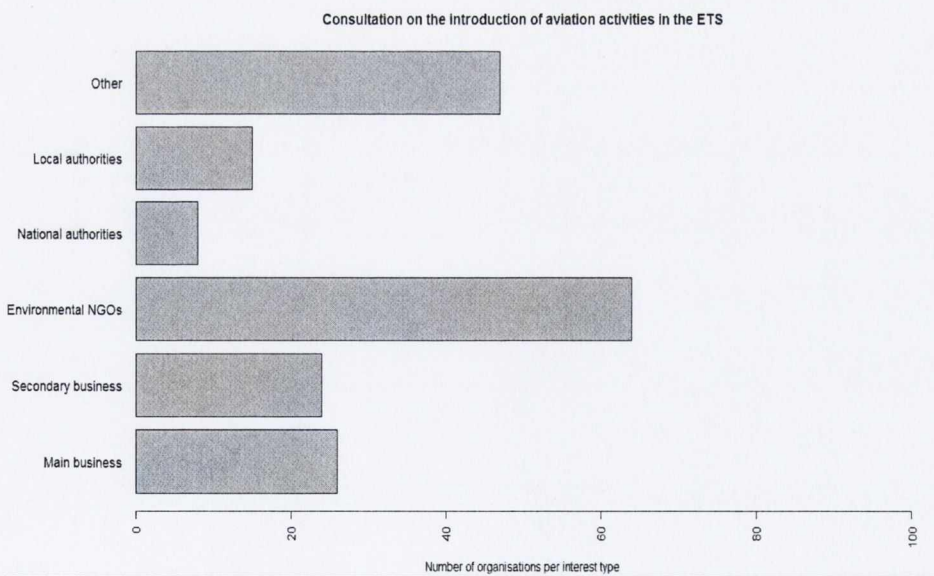


Figure 2.3: Distribution of interests represented in the consultation on the introduction of aviation activities in the ETS

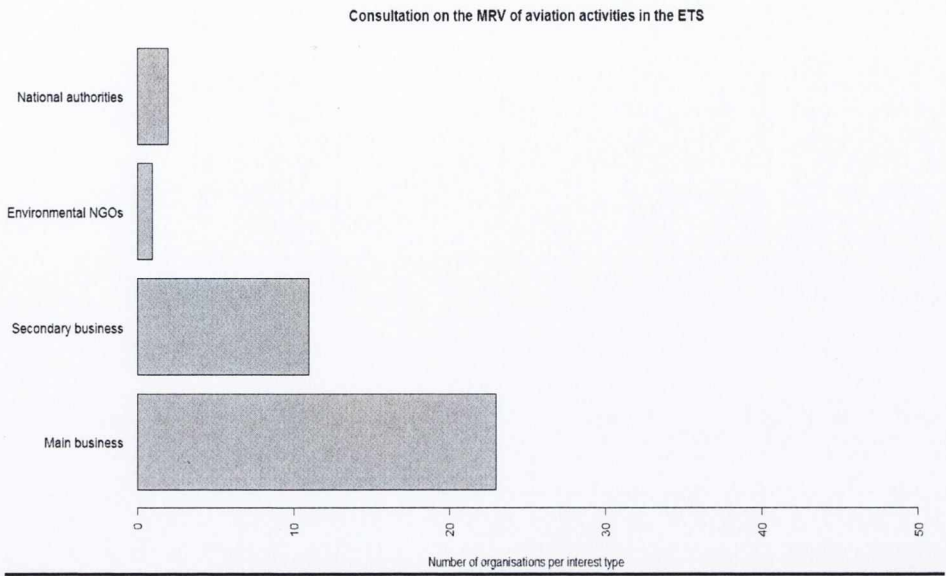


Figure 2.4: Distribution of interests represented in the consultation on the monitoring, reporting and verification mechanisms for introducing aviation activities in the ETS

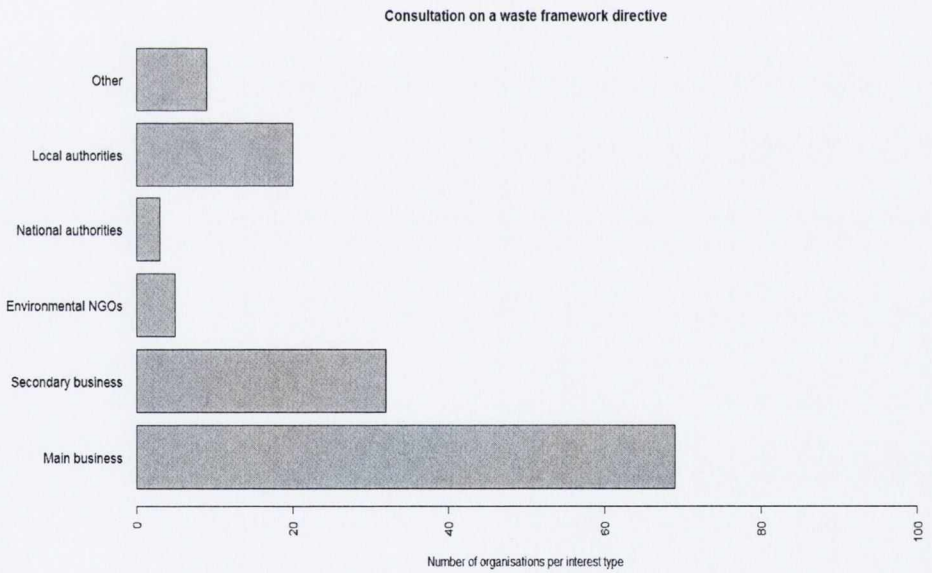


Figure 2.5: Distribution of interests represented in the consultation on the adoption of a waste framework directive

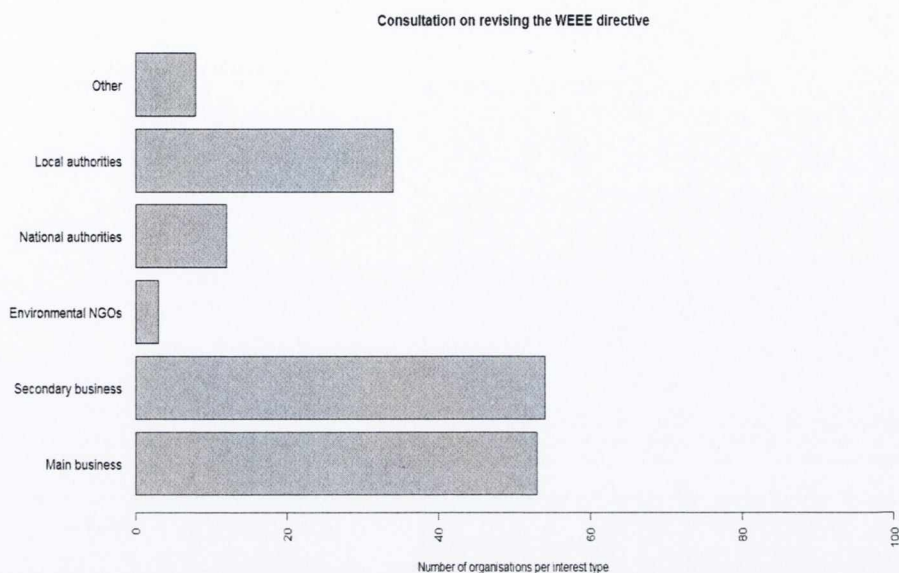


Figure 2.6: Distribution of interests represented in the consultation for the revision of the WEEE directive

In terms of the organisational form of interest groups participating in the considered consultations, Figure 2.7 indicates an interest intermediation system in which organisations lobbying on an individual basis are far more numerous than interest groups lobbying as European or national associations. The aggregate distribution of the organisational forms of lobbying organisations within each consultation suggests that this pattern is consistent across all consultations, as indicated by Figures 2.8 to 2.12. Interpreted in relation to the previous findings regarding the aggregate distribution of interests across consultations, the strong presence of individual organisations is in line with previous findings indicating that individual firms, companies and corporations have become sophisticated key players in the design of policies and legislation at EU level (Coen, 1997, 1998; Eising, 2007; Chari and Kritzing, 2006).

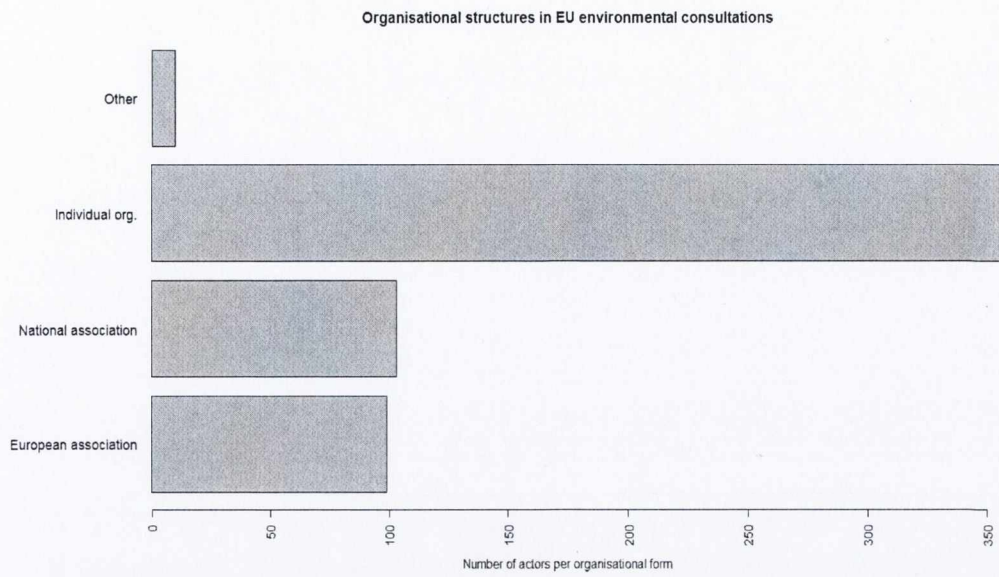


Figure 2.7: Distribution of organisational structures across five environmental consultations

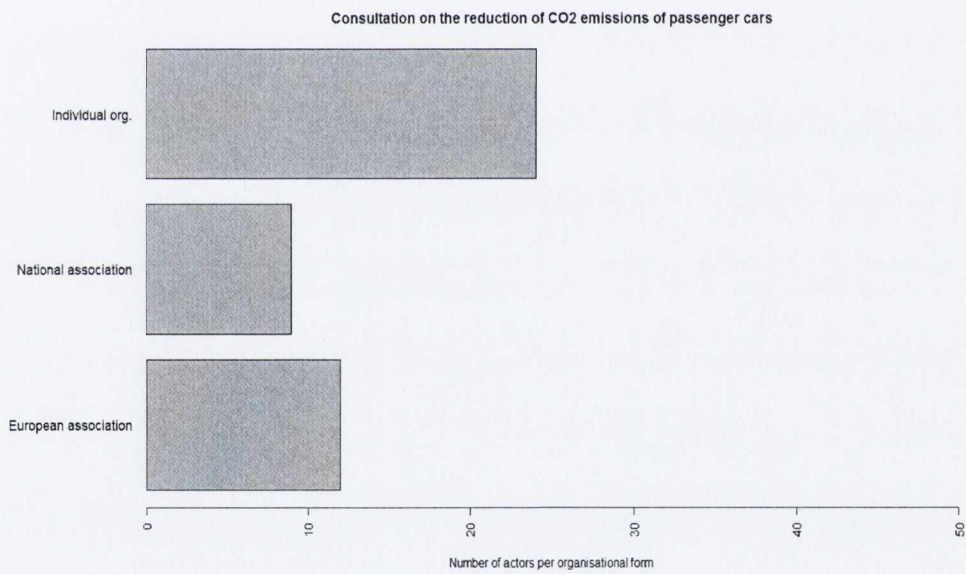


Figure 2.8: Distribution of organisational structures in the consultation on the regulation for the reduction of CO2 emissions

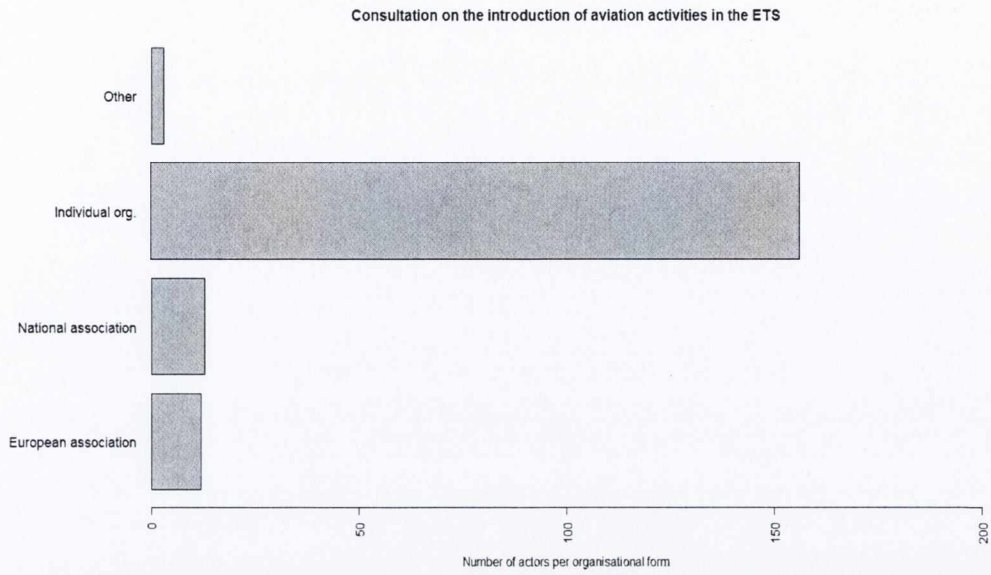


Figure 2.9: Distribution of organisational structures in the consultation on the introduction of aviation activities in the ETS

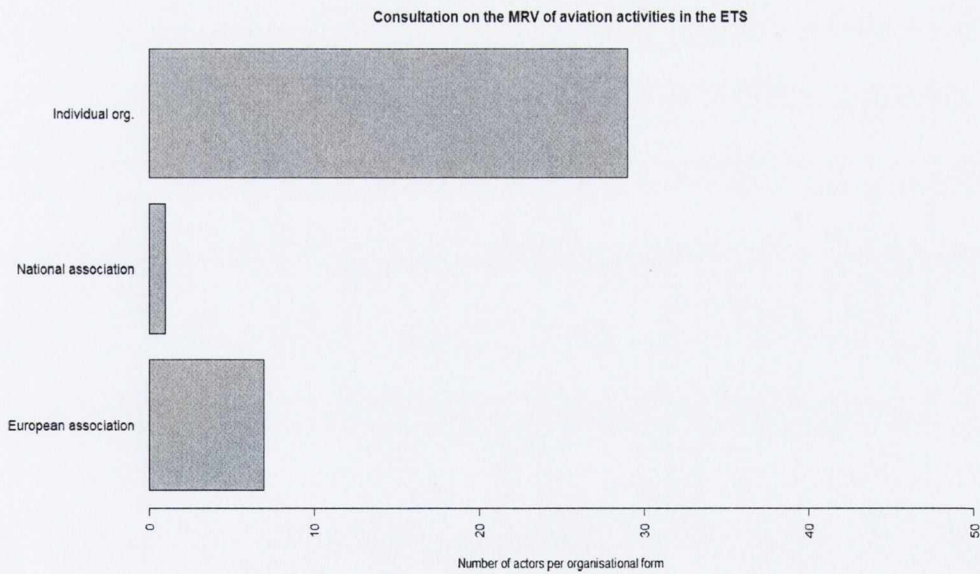


Figure 2.10: Distribution of organisational structures in the consultation on the monitoring, reporting and verification mechanisms for introducing aviation activities in the ETS

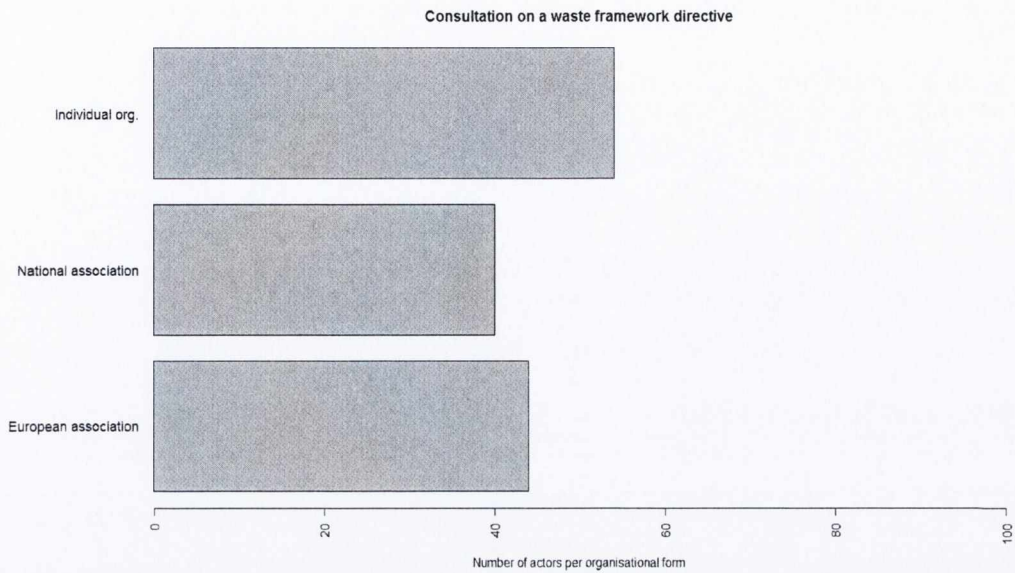


Figure 2.11: Distribution of organisational structures in the consultation on a waste framework directive

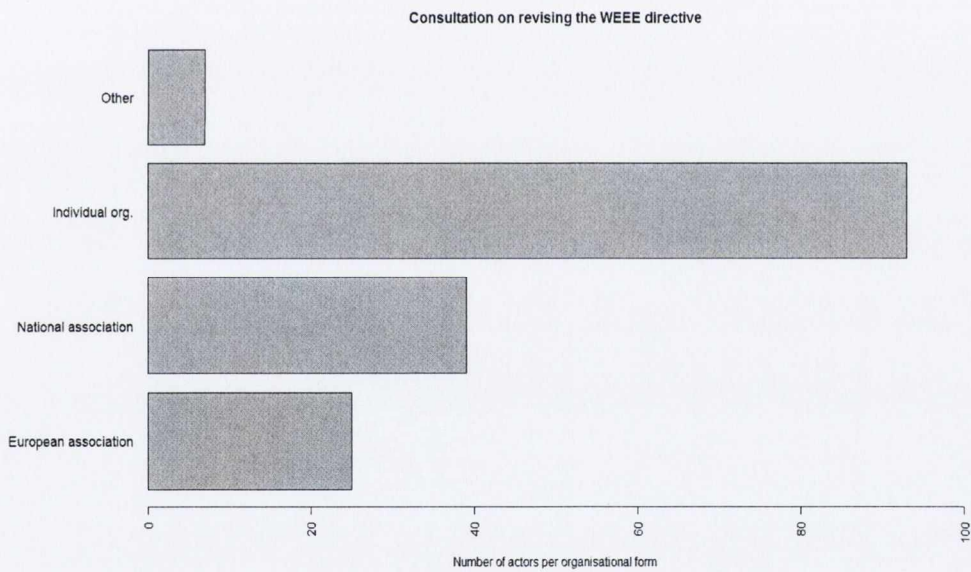


Figure 2.12: Distribution of organisational structures in the consultation for the revision of the WEEE directive

This traditional evaluation of the community of stakeholders in environmental policy indicates two important points. First, the system is characterized by higher levels of mobilization and representation of business interests relative to others. From this perspective, the system resembles a neo-pluralist interest representation system in

which all concerned societal interests are represented in the decision-making process but the conditions for a potential bias favouring business interests are nevertheless present (Lowery and Gray, 2004). Second, the arena of EU consultations seems to be strongly populated by interest organisations lobbying on an individual basis. This could indicate that this consultative forum is performing the role it has been devised for, namely creating a more inclusive and representative decision-making system by extending the community of private actors providing feedback into the policy formulation process beyond the universe of European peak organisations and national associations.

2.3.2 Policy issues and diversity of preferences

The first aggregate measure proposed for examining the plurality of the interest group system is the policy issue diversity index, a measure of the heterogeneity of policy preferences expressed by interest groups. On average, the consultation on the monitoring, reporting and verification mechanisms for introducing aviation activities in the ETS (the MRV consultation) displays the least diverse policy spectrum with a median score of policy issue diversity of 0.3. This finding should be read in relation to Figures 2.4 and 2.10 which shows that this consultation was overwhelmingly attended by individual interest organisations representing the interests of aircraft operators and of the aviation industry. These groups expressed the same policy preferences on the same issues, displaying a pattern of disciplined and concentrated lobbying efforts, resembling more a corporatist tradition of interest intermediation. This homogeneity of preferences could also result from the relatively high level of technicality of the policy issues addressed in this consultation, for which reason the European Commission decided to use a semi-standardized questionnaire as a consultation tool to keep the data

management feasible (Quittkat, 2011: 661). While assuring a more effective communication channel of policy feedback on behalf of interest groups, the use of this consultation tool might well have reduced the plurality of policy alternatives suggested by stakeholders, although respondents were given the freedom to articulate different preferences in relation to very specific issues.

The highest plurality of preferences was articulated in the consultation on the waste framework directive, with an index median score of 0.62. This should be read in the light of relatively high levels of generality of the consultation which invited stakeholders to provide input on the adoption of general guidelines for setting a framework on waste management at EU level. This level of generality is somehow in contrast with the more technical and hence specific nature of the consultation debate in the other four cases, as well as to the fact that the Commission adopted a classic, non-standardized consultation format in which interest organisations could submit written position documents. This might have contributed to increasing the diversity of policy alternatives suggested by stakeholders as potential policy outcomes.

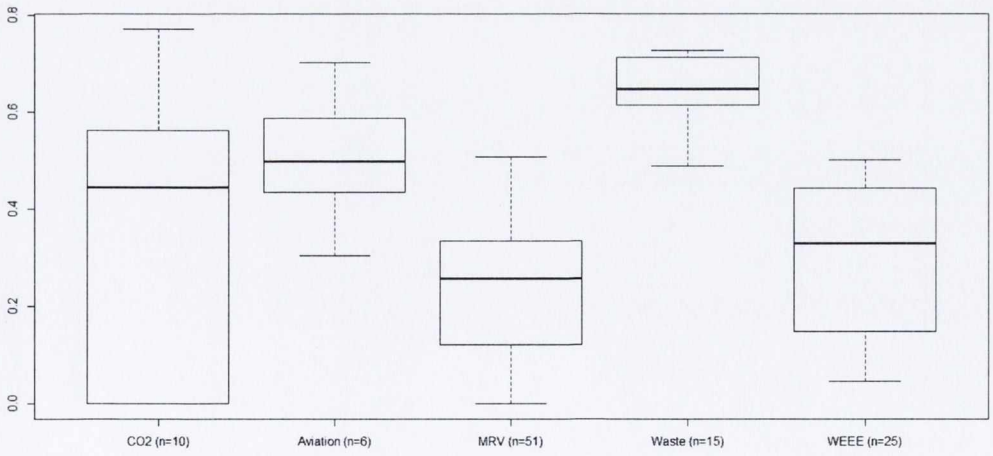


Figure 2.13: Policy issue diversity index per case: n indicates the number of total issues per case

An attentive examination of the diversity scores computed per issue for each case, reveals variation of the features of issues that get on the agenda during the policy formulation stage: one can identify a set of contentious issues on which several, substantially different preferences were articulated by private actors, as well as a set of issues characterized by virtually no controversy in terms of policy options. Three of the five consultations present issues on which the diversity index has a value of 0.7 or slightly higher, while two of them present at least one issue on which there is only one policy preference being articulated. The consultation on adopting a proposal for reducing the CO₂ emissions of passenger cars exemplifies well this variation. Here, the issue of how the proposed target for reducing CO₂ emissions of cars should be achieved raised more controversy than all other issues. On the contrary, issues such as making the CO₂ emission targets mandatory or not, introducing penalties for not complying with the targets or harmonizing the labeling of cars system across the EU to express the CO₂ performance of cars, raised no controversy and only one policy preference was expressed by interest groups on these issues.

Two implications of these findings are worth mentioning. First, in terms of describing the interest intermediation system, one observes moderate levels of diversity in the demands articulated on the issues raised within the same policymaking event. In four out of the five consultations, there are moderate levels of preference diversity in the sense that the average probability that two randomly selected groups have different preferences on an issue is lower than 0.5. On average, across policy issues and consultation events, a pattern of *constrained/limited pluralism* describes the EU interest group system. Second, although not directly related to the characteristics of the interest groups system, it is worth noting that there is substantial variation in the policy

diversity index within each consultation. This variation suggests that issue-level characteristics are highly relevant when analyzing the determinants of interest groups' policy influence (Mahoney, 2008). On each policy issue, interest groups' levels of preference attainment are expected to be affected by substantially different preferences competing with each other within the system (Holyoke, 2009; Lowery and Gray, 2004: 22).

2.3.3 Interest type and diversity of preferences

The second aggregate index is the interest type diversity index, a measure aimed at capturing the degree to which the system displays patterns of disciplined and concentrated lobbying on behalf of interest groups representing the same type of interest. The expectation is that in a pluralist system, individual interest groups representing broadly the same type of interest or the same economic or societal sector (e.g. business, environmental organizations, local authorities) should articulate (at least at times or on certain policy issues) different policy preferences. This diversity creates the premises for cross-sectoral lobby alliances and policy alignments, which in turn represents a guarantee against the emergence of a potentially monopolizing lobby on behalf of some specific interests (usually business). In short, the argument is that the higher the levels of this index per interest group type, the higher the level of pluralism characterizing the interest intermediation system.

Figure 2.14 below presents the aggregate picture described by this index for the five consultations. For each case, the figure presents the values of the diversity index for those categories (advocate type) of interest organizations that expressed preferences on three or more issues. This threshold was chosen based on the assumption that

measuring heterogeneity of preferences for each advocate type makes sense only by examining a relevant enough number of issues.

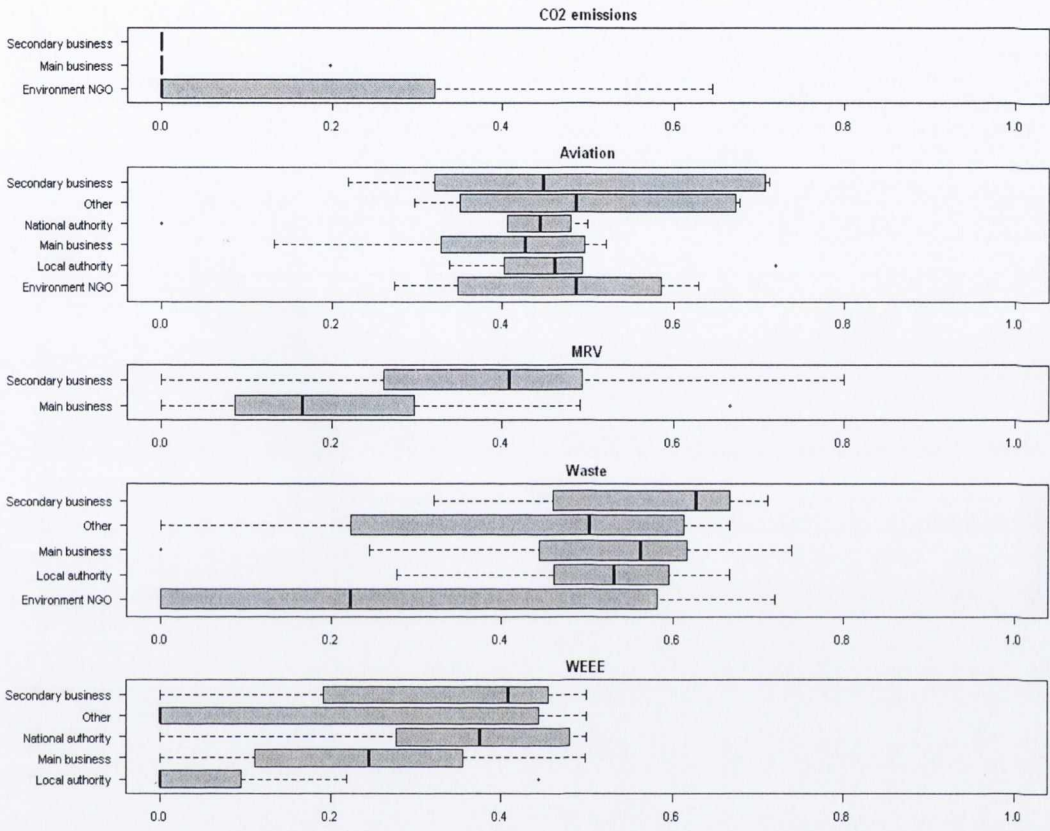


Figure 2.14: Interest type diversity index per case

The findings show a pattern of low to relatively moderate levels of diversity of preferences articulated by business interest groups, usually with the lowest plurality levels for “Main business”. On all issues in the consultation on the reduction of CO₂ emissions, interest groups representing the car industry articulated the same policy preferences, showing disciplined lobbying on most environmental measures that were generally considered to be additional burdens on the car industry. Similarly, aircraft operators, the main business having a direct stake in the consultation on the monitoring, reporting and verification mechanisms for aviation activities introduced in the ETS

scheme (the MRV consultation), show disciplined lobbying in terms of expressed policy preferences with an average heterogeneity score value under 0.2.

As shown in chapter four of the present thesis, in both of these consultations the interests of the European car manufacturers and aviation industries have been represented by organisations which were closely linked by inter-organisational ties. Chapter four also demonstrates a strong effect of inter-organisational ties in predicting similarity of preferences between interest groups sharing a formal organisational link. As such, the consultations on CO₂ emissions and the MRV describe an interest intermediation system characterized by well mobilized, disciplined, concentrated lobbying efforts on behalf of those sectoral interests incurring the costs of the proposed regulatory measures.

A similar pattern of low levels of preference diversity within interest type is displayed by organisations representing the interests of producers of electric and electronic equipment in the WEEE consultation. These organisations expressed very similar policy preferences with respect to policy alternatives on the management of electric and electronic waste, as their aim was to reduce the number of measures that would impose extra constraints on the producers of electric and electronic products. Again, the homogeneity of expressed policy preferences corresponds to a disciplined, concentrated lobbying coalition of interest organisations, closely linked by inter-organisational ties as shown in chapter four of the present thesis.

Environmental NGOs display a mixed pattern of expressed preferences.¹³ They show a disciplined and homogenous lobbying in the case of the CO₂ emissions of

¹³ Only one environmental NGO participated in the consultation on the monitoring and verification mechanisms for introducing aviation activities in the ETS and expressed a policy preference on only 2 out of the 51 issues discussed in the consultation. Similarly, only 3 environment NGOs participated in the consultation on the electric and electronic waste. These are not taken into account in the analysis because they articulated preferences on less than three policy issues.

passenger cars (expressing different preferences on two policy issues only), but a moderate diversity of preferences articulated in the consultations on the adoption of a waste framework directive and the inclusion of aviation activities in the ETS.

In line with the values of the policy issue diversity index, the interest type diversity index shows as well a pattern of low to moderate levels of plurality. A first interpretation of these results is that there are potential corporatist features characterizing the system with business groups displaying low to moderate levels of diversity of preferences if they are part of the economic sector that incurs most of the costs emerging from the proposed regulatory measures. This finding provides empirical support to the classic Olsonian argument that, in order to protect their economic stakes, “specific interests” are better able to overcome collective action problems and are better able to speak with one voice on issues of primary interest to them (Olson, 1970). This is also supported by the identified patterns of inter-organisational ties linking stakeholders in the policy community which indicate the presence of strategic, coordinated lobbying actions on behalf of organisations representing business interests (chapter four). This shows that the identified homogeneity of interests follows from interest groups’ decision to lobby the Commission by speaking with a coherent, unified voice when representing their sectoral interests.

However, the observed levels of diversity of preferences within same interest type might also be a consequence of the fact that the environmental policy area is predominantly characterized by regulatory measures that “generally entail concentrated benefits for one and concentrated costs for another group” (Dür, 2008: 1217). In line with Wilson’s theory of regulatory politics and interest group behaviour (1980), regulatory regimes with narrow concentrations of costs and benefits on different sectors

of the society are associated with high levels of interest group mobilization and the creation of well-defined and articulated lobbying sides (Wilson, 1980: 368-369).

Instead of being the mark of a corporatist system, the observed homogeneity of policy preferences within interest group type could instead be interpreted as indication of a well institutionalized interest groups system in which organisations pursue clear lobbying agendas and act strategically in response to the specificities of the policy environment in an attempt to maximize their payoffs during the policymaking process. This view is consistent with what Wilson (1980) identified as a system characterized by *interest groups politics* which, according to his theory, is expected to produce inclusive decision-making outcomes, reflecting the interests and policy propositions of large and different parts of the stakeholders' community. Section 2.3.4 below addresses this issue and takes the analysis one step further by examining the levels of policy preferences achieved by different interest organisations across the analyzed consultations.

2.3.4 Interest groups and preference attainment

The last index proposed is that of interest groups preference attainment, a weighted measure of the preferences each organisation translated into policy outcomes. The index estimates interest groups' policy influence and allows us to examine patterns of potential bias. Figure 2.15 presents the aggregate values of weighted preference attainment scores for interest organisations by type of interest represented.

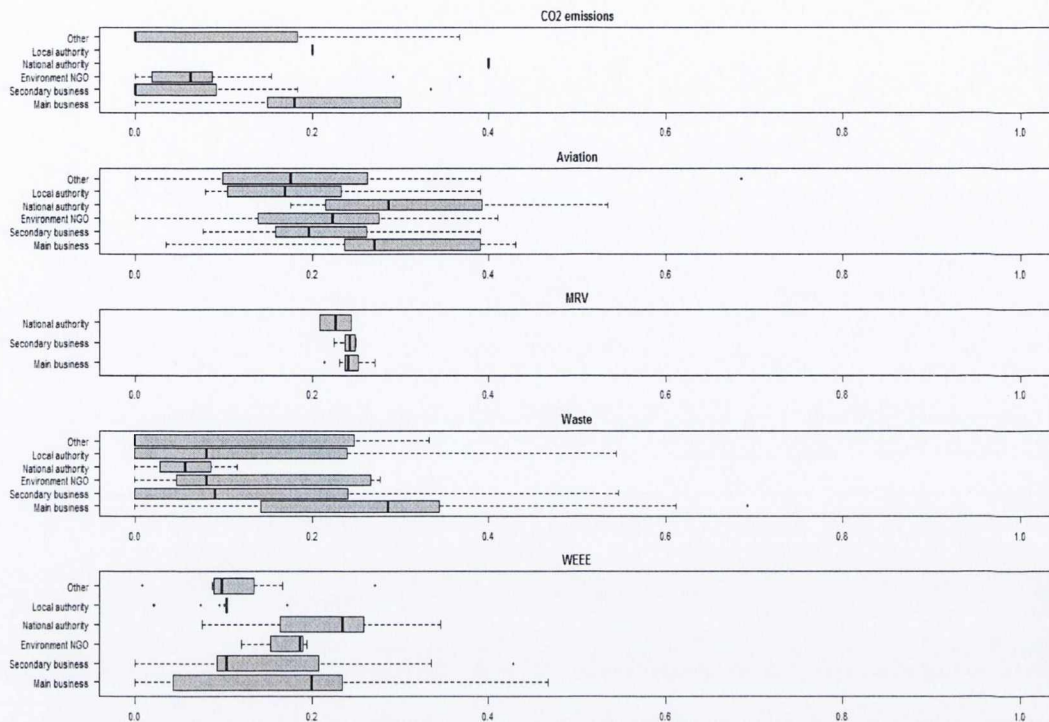


Figure 2.15: Weighted preference attainment scores per case and advocate type

The results indicate that on average main business interest groups tend to achieve higher levels of preference attainment than other advocate types. This varies however across cases. Table 2.2 shows that their levels of preference attainment are in most cases significantly higher than of groups representing other interests. The table gives the values of the t-statistics and of the corresponding Bonferoni adjusted p-values for a series of paired comparisons.

Table 2.2: T-test values and Bonferoni adjusted p-value for paired comparisons of preference attainment scores by advocate type

	CO ₂ emissions	Aviation	MRV	Waste	WEEE
Main business vs. Environmental NGOs	2.8***	3.41**	n/a	2.14	0.12
Secondary business vs. Environmental NGOs	-0.23	0.23	n/a	0.20	-0.64
Main vs. Secondary business	2.12*	2.86*	0.61	3.18**	0.89
Main business vs. National auth.	n/a	-0.61	n/a	5.28*	-1.43
Secondary business vs. National auth.	n/a	-2.35	n/a	1.99	-2.25
Main business vs. Local auth.	n/a	3.31**	n/a	3.34**	3.76***
Secondary business vs. Local auth.	n/a	0.80	n/a	0.41	3.19**

*The difference between groups is statistically significant at $p < 0.1$.

**The difference between groups is statistically significant at $p < 0.05$.

***The difference between groups is statistically significant at $p < 0.01$.

The results indicate that “Main business” interest groups display significantly higher preference attainment scores relative to other advocate types participating in the events. In two of the four consultations for which observations were available on the preference attainment scores for environmental NGOs, business preferences were more likely to be translated into policy outcomes than preferences articulated by environmentalists. Similarly, in three of the five consultations, organisations representing “Main business” were more successful in achieving their preferences than organisations representing “Secondary business”. Relative to “National authorities” participating in the consultations, “Main business” interests were more successful only in the consultation for the formulation of a waste framework directive. “Main business” organisations were more consequential for policy outcomes than organisations representing “Local authorities” in all three cases where local authorities participated as stakeholders.

By comparison, organisations representing “Secondary business” do not show on average significantly higher preference attainment scores relative to “Environmental NGOs” and “National authorities”. Only in the consultation on the revision of the WEEE directive, “Secondary business” organisations were significantly more successful than local authorities in translating preferences into outcomes.

Within cases, one can observe that in three out of five consultations, main business interests were in a clearly better position to affect policy outcomes than other interest groups. These findings are in line with those contributions in the literature claiming that EU policymaking is disproportionately influenced by business interest groups to the detriment of other societal or sectoral interests (Chari and Kritzinger, 2006; Beyers, 2004; Greenwood, 2007b; Kohler-Koch, 1997; Pollack, 1997). Most of these contributions drew their conclusions on case studies and process tracing, focusing their analysis usually on a relatively narrow number of interest groups. The number of policy issues based on which lobby success was analyzed was also usually low. Business interest groups were most of the times assumed to be homogenous, not making thus a clear and necessary distinction between groups having direct and primary interests in a decision-making event and organisations having only secondary policy stakes. As shown by the consultation on the reduction of CO₂ emissions, this distinction is important as within the same decision-making event some business groups achieve their preferences while others do not. These findings support the existing literature but they do so in a more systematic, empirically grounded manner and using more fine-grained measures of interest groups’ preferences than currently available in the literature.

2.4 Conclusions

This chapter addressed an important theoretical debate in the literature on EU interest groups on what is the most appropriate label for describing the EU interest intermediation system. In answering this question, the chapter suggested an alternative, new approach to evaluating plurality in the community of stakeholders participating in EU environmental consultations. This approach consisted of two key elements: first, an evaluation of the system of interest representation by examining issue and preference data; and second, the formulation and application of a set of indexes capturing the plurality of policy alternatives advocated on each issue, the plurality of preferences within the community of organisations representing the same interests and finally a measure of success of different interests in achieving their preferences. In addition, a concise evaluation of the interest group communities articulated around the considered consultations was conducted by describing the aggregate distribution of interests across and within consultations, as well as the aggregate distribution of organisational characteristics.

The findings provide support for the *constrained pluralist* view, showing a moderate diversity of preferences articulated on policy issues, low to moderate heterogeneity of demands articulated by groups representing the same type of interest and a clear pattern of higher levels of preference attainment on behalf of “Main business” organisations. The examination of the aggregate distribution of interests represented in the consultations provided further empirical support for the constrained pluralist description of the EU interest intermediation system in that it indicated higher levels of organisational mobilization and participation in the consultations on behalf of main business.

Several implications follow from these findings. First, despite the overall moderate levels of diversity of preferences expressed across policy issues, the research found a rather high within case variation of diversity of preferences articulated per policy issue. In doing this, the research provides empirical support to those scholars who previously emphasized the importance of issue level characteristics, including the level of contentiousness of policy alternatives (Dür, 2008a; Mahoney, 2008; Lowery and Gray, 2004). This chapter makes a contribution to the existing literature by suggesting the policy issue diversity index as an elegant and reliable measure of levels of policy issue contentiousness. However, this proposed index for measuring plurality leaves one important aspect to be addressed by further research and debate: what values of the index are appropriate thresholds for distinguishing low, moderate and high levels of pluralism within the system? In addition, what factors encourage interest organisations to articulate policy preferences on different policy issues thereby increasing the diversity of voices heard on one particular issue? Despite its high theoretical relevance, this question has not been currently addressed in the literature in a systematic manner (Warntjen and Wonka, 2004: 16). The following chapter addresses the question and provides a systematic, empirical analysis of the manner in which lobbying context and organisational resources determine an interest group's propensity to articulate preferences in the context of EC open consultations.

Also, future research should aim to rank the identified policy preferences on a policy scale. A metric ordinal scale should be used instead of a nominal one in order to estimate interest groups' policy preferences. This step would provide an even more refined measure of diversity characterizing policy issues at EU level, as well as an alternative estimation of preference attainment by using the policy distance between outcome and policy preference as a more precise indicator. Expert interviews and

discussions with European Commission's desk officers' in-charge of the considered *dossiers* would be particularly helpful in an attempt to understand the technical EU policy issues and decision-making processes and rate preferences on a policy continuum.

Some interests displayed a pattern of disciplined lobbying, such as the industry of car manufacturers and the aviation industry. One argument made in this chapter was that the presence of a concentrated lobby on behalf of certain sectors could be interpreted as an indicator of a mature and institutionalized interest intermediation system, where private actors representing similar interests coordinate well and cooperate with each other to achieve common policy goals. However, this pattern could also be the indicator of underlying corporatist features of the system that prevent cross-sectoral policy alignments from occurring, thus increasing the chances for a monopoly on the decision-making to emerge on behalf of those interests that are better able to coordinate their policy preferences and lobbying efforts. With the help of the proposed index but focusing on a larger and more diverse sample of decision-making points and events from different policy areas, future research should investigate whether this pattern holds across policymaking stages and policy arenas, observing whether some interests display a systematic pattern of disciplined lobbying within the EU policymaking system irrespective of policymaking circumstances. Extending the analysis to other policy areas where decisions are being made also on distributive and redistributive policy issues, future research would be able to identify whether the observed concentration of policy preferences, which inevitably speaks of a limited plurality of the system, is something specific to the regulatory nature of the EU environmental policy.

Finally, this chapter proposed a measure of interest groups' preference attainment and used this as an instrument to identify the levels of potential bias in the interest group system. The findings describe an interest group system and policymaking process favouring business interests over all others. Their preferences were found to be consistently more likely to be translated into outcomes. The common research question following from this is: what factors explain this variation in levels of preference attainment across different advocate types? This question is addressed in chapter six of the present thesis which presents a theoretical discussion of lobbying success conceptualized as preference attainment and an empirical investigation of the effects of the policy context and organisational characteristics on lobbying success.

Chapter 3

Who participates in open consultations? Explaining interest groups' articulation of policy demands

In the context of the European Commission's public consultations, some interest groups articulate more policy demands than others. For example, in the consultation on the reduction of CO₂ emissions of passenger cars (2007), the *European Automobile Manufacturers' Association* (ACEA) expressed policy preferences with respect to five of the ten issues discussed, while the *German Automotive Industry Association* (VDA) articulated only three preferences. Environmental NGOs engaged more actively with the consultation, so that *Greenpeace* articulated seven policy preferences, while *Transport and Environment* expressed eight.

In relation to this, this chapter asks the following research question: *what explains variation in the extent of interest groups' participation, as indicated by the frequency with which they express policy demands in the open consultations?*

Answering the aforementioned research question is relevant for three reasons. First, public consultations are increasingly used by the Commission as a key instrument aimed to enhance the quality of its policy proposals in terms of the feasibility of outcomes and policy implementation (Skodvin et al., 2010), and to assure a representative and inclusive policy formulation process (Quitkat, 2011). It is therefore important to know more about the conditions under which interest groups decide to use this lobbying venue to articulate their policy demands. Second, despite the increased use of online public consultations as an interactive policymaking instrument, the existing literature does not provide a systematic analysis of determinants of patterns of

participation in this particular context: “the widespread practice of OC (open consultations) by the Commission and general patterns of participation in OC remain as yet understudied” (Quittkat, 2011: 655-658). Nonetheless, the literature does indicate that submitting comments to public consultations is the second most used lobbying strategy at the Commission level, following personal meetings with policymakers (Mahoney, 2008: 132). The few existing contributions analyzing these consultations focus mainly on providing broad descriptive accounts of the number and advocate types of interest organisations participating in the events (Quittkat, 2011; Lindgren and Persson, 2010; Persson, 2008), review different consultation formats (Quittkat and Finke, 2008), or employ very broad and general measures of interest groups’ policy demands or lobbying coalitions (Klüver, 2009, 2012a). Therefore, the fundamental question of “whether there exists a discrepancy between formal access and actual participation” remains unaddressed (Quittkat, 2011: 660).

Third, understanding the extent to which interest groups participate in consultations by articulating policy demands represents an important step in understanding their lobbying success. The literature on US lobbying on bureaucratic rulemaking suggests that the extent to which interest groups engage with decision-making, as indicated by the amount of comments they submit during the consultation period, has a direct effect on their success to affect the content of bureaucratic rules (Yackee and Yackee, 2006). Interest groups providing more comments and showing thus higher levels of participation were found to be more successful in affecting the content of US federal rules. Explaining the extent to which interest groups participate in the EC consultations provides therefore relevant information for understanding their lobbying success.

Despite its high policy and theoretical relevance this question has not been addressed in the literature on EU interest groups. This is mainly due to the lack of data on the discrete policy preferences articulated by interest groups during the policy formulation stage. The present chapter addresses this issue and proposes a systematic analysis of groups' preferences articulated on issues characterising the five analyzed consultations. Building on the existing theories of interest groups' mobilization and lobbying strategies, the chapter argues that the probability of a group articulating a preference in an open consultation is affected by the inter-organisational context in which lobbying takes place and by resource endowment. The alternative explanation tests for the effect of the organisational form on preference articulation behaviour. The results of the empirical analysis show that interest groups' preference articulation behaviour is largely influenced by the number of inter-organisational linkages they have with other stakeholders and are constructed in response to their organisational resources. Contrary to the argument made in the literature according to which organisations having a permanent representation in Brussels are more likely to engage in inside lobbying strategies aiming to influence the EC (Mahoney, 2004), the findings indicate that having a Brussels office in fact reduces the probability of articulating a preference in the open consultations.

This chapter contributes to the literature on interest groups' participation and influence in EU policymaking, as well as to the newly emerging literature on the study of EU public consultations regime in three ways. First, the chapter conducts its empirical analysis based on a more fine-grained identification of interest groups' policy preferences than currently suggested in the literature focusing on the analysis of their written policy position documents (Klüver, 2009). This allows the analysis of previously unexplored information about patterns of interest groups participation in the

European Commission's open consultations and a more subtle understanding of the manner in which public consultations serve as an interest representation and preference articulation forum.

Second, the chapter builds an explanatory framework of preference articulation which describes open consultations as an instance of lobbying mobilization and participation as well as a venue used strategically by interest groups when deploying their policy influence strategies. The chapter theoretically explores two competing logics that explain which interests are more likely to mobilize for participation in open consultations and which ones are more likely to actually use this venue to articulate their policy demands. In doing this, the study brings together the classic literature on interest groups mobilization (Wilson, 1980) and EU lobbying and lobbying strategies (Beyers, 2008; Mahoney, 2008; Broscheid and Coen, 2003; Bouwen and McCown, 2007; Eising, 2007; Mazey and Richardson, 2006; Bouwen, 2002; Coen, 1997).

Third, the chapter proposes a mix of original and well-established indicators in its empirical analysis. For example, the chapter innovates by proposing the number of inter-organisational ties as a relevant dimension of the policy context in which lobbying is articulated and as a main explanatory factor of articulation of preferences. In line with the existing literature, the chapter investigates the effect of advocate type or of a Brussels office on the probability of articulating a preference.

The research design adopted by the present thesis allows the study of only those interest groups that actually participated in the consultations. This represents a subset of the overall population of interest organisations that were interested or had a stake in the consultation, but decided not to participate by submitting written position papers. This in turn limits the explanatory power of the analysis to only part of the variation describing interest groups' lobbying behaviour in the context of open consultations.

However, the main focus of the present thesis is to examine patterns of lobbying behaviour of organisations which have already decided to employ consultations as a lobbying venue. The analysis examines the quality of their participation in consultations and not the decision to choose this venue to pursue lobbying goals. I consider these to be two fundamentally different (though interrelated) aspects of EU lobbying: (1) the quality (extent) of participation within a lobbying venue and (2) the mobilization for participation in a lobbying venue. The focus of the present analysis is clearly on the former and not the latter.

The chapter proceeds in the following manner: section one presents a review of the literature on EU lobbying strategies and identifies the articulation of policy preferences as an *access* or *insider* strategy. Section two presents the explanatory framework proposed to examine interest groups' articulation of preferences. Section three presents the results of the statistical analyses, while the conclusions discuss the findings in the light of the existing scholarship and identifies the limits of the present study and potential topics for future research.

3.1 Existing explanations of EU lobbying strategies

The literature identifies *access* and *voice* as the two main lobbying strategies used by interest groups to influence outcomes in the EU policymaking (Beyers, 2004). *Access* describes lobbying strategies involving direct contact with policymakers and/or direct participation in different consultative forums “where political bargaining takes place” outside public scrutiny and interest groups transmit information to policymakers directly (Beyers, 2004: 213). *Voice*, on the other hand, describes lobbying strategies “in the public arena”, sometimes with the involvement of the general public, which rely on a “mediated communication” of the policy message to decision-makers with the help of

different communication channels (press conferences, public declarations) and/or the public opinion (Beyers, 2004: 214). These two strategies correspond to what Eising (2007b) identifies as *insider* and *outsider* lobbying strategies and are chosen by interest organisations based on a cost-benefit analysis. Interest groups' articulation of preferences in open consultations represents a lobbying strategy which is considered to be one of access or an insider strategy (Eising, 2007b: 341).

The literature identifies three main explanations of interest groups' choices of different lobbying strategies. The first one emphasizes the role of the *institutional setting* in which lobbying takes place. The institutional context sets the lobbying access points, shapes the communication channels by establishing the participation rules for groups in different consultative forums, and determines the needs of policymakers in their informational exchange with interest organisations (Bouwen, 2002; Eising, 2007b; Beyers, 2004; Crombez, 2002; Marshall, 2010). For example, scholarship suggests that *access* strategies are employed to influence the Commission, while *voice* strategies are preferred when lobbying the European Parliament (Beyers, 2004).

The second explanation argues that the *policy context* in which interest groups lobby directly affects their influence strategies (Baumgartner and Leech, 1998: 139-140; Beyers, 2008; Mahoney, 2008). Issue level characteristics usually describe this policy context. The levels of policy conflict over an issue, the technical nature of an issue or the salience of an issue for the general public have a direct effect on interest groups' decisions to adopt different lobbying strategies. For example, in the case of technical policymaking events, interest groups are more likely to prefer the *access* strategy, while for issues highly salient for large publics a *voice* strategy is more commonly chosen.

The third explanation suggests that the *organisational characteristics* and *resources* of interest groups play a decisive role in the choice of lobbying strategies (Eising, 2007b: 338). Looking at interest groups from an organisational theory perspective, this approach suggests that the size and structure of membership, as well as the amount of expertise, field knowledge or legitimacy an interest organisation has, directly affect its lobbying behaviour and the choice for policy influence strategies (Beyers, 2008, 2004; Mahoney, 2008, 2004; Dür and Mateo, 2012; Bouwen and McCown, 2007: 428; Princen and Kerremans, 2008: 1131-1132).

These explanations offer valuable insights into the conditions under which EU interest groups' decide to articulate policy demands. As the present thesis focuses on lobbying in only one EU institution, in the context of one type of consultative forum, the variation in terms of the possible effect of the institutional setting is kept constant and thus not accounted for in the explanatory framework. The analytical framework builds upon the remaining two explanations and investigates the effect of lobbying context and of organisational resources on interest groups' articulation of preferences, while testing as an alternative explanation the role of organisational characteristics.

3.2 Explaining interest groups' articulation of preferences

This chapter argues that interest groups' participation in open consultations is motivated by two main goals: (1) to assure interest representation and (2) to achieve their policy preferences by translating them into policy outputs in the form of the contents of European Commission's legislative proposals and, ultimately, in the content of legislative acts. The achievement of these two lobbying goals assures organizational survival (Lowery, 2007) and requires interest organisations to articulate their lobbying

behaviour in response to both the logic of membership and the logic of influence (Schmitter and Streek, 1999).

The function of interest representation affects interest groups' mobilization behaviour. Depending on how their interests are affected by the issues discussed in consultations, interest organisations mobilize and participate formally by sending policy position documents at different rates. In doing this, an interest organisation signals both to policymakers and other interest groups its quality as a stakeholder. This is a first stage of interest groups' participation in open consultations. In line with a classic theory of interest groups' mobilization in formal decision-making settings, the expectation is that in the EU environmental consultations, interests which are more likely to incur the costs of the new policy measures should mobilize at higher rates than those interests incurring the benefits of these measures (Wilson, 1980). Environmental policies usually aim at reducing pollution and assuring a greener environment, resulting thus in benefits which are widely distributed across all segments of a society and costs that "are imposed, at least temporarily, on particular segments of industry" (Wilson, 1980: 370). In line with this argument, the expectation is that in the analyzed environmental consultations, organisations representing business interests should outnumber organisations representing other interests. This is confirmed by a brief inspection of the descriptive statistics presented in Table 1.2 (chapter one) showing higher levels of organisational participation among business interest groups. However, this does not provide information about the quality of participation or how interest groups decide to use consultations as a policy influence strategy.

The pursuit of policy influence affects interest groups' choices for lobbying strategies and access to different decision-making points and lobbying venues, based on the amount of organisational resources they have. The articulation of preferences in the

context of EC consultations is part of these influence strategies and is therefore affected by lobbying environment and the constraints of limited organisational resources. This chapter explores one relevant yet under-researched dimension of this policy context: the relational environment created among stakeholders participating in a consultation as described by their inter-organisational formal linkages. To test the effect of organisational resources on preference articulation, two proxies are considered by the present study: the type of interest represented by an organisation and the fact of having a Brussels based office (see also Dür and Mateo, 2012; Bouwen, 2004; Mahoney, 2004). Each of these factors and the causal mechanisms explaining their effect on articulation of preferences is detailed below.

3.2.1 Lobbying context

This chapter examines the inter-organisational environment characterizing the policy context in which lobbying is articulated (Baumgartner and Leech, 1998: 140). In doing so, the chapter builds on the assumption that “the social context, the ties that bind interest organisations to each other play an important role in how interest group seek and gain access” (Beyers and Braun-Poppelaars, 2012: 2) and how they use this access to achieve their lobbying goals. This environment is described by the inter-organisational linkages between interest groups and the study argues that the number of organisational ties a group has within the stakeholders’ community affects its preference articulation behaviour in two ways. First, by having a high number of ties with other stakeholders, an interest group is more likely to become engaged in lobbying coalitions and hence is more exposed to peer pressure to articulate preferences in support of that advocacy coalition (Baumgartner et al., 2009). As the literature indicates “[l]obbying, like most other types of political decisions, is strategic in that expectation

of behaviour by peers shapes and constraints the decisions made and the tactics selected” (Holyoke, 2003: 334). Second, each tie connects the group with an additional source of information and potential cooperation, which in turn gives the interest group a better chance of formulating a well informed and well argued preference on different issues and to reduce uncertainty about other actors’ preferences and behaviours (Baumgartner and Leech, 1998; Carpenter et al., 2004). A high level of linkages with other stakeholders allows a group to make a better judgement about the overall, aggregate context in which its own policy preference is articulated. This follows from “the need to network and gather intelligence” (Greenwood, 2007a: 30). The group is thus better able to evaluate the viability of its policy preference given what other stakeholders ask for (Baumgartner and Leech, 1998: 139-140). In addition, the importance of the organisational environment “ties into a more general theoretical account on critical resource dependencies” indicating that the survival of interest organisations is assured by exchanging critical resources with other organisations or policymakers (Beyers and Keremans, 2007: 463). As such, the expectation is that organisations that are better connected to other organisations in the policy community have an informational advantage and most probably are part of lobbying coalitions, which in turn makes them more likely to articulate policy preferences in the context of open consultations. In relation to this, the following hypothesis is tested:

H₁: The higher the number of inter-organisational ties a group has, the more likely the group is to articulate a policy preference.

3.2.2 Organisational resources

With respect to organisational resources, the chapter makes a distinction between *the amount* and *type* of lobbying resources possessed by an interest

organisation when participating in the open consultations (following Dür and Mateo, 2012). Levels of resource endowment affect choices for lobbying tactics and hence interest groups' preference articulation behaviour in the context of open consultations. The literature indicates that interest groups with high levels of organisational resources, especially those possessing technical expertise and specialized knowledge, prefer lobbying strategies which consist of direct meetings with EC policymakers (Beyers, 2004; Eising, 2007a; Coen, 2009; Hix, 2005: 215). These are considered a more effective way of communicating policy demands. This is the case of EU business interest groups which prefer to seek policy influence through direct access to policymakers or more selective consultative forums such as the European Commission's expert or advisory committees (Mahoney, 2004), and are thus expected to be less interested in articulating preferences in the context of EC open consultations.

Meanwhile, interest organisations representing the so-called "diffuse interests" (i.e environmental NGOs, local authorities, etc.) generally have lower levels of resource endowment (Pollack, 1997). Therefore, when building their lobbying strategies these organisations are more likely to prefer open consultations to get across their demands to policymakers for two reasons. First, access and participation in consultations is easy and implies only limited costs. Second, open consultations assure these organisations publicity of their lobbying efforts and activity in the EU decision-making fora. Articulating preferences in open consultations represents an essential channel through which these organisations communicate with both policymakers and their members or constituency: transmitting their demands to the former, while signaling the latter that they fulfill their representation mandate at EU level. Both considerations are fundamental for assuring their organisational survival (Lowery, 2007; see also Beyers et al., 2008: 1115-1116).

The observable implication of this causal relationship is that business interest groups should be less likely to articulate preferences in open consultations than organisations representing interests of environmental NGOs, local and national authorities. Business interest groups prefer more direct channels than open consultations to convey their demands and they have the required resources for pursuing them (Bernhagen and Mitchell, 2009). To investigate this, the following hypothesis is derived:

H₂: Main business interest groups are less likely to articulate preferences than organisations representing other interests in the context of open consultations.

With respect to the type of resources possessed by EU interest organisations, this study examines the effect of what the literature indicates to be an essential lobbying resource: having a Brussels based office (Mahoney, 2004: 452; Mazey and Richardson, 2006: 247; Greenwood, 1997). This is also considered to be a “rough proxy” for the overall organisational resources an interest group has, because “[k]eeping a permanent representative in the European capital is a costly endeavour and suggests at least some significant level of resources” (Mahoney, 2004: 452). However, this also represents a specific type of organisational resource in that the very decision to establish a Brussels office is based on the motivation of being more present in all aspects of EU decision-making. The literature indicates that interest groups having a permanent presence in the hub of EU policymaking show a strong engagement with different aspects of the EU policymaking process and are more likely to participate in different consultation forums organised by the European Commission (Mahoney, 2004). Therefore, in line with the existing literature the expectation is that:

H₃: Interest groups with a Brussels office are more likely to formulate policy demands in public consultations.

3.2.3 Organisational characteristics: testing for alternative explanations.

As mentioned in section 1, the literature indicates that organisational characteristics affect the choice of lobbying strategies (Beyers, 2008; Mahoney, 2004; Mazey and Richardson, 2005: 256; Klüver, 2012b). Therefore, the alternative hypothesis tested examines the effect of the organisational form: interest organisations with a more encompassing membership (such as European associations), are expected to articulate more policy preferences as they have a broader representational mandate (Bouwen, 2002) and are indicated in the literature to be “the preferred partners of the European institutions” when debating over policy alternatives (Michalowitz 2004:78). The following hypothesis is derived:

H₄: European level associations are more likely to articulate policy preferences than national level associations or individual interest groups.

3.3 Analyses

3.3.1 Variables used in the regression analysis

The unit of analysis of the present research is interest group – issue dyad. The dependent variable is *preference articulation* and is expressed as a dichotomous variable indicating for each dyad whether or not the interest group expressed a preference on the considered issue.

To test the explanatory framework proposed to explain articulation of preferences the following set of independent variables is used for the analysis: (1)

Organisational ties; (2) *Advocate (interest) type*; (3) *Brussels office*; (4) *Organisational form*. Their operationalization is detailed in the chapter presenting the research design of the present thesis.

A set of control variables were also considered in the alternative specifications of the statistical models conducted as a robustness check. Following the current scholarship, four such control variables were considered. Two of them capture other relevant organisational resources such as the age of the organisation (a proxy for policy experience and credibility) and whether the organisation received funding from the European Commission (Mahoney, 2004: 451-452). The other two variables capture structural characteristics such as the intra-organisational structure of the interest organisation (for European associations) and whether the interest group's country of origin is an old member state for national associations and individual interest groups (Michalowitz, 2004: 77-78). To capture the intra-organisational environment of European associations a dichotomous variable indicates whether their membership is mixed, consisting of both national associations and individual firms or organisations. A mixed membership may raise challenges in the articulation of policy preferences (Michalowitz, 2004; Beyers, 2008; Eising, 2007). Finally, a dichotomous variable indicates for national and individual organisations whether their country of origin is an old Member State. This allows the analysis to control for the common assumption that organisations from old Member States have more practice in their EU lobbying behaviour than those from new Member States and therefore participate more in EU policymaking.

3.3.2 Model specifications

The statistical analysis presents three model specifications. Model 1 tests the direct effect of inter-organisational ties, advocate type and having a Brussels office on preference articulation when all issues are considered. The analysis is run on a dataset containing 9611 interest group – issue dyads, providing information on groups' articulation of preferences on 107 issues across five consultations. Model 2 tests the same explanatory model but on regulatory issues only. The same applies to model 3 which analyzes technical issues.

In all three models the data are clustered on the basis of proposals and issues, which means that the observations are not independent of each other. Therefore, a mixed-effects probit model with random intercept at issue level was used, implemented using statistical software R and its lme4 package (Table 3.1). Proposals (consultation events) were considered as fixed effects in an attempt to control for any particular proposal specific effect within the sample. Two of the proposal coefficients were significant and they are discussed in section 3.3.3 below.

Table 3.1: Mixed effects probit model explaining preference articulation

	Model 1 All issues	Model 2 Regulatory issues	Model 3 Technical issues
<i>Fixed effects</i>			
(Intercept)	-0.519** (0.173)	-1.09*** (0.207)	0.222 (0.312)
Policy context			
Organisational ties	0.025*** (0.002)	0.041*** (0.004)	0.020*** (0.002)
Organisational resources			
Advocate type (ref. category – Main business)			
Secondary business	-0.009 (0.037)	0.179*** (0.048)	-0.227*** (0.061)
Environment NGO	0.102 (0.068)	0.338*** (0.092)	-0.192† (0.102)
National authority	0.039 (0.070)	0.281** (0.092)	-0.220* (0.107)
Local authority	0.445*** (0.048)	0.403*** (0.063)	0.566*** (0.092)
Other interest	-0.059 (0.076)	0.138 (0.096)	-0.289* (0.125)
Brussels office	-0.210*** (0.040)	-0.00006 (0.052)	-0.449*** (0.063)
Organisational format (ref. category – European peak association)			
National association	-0.184*** (0.052)	-0.072 (0.063)	-0.357*** (0.094)
Individual org.	-0.195*** (0.050)	-0.13* (0.064)	-0.301*** (0.082)
Other	-0.174 (0.122)	-1.105 (0.151)	-0.207 (0.211)
<i>Random effects</i>			
Policy issue (sd)	0.48	0.46	0.48
<hr/>			
Log-likelihood	-5084	-3074	-1959
Deviance	10168	6148	3918
Error rate	0.24	0.24	0.24
<hr/>			
N	9611	5798	3813
Issues	107	46	61

†p<0.1; *p<.05; **p<.01; ***p<.001. Multi-level random intercept probit model with maximum likelihood estimates.

3.3.3 Interpretation of results

The results of the regression analysis provide support for the hypothesis regarding the lobbying context, and for one of the two hypotheses concerning the effect of organisational resources. The results show strong evidence for the argument that organisational linkages have a direct effect on the probability of a group articulating a preference and support the argument that main business interest groups are less likely to use consultations as a venue to articulate their preferences. The findings also indicate a negative effect of having a Brussels office, shedding new light on the role played by this resource in the context of EU lobbying. The findings suggest support for the alternative hypothesis.

In more specific terms, model 1 shows that in line with the theoretical expectation, the number of inter-organisational ties has a strong effect on the probability of preference articulation. Table 3.2 indicates that the first difference in the predicted probability of preference articulation when the organisational ties variable changes from its minimum to its maximum values is very substantial, indicating an increase of 0.44 (or by 136.2%).

Table 3.2: Predicted probabilities of preference articulation

Organisational ties (model 1)		
	Change	Percentage change
Organisational ties (Min → Max)	0.44 (0.39; 0.50)	136.2% (100.6%; 180.4%)
Advocate type (model 1)		
Main business	Reference category	
Secondary business	-0.003 (-0.03; 0.02)	- 0.9% (-8.2%; 6.9%)
Environmental NGOs	0.04 (-0.01; 0.09)	10.97% (-3%; 25%)
National authority	0.01 (-0.04; 0.07)	4.77% (-10.4%; 20.4%)
Local authority	0.17 (0.14; 0.21)	52.07% (37.2%; 68.9%)
Other	-0.02 (-0.07; 0.04)	-5.95% (-21.2%; 10.7%)
Organizational resources (model 1)		
Brussels office (0→1)	-0.07 (-0.1; -0.05)	-21.31% (-28.8%; -13.2%)
Advocate type		
Main business	Regulatory issues (model 2)	
Secondary business	0.06 (0.03; 0.1)	23.2% (10.4%; 38.6%)
Environment NGOs	0.12 (0.05; 0.2)	45.3% (17.9%; 74.3%)
National authority	0.10 (0.03; 0.17)	37.3% (11.3%; 68.6%)
Local authority	0.15 (0.1; 0.2)	55.2% (34.2%; 78%)
Other	0.05 (-0.02; 0.12)	-17.9% (-5.9%; 45.4%)
Advocate type		
Main business	Technical issues (model 3)	
Secondary business	-0.07 (-0.11; -0.04)	-9.5%(-14.5%; -5.1%)
Environmental NGOs	-0.06 (-0.13; 0.002)	-7.7% (-17.7%; 0.38%)
National authority	-0.07 (-0.14; -0.00006)	-9.2% (-18.2; -0.008%)
Local authority	0.13 (0.09; 0.17)	16.9% (11.3%; 23.8%)
Other	-0.09 (-0.18; -0.011)	-12.3% (-24%; -1.4%)
Organizational form (model 1)		
European peak association	Reference category	
National association	-0.07 (-0.11; -0.03)	-16.4% (-24.6%; -7.5%)
Individual org.	-0.07 (-0.11; -0.03)	-17.5% (-25.3%; -9.2%)
Other	-0.07 (-0.16; 0.02)	-15.6% (-36.7%; 5.6%)

Note: 95% confidence intervals provided in the parentheses. Other independent variables were kept at their means if continuous and at their modes if categorical.

Model 1 also shows that, all issues considered, main business interest groups are less likely to articulate preferences relative to environmental NGOs, national and local

authorities. The first difference in predicted probabilities of preference articulation shows that organisations representing these interests are more likely to articulate a preference than main business. However, the first difference in predicted probabilities is significant only in the case of local authorities, which are more likely than main business to articulate preferences by 0.17 (or by 52.07%). To check the robustness of this finding, the “main” and “secondary business” categories were collapsed into one category and another model specification was run. The results (not reported here) were consistent with the ones presented for model 1.

To refine the theoretical discussion and account for one important feature of the EU policy environment, namely the highly technical nature of EU legislation (Mahoney, 2008; Beyers, 2008), the analysis distinguishes between regulatory and technical issues. Models 2 and 3 test the effects of advocate type on the probability of preference articulation while distinguishing between regulatory and technical issues. This aims to provide a fine-grained analytical insight into the conditions under which interest groups articulate policy preferences. This is justified by recent contributions in the literature on EU interest groups suggesting that for example business interest groups are more likely to lobby on technical issues because they represent the so-called “well-informed interests” (Broscheid and Coen, 2003: 175), having higher levels of resource endowment and informational capabilities (Bouwen, 2002; Furlong and Kerwin, 2005).

The results provide a clear picture with respect to the effect of regulatory issues on preference articulation, which support the findings of model 1. The first difference in the expected probability of preference articulation shows that interest organisations representing main business interests are significantly less likely to articulate preferences on regulatory issues than all other interest organisations (with the exception of interests labelled as “other”). With respect to technical issues the results indicate a rather mixed

picture: main business organisations articulate significantly more preferences than organisations representing secondary business, national authorities and “other” interests. However, the results also show that relative to organisations representing local authorities, main business is significantly less likely to articulate a preference on technical issues.

This rather mixed picture provides a better understanding of the pattern of preference articulation across advocate types and allows a more complex understanding of why the present research finds that main business interest groups are less active in articulating preferences.

In contrast to the theoretical expectation, the findings indicate that interest groups having a permanent Brussels office are significantly less likely to articulate preferences in the open consultations. The first difference expressing the effect of the change from a situation in which the group has a Brussels office to one in which the group does not have a Brussels office indicates a decrease of 0.07 (or by 21.3%) in the probability of a group articulating a preference.

The results also indicate support for the alternative hypothesis. European associations are significantly more likely to express policy demands than interest groups organised as national associations and groups lobbying on an individual basis. The first differences in predicted probabilities show that, relative to main business groups, the probability of articulating a preference is lower by 0.07 (or by 16.4%) for national associations and by 0.07 (or 17.5%) for individual lobbying organisations. These differences were statistically significant.

As previously mentioned, policy proposals were introduced in the analysis as fixed effects in an attempt to control for any proposal specific effects. The results of model 1 indicate that relative to the proposal on CO₂ emissions for passenger cars,

interest groups have articulated significantly more policy preferences on the consultations focusing on (1) the introduction of aviation activities in the ETS and on (2) the implementation mechanisms for this measure. On average, interest groups participating in the first event articulated preferences with respect to 86% of the issues, while in the second event with respect to 68% of the issues. In both cases, open ended questionnaires were used as main consultation instrument. In substantive terms, this finding indicates that the consultation format chosen by the Commission to obtain policy input matters; more structured formats affect stakeholders' preference articulation behaviour and the number of preferences expressed (see Quittkat, 2011). As a robustness check, a statistical model was run with a dummy variable indicating whether the consultation was using a standardized or non-standardized consultation tool. The results indicated the same proposal level effects, as when these were considered as fixed effects.

A set of robustness checks were conducted by specifying several other statistical models, using as control variables indicators of organisational resources and structural characteristics: organisational age, EC funding, mixed membership for European level associations and whether the interest groups originated in an old Member State for national associations and individual organisations. The results are not presented here. No statistically significant effect was found for the first three variables. However, coming from an old Member State was found to significantly increase the probability of articulating a preference by 0.15 (or by 63.24%).

3.4 Conclusion

This chapter examined one currently under-research lobbying strategy used by EU interest groups during the policy formulation stage of European policymaking: the articulation of policy demands in the context of open consultations organized by the European Commission. The chapter proposed an empirical investigation of the extent of involvement of interest groups participating in open consultations, as indicated by the frequency of their policy demands. The chapter explained the variation in the intensity of involvement with theoretical expectations regarding the importance of the lobbying context and organisational resources, while accounting for the effect of organisational form. The chapter also discussed how different stages of lobbying (interest mobilization and participation by articulating policy demands) manifest themselves in the context of open consultations and correspond to different lobbying goals.

Lobbying context was defined in terms of the relational environment describing the community of stakeholders created around open consultations. This chapter shows that interest groups with more organisational linkages are more likely to articulate preferences. Since the research focused on formal membership ties between interest organisations, this finding indicates that a group's preference articulation behaviour is built in response to the external inter-organisational environment and under the constraints imposed by its membership in inter-organisational cooperative structures. Chapter four of the present thesis takes this argument one step further and tests the effect of two groups sharing an organisational tie on the probability of articulating the same preference. The results show that sharing an organisational tie increased the probability of articulating the same preference by 0.27 (or by 69.58%). This in turn is indicative of coordinated, purposeful lobbying behaviour during the public consultation

stage of EU policymaking on behalf of stakeholders. This also provides more subtle insights into the causal mechanism explaining the importance of inter-organisational ties for preference articulation. Interest groups that are formally more connected with other stakeholders are more likely to lobby as part of advocacy coalitions, which in turn explains the relationship between having more inter-organisational linkages and being more active in articulating preferences. Having more ties leaves an interest organisation not only better informed about other organisations' preferences and behaviours, but also about how much support certain preferences are likely to receive and thus how likely they are to translate into policy outcomes. This is in line with the argument made in the literature that "[g]roups choose to lobby on those issues where they have a chance of winning" (Baumgartner and Leech, 1998:140).

Second, the chapter examined the effect of resource endowment on the preference articulation behaviour. To estimate interest groups' resource endowment the analysis used two proxy indicators: advocate type and the fact of having a Brussels office. With respect to advocate type, the argument made was that resource rich organisations (i.e. business interest groups) are less likely to employ open consultations to articulate their demands, instead seeking and being able to achieve direct access to policymakers. These organisations participate in consultations motivated by other reasons than the articulation of policy demands, such as for example assuring transparency of their lobbying efforts or signalling to both policymakers and other stakeholders their interest in the issues. Similarly, organisations having fewer resources (i.e. environmental NGOs, local and national authorities) more readily employ this lobbying venue to articulate their demands, due to the lower levels of associated costs. The empirical analysis provided evidence in support of this argument, showing that business organisations are less likely to articulate preferences in the open consultations.

The likely explanation for this is that they seek and get direct, one on one meetings with policymakers. The analysis was taken one step further to account for the highly technical nature of EU policymaking and the empirical analyses distinguished between regulatory and technical policy issues. Yet no effect was found in support of the argument made in the literature that main business organisations are in a better position to articulate preferences on technical issues because they represent the so-called “well-informed interests” (Broscheid and Coen, 2003: 175; Bouwen, 2002).

The findings are however consistent with previous studies suggesting that business interest groups usually pursue lobbying strategies consisting of bilateral meetings with policymakers (Eising, 2007a; Coen, 2009; Beyers, 2004) or participation in more restricted consultation settings, such as for example consultative committees (Mahoney, 2004). These findings also support the claim that open consultations were designed by the European Commission as a tool aimed to counter-balance business dominance in the EU policymaking system (Bouwen, 2009: 28) by facilitating access to the EU decision-making process to organisations that otherwise possess less resources allowing for EU level lobbying.

Empirical evidence was also found in support of the literature emphasizing the importance of the organisational form. European associations are more likely to articulate preferences. This finding is interesting in the light of a theoretical contradiction which seems to currently mark the literature in this respect. On the one hand, it is argued that, interest organisations with a more encompassing membership have a broader representational mandate (Bouwen, 2002), and should be thus expected to articulate more policy preferences. On the other hand, an encompassing membership might “diminish the ability for collective action and constrain the forming of common positions” on different policy issues (Beyers, 2008: 1201; Michalowitz, 2004: 77;

Mazey and Richardson, 2005), which in turn translates into lower levels of articulated preferences (see also Quittkat, 2011). The present chapter contributes to this debate by suggesting further evidence that European level associations manage to overcome organisational problems associated with an encompassing membership and perform their representational mandate.

Evidence was found with respect to another argument made in the literature in relation to one of the most relevant organisational resources for EU interest groups: a Brussels permanent office/representation (Mazey and Richardson, 2006: 240-241). In contrast to the argument made in the literature, the analysis shows that in pursuit of policy influence, groups deploy their resources judiciously: organisations with a Brussels office are less likely to use open consultations as a lobbying channel. This can be explained by the fact that these groups have the alternative of more direct channels to communicate their demands to policymakers. This should probably also be analyzed in relation to the finding about the behaviour of main business organisations in the context of open consultations: although they were the most numerous organisations, they articulated fewer preferences because most of them probably had direct access to policymakers facilitated by the fact of having a Brussels based office. This indicates in turn a topic for further examination and research: how much does participation in other consultative fora and the adoption of other lobbying strategies affect lobbying behaviour in the context of EC consultations? In an attempt to partially address this issue, the present research included in one of its preliminary statistical models (not reported here) a variable indicating whether or not the interest group participated in other consultative fora organized by the Commission for each considered policy formulation event (such as expert committees or public hearings). However, data were available for only three consultations and the effect of this variable on the probability of

preference articulation was not significant. This suggests that a more appropriate research strategy in this respect would be to conduct a set of interviews with interest groups' representatives and policymakers, investigating the extent to which informal bilateral meetings with EC policymakers have been used as a lobbying strategy in the context of the analyzed events.

All this considered, one can argue that EU interest groups' behaviour in terms of preference articulation is affected by considerations pertaining to both their *logic of influence* and that of *membership* (Schmitter and Streek, 1999). Interest organisations design this specific lobbying strategy in response to both the external and internal organisational environments in which they lobby (Aldrich and Pfeffer, 1976).

To take the analysis a step further, future research efforts should focus on gaining more insights into the substantive meaning of preference articulation. For example, future research should focus on regulatory issues and address the question of what explains interest groups' preferences for different levels of regulation of issues at EU level? Similarly, another aspect to investigate would be the effect of the consultation instrument (online questionnaire, written submissions, etc) chosen by the Commission on the levels of stakeholders' participation and articulation of preferences during the policy formulation stage. The present study showed a substantial variation across the analyzed cases in terms of numbers of interest groups participating in the event, as well as in terms of numbers of issues discussed in the consultation. The statistical analysis indicates that on some proposals interest groups expressed significantly higher levels of policy preferences. The interpretation suggested that this might be well due to the consultation format chosen by the Commission to get policy input. Increasing the number of analyzed consultation events, chosen from different policy areas, while also capturing the maximum of the variation in terms of consultation formats, would allow

further insights into how interest groups' participation and representation takes place during the policy formulation stages of EU legislation.

Chapter 4

Who lobbies with whom? Examining lobbying coalitions

The previous chapter found a strong positive effect of the number of inter-organisational ties on the probability that a group articulates policy preferences in EC open consultations. This was evidence that the inter-organisational lobbying context affects the manner in which interest groups participate in consultations. To gain a better understanding of this participation behaviour, the present chapter takes the analysis of the inter-organisational environment one step further and asks the following research question: *do interest groups participate in the open consultations as part of lobbying coalitions?*

Following a classic argument made in the literature according to which lobbying coalitions are more likely to form during the initial stages of the policy process (Hula, 1999: 93), the present chapter argues that it is reasonable to expect that EU interest groups lobby the Commission and participate in consultations as part of lobbying coalitions. To demonstrate this, the chapter proposes two empirical tests to investigate the presence of lobbying coalitions. The first test explores whether the fact of sharing a formal organisational tie translates into articulating identical policy preferences. This approach provides a strong empirical test of the commonly used but empirically less grounded definition of “lobbying coalitions”, which are usually described as sets of actors sharing the same policy goals (Baumgartner et al., 2009; Mahoney, 2007a; Warleigh, 2000; Klüver, 2011: 8). The second test examines the actual structuring of inter-organisational linkages among stakeholders participating in consultations. The aim is to identify whether or not consultations are characterized by fragmented policy

communities in which interest groups lobby as part of inter-organisational blocks clustered by the type of interest they represent. A polarized structuring of the inter-organisational environment is indicative of the presence of lobbying coalitions. Patterns of clustering in the network provide valuable information about the existence of lobbying coalitions. This second test is provided with the help of social network analysis techniques that help identify and graphically represent “who works with whom” as part of lobbying coalitions (Salisbury et al., 1987). The following chapter (chapter five) takes network analysis a step further to discuss and compare the structural features of the inter-organisational networks established around each consultation. This in turn provides valuable insights into patterns of interest groups’ interaction and mobilization for each consultation.

The present chapter examines the “relational” component of policymaking and interest groups’ lobbying (Kriesi et al., 2006: 342; Laumann and Knoke, 1987; Baumgartner and Leech, 1998: 139). The analysis captures a second dimension of interest groups’ patterns of participation and influence strategies pursued in the context of open consultations: engagement in lobbying coalitions. It also provides essential information about the fragmentation of the policy space as marked by the presence of competing lobbying coalitions. In doing so, the present chapter provides additional information for evaluating the level of pluralism characterizing the EU interest group system. This is in line with what Browne (1990) suggested as an appropriate approach to evaluate pluralism characterizing an interest group system: examining “how extensive the alliances and adversary relationships are among and between organized interests, and, [...], what motivates these interactive relationships” (Browne, 1990: 482; see also Falkner, 2000 for a discussion on how the structuring of policy networks at EU level offers valuable insights about the plurality characterizing the system).

Addressing the aforementioned research question is relevant for two reasons. First, advocacy coalitions are a core element of any lobbying strategy aimed at influencing decision-making outcomes: “[l]obbying often times takes place within coalitions, making it important to measure the efforts of allied groups rather than that of any single group. Any model that does not take into consideration the effects of indirect lobbying and coalitional behaviour is likely to be underspecified” (Baumgartner and Leech, 1998: 139).

Second, lobbying coalitions are an important component of the EU interest intermediation system (Mahoney, 2007a; Pijnenburg, 1998; Klüver, 2011; Warleigh, 2000; Dudley and Richardson, 1999). The literature indicates that the EU interest intermediation system is characterized by a “significant degree of formal networking between groups and a mechanism for the dissemination and socialization of information and ideas” (Greenwood and Aspinwall, 1998: 4; see also Hix, 2005: 218). The European Commission itself encourages the creation of transnational networks of interaction and cooperation between interest organisations (Geyer, 2001). In addition, the literature agrees on the importance of ‘network governance’ at the EU level and on the fact that governance at this level “involves bringing together the relevant state and societal actors and building issue-specific constituencies” (Eising and Kohler-Koch, 1999: 5). As such, “European governance fosters the dissemination of policy networks as a mode of governance” (Börzel, 1997: 13). Therefore, analyzing policy networks (and by extension lobbying coalitions) represents an essential step in any analysis focusing on the EU policymaking process.

This chapter contributes to the existing scholarship in three ways. First, the analysis suggests a detailed and refined empirical strategy to identify EU lobbying coalitions that is able to capture both the strategic interactions between coalition

members and the similarity of preferences among them. A sound identification of lobbying coalitions should be based on a clear identification of inter-organisational ties between actors articulating identical policy preferences. This in turn provides a more reliable and solid description of EU lobbying coalitions than currently employed in the literature. Second, the chapter provides one of the few empirical studies to focus on coalition behaviour during the early stages of EU policymaking. Currently, the focus of the literature is on analyzing coalitions, networking and allying in general, throughout the EU policymaking process. This gives only limited insights into interest groups' behaviour during the policy formulation stages (see for example Beyers and Keremans, 2004; Mahoney, 2007a, 2008). Third, the chapter presents a more precise and detailed identification of the relational aspects of a policy conflict characterizing a decision-making event (Kriesi et al., 2006), by mapping out the "allies and the adversaries" and lobbying sides articulated around different issues and/or events (Salisbury et al., 1987; Baumgartner et al., 2009; Laumann and Knoke, 1987: 311- 342) with the help of social network analysis techniques.

The chapter is structured as it follows: section one discusses the concepts of lobbying coalitions and policy networks, their importance when analyzing lobbying in the context of EU policymaking and the theoretical expectations with respect to the structuring of lobbying coalitions during the formulation stage of EU environmental policy. Section two presents the results of the empirical analysis suggested as a first test for identifying lobbying coalitions. Section three presents graphically the lobbying coalitions characterizing the community of stakeholders for each consultation. Section four gives some concluding remarks.

4.1. Theoretical framework: coalitions, networks and inter-organisational ties

The literature identifies “networking, alliance building, or coalition activity” as essential components of interest groups’ lobbying activities targeting the EU institutions (Mahoney, 2008: 167). The literature also identifies policy networks as an important reality of EU policymaking, especially at the level of decision-making within the European Commission. Mazey and Richardson underline that “[g]roups and the Commission have an especially acute, mutual interest in trying to form stable policy communities and policy networks over time” (Mazey and Richardson, 2006: 250). The European bureaucracy develops strong cooperation and consultation relationships with interest groups as relevant stakeholders for two reasons. First, EU institutions aim to “limit the cost of information” given their “limited capabilities” (Downs (1967) quoted in Mazey and Richardson, 2006: 248) so that interest groups represent valuable sources of “(1) information, (2) support and (3) legitimacy in its key policy-issues” (Mazey and Richardson, 2006: 249). Second, the institutionalization of consultation processes with interests is a classic form of “risk reduction”: “by seating the appropriate stakeholders at the appropriate seats, bureaucrats reduce the likely resistance to their policy proposals at other venues and avoid blame for the subsequent policy failures or fiascos” (Henderson (1977) quoted in Mazey and Richardson, 2006: 249). Similarly, the literature speaks of a “significant degree of formal networking between groups and a mechanism for the dissemination and socialization of information and ideas” among interest groups themselves (Greenwood and Aspinwall, 1998: 4). The present analysis focuses only on the policy networks formed among interest groups; interest groups-policymakers linkages are missing from this analysis since the focus is on analyzing interest groups’ coalition behaviour.

Before presenting the empirical analysis, several conceptual clarifications are required. First, by the “policy community of stakeholders” the present study describes the universe of all interest organisations that submit a formal policy position document or written contribution to the surveys used by the EC to consult interested parties. This implies that the present study focuses only on some specific parts of the policy networks. This resembles what Pijnenburg (1998) and Mahoney (2007a) identified as *ad hoc issue coalitions*, or “issue networks composed of groups that come and go as issues rise and fall” (Hula, 1999: 22, based on Hecl, 1978). These coalitions are characterized by a “low level of formalization”, they are established for periods of time limited to the adoption of a policy or legislative act, and usually consist of interest organisations that differ from each other in terms of their organisational format and represent different interests (Mahoney, 2007: 368; see also Warleigh, 2000). At the EU level these “[a]d hoc issue coalitions convey to elected officials the size and breadth of support for a proposal” (Mahoney, 2007: 178). This type of coalition would probably be best defined in Hula’s terminology as a “short term coalition” (Hula, 1999: 115). According to Mazey and Richardson (2005) such networks describe well EU environmental policymaking: “the process is best described as policymaking through loose, open and extended issue networks, rather than through well-defined, stable and exclusive policy communities. Participation in the policy process is unpredictable, and policy ideas may appear suddenly and from little known sources” (Mazey and Richardson, 2005: 108).

As already detailed in the research design chapter, the empirical strategy used to identify policy networks consisted of identifying the formal membership ties linking interest groups within the same national or European level association (be it part of the community of stakeholders or not) at the time when the consultation took place. The

criterion of common, formal membership within a hierarchical, potentially coordinating structure provides an appropriate approach to the identification of lobbying coalitions based on two simple assumptions used in the existing literature. The first assumption is that “[i]f organisations are structurally or institutionally linked to one another, they do not face great challenges in “finding” one another (the first information problem of coordination), and there is a lower cost of discovering their preferences (the second information problem of coordination)” (Hula, 1999: 55). Derived from this, the second assumption is that “organisations with more institutional links have less difficulty in forming coalitions” (Hula, 1999: 73). These institutional links are relevant for both ad hoc issue coalitions and for long term cooperative structures between interests groups as “[t]hough institutional links are not used on every issue, their very real presence also creates a loose but generally stable framework of relationships with policy sectors that can help provide form to the issue network models” (Hula, 1999: 16).

This chapter captures a coalitional behaviour in between ad hoc coalitions and more permanent coalition structures. It identifies inter-organisational linkages based on a latent, permanent organisational structure but makes inferences about the coalition behaviour based on interest groups’ participation on specific, time delimited policymaking events and not based on the observation of patterns of inter-organisational dynamics across time and different policymaking events. This conceptualization is in line with Knoke’s description of lobbying coalitions which are described as “typically short-lived efforts to affect the outcome of a specific, narrowly defined policy event” (Knoke, 2011: 210). For the sake of simplicity, the study will employ the term lobbying coalition throughout the remainder of the chapter.

A lobbying coalition is defined as a coalition of interest groups that (1) express the same policy preferences and (2) are part of the same cluster of inter-organisational

linkages. When both of these conditions are met in a lobbying context, the present paper argues that this serves as a strong indication of coordinated behaviour of “purposive groups of organisations united behind a symbiotic set of legislative or regulatory goals” (Hula, 1999: 22). Therefore, two observable implications are derived with respect to the two empirical tests suggested by the present study to identify the existence of lobbying coalitions. First, if interest groups’ coalitions are indeed a dimension of EC consultations then one should systematically observe that interest groups sharing an inter-organisational tie articulate preferences for the same policy outcomes. Second, the presence of lobbying coalitions should also correspond to a fragmentation of the inter-organisational environment into blocks of organisations, clustered around the type of interest they represent. Sections three and four below examine these two expectations.

4.2. A first test of lobbying coalitions: sharing organisational ties and similar policy preferences

The first test to identify lobbying coalitions is to examine whether the fact of two interest groups sharing an organisational tie corresponds to a significantly higher probability that they articulate the same policy preference. The first step in conducting this analysis was to re-shape the dataset to capture for each interest group its ties with other organisations and whether the two organisations shared the same preference on one policy issue. This analysis has therefore as unit of analysis interest group dyads combined with issues. The dependent variable is dichotomous, taking a value of 1 when the two interest groups in the dyad expressed an identical policy preference and a value of zero otherwise. The model controls for the interest type of the two groups, on the assumption that organisations representing the same interests should in principle articulate the same preferences. Similarly, the analysis controls for the organisational

format of the interest group based on the argument made in the literature that structural characteristics of interest groups affect their lobbying behaviour and their participation in the policymaking process (Beyers, 2004, 2008). To account for any specific effects of proposals (consultation events) in the sample, proposals were considered fixed effects in the regression analysis.

The results of the statistical analysis are presented in Tables 4.1 and 4.2. They show a relatively strong statistically significant effect of sharing an inter-organisational tie on the probability of articulating the same policy preference. The predicted probability that two groups express the same preference when they do not share an organisational tie is 0.43 (95% confidence interval between 0.22 and 0.67). When the two groups share an inter-organisational tie, the predicted probability is 0.69 (95% confidence interval between 0.46 and 0.86). The first difference measuring the effect of change from a situation in which the organisational tie is absent to one in which the tie is present is substantial and marks an increase in the probability of articulating an identical preference by 0.27 (95% confidence interval between 0.20 and 0.27), or by 69.85% (95% confidence interval between 30.7% and 120.5%).

Table 4.1: Mixed effects logit model explaining preference similarity

Explaining preference similarity	
<i>Fixed effects</i>	
(Intercept)	0.954 (0.427)
Organisational tie	1.170*** (0.027)
Same interest type	0.300*** (0.014)
Same organisational form	0.271*** (0.011)
<i>Random effects</i>	
Policy issue (s.d)	1.24
<i>Model fit</i>	
Log-likelihood	-99844
Deviance	199687
Error rate	0.33
N	168350 (dyads)
Policy issues	107

†p<0.1; *p<.05; **p<.01; ***p<.001. Multi-level random intercept logit model with maximum likelihood estimates.

Table 4.2: Predicted probabilities of identical policy preferences

Predicted probabilities of identical preferences			Change	Percentage change
	Variable = 0	Variable = 1		
Organisational tie	0.43 (0.22; 0.67)	0.69 (0.46; 0.86)	0.27 (0.20;0.29)	69.58% (30.7%; 124.1)
Interest type	0.42 (0.21; 0.66)	0.49 (0.46; 0.86)	0.07 (0.05; 0.08)	17.68% (9.5%; 26%)
Organisational form	0.43 (0.22; 0.66)	0.49 (0.26; 0.73)	0.06 (0.05; 0.07)	15.96% (9.1%; 22.9%)

Note: 95% confidence intervals provided in the parentheses.

This effect is much stronger than that of the variable indicating whether two organisations represent the same type of interest. The first difference measuring the effect of the advocate type variable shows a statistically significant but smaller effect on

the probability of two organisations articulating an identical preference: the effect suggests an increase of 0.07 (or by 17.68%) in the probability of articulating the same policy preference.

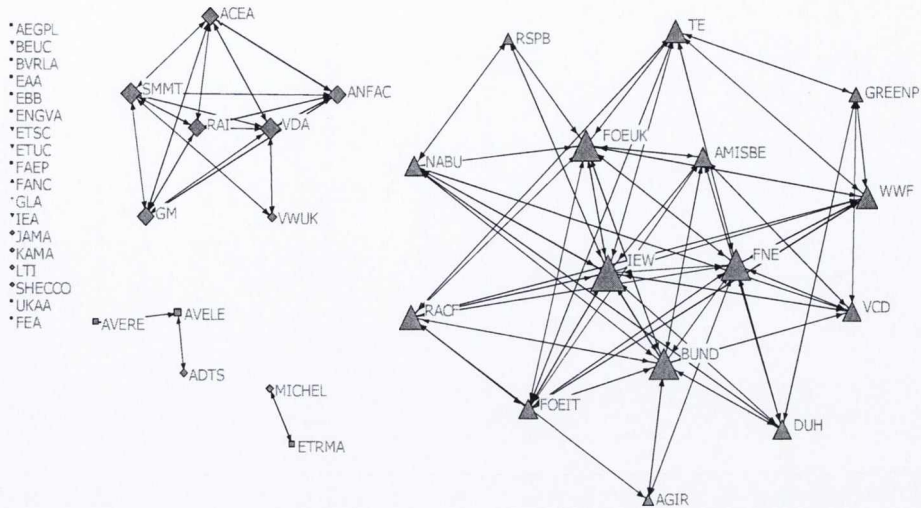
As a robustness check, the statistical model was run on several random samples of different sizes. The results indicated the same effect of the organisational ties variable on the similarity of policy preferences.

To gain more in-depth and precise insights into this lobbying behaviour of EU interest groups, the next step of analysis uses social network analysis techniques to identify the structuring of the main lobbying organisational clusters in each considered community of stakeholders. This illustrates how interest groups decide to coordinate their efforts to achieve a common lobbying goal at EU level.

4.3. The structure of inter-organisational networks: a second test for lobbying coalitions

The second test investigates the structuring of the inter-organisational networks between consultation stakeholders. As mentioned above, the aim is to graphically map the networks and to identify any pattern of clustering of ties into distinct, separated (or only loosely connected with others) blocks of organisations representing the same advocate type. The graphics were made using Netdraw in UCINET. All figures present undirected network ties as indicated by the arrows running both ways.

Figure 4.1 below illustrates the structuring of inter-organisational networks in the consultation on the reduction of CO₂ emissions for passenger cars (the CO₂ emissions network).



Legend:

Diamond shape – Main business organisations

Box shape – Secondary business organisations

Triangle – Environment NGOs

Plus – National authorities

Circle – Local authorities

The size of the node corresponds to the number of ties. On the left hand side, interest organisations that are isolates.

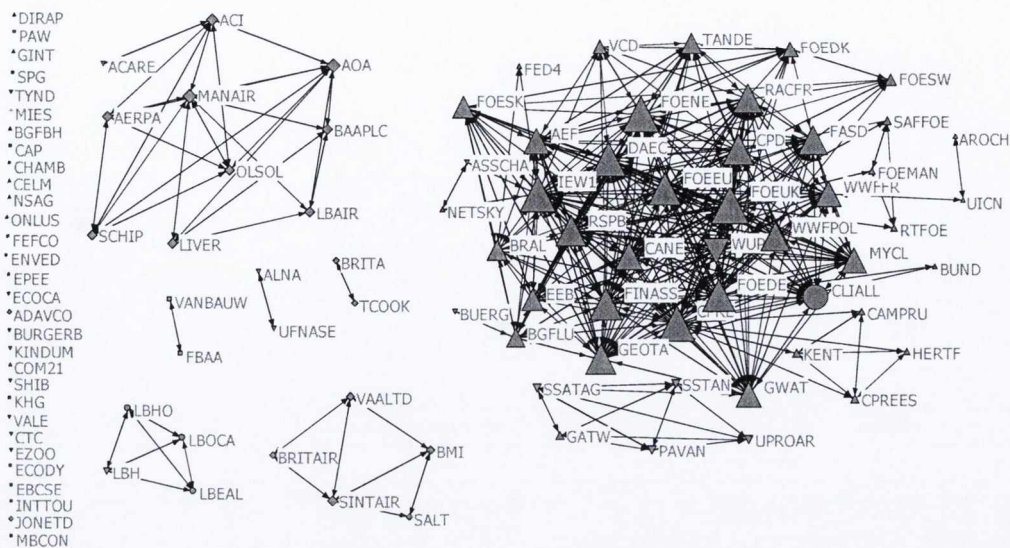
Figure 4.1: Inter-organisational network ties in the consultation on the reduction of CO2 emissions for passenger cars

The total number of nodes in the network is 45. The graphical representation of the network indicates a well defined pattern of clustering of interest groups into four main blocks corresponding to four different types of interests. On the right hand side, the network of environmental NGOs, with prominent interest organisations such as *Transport and Environment*, *Greenpeace* and *World Wildlife Fund* and several national and individual NGOs. On the left hand side the coalition of car manufacturers, consisting of ACEA (*the European Association of Automobile Manufacturers*), national level associations from UK (SMMT), Germany (VDA), Italy (RAI) and Spain (ANFAC). Two other smaller clusters can be observed representing the industry of rubber manufacturers (ETRMA and Michelin) and the industry of electric vehicles (ADTS, AVELE and AVERE).

This structuring of inter-organisational linkages suggests a policy formulation process in which two lobbying sides dominate the policy space and attempt to influence policy outcomes: car manufacturers and environmental NGOs. This is in line with a polarized policymaking environment characterized by the existence of lobbying coalitions articulated around the main interests having a stake in the content of the policy proposal. Interestingly, we see more and better inter-connected organisations representing environmental interests than organisations representing European car manufacturers. As already mentioned in the previous chapter, this contradicts a classic argument made in the literature on regulatory policy domains (such as the environment) and patterns of interest groups mobilization and participation (Wilson, 1980). This argument suggests that in those policy domains which bring about concentrated costs on particular segments of the society (in this case car manufacturers) one should see higher levels of mobilization and participation in the policymaking process on behalf of the organisations representing those interests incurring the costs of the adopted regulatory policies. If this were true, one would expect more interest organisations representing the car industry to participate in the open consultations relative to environmental NGOs, which however does not seem to be the case. Furthermore, interest organisations representing the so called “diffuse interests” do not seem to have difficulties in participating in consultations and in articulating policy demands (as shown in chapter three), despite some claims in the literature suggesting otherwise (Pollack, 1997).

Figure 4.2 below presents the structuring of organisational linkages in the consultation on the introduction of aviation activities in the Emissions Trading Scheme. Similar to the previous case, one can observe a fragmentation of the inter-organisational environment into three distinct clusters of organisations corresponding to two distinct blocks of interests. On the right side of the graph, there is the densely populated

network of environmental NGOs. In the upper left hand side, the network of organisations representing airports' interests (*Airports Council International, Airport Operators Association*, etc). In the lower left hand side the organisations representing European airlines (*British Airways, BMI*, etc.). Also, a small network of London Boroughs can be observed in the lower part of the graph. This structuring of the inter-organisational environment is as well indicative of a policy context in which interest groups participate in lobbying coalitions, corresponding to the two main affected interests by the proposed policy measures: the aviation industry and the interest of the general public represented by environmental organisations. Again, it's worth noting the fact that the cluster of environmental organisations is more populated and much better inter-connected than the one of organisations representing the aviation industry.



Legend:

Diamond shape – Main business organisations

Square – Secondary business organisations

Upward triangle – Environment NGOs

Plus – National authorities

Round circle – Local authorities

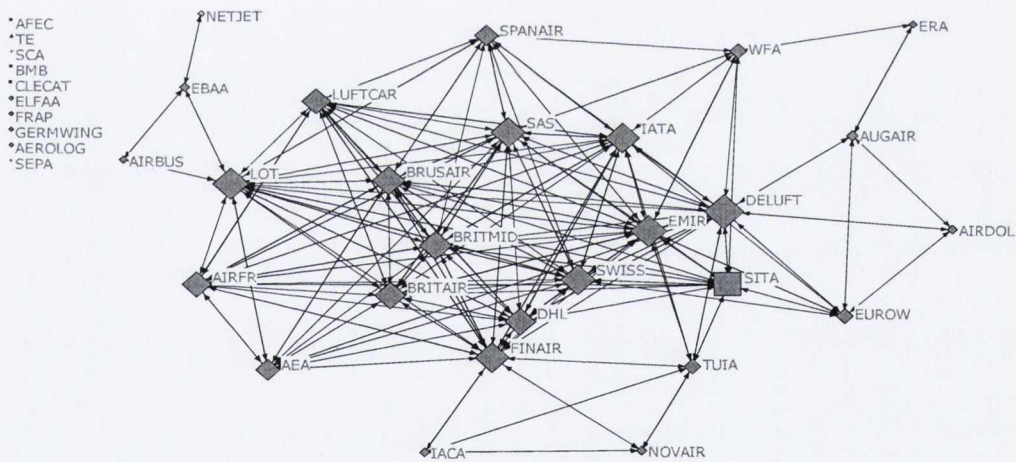
Downward triangle – Other

The size of the node corresponds to the number of ties. On the left hand side, interest organisations that are isolates.

Figure 4.2: Inter-organisational network ties in the consultation for the inclusion of aviation activities in the ETS

Figure 4.3 presents a radically different picture of the mobilization of interest groups from the previous case. In the case of the consultation on introducing aviation activities in the ETS (which was much more technical in nature, focused on policy issues requiring high levels of technical expertise and dealing mostly with measures affecting the activities of airline operators), the inter-organisational environment is dominated by one main block of organisations representing the interests of European airlines. This was formed to a large extent by individual companies, alongside their peak associations such as AEA (*Association of European Airlines*), EBAA (*European Business Aviation Association*), ERA (*European Regions Airlines Association*), IACA (the *International Air Carrier Association*) and IATA (the *International Air Transport*

Association). Although there is no fragmentation of the inter-organisational environment into distinct clusters of organisations representing opposing interests, this different pattern of inter-organisational linkages provides further empirical evidence for the argument that lobbying coalitions are a reality of the open consultations. In the light of the findings presented in the previous section, showing that sharing ties is a strong predictor of sharing similar preferences, one could argue that organisations representing the interests of the aviation industry seem to have pursued a highly coordinated mobilization and participation lobbying strategy with respect to a legislative proposal that specified in detail the manner in which aviation activities will be introduced in the Emissions Trading Scheme.



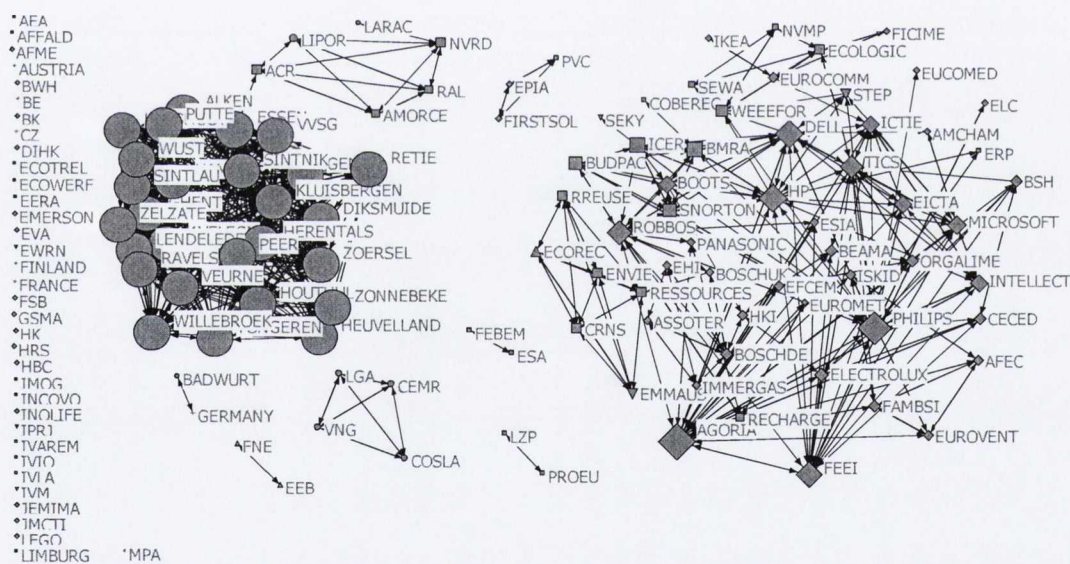
Legend:
Diamond shape – Main business organisations
Square – Secondary business organisations
Triangle – Environment NGOs
Plus – National authorities
Round circle – Local authorities
 The size of the node is given by the number of inter-organisational ties the group has with other stakeholders. On the left hand side, interest organisations that are isolates.

Figure 4.3: Inter-organisational networks in the MRV consultation

Figure 4.4 presents the inter-organisational linkages between interest groups consulted on the adoption of a waste management directive. A distinct and well connected block of organisations representing the interests of producers can be observed on the right side of the graph. This component of the network is dominated by European and national level associations, with only few interest groups lobbying on an individual basis. In the upper part of the graph, a small but distinct network of interest organisations representing the interests of local communities: CEMR (*Council of European Municipalities and Regions*), ALAI (*Association of Local Authorities Iceland*), LGA (*Local Government Association*) and DS (*Deutscher Staedtetag*). Three distinct smaller networks are identified between organisations representing the interests of the recycling and reuse industry. First, the PROEU (*Pro Europe Packaging Recovery Organization Europe*), EPRO (*European Association of Plastics Recycling and Recovery*), CONAI (*Consortium for the Recovery of Bags – Italy*) and Valpack cluster. Second, ISWA (*International Solid Waste Association*), CEWEP (*Confederation of European Waste-To-Energy Plants*) and CIWM (*The Chartered Institution on Wastes Management*) cluster. Third, the ERPA (*European Recovered Paper Association*), BIR (*Bureau of International Recycling*), EFR (*European Ferrous Recovery and Recycling Federation*), SRIA (*Swedish Recycling Industries Association*), EUROMEC (*European Metal Trade and Recycling Federation*), FNADE (*French Waste Management Industry*), ESA (*Environmental Services Association*) and BDE (*German Federation of Waste Management Industry*) cluster. This last cluster also consists of three interest organisations representing the paper manufacturers industry CEPI (*Confederation of European Paper Industries*), CITPA (*International Confederation for Paper and Board Converters*) and ASSOCARTA (*the Italian Association of Pulp and Paper Producers*).

organisations representing the recycling industry and (3) a small network of interest organisations representing local authorities. Environmental NGOs appear to be very poorly represented and are all clustered in one network triad. In contrast to the previous three consultations, on waste management business interest groups showed a higher level of participation in the open consultation and appear to have lobbied as part of better inter-connected lobbying coalitions than organisations representing other interests.

Lastly, Figure 4.5 presents the structuring of inter-organisational linkages in the community of stakeholders for the consultation on the revision of the directive on the management of electric and electronic waste (the WEEE network).



Legend:
Diamond shape – Main business organisations
Square – Secondary business organisations
Triangle – Environment NGOs
Plus – National authorities
Circle – Local authorities
Down triangle – Other
The size of the node is given by the number of inter-organisational ties the group has with other stakeholders. On the left hand side, interest organisations that are isolates.

Figure 4.5: Inter-organisational networks in the consultation on the revision of the WEEE directive

The graph presents a policy community of stakeholders clustered in two main blocks. On the right hand side is the network of interest organisations representing the interests of the main business (European producers and manufacturers) and secondary business (European recycling and reuse industry). On the left hand side is the well-connected network of Belgian local communities and of some organisations representing the interests of the recycling and reuse associations active at the local levels of public administration – ACR (*Association of Cities and Regions for Recycling*), RAL (the *RAL Quality Assurance Association for the Remanufacture of Refrigeration Equipment*), NVRD (the *Royal Dutch Solid Waste Association*), AMORCE (*Association of French municipalities and local authorities dealing with waste, energy and heating networks*). Another small cluster can be observed among interest organisations representing local authorities at European and national levels, in the lower left hand side of the graph: CEMR (*Council of European Municipalities and Regions*), COSLA (*Convention of Scottish Local Authorities*), LGA (*Local Government Association*) and VNG (*Association of the Netherlands Municipalities*). Similar to the consultation on the waste management directive, a very modest and isolated presence of environmental NGOs is identified: FNE (*France Nature Environment*) and EEB (the *European Environmental Bureau*). On the left hand side, the graph presents the isolates or those organisations that have no inter-organisational ties with other stakeholders.

This organisation of the networks describes a policy community structured around two lobbying sides: one formed by organisations that represent the interests of producers and of the recycling and reuse industry, and a second one of organisations representing local authorities. Similar to the consultation on the waste management directive, this consultation mobilized a far greater number of business organisations than organisations representing the so called “diffuse interests”.

To conclude this section, two points are worth mentioning. First, the graphical representation of interest groups' networks indicates the presence of a fragmented lobbying environment into clusters of organisations. Second, this structuring of the inter-organisational environment describes the competing interests articulated around the considered consultations. The previous section showed that sharing a tie translates into sharing the same policy preferences. This implies that the graphical representation of networks reflects to a considerable extent the lobbying coalitions formed on each considered open consultation.

4.4 Conclusions

This chapter examined a fundamental aspect of interest groups' participation in EC open consultations: the presence of lobbying coalitions. To investigate the presence of lobbying coalitions, the chapter proposed two empirical tests to identify the presence of coalitional behaviour among stakeholders. The first test proposed and estimated a causal relationship between the presence of an inter-organisational tie between two organisations and the probability that they articulated an identical policy preference, even after controlling for other structural characteristics of the organisations concerned. The results of the empirical analysis showed that sharing a tie is a strong predictor of articulating the same preference.

These findings show that sharing an inter-organisational tie plays a much more important role in the articulation of identical policy preferences than the type of interest represented by an organisation. The results provide empirical evidence that interest groups participate in the EC consultations as part of lobbying coalitions, in which the articulation of identical preferences follows from coordinated behaviour. This finding is important because the literature on EU lobbying employs rather vague definitions of

“coalitions” or “lobbying camps”. Membership of a lobbying coalition is assumed based on the articulation of similar policy preferences, rather than inferred based on the observation of strategic interactions or coordination efforts. In the dataset used for the present analysis, 50% of the interest groups dyads indicate that across consultations two stakeholders articulate the same preference without sharing an organisational tie. This shows that there are cases in which the articulation of identical policy demands cannot be attributed to coordinated behaviour on behalf of interest organisations and therefore a healthy dose of cautiousness is required when inferring the existence of a lobbying coalition based only on the observation of preferences. The present chapter argues that an accurate identification of “advocacy circles” (Knoke et al., 1996) at EU level should instead necessarily capture (directly or indirectly) the existence of strategic interactions taking place between their members, something that current approaches fail to do, especially when it comes to large n analyses. The empirical analysis proposed here suggests an elegant solution to address this issue and proposes an alternative approach on how to investigate whether or not similarity of preferences results from coordinated actions and communication links between interest organisations.

Second, the results provide valuable insights into lobbying strategies that interest groups adopt at EU level. The analysis indicates that interest groups that are part of the same advocacy side act strategically and submit individual policy position documents. Interest groups are aware that policymakers are interested in the aggregate support different policy alternatives get on behalf of interested parties and that with each and every individual submission the aggregate distribution of preferences on one issue looks different and has an increased probability to be translated into outcomes. In all analyzed consultations, European peak organisations, national associations and individual interest groups linked by membership ties, lobby together, by simultaneously

submitting individual policy position documents expressing identical preferences (sometimes even the same policy documents) in order to increase their “voice”, the legitimacy of their demands and the likelihood of achieving them. Interest organisations appear to be well aware that policymakers are interested in the aggregate message coming from the community of stakeholders, as indicated by one of the European Commission’s desk officers interviewed for the purpose of the present thesis, as well as by some contributions in the literature (see Mahoney, 2007).

The second test used network analysis and proposed a graphical investigation of the structuring of the inter-organisational environment. The aim was to identify whether interest groups cluster into inter-organisational networks based on the type of interest they represent in the consultation. The argument made was that a highly fragmented community of stakeholders as indicated by the presence of distinct, completely separated or only loosely connected organisational clusters is indicative of the presence of lobbying sides in the community of stakeholders. All consultations presented a highly fragmented aggregate distribution of inter-organisational ties, usually suggesting the presence of two main lobbying sides: environmental (or local authorities) organisations and business interest groups. The only exception was the consultation on the monitoring, reporting and verification mechanisms for introducing the aviation activities in the Emissions Trading Scheme. Here the network was formed by one main block of organisations representing the interests of the European aviation industry.

This finding is important not only because it provides further evidence that lobbying coalitions are a reality of open consultations, but also because it shows patterns of fragmentation and polarization within the interest intermediation system. The relationship between the polarization of the inter-organisational environment and the underlying polarization of interests is well described by Knoke *et al.* (1996), who argue

that: “a policy domain’s opposition network has important implications for the resolution of domain policy conflicts. Polarized structures indicate bitter divisions whose great gulfs cannot be easily bridged, because few or no members exist in common that could serve as mediators of disputes. More diffuse configurations indicate a system’s greater capacity to bargain and negotiate a compromise solution to an event conflict” (Knoke et *al.*, 1996: 23).

Taken together these findings indicate that lobbying coalitions are a reality of the early stages of the EU policymaking process, in line with a classic argument on lobbying coalitions (Hula, 1999). The findings also indicate a polarization of the policy space and of the lobbying environment along the lines of the conflicting interests having a stake and seeking representation in the consultations.

Chapter 5

Describing interest groups' networks

The inter-organisational environment in which interest groups act affects their lobbying behaviour, preferences for different policy alternatives and ability to influence policy outcomes (Aldrich and Pfeffer, 1976). One commonly made argument in the literature on policy networks is that power within a decision-making setting (and implicitly influence over decision-making outcomes) resides in the “actual or potential interactions between two or more social actors” (Knoke 1990, cited in Kriesi et al. 2007: 342). A group's location within its organisational network is particularly relevant as it illustrates how powerful the interest group is relative to others, given its ability to monitor the flow of communication and of other organisational resources exchanged within this network (Laumann and Knoke, 1987). It is therefore essential to explore systematically the organisational environment in which interest groups lobby, express their policy demands and attempt to influence decision-making outcomes. This involves identifying which actors play key structural roles in their inter-organisational networks.

This chapter takes one step further the analysis of the inter-organisational environment and analyzes interest groups' inter-organisational networks. The chapter addresses two inter-related research questions. First, *what are the structural characteristics of the inter-organisational networks formed around the selected environmental consultations?* And second, *which interest groups occupy key structural locations in these networks?* Whereas the previous chapter investigated whether interest organisations cooperate with each other in the form of lobbying coalitions, the present

chapter explores the patterns of this cooperation at both macro and micro levels of the policy communities of stakeholders (following Laumann and Knoke, 1987).

To answer these questions the chapter employs network analysis to examine the characteristics of organisational networks at both macro and micro levels (Hanneman and Riddle, 2011: 341-356). For each consultation, the chapter presents and discusses a set of network measures computed to provide valuable insights into networks' size, fragmentation and level of inter-connectedness (Table 5.1), as well as a set of ego network measures to assess which interest organisations play key structural roles in their inter-organisational networks.

Table 5.1: Comparing policy networks in the environmental policy area

Structural characteristics	CO2	Aviation	MRV	Waste	WEEE
Network size and density					
No. of nodes	45	184	37	138	164
No. of ties	146	796	275	272	1104
No. of complete isolates	18	109	10	27	60
Density	0.07	0.02	0.20	0.01	0.04
Inclusiveness	27	74	27	107	104
	(60%)	(40.21%)	(72.97%)	(79.85%)	(63.41%)
Average degree	3.24	4.33	7.46	1.97	6.89
Network connections					
<i>Fragmentation (reachability)</i>					
Average distance	1.47	2.04	1.83	2.68	1.3
Diameter	3	5	5	6	7
<i>Transitivity</i>					
Network: percentage of triangles with 2 legs that have 3 legs	38.25%	54.88%	51.07%	41.98%	80.46%
Percentage of all ordered triples that are transitive	68%	0.19%	5.55%	0.03%	0.45%
Percentage of all ordered triples that are transitive	65.01%	78.49%	75.79%	68.49%	92.53%
<i>Clustering</i>					
Graph clustering coefficient	0.7	0.84	0.74	0.76	0.84
Weighted overall graph clustering coefficient	0.65	0.78	0.76	0.69	0.91
Network substructures					
Total components	22	117	11	73	68
Components: isolates	18	110	10	30	60
Components: dyads, triads and local clusters)	4	7	1	43	8
Blocks (bi-components)	5	13	3	27	19
Cut points	1	6	2	14	9

Investigating the structural characteristics of networks and which interest groups are in a powerful network position is relevant for the purpose of the present thesis for two reasons. First, network analysis provides a better understanding of the patterns of cooperation and coalition behaviour of interest groups identified in the previous chapter (chapter four). It identifies key organisational players and members of lobbying coalitions. Second, as already mentioned, one commonly made argument is that power within the network results in power over decision-making outcomes. Since one of the main goals of the present research is to examine determinants of interest groups' preference attainment, knowing which interest groups are located into powerful network positions provides essential insights into the causal mechanism behind the effect of inter-organisational ties on the probability of preference attainment which is the focus of the next chapter (chapter six). One argument made in that chapter is that levels of connectivity with other stakeholders are an important causal factor in explaining preference attainment.

Whereas the measures describing networks at the aggregate level are straightforward, the measures used for the analysis of ego networks and the identification of interest groups' structural positions require further specification. Four ego network measures are relevant for the purpose of the present analysis and they are operationalized in the following manner:

1. The *degree centrality of an actor* – expresses the proportion of ties an interest group has of the total number of possible ties it could potentially have based on the complete size of the network.

2. The *normalized ego betweenness* – captures “the percentage of all geodesic paths from neighbour to neighbour that pass through ego” (Hanneman and Riddle, 2011: 359). The normalized measure indicates “the actual betweenness of ego to the maximum possible betweenness in neighbourhood of the size and connectivity of ego's” (Hanneman and Riddle, 2011: 359). In short, this measure indicates the

proportion of times an actor falls in between other actors from the total number of times it could have this position given the size of the network (Hanneman and Riddle, 2005).

3. The *normalized broker measure* – indicates the frequency with which an actor plays a brokerage role by serving as a link between pairs of actors that are otherwise not directly connected.

4. The *Bonacich power index* – indicates how powerful an actor is in the network based on how well or poorly connected its direct alters are. Two values are computed for this index to capture two sides of power in one's ego network: in the first, an actor is considered influential because its direct alters in the network are well connected themselves; in the second, an actor is powerful in its local network because it is connected to alters that have no other or only few other ties, in which case these alters are heavily dependent on the ego actor for having access to the network and other actors (Hanneman and Riddle, 2005). Two measures are computed for this index: the first measure is computed by using a positive attenuation factor ($\beta = +0.5$) and gives a positive weight to having well-connected neighbours. The second measure is computed using a negative attenuation factor ($\beta = -0.5$) to give more weight to the fact of having alters who are less connected than the actor itself.

Each network of stakeholders formed around each consultation is analyzed in detail below.

5.1 Interest groups' networks in the consultation on the reduction of CO₂ emissions of passenger cars

This network has a relatively low number of nodes (45), 146 inter-organisational ties and a rather high number of isolates (18). The network inclusiveness measure, expressing the proportion of active nodes, is thus relatively modest, only 60%. The average degree is 3.24, indicating that on average interest groups have ties with 3.24 other interest groups.

Another important structural dimension of a network is its level of connectedness. Different measures provide information about different aspects of this dimension. First, the level of network fragmentation is high (0.87), corresponding to a high number of unconnected components, namely 18 isolates and 4 substructures (1 dyad, 1 triad and 2 clusters).

Second, the level of network transitivity, measured as the percentage of triads that are transitive in nature, represents another important structural characteristic (see Carpenter *et al.*, 2004). This measure provides information about the likelihood that if we observe a tie between organisations A and B, as well as one between organisations B and C, that we should also observe a tie between A and C. As indicated in Table 5.1, 65% of the triads in the CO₂ emissions network are transitive in nature.

Finally, a third measure providing information about network interconnectedness is the clustering of the network in terms of the density of ties around “local neighbourhoods”. This measure is particularly relevant in the context of the present analysis given the structuring of the five inter-organisational networks graphically represented in chapter four: four of the five networks showed a rather strong pattern of clustering of organisations in well distinct blocks. The overall graph clustering coefficient measures the average of the densities of the neighbourhoods of all of the actors, while its “weighted version” gives a higher weight to actors with larger “neighbourhoods” (Hanneman and Riddle, 2005). The CO₂ emissions network presents a high clustering coefficient of 0.7, indicative of dense local structures. This is consistent with the graphical representation of this network presented in chapter four, Figure 4.1 that depicted a polarized community of stakeholders into two main blocks of organisations, representing on one hand the car industry and on the other the environmental NGOs.

Shifting the focus of analysis from the macro to the micro level, Figures 5.1 to 5.5 of the chapter present the aggregate distribution of the five ego network measures for each considered consultation.

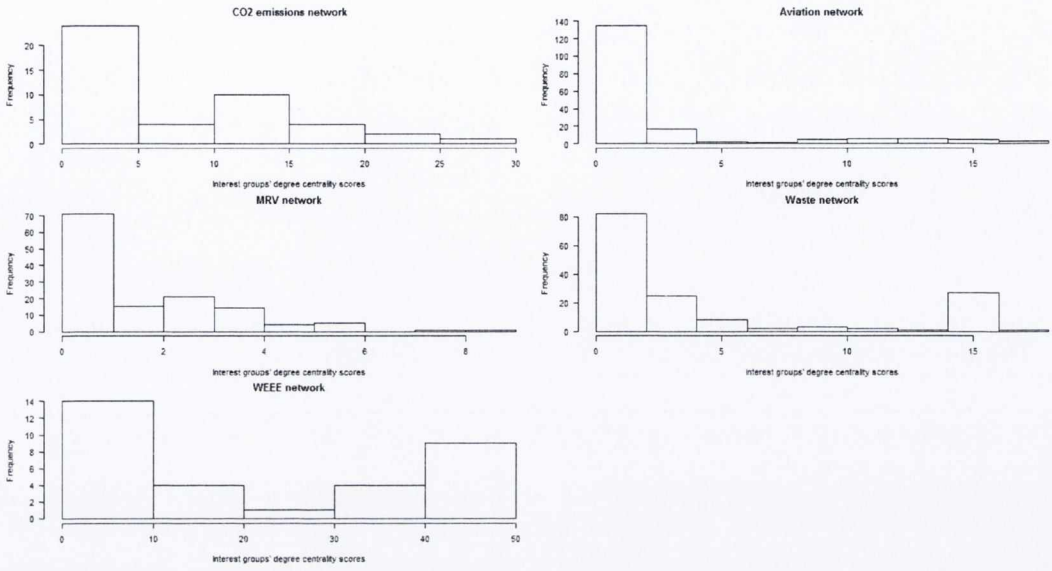


Figure 5.1: Histograms of interest groups' degree centrality scores across consultations

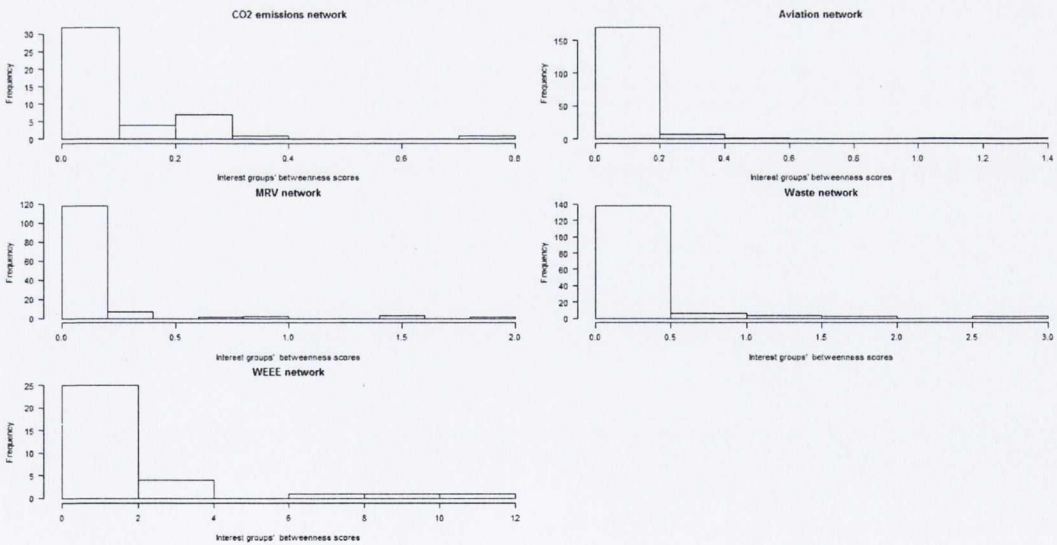


Figure 5.2: Histograms of interest groups' betweenness scores across consultations

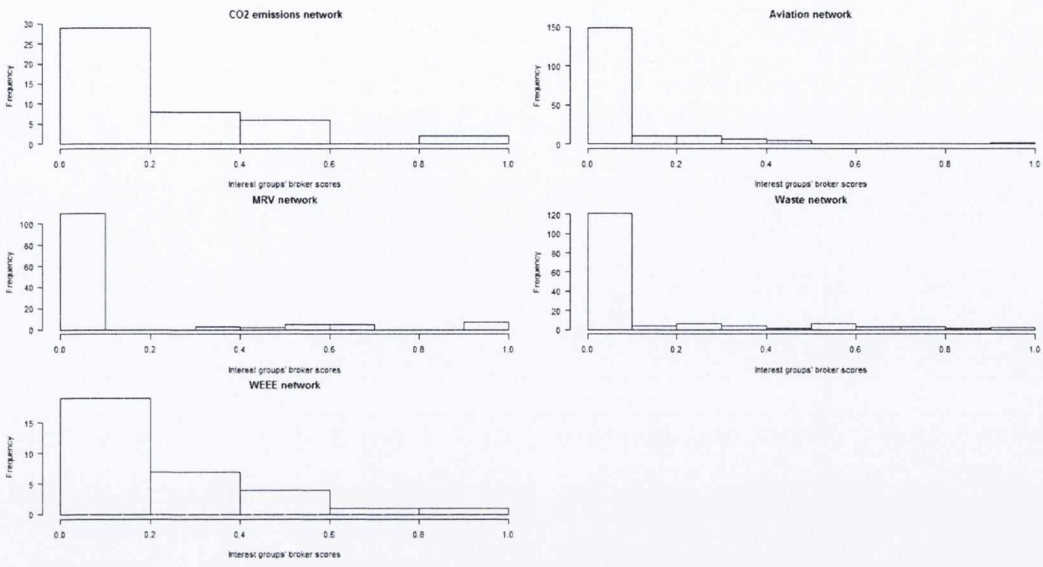


Figure 5.3: Histograms of interest groups' network broker scores across consultations

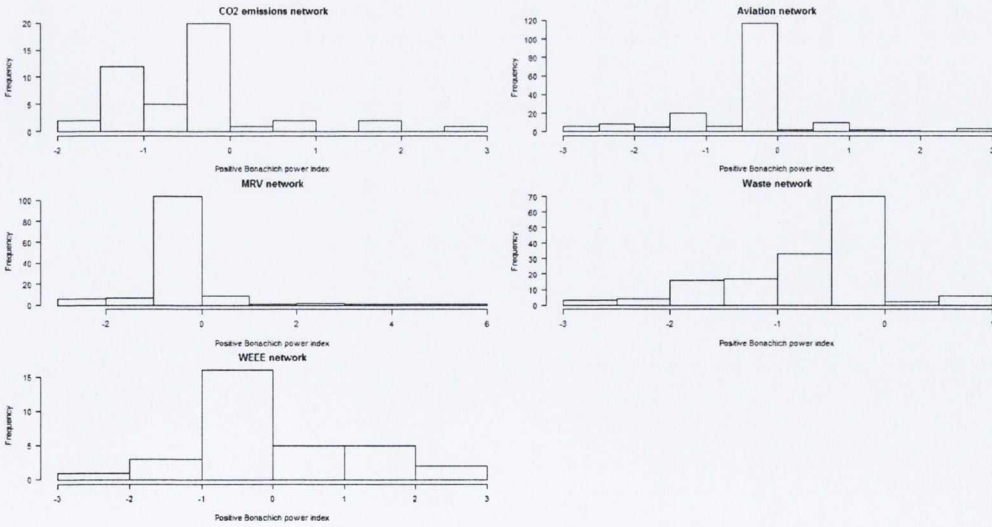


Figure 5.4: Histograms of the positive Bonacich index across consultations.

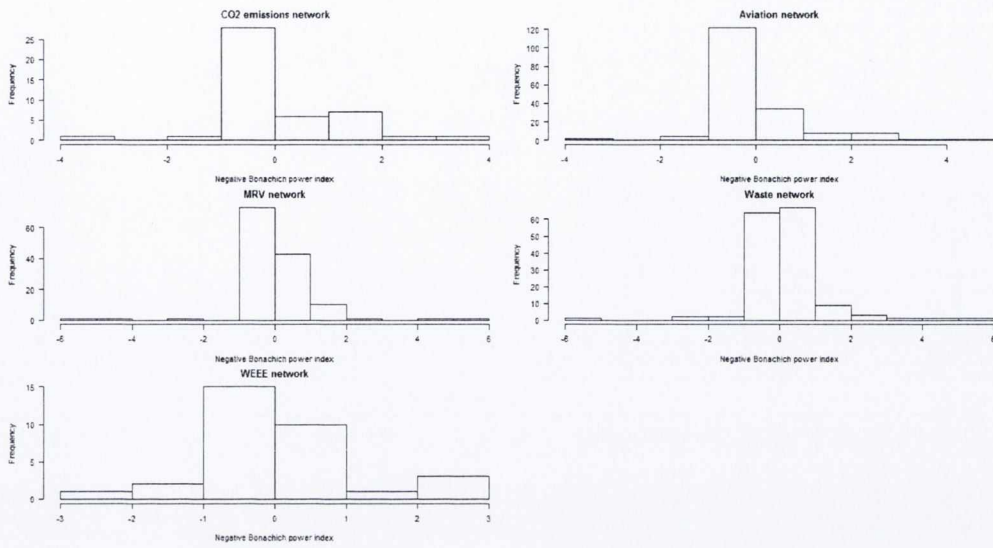


Figure 5.5: Histograms of the negative Bonacich index across consultations

In the specific case of the network formed around the consultation on the reduction of CO₂ emissions, some of the ego network measures are highly correlated. This indicates that the same interest groups simultaneously occupy several key structural positions in the network. Table 5.2 reports the correlation coefficients between different ego network measures. For example, interest groups that have a high degree centrality score also tend to score high on the ego betweenness index ($r = 0.73$) and also have a high broker score.

Table 5.2: Correlation coefficients between ego network measures for the inter-organisational network on the CO2 emissions

	Degree	Betweenness	Broker	Bonacich power index (positive)	Bonacich power index (negative)
Degree	1	-	-	-	-
Betweenness	0.73	1	-	-	-
Broker	0.56	0.5	1	-	-
Bonacich power index (positive)	-0.65	-0.31	-0.07	1	-
Bonacich power index (negative)	0.3	0.37	0.19	-0.12	1

In this organisational network, the best connected interest groups, as indicated by the values of the degree centrality scores are seven environmental NGOs: FOEUK (*Friends of the Earth UK*), IEW (*Inter-Environment Wallonie*), FNE (*France Nature Environment*), RACF (*Réseau Climate Action France*), BUND (*Union for the Environment and Nature Conservation Germany*), T&E (*Transport and Environment*) and WWF (*World Wildlife Fund*). The organisations representing the interests of car manufacturers have lower degree centrality scores. The British and German national associations of car manufacturers, SMMT and VDA, have the highest number of ties in the cluster of business interests groups, followed by the *European Association of Car Manufacturers* (ACEA), the Spanish and Italian national associations (ANFAC and RAI) and General Motors (GM). Since there is a high correlation between the degree centrality measure and the ego betweenness score, the aforementioned environmental NGOs score high on this latter, alternative measure of centrality.

The normalized broker measure confirms the central location of *Friends of the Earth UK* (FOEUK), *France Nature Environment* (FNE) and *Inter-Wallonie Environment* (IEW), which also act most often as brokers within the cluster of environmental NGOs. This key location follows from their individual simultaneous

memberships in different European and national level associations, allowing them to act as intermediaries within the environmental cluster. *Greenpeace* is located in a similar position, serving as only link between *World Wildlife Fund* (WWF) and *Transport and Environment* (T&E) on one hand, and two German environmental NGOs (DUH and VCD) on the other. Similarly, in the cluster of business interest organisations, the British and German national associations of car manufacturers, namely SMMT and VDA, have the highest brokerage scores.

The Bonacich power indexes illustrate a different picture in terms of interest groups located in powerful structural positions. When the Bonacich power index is computed using a positive attenuation factor, which gives more weight to having well-connected alters, the environmental organisations RSPB (*The Royal Society for the Protection of Birds*) and AGIR (*Agir pour l'environnement*) have the highest scores. These two organisations do not have many inter-organisational linkages with other stakeholders, but they have the right ones in that they are both connected to three of the most well-connected organisations in the environmental cluster, namely *Friends of the Earth UK*, *Inter-Environnement Wallonie* and *France Nature Environnement*. A similar structural position is held by AMISBE (*Friends of the Earth Belgium*): this organisation scores high on the positive Bonacich power index because, although it does not have a high degree centrality score, it is however linked to three well connected interest groups in the environmental cluster (*Friends of the Earth UK*, *Friends of the Earth Italy* and *Inter-Environnement Wallonie*). This location makes AMISBE organisation a potentially influential actor in the organisational network (Hannemann and Riddle, 2011: 365).

When a negative attenuation factor is used to compute the Bonacich power index, which gives weight to having poorly connected others, six other organisations occupy a key network position with respect to alters in their ego network. In the environmental

NGOs cluster, RACF, NABU and FNE score highest on this measure since each of them has one inter-organisational tie with one other organisation that has a very limited number of ties with other actors in the network. For example, FNE and RACF are one of the very few actors sharing a tie with AGIR (*Agir pour l'environnement*), a fact that makes these two organisations particularly powerful with respect to the latter, serving as its only two connections to the overall network. Similarly, NABU has a high score on the negative Bonacich power index because it serves as one of the few links that organisations such as *Traffic Club Germany* (VCD) and the *German Environmental Aid Association* (DUH) have in the network.

In the cluster of interest organisations representing car manufacturers, the British and the German national associations (SMMT and VDA) are again in a favourable structural position. Both of them are powerful with respect to the Volkswagen UK (VWUK) group, for which they are the only inter-organisational links with the overall cluster.

To conclude, two points are worth noting with respect to interest groups' embeddedness in the policy network of stakeholders participating in the consultation on the reduction of CO₂ emissions for passenger cars. First, some of the ego network measures are highly correlated. This indicates that some organisations simultaneously play several key structural roles in their network. Second, even when different measures of ego networks are taken into account, in the cluster of environmental organisations, "individual organisations" appear to be consistently in a stronger network position relative to European or national associations. In the cluster of interest groups representing car manufacturers, national level associations (in particular the British and the German ones) appear to be in a particularly stronger position relative to other actors.

5.2 Interest groups' networks in the consultation on the introduction of aviation activities in the Emissions Trading Scheme

The inter-organisational network formed by stakeholders participating in this consultation presents the highest number of nodes (184) but also the highest number of isolates (109). Therefore, the level of network inclusiveness is also the lowest one for the five analyzed cases (40.21%). This policy community is highly fragmented (0.92 fragmentation score) and presents a set of 7 network components (4 clusters and 3 isolated dyads). More than half of triads characterizing this network are transitive (54.88%) and the clustering coefficient of the network is high and similar to the one of the network on the CO₂ emissions (0.84).

In terms of ego network measures, the first thing to note is that unlike the previous case, the ego network measures correlated to a far lesser extent (as shown in Table 5.3). This shows that different key network positions are occupied by different actors.

Table 5.3: Correlation coefficients between ego network measures for the inter-organisational network on the introduction of aviation activities in the ETS

	Degree	Betweenness	Broker	Bonacich power index (positive)	Bonacich power index (negative)
Degree	1	-	-	-	-
Betweenness	0.5	1	-	-	-
Broker	0.5	0.46	1	-	-
Bonacich power index (positive)	-0.28	-0.12	-0.25	1	-
Bonacich power index (negative)	0.33	0.33	0.1	-0.18	1

One implication of this is that several organisations that otherwise have low degree centrality, hold key positions in terms of the number of times they fall between other actors' geodesic paths. Organisations such as ACI (*Airports Council*

International), AOA (*Airport Operators Association*), MANAIR (*Manchester Airport Group Plc.*) and SINTAIR (*Swiss International Airlines*) have the highest normalized ego betweenness scores, although their degree centrality scores are among the lowest. The first three organisations find themselves between most other organisations representing the interests of European airports, while Swiss International Airlines is located between most organisations representing European airlines. This location places them in a powerful position to monitor and possibly facilitate any exchange of information or resources between the actors of the network.

In the cluster of environmental NGOs, CPRE (*Campaign to Protect Rural England*), FOEUK (*Friends of the Earth UK*), GEAT (*Germanwatch e.v.*), SSTANS (*Stop Stansted Expansion*) and SSATAG (*South Suffolk Air Traffic Action Group*) have the highest ego betweenness scores. The first three organisations also score high on the degree centrality measure, and are thus central to the network of environmental organisations for being both well connected and falling between the geodesic paths of many other actors in the cluster. The remaining two organisations (SSTANS and SSATAG) are not so well connected to others but do have the potential of playing an essential role due to their location between many other environmental organisations participating in the consultation. Two similar cases characterize the cluster of organisations representing the interests of European airlines. Here, BMI and the *Virgin Atlantic Airways Ltd.* (VAALTD) have very few organisational ties (and hence a low degree centrality score), but they score high on the ego betweenness measure, being well placed on the geodesic paths through which other organisations representing the interests of European airlines can reach each other.

In this network, the betweenness and broker measures are modestly correlated ($r = 0.46$). Therefore, in both the cluster of European airlines and that of environmental

organisations, interest groups that occupy a central betweenness location also play a brokerage role. In the cluster of European airlines, SINTAIR (*the Swiss International Airlines*) plays most often the role of broker, followed by BMI and the *Virgin Atlantic Airways Ltd.* (VAALTD). In the cluster of European airports, MANAIR (*the Manchester Airport*), AOA (*the Airports Operators Association*) and ACI (*Airports Council International*) are most often in a brokerage position. Similarly, the above mentioned environmental NGOs score high on the ego betweenness index and the brokerage index (CPRE, FOEUK, IEW, SAFFOE, Friends of the Earth, Saffron Walden UK, SSTANS and SSATAG).

It is worth noting the exceptional case of UICN organisation (*Comité français pour l'UICN -Union Mondiale pour la Nature*) which has a very low degree centrality score (1.09) but scores very high on both betweenness and brokerage indexes. Within the overall network, UICN is a very peripheral actor but plays a crucial role in its local neighbourhood of organisations: UICN has only two inter-organisational ties (with AROCHA and *World Wildlife Fund France*), but represents the only link AROCHA organisation has with the entire cluster of environmental organisations.

When considering the Bonacich power index, five interest organisations present themselves in a particularly influential position in the cluster of environmental NGOs despite having only few inter-organisational ties: *Friends of the Earth Sweden* (FOESW), *Association des Riverains de l'Aéroport de Charleroi* (ASSCHA), Netsky (*Comité Pour le Développement Harmonieux de Liège Aéroport*), *Friends of the Earth Denmark* (FOEDK) and UICN. These organisations are less connected to others but they are in a potentially influential position because they have ties with organisations that in turn are well connected with others. For example, *Friends of the Earth Sweden* (FOESW) is in a strong structural position because it is connected with *Friends of the*

Earth UK which is one of the best connected organisations in the network of environmental NGOs. Similarly, ASSCHA, Netsky and FOEDK are connected with *Inter-Environnement Wallonie*, an organisation with a very high number of organisational linkages in the environmental cluster. UICN has ties with only two other interest organisations, but one of these two is *World Wildlife Fund-France (WWFFR)*, which has a high level of linkages with the other organisations in the network.

When a negative attenuation factor is used to compute this index, ACI (*Airports Council International*) appears to be in a particularly powerful position in its ego network due mainly to its positioning with respect to ACARE (the *Advisory Council for Aeronautics Research in Europe*), for which ACI serves as the only organisational connection with the rest of the network.

Similar to the CO₂ emissions network, in the aviation network organisations lobbying on an individual basis seem to be consistently located in structurally more powerful positions within their ego networks than European or national associations. Although the ego networks measures correlate to a lesser extent, one can still observe same interest groups occupy different key network positions at the same time.

5.3 Interest groups' network in the consultation on the adoption of the monitoring, reporting and verification mechanisms for introducing aviation activities into the Emissions Trading Scheme

This network has the lowest number of nodes (37 nodes), the lowest number of complete isolates (10) and the highest density of ties (0.20) relative to the other four analyzed networks. The level of node inclusiveness is high: 73% of its nodes are connected with other nodes. This translates into the lowest network fragmentation score of the five networks (0.47). This inter-organisational network consists of one main, well

inter-connected component, formed by organisations representing the interests of the aviation industry. This also translates into a high clustering coefficient of 0.74. The level of network transitivity however is rather modest: only 51% of its triads are transitive.

The degree centrality measures indicate that the main European airlines are well embedded in their policy community. Among the most central actors in this network are several of the most important European airlines: *Lot – Polish Airlines*, *Lufthansa*, *Swiss Airlines*, *British Midlands*, *British Airways*, *Brussels Air*, *Scandinavian Airlines –SAS*, *AirFrance*, etc., one of the most important companies providing “air transport communication and information technology” – SITA, as well as the *International Air Transport Association (IATA)*.

Although degree centrality is highly correlated with the ego betweenness index, (see Table 5.4), when taking into account the latter indicators as an alternative measure of node centrality, other interest organisations play key network roles. As such, the *European Regions Airlines Association (ERA)* has a low number of organisational ties but it is located in a structurally powerful position (normalized ego betweenness score of 100 and a broker score of 1) in between two individual airline organisations: *Wideroes Flygeselskap AS (WFA)* and *Augsburg Airways (AUGAIR)*. Similarly, the *European Business Aircraft Association (EBAA)* has a low degree centrality score but is located in a powerful position in its ego network, relative to some of its immediate alters: it serves as the only link *Netjet* airline organisation has with the overall network, while being one of the very few inter-organisational linkages that *Airbus* company has within the network. *Augsburg Airways (AUGAIR)* represents a similar case: despite having a relatively low number of ties, this organisation is in a structurally relevant position by serving as an intermediary between the organisations found in its close

proximity. These organisations also score high on their brokerage index. In addition, *Lufthansa* and *Eurowings* airlines are also in a network position allowing them to play the role of a broker between actors in their ego networks.

Table 5.4: Correlation coefficients between ego network measures for the inter-organisational network on the MRV consultation

	Degree	Betweenness	Broker	Bonacich power index (positive)	Bonacich power index (negative)
Degree	1	-	-	-	-
Betweenness	0.6	1	-	-	-
Broker	0.4	0.5	1	-	-
Bonacich power index (positive)	-0.17	0.03	0.2	1	-
Bonacich power index (negative)	0.13	0.1	0.04	-0.03	1

The positive Bonacich power index confirms that the *European Business Aircraft Association* (EBAA) is in a key network position. In addition to being located in a brokerage position, this organisation also has a tie with one of the best connected actors in the network – *LOT (Polish Airlines)*. This makes EBAA potentially very influential in the network. Similarly, because of its connection with *LOT*, *Air France* airline is in a powerful location in its local network, despite its rather modest overall number of inter-organisational ties with other organisations. *Air Dolomiti* and *Augsburg Airways* airlines are also in a structurally strong position in their ego networks due to their linkages with *Lufthansa* airline, another well connected and thus centrally located actor in the network.

When using a negative attenuation factor to compute this index, giving thus more weight to linkages with alters having less organisational ties, the picture of powerful organisations changes. *Swiss Airlines* appears in a powerful position relative to

Eurowings airline, the latter being far less connected than the former. *British Airways* is in a relatively powerful position with respect to the *Association of European Airlines* (AEA), an organisation that is less connected in the network. *Finnish Airlines* also scores relatively high on this index because of its linkages with IACA and AEA, two international organisations which have less network ties and are thus more dependent on the existing ties these organisations have.

In line with the descriptions of the previous two cases, in this community of stakeholders, individual interest organisations are more centrally located in the network than European and national associations. Some of these individual organisations also occupy powerful positions relative to European associations by serving as a link for them to the overall network.

5.4. Interest groups' network in the consultation on the adoption of a waste framework directive

The network of stakeholders participating in the consultation on the waste framework directive is characterized by a sparser distribution of inter-organisational ties than observed in the previous three networks. This network has 138 nodes and only 27 complete isolates. Therefore the level of node inclusiveness is highest: 79.85%. However, the level of network fragmentation is also the highest (0.93). The network is formed by 73 total components out of which 27 are complete isolates, while 43 are dyads, triads and local clusters. Only 42% of its triads are however transitive, making this network the least transitive of the five analyzed.

Table 5.5: Correlation coefficients between ego network measures for the inter-organisational network on a waste management directive

	Degree	Betweenness	Broker	Bonacich power index (positive)	Bonacich power index (negative)
Degree	1	-	-	-	-
Betweenness	0.2	1	-	-	-
Broker	0.09	0.68	1	-	-
Bonacich power index (positive)	-0.3	-0.29	-0.33	1	-
Bonacich power index (negative)	0.09	-0.17	0.14	-0.07	1

Given this loose structuring of the inter-organisational environment, in terms of ego network measures, the degree centrality becomes less relevant while the ego betweenness scores, brokerage and the Bonacich power indexes are particularly relevant. The following interest organisations are located in a particularly powerful position in their local networks by being placed on the paths between organisations that are not directly related and would not be otherwise linked in their absence: BIR (the *Bureau of International Recycling*), CEPI (the *Confederation of European Paper Industries*), EFR (the *European Ferrous Recovery and Recycling Federation*), ERPA (the *European Recovered Paper Association*), ISWA (the *International Solid Waste Association*), SRIA (the *Swedish Recycling Industries Association*), Valpak, SCOTT (*Scottish Power*), ALCAN (*Alcan Primary Metal – Europe*), BDI (the *Federation of German Industries*), IK (the *German Association of the Plastic Packaging Industry*), EAA (the *European Aluminium Association*), VWM (the *German Non-metal Industry Association*), VCI (the *German Chemical Industry Association*), EUROFER (the *European Federation of Iron and Steel Industries*), STAHL (the *German Iron and Steel Industry*). Whereas BIR, CEPI, EFR, ERPA and SRIA are part of a very horizontal

(resembling almost a perfect “line network”) and spread cluster of interest organisations representing the recycling industry (see Figure 4.4, chapter four of the present thesis), ISWA is part of a very small network of waste management plants and represents the only organisational link between CEWEP (the *Confederation of European Waste-To-Energy Plants*) and CIWM (the *Chartered Institution on Wastes Management*). Similarly, Scottish Power is very central to its ego network, being located between the small cluster of Powergen, ECOBA (the *European Coal Combustion Products Association*) and UKQAA (the *UK Quality Ash Association*), AEP (the *Association of Electricity Producers*) and ALCAN (*Alcan Primary Metal – Europe*). ALCAN organisation itself scores high on both the ego betweenness score and the network broker one, as it is located in a key location with respect to its network neighbours.

The sparse structuring of linkages within the cluster of organisations representing the European recycling industry, makes these organisations extremely powerful with respect to each other. For example, EFR and ERPA are particularly powerful: the former represents the link between two parts of the organisational cluster, while the latter represents the only link CITPA and CEPI have with the overall cluster. SRIA, BIR and CEPI are powerful in this cluster for similar reasons. The number of alternative linkages each organisation has is modest, which in turn translates into organisational inter-dependence to reach different parts of the network cluster.

Considering this, the policy community formed around the consultation on waste management differs from the previous three in that most important network positions are occupied by national and European associations and not by organisations lobbying on an individual basis. Also, different from the other networks, in the waste management one the ego network measures were not correlated with the exception of

the betweenness and broker indexes ($r = 0.68$). This means that in this network there is a higher diversity among organisations playing key structural roles in the network.

5.5 Interest groups' network in the consultation on the adoption of a directive on the management of electric and electronic waste

This network consists of 164 nodes, out of which 60 are complete isolates. The network is thus the third most inclusive one from the analyzed five, with a network inclusiveness measure of 63.41%. The network is highly fragmented (fragmentation score equals 0.86) and consists of 68 network substructures: 60 isolates, three clusters, one triad and four dyads. The graph clustering coefficient is also high (0.84). However, the network substructures are well inter-connected, 80.46% of the network triads being transitive.

Table 5.6 shows that none of the ego network measures are correlated in this network which implies that different interest organisations assume different key structural roles in the network.

Table 5.6: Correlation coefficients between ego network measures for the inter-organisational network on the revision of the WEEE directive

	Degree	Betweenness	Broker	Bonacich power index (positive)	Bonacich power index (negative)
Degree	1	-	-	-	-
Betweenness	0.5	1	-	-	-
Broker	0.24	0.4	1	-	-
Bonacich power index (positive)	-0.28	0.1	0.05	1	-
Bonacich power index (negative)	0.18	0.3	0.007	0.05	1

The cluster of organisations representing local authorities is dominated by the Belgian municipalities, which have the highest number of linkages and therefore score high on the degree centrality index. In the cluster of organisations representing the interests of both European manufacturers and of the recycling industry, the actors with the highest degree centrality scores are individual firms (Philips, Dell, Hewlett-Packard, Microsoft and Bosch) and national level associations: AGORIA (the *Air Handling and Refrigeration Equipment Association* - Belgian branch), TICS (the *French Trade Union for Information Technology, Communication and Related Services*), FEEI (the *German Association of Electrical and Electronic Industry*), BMRA (the *British Metals Recycling Association*) and ICER (*Industry Council for Electronic Equipment Recycling*).

However, from the perspective of the ego betweenness index, some other organisations are located in a central network position. The *European Recycling Platform* (ERP), the HKI (the *German Association of House, Heating and Kitchen Appliances Industry*), BoschDE (Bosch-Germany), *Ecologic*, *Eurocommerce*, AGORIA, *Electrolux*, and EFCEM (*European Federation of Catering Equipment Manufacturers*) are all centrally located in their ego networks as they fall in between the paths of other organisations which could not reach each other otherwise. Therefore, these organisations also frequently play a broker role. In addition to them, Philips, Robert Bosch GmbH, the WEEE Forum, Hewlett-Packard, Dell, Electrolux, FEEI and TICS organisations play a brokerage role in their local neighbourhoods with a relatively high frequency (higher than 0.5).

When considering the local power an interest organisation has in its ego network based on how well or poorly connected its alters are, Microsoft, ERP, DELL and BMRA seem to be in a structurally powerful position by being connected to alters that

have fewer organisational linkages and are therefore more dependent on them to connect to the overall network.

In line with the description of the first three consultations, in the WEEE network several individual organisations occupy several key network positions. Some European and national associations are also located in powerful positions, but they are generally less prominent. Unlike the other networks, the ego network measures correlated to a far less extent which implies fewer overlapping network roles in this community of stakeholders.

5.6 Conclusions

This chapter examined in greater detail the relational environment characterizing open consultations and analyzed the structural characteristics of the policy communities of stakeholders. In doing so, the chapter investigated patterns of inter-organisational linkages and the location of individual stakeholders in these network structures. The networks do not reveal what flows through these organisational linkages and therefore no inferences can be made about the details of communication or exchanges of resources patterns that occur within these networks (Laumann and Knoke, 1987). However one can reasonably argue that these linkages create a facilitating structure for interest groups' to reach each other, communicate and exchange relevant lobbying resources. As shown in the previous two chapters, sharing an organisational tie affects interest groups' preference articulation behaviour in that sharing a tie translates into articulating similar demands. Therefore, the networks described above could be labelled as cooperation or coalition networks, by virtue of the fact that they facilitate and result in coordinated lobbying by the interest organisations involved.

From a network analysis perspective, the high levels of fragmentation and clustering of stakeholders' policy communities are noteworthy. This indicates a polarized policy space, in which polarization of inter-organisational ties corresponds to a polarization of competing interests represented in the consultations.

With respect to ego networks, most of the interest organisations found in key network positions such as that of broker, or displaying a high Bonacich power index were individual organisations and (to a lesser extent though) national associations. The finding with respect to national level associations is not surprising given their "meso-level" location in the EU interest intermediation system between individual members and European peak associations. However, the finding with respect to individual interest organisations is more surprising. The analysis suggests that individual firms and environmental NGOs are playing an important networking role in the EU policymaking process, often times occupying a pivotal location in the community of stakeholders. This finding is in line with the existing scholarship emphasizing the increasingly important role and direct involvement of individual business firms in EU policymaking (Coen, 2009, 1997; Hix, 2005: 215; Bernhagen and Mitchell, 2009).

The question following from this is to what extent centrality and implicitly power within the policy network translate into influence over policy outputs. This question is addressed in the next chapter of the thesis which examines determinants of interest groups' preference attainment.

Chapter 6

Who gets what and why? How context and networks affect interest groups' preference attainment

Some interest groups are more successful in translating their preferences into policy outcomes at the EU level than others (Coen and Richardson, 2009; Mahoney, 2008; Chari and Kritzinger, 2006; Beyers, 2004; Mazey and Richardson, 2003; Warleigh, 2000; Young and Wallace, 2000). The early stages of the EU policymaking process offer the best influence opportunities for interest groups as during this phase stakeholders are formally invited to express their policy preferences and provide policy input to decision-makers based on their interests, expertise and field knowledge (Bouwen, 2009: 20; Guèguen, 2007). As such, the early agenda-setting stage and the consultation period organized by the European Commission are the most favourable points of the policymaking process during which interest organizations can affect the content of European legislation. In relation to this, the present chapter asks the following research question: *what factors explain interest groups' success in achieving their policy preferences by getting them translated into the text of the policy proposal the Commission sends to the Council and the European Parliament?*

This chapter addresses this question by testing the argument that the policy environment in which proposals are formulated affects interest groups' preference attainment (Baumgartner and Leech, 1998). The research describes this policy environment in terms of (1) characteristics of issues, (2) distribution of interest groups' policy preferences and (3) inter-organisational ties linking interest organisations. The chapter argues that the salience of an issue, the structuring of the policy space described

by the aggregate distributions of preferences and a group's formal linkages with other stakeholders, have direct effects on groups' preference attainment.

The results show strong support for the argument that preferences located in a median position relative to others are more likely to be translated into policy outcomes, providing further evidence to the literature pointing to the consensual nature of the EU policymaking (Thomson, 2009: 776; Mahoney, 2008). The results also indicate that a group's advocate type and organisational structure have a direct and relatively strong effect on the probability of preference attainment. However, contrary to the expectations, demands for more regulation are less likely to be translated into outcomes than demands for no regulation and the maintenance of the status quo. No direct effect of issue salience, polarization of preferences and inter-organisational ties on groups' preference attainment was found.

The relevance of answering the above mentioned research question is twofold. First, at EU level, interest groups are widely perceived as channels of societal representation of policy demands and as key actors in effective problem solving and implementation of EU legislation (Finke, 2007). Analysing the conditions under which private actors are successful in affecting policy outputs therefore generates important insights about the overall policymaking process at EU level. Second, explaining interest groups' preference attainment is highly relevant to the development of EU interest group research. The existing literature on EU interest organizations is mainly "exploratory and descriptive" (Coen, 2007: 334). Existing contributions provide important evidence as to which groups are active in each policy area (Greenwood, 2007b; Geyer, 2001), about their capabilities and resources (Mahoney, 2007b; Bouwen, 2002), lobbying strategies or access to different institutional or "influence venues" (Beyers, 2008; Broscheid and Coen, 2003; Bouwen and McCown, 2007; Mazey and

Richardson, 2006). However, there are fewer systematic, quantitative analyses of the determinants of interest groups' lobbying success in the literature (see however Klüver, 2011, 2010; Mahoney, 2008; Beyers and Kerremans, 2004; Henning, 2009). This is especially so with respect to contributions investigating the effects of the policy context, defined in terms of the discrete policy preferences articulated by interest groups on a set of policy issues from different policymaking events (see however, Beyers 2008; Mahoney, 2008).

This chapter makes a contribution to the EU interest group research in three ways. First, the chapter proposes a more fine grained and precise specification and measurement of preference attainment than currently suggested in the literature (Mahoney, 2008; Klüver, 2009). The research design adopted by the present thesis allows a very detailed identification of policy demands articulated by interest groups on issues across different consultations, which in turn allows for a precise identification of which preferences were translated into outputs.

Second, the chapter empirically explores an important yet currently under-researched dimension of interest group lobbying taking place in Brussels, namely the characteristics of the policy space described by groups' policy preferences at the aggregate level. With some notable exceptions (Beyers, 2008; Mahoney, 2008, 2007b; Klüver, 2011), this dimension has been neglected in the literature on EU interest groups, despite this being suggested as an essential element in explaining lobbying success in the well established literature on US interest groups (Baumgartner et al., 2009; Mahoney, 2008; Salisbury et al., 1987), as well as an important aspect in any analysis of EU decision making processes.

Third, the chapter proposes a refined description of the policy environment of the policy formulation of EU legislation. This environment is defined in terms of

characteristics of policy issues and preferences, and inter-organisational ties linking interest groups that are part of the community of stakeholders. By paying attention to how well embedded interest groups are in the community of stakeholders, (Börzel and Heard-Lauréote, 2009; Kriesi et al., 2007), the study brings together two approaches in the literature on EU interest groups and integrates them in one explanatory framework.

The chapter is structured as it follows: section one presents a theoretical discussion of the concept of lobbying success or interest groups' policy influence, justifying the choice for the "preference attainment" approach adopted by the present chapter. Section two provides a review of the existing literature on determinants of interest groups' lobbying success at EU level. Section three details the proposed explanatory framework and derives a set of testable hypotheses and section four presents the empirical analysis. The concluding section discusses the findings in light of the broader theories on EU policymaking and interest groups, as well as a series of observations about its limitations and issues to be addressed by future research.

6.1 Studying interest groups' influence: theoretical and methodological considerations

Influence is an elusive concept, closely related to that of power. Applied to the study of interest groups' participation in decision-making processes, the concept becomes even more problematic as these organizations use both direct and indirect, informal lobbying strategies to affect decisions and outcomes (Baumgartner and Leech, 1998). The literature agrees on the serious challenges posed by the task of finding an accurate conceptualization of interest groups' influence and a precise measurement of it (Dür, 2008a, 2008b). However, the literature also agrees on the need to at least attempt to circumvent these challenges and take research one step further from the current,

predominantly exploratory studies to analyses focusing more on “confirmatory theory testing”, providing more in-depth, systematic, explanatory accounts of the impact of interest groups’ activity on policymaking processes (Coen, 2007: 334). This section provides a brief overview of several relevant theoretical and methodological considerations related to the concept of interest groups’ influence and a discussion of how the present thesis addressed some of them.

The literature on interest groups’ influence reveals the ambiguity and the contested meanings associated with the concept of influence. The literature suggests that a clear distinction is required between power and influence. In doing so, it is essential to distinguish between the ability to affect other actors’ behaviours and preferences (Lukes, 1974: 49) and the capability to affect decision-making outcomes, while accounting for the amount of luck an actor has in doing this. Verschuren and Arts argue that “power has a structural character and may be seen as a disposition or a capacity of an actor, whereas influence has more of an incidental character and is not regarded as a disposition but rather as a causal effect” (Verschuren and Arts, 2004: 496). Barry (1980) suggests a more nuanced definition of power and influence, focusing on an actor’s ability to determine policy outcomes and not other actors’ behaviours. He defines power within a decision-making context as an actor’s capability to change the outcomes in accordance with its preferences (Barry, 1980: 184). The analysis of power and influence needs to distinguish between an actor’s capability to change these outcomes and the probability or likelihood of doing so. The ambiguity associated with influence is also due to “the sum of luck and decisiveness” or in other words, the sum of that part of outcome change occurring due to an actor’s active efforts and that part which can be attributed to other actors’ efforts or to structural aspects of the context in which decisions are being made (Barry, 1980: 350). This definition points to an

important distinction for the purpose of the present research: any analysis of influence of individual actors (interest organisations) should take into account the probability of transforming power into a consequential capability, while keeping the “amount of luck constant” (Barry, 1980: 350).

“Luck” is particularly relevant when analyzing interest groups’ influence in decision-making contexts in which advocacy circles or lobbying coalitions are part of the decision-making process (Baumgartner et al., 2009). Lobbying coalitions are an important part of the EU interest intermediation system, as shown by the previous studies (Mahoney, 2007b; Klüver, 2011). Therefore, any analysis interested in examining individual interest groups’ influence on policy outputs needs to devise a research design that allows it to capture the amount of support individual organisations received from others in support of their policy preference. The present thesis addresses this issue in three ways. First, it uses a measure of polarization of preferences that indirectly captures the levels of support for and opposition to a preference from other stakeholders. Second, the statistical models specified as a robustness check of the present analyses controlled explicitly for the amount of lobbying support a policy preference expressed by an interest group received from other interest groups. This is operationalized as a variable measuring the proportion of interest groups expressing the same policy preference, of the total number of groups that articulated a preference on one issue. Third, chapters four and five of the present thesis were devoted to the analysis of lobbying coalitions. These chapters examined the inter-organisational environment and discussed the aggregate distribution of “luck” in achieving individual preferences as exemplified by the articulation of lobbying coalitions around open consultations.

A second challenge raised by the concept of influence is the difficulty of

empirically observing and measuring it. Dür (2008b) provides a concise review of the three main approaches currently employed in the literature on interest groups to measure their influence: (1) process tracing, (2) the attributed influence approach and (3) the preference attainment approach. Qualitative in nature and based on in-depth case study research, process tracing is the most frequently used approach when studying EU interest groups (Dür, 2008b: 4). Dür's review of studies employing this approach mentions the contributions of Michalowitz (2007) who explained interest groups' influence in "three case studies of [EU] decision-making in the field of IT and Transport", Dür and De Bièvre (2007) who inquired the impact of NGOs on policy outcomes in the EU trade policy and Cowles (1995) who examined the influence of the European Roundtable of Industrialists on the accomplishment of the single market with the Treaty of Maastricht. Process tracing allows in-depth analyses of the causal mechanisms at work behind proposed causal relationships, but is less suitable for conducting large n, quantitative analysis.

The "attributed influence method" (Dür, 2008b: 3) builds on March's approach (1959). March (1959) suggests that a measurement of influence based on three dimensions: (1) attributed influence, (2) preference change, and (3) influence attempts (March, 1959: 445-450). The first dimension estimates an actor's influence based on other actors' evaluations. This relies extensively on the use of surveys and interviews with experts and key informants and is largely based on actors' perceptions and not on the actual exercise of influence. The estimates might be seriously biased by actors' inclination to give strategic answers, conflating or diminishing the level of actual influence exercised. The second dimension defines influence as the ability of one actor (actor A) to change the preference of another actor (actor B). For example, Klüver (2009) conceptualizes influence as a change in the policy position of the European

Commission following stakeholders open consultations. However, this does not directly estimate influence on decision outcomes. Affecting other actors' policy preferences, even important ones (e.g. important interest groups or key DGs in the European Commission), does not necessarily imply a consequential effect on decision outcomes.

Finally, the third dimension takes a snapshot of actors' interactions and investigates whether following these interactions their initial preference for policy alternatives changed. This approach is unsatisfactory on several grounds. The approach does not take into account the long term consequences of actors' interactions and influence attempts and assumes that all encounters and influence attempts are equally relevant in terms of their intensity and effect.

The attributed measure approach appears difficult to apply to complex decision-making processes characterized by the presence of numerous public and private policy actors. The focus is on identifying change in actors' behaviours or preferences and not on decision outcomes. This in turn indicates that this might be a more appropriate tool for investigating interest groups' influence on the behaviour of individual decision-makers acting within elected bodies (Potters and Sloof, 1996: 406) and could serve the analysis of lobbying activities targeting the members of the European Parliament.

Finally, the third approach defines influence as "preference attainment" (Dür, 2008b: 11, Beyers et al., 2008; Leech et al., 2007; Mahoney, 2007b). Influence is measured either as the degree of convergence between a group's policy preference and the outcome of the decision-making event (where the issue decided upon is conceptualized as a policy continuum), or in a dichotomous manner indicating whether or not an interest groups' preference was translated into policy outcome. For example, in her study on determinants of EU interest groups' lobbying success, Mahoney (2007b) defines lobbying success as the attainment of lobbying goals' and employs an ordinal

measurement indicating that an interest group “attained none of [its] objectives, attained some of [its] objectives, or fully attained [its] goals” (Mahoney, 2007b: 37; see also Mahoney, 2008). This approach presupposes a clear and detailed identification of interest groups’ preferences and of decision-making outcomes.

This approach provides a more precise, quantitative estimate of influence which fits the purpose of large-n quantitative analyses and the examination of lobbying settings that include a high number of interest groups, as is the case with the European Commission’s open consultations. This approach to measuring influence can be applied to different stages of the policymaking process and lobbying venues offering thus the opportunity of comparative, longitudinal analyses of interest groups’ policy influence.

However, this approach has been criticized for not offering insights into the black-box of the decision-making processes (Dür, 2008b). The argument is that observing the convergence between the policy preference of a group and policy outcomes does not say enough about the causal mechanisms lying behind this. Complementary case studies or process tracing are the usual answers to address this issue. The present chapter adopts a preference attainment approach and addresses the aforementioned criticism of the method in three ways. First, the chapter provides a detailed explanatory framework that specifies how different dimensions of the policy context affect preference attainment. Second, in the empirical analysis the interaction between two theoretically relevant variables is considered and examined in greater detail. Third, chapters four and five of the present thesis provide valuable analytical insights into the structuring of the inter-organisational environment and indicate which organisational actors are located in key network locations. This facilitates the understanding of how network ties, and in particular the degree centrality measure, affect preference attainment by revealing for

example that individual organisations and environmental organisations score highest on the degree centrality measure, an indicator of interest groups' centrality in the network.

6.2 Interest groups' influence in the context of EC open consultations

The present thesis builds upon the "preference attainment" approach. It investigates which policy preferences articulated by interest groups on different issues were translated in the text of the proposal adopted by the European Commission.

The explanatory framework proposed in this chapter is built on the assumption that the preferences revealed by interest groups when submitting public consultation documents are true preferences and that they remain constant throughout the policy formulation stage. This seems like a reasonable assumption to make if one considers the EU level policy community as one in which both public and private actors have complete information about each others' interests and in which a group's reputation is one of the most valuable assets in its interactions with the EU institutions, other interest groups and its own organisational members/constituency. In addition, policy preferences articulated by European peak associations or national associations are usually the result of intra-organisational consultation and decision-making processes, which means they emerged following lengthy considerations and are unlikely to change since such change would require the approval of organisational members.

In adopting the preference attainment approach to the study of EU interest groups, this chapter builds upon a well-established tradition in the literature on EU and US studies (Dür, 2008b; Beyers *et al.*, 2008; Mahoney, 2007b) and suggests a strategy for estimating interest groups' influence in three stages. The first stage was to identify the policy issues on which the consultation focused. This was done based on an attentive examination and qualitative assessment of the consultation calls the European

Commission send out to invite interested parties to participate in the open consultations. The second stage was to identify interest groups' expressed preferences for different policy outcomes based on the hand coding of policy position documents submitted by interest groups as part of the consultation exercise. The third stage identified policy outputs based on the text of the Commission's policy proposal adopted following the consultations. The research identified the policy alternative chosen by the European Commission as a policy measure. To identify which preferences were translated into outputs, the research examined the correspondence between an interest group's preference and the outcome formulated in the text of the proposal.

Interest group influence is operationalized in a dichotomous manner, the variable indicating whether or not an interest group's preference was translated into a policy outcome. This approach suits the purpose of this thesis in several ways. First, this approach is based on a straightforward and clear criterion for defining what an "achieved preference" is: a clear identification of a preference in the text of the proposal, based on an implicit assumption that preferences for different policy alternatives are mutually exclusive and therefore if one preference gets translated into an outcome, the alternative ones are not. In this case, no qualitative judgement is required in order to evaluate *the degree* to which one preference was translated into the text of the proposal (see for example Mahoney, 2008). This in turn ameliorates the measurement error in estimating preference attainment that accompanies such qualitative assessments.

Second, this approach allows the analysis to capture in great detail which discrete policy preferences were achieved by individual interest groups, while making the assumption that interest groups attach the same level of salience (or preference intensity) to all expressed policy preferences. Although this last aspect might not

always be the case in practice, the present research makes this simplifying assumption in the absence of reliable data about levels of salience attached by interest groups to individual policy issues. One option to address this issue would have been to use the amount of text devoted to the discussion of an issue in the policy position document. However, this measure is of questionable validity since the amount of text used could in fact be the result of using English as a foreign language or using a different language, or a result of the complexity of the policy issue discussed.

Third, the proposed dichotomous measure allows the analysis to capture the aggregate distribution of policy preferences and levels of aggregate support for different policy alternatives. This in turn allows the empirical analysis to introduce variables providing essential information about issue level characteristics and account for the above mentioned element of “luck” in achieving one’s policy demands. Capturing this aggregate distribution of preferences is important because one of the key roles performed by the EC open consultations is to provide desk officers with aggregated information about levels of support for different policy alternatives. Therefore, this approach allows the description and evaluation of the role of open consultations that is closer to the realities of the actual EU policymaking practice (Skodvin *et al.*, 2010).

The preference attainment approach requires a very detailed record of interest groups’ discrete demands on a set of policy issues. This in turn translates into data collection constraints. Consequently, the present study analyzes interest groups’ activities and lobbying success at only one point in the policymaking process (policy formulation), at one lobbying venue (open consultations), and at the level of one EU institution (the European Commission). This limits the generalisability of its findings to a specific stage in the policymaking process, capturing only a snapshot picture of the overall lobbying influence attempts and lobbying success interest groups exert at EU

level via different venues, throughout the decision-making process. The present approach does not allow making any inferences about lobbying success during either the subsequent stages of the same policymaking event or during other, different yet interlinked and subsequent in time events marking the development of the EU environmental policy. This in turn means that the present analysis is not able to capture the long term lobbying success that an interest group might have over the development of one policy area, being instead focused on explaining preference attainment at specific points in time.

An additional limitation of the present research approach is that it does not estimate the preferences of Member States on the policy issues considered. This means that the analysis does not estimate a relevant amount of “luck” from which some interest groups may benefit. The literature indicates that member states’ preferences may also be relevant at the policy formation stage of EU environmental policy: “in a system in which the agreement of so many actors is necessary in order to have any chance of policy change, policy-makers within the Commission have a strong incentive to be opportunistic in their agenda-setting, taking proposals from Member States, safe in the knowledge that there is at least some support at the beginning for a measure” (Weale, 2005: 136; see also Hix, 2005: 223-225). This limitation follows from one of the trade-offs the present thesis had to make between gaining a detailed description of all relevant policy issues and interest groups’ policy preferences for each considered event (which is one of the main contributions of the present thesis), and collecting information on otherwise difficult to access data. The best approximation of Member States’ preferences that this research could make reference to is based upon the policy position documents submitted by what the research identified as “National authorities” for the purpose of its analysis. However, this category denominates in fact national agencies or

ministries in charge of environmental issues (or other policy areas) in their home countries. One cannot assume though that the policy preferences expressed by these national level institutional actors correspond to the position assumed by their national governments in the context of EU decision-making in the Council of Ministers. When a member state formulates its national position in the Council, it often has to coordinate various national positions.

6.3 Existing explanations of EU interest groups' lobbying success

Three main theoretical approaches characterize the literature explaining lobbying success (Mahoney, 2008). A *first approach* argues that the EU institutional setting affects the level of interest groups' policy influence by imposing limits on groups' actions (Mahoney, 2007b). EU institutions "empower or disenfranchise" interest groups (Dür and de Bièvre, 2007: 4) by establishing certain consultation rules (Quittkat and Finke, 2008; Kohler-Koch and Finke, 2007), lobbying access venues (Geyer, 2001; Pollack, 1997), or decision-making procedures (Crombez, 2002). Institutions shape the structure of "incentives and constraints" for policy actors (Beyers, 2004: 212; Dür and de Bièvre, 2007) and determine the demands decision-makers place on interest groups in return for influence on policy outcomes (Mahoney, 2008; Hix, 2005). As the present study focuses on interest groups' policy influence during the policy formulation stage at the level of the European Commission within a specific policymaking setting (public consultation), the impact of institutions is kept constant and hence not accounted for in the empirical analysis. The present research examines the public consultation stage to which all groups interested in the process had equal access. Furthermore, the focus on only one policymaking stage in one EU institution reduces to a minimum the variation in terms of demands that policymakers can place on

stakeholders, as at this point interest groups only interact with European Commission officials who are assumed to be primarily interested in the information provided by stakeholders on the practical feasibility of various policy options and on the support for the range of potential policy outputs.

A second approach emphasizes the importance of interest groups' resources and structural characteristics as the main determinants of their lobbying success. A group's financial resources and/or its level of endowment with expert knowledge, policy expertise and field information on a policy area or issue are expected to affect lobbying success (Bouwen, 2002; Crombez 2002; Mazey and Richardson, 2003). Interest groups able to mobilize more financial resources in support of their lobbying campaign or to offer decision-makers more information and expertise are expected to be more consequential over policy outcomes.

Similarly, the literature indicates the importance of groups' structural characteristics such as membership size (Mahoney, 2008; Eising, 2007), internal organization (Dür, 2008a) and the advocate type as determinants of a group's preference attainment. Interest groups with a broader membership speak on behalf of a larger constituency, enjoy higher levels of legitimacy and are hence expected to be more successful in achieving their preferences.

Two factors are of particular importance for the present research: the organizational structure of the interest group and the type of interest a group represents (advocate type). Both provide essential information on the structural characteristics of the groups and a good approximation of their resource endowment. Whether a group is organized as a European umbrella organization, national association or as an individual interest group, should make an important difference in terms of achieving policy preferences due mainly to the different levels of legitimacy and access to resources

associated with these types. A European-level umbrella organization benefits from a deeper pool of resources than a national organization or an individual interest group. Similarly, the type of interest represented by a group is expected to play an important role in determining lobbying success, as indicated by a vast literature arguing that business interests are better represented and more influential due to a set of structural advantages they have over organizations representing other interests (for a review on policy influence of EU business interest groups see Coen, 2009; Chari and Kritzinger, 2006; Greenwood, 2007b; Kohler-Koch, 1997; Pollack, 1997).

Two classic (alternative) hypotheses are derived from the existing literature in relation to the effects of interest group characteristics on the probability of preference attainment, as formulated at the end of section 6.4.3 below.

Finally, a *third approach* can be identified in the literature, underlining the importance of the policy environment in which policy issues are decided upon. Existing research suggests that “the scope of the issue, the level of conflict on an issue, [...] or the salience of the issue for the public” affect interest groups’ lobbying success (Mahoney, 2007: 47). The characteristics of the issue are also expected to “influence the likelihood of the existence of counter-lobbies”, the strength of the “countervailing forces” (Mahoney, 2007b: 40) and implicitly the chances of each interest group translating its preferences into policy outputs (Dür and de Bièvre, 2007: 6; Mahoney, 2007b; Potters and Sloof, 1996: 426). Similarly, in line with the economic theory of regulation (Wilson, 1980: 364-394), Dür and de Bièvre suggest that in regulatory policy areas, issues “where often both sides [...] face either concentrated costs or concentrated benefits from a policy” are expected to give rise to stronger opposing views (Dür and de Bièvre, 2007: 6). Different levels of concentration of lobbying efforts by the competing lobbying sides translate into different levels of preference attainment. The side speaking

in a louder voice (i.e. having more interest groups expressing the same demand) is expected to be more successful in affecting policy outputs (Baumgartner et al., 2009; Klüver, 2011).

6.4 Policy environment and preference attainment: theoretical considerations and empirical expectations

The present study builds upon the last mentioned approach and derives its main explanatory framework based on two assumptions. First, the study assumes that the policy space described by the policy preferences articulated by interest groups on a set of issues creates a structure that affects the behaviour and decisions of both policymakers and interest groups. For policymakers, interest groups' aggregated preferences set the limits within which they can make a decision about policies for reasons related to political legitimacy and policy feasibility of the decision-making process (Skodvin et al., 2010). The interviews conducted with European Commission officials in the present research provide clear support for this theoretical argument. European officials use public consultations as an important informational cue about which policy measures are feasible in terms of implementation and about the range of choices considered legitimate by stakeholders. For interest groups, the policy space described by stakeholders' preferences creates a competitive frame within which different policy demands and interests compete against each other for getting translated into policy outputs (Holyoke, 2009). This competitive frame has a direct effect on the probability that individual preferences will be translated into the EC policy proposal. The policy space creates constraints in terms of stakeholders' support for certain preferences, the strength of opposition a preference confronts and each preference's positioning relative to the other policy demands articulated by interest groups.

The second assumption builds upon Beyers' argument according to which at the EU level "most interest groups devote time and energy to researching the nature of issues, the main controversies within a policy domain, as well as how other actors understand policy issues" and that "[a]ll this monitoring takes place within communication networks spanning public and private spheres" (Beyers, 2008: 1194, based on Heinz et al., 1993). Thus, this chapter assumes that the linkages between groups are an important component of the policy environment (see also Laumann and Knoke, 1987). This builds upon the literature emphasizing the role played by policy networks in the framework of the EU decision-making (Beyers and Kerremans, 2004; Kriesi et al., 2007, Börzel and Heard-Lauréote, 2009; Pappi and Henning, 1999). The present thesis captures the importance of the inter-organizational relational environment by identifying the formal organizational ties linking interest groups participating in the consultations. While the policy network approach refers explicitly to linkages between both interest groups and decision-makers and interest groups themselves, this study focuses only on the linkages between interest organisations due to data availability constraints. Identifying interest groups-policymakers interactions for so many organisations raises serious methodological challenges.¹⁴

Based on these considerations, it is clear that policy context has a direct effect on levels of preference attainment and the following theoretical expectations are

¹⁴ To circumvent these challenges, the research attempted to approximate these interactions by using a dichotomous variable indicating whether the group participated in other consultation formats implying direct contact with policymakers (such as expert meetings and stakeholders' hearings). This information was available for three cases only. Using this variable would have implied the loss of 2451 observations. In addition, the variable was not significant.

derived in relation to the effects of policy environment characteristics on preference attainment.

First, this chapter argues that *issue salience* and *levels of polarization* of preferences on an issue have a direct effect on preference attainment. *Salience* is defined as the attention paid to one issue by stakeholders, as indicated by the number of organisations expressing a preference on that issue. Salience is expected to have a negative impact on a group's preference attainment as the more salient the issue is for stakeholders, the more bargaining emerges over policy outputs. Salience is conceptualized in a manner different from that usually used in the interest group research (denominating the importance of the issue for the general public - Mahoney, 2007b: 40) or in the literature on EU decision-making where salience is an attribute describing how individual actors relate to different issues in terms of resource deployment according to preference intensity (Thomson et al., 2006). The present conceptualization of salience is determined by data constraints that precluded an estimate of issue salience for each organization, or an estimation of the public salience for each issue analyzed. This measure is however consistent with previous research on EC lobbying (Klüver, 2011). In relation to this, the following hypothesis is tested:

H₁: The higher the salience of an issue for the community of stakeholders, the lower the probability of preference attainment.

Second, the chapter argues that the level of polarization of preferences on an issue affects preference attainment. Higher levels of polarization indicate conflict over alternative policy options, in which case policymakers find it difficult to reach a compromise solution. Taking a decision might not be feasible, which would leave the issue unaddressed and thus none of the lobbying sides would have their preferences translated into policy outputs. The following hypothesis is derived:

H₂: The higher the level of polarization of preferences, the lower the probability of preference attainment.

In addition to these two dimensions suggested in the literature, the present chapter suggests three additional aspects defining policy context. The third element describing the policy environment is the positioning of preferences relative to each other on the policy continuum representing a policy issue. The research explores the classic argument in the literature on legislative politics and decision-making that median preferences are more likely to be translated into policy outcomes than extreme ones (Downs, 1957). While this is a rather commonplace argument in the legislative politics literature, it has not been empirically tested when studying interest groups involvement in the EU policymaking despite its theoretical relevance for the discussion on the legitimacy of EU decision-making processes.

This chapter argues that median preferences are more likely to be translated into policy outputs for two reasons. First, EC policymakers are interested in adopting policies that are considered legitimate by the interested parties. In line with the literature emphasizing the consensual nature of the EU decision-making (Thomson, 2009; Mahoney, 2008), it is reasonable to believe that compromise solutions are more likely to be considered legitimate by the stakeholders participating in the consultation. By their nature, median preferences are more likely to be perceived as compromise solutions than the more extreme ones, for which reason they are more likely to translate into policy outcomes

Second, lobbying is often times described as an important source of information for decision-makers (Bouwen, 2004; Crombez, 2002). If public consultations are conceived as part of a lobbying information game (Lohmann, 1995; Austen-Smith, 1993), then one can reasonably argue that median preferences are perceived by

decision-makers as providing more credible information than extreme ones and are hence more likely to be translated into outputs. To test this, the following hypothesis is proposed:

H₃: Median policy preferences are more likely to be translated into policy outputs than preferences that are not median.

The fourth aspect of the policy environment is that of the *regulatory regime* the decision-making event aims to create (Baumgartner et al., 2009; Mahoney, 2008; Yackee and Yackee, 2006). The chapter examines whether or not the level of regulation demanded by interest groups on an issue has an impact on the probability of preference attainment. The expectation is that a preference for more regulation is more likely to be translated into the policy proposal, as the EC is generally considered the promoter of further integration and higher standards and levels of regulation in the environmental policy (Hix, 2005: 267; Lenchow, 2000: 312). The following hypothesis is tested:

H₄: Policy preferences expressing demands for more regulation are more likely to be translated into policy outputs than preferences for more moderate or no regulation.

Finally, the chapter builds upon the literature on EU governance described as decision-making within policy networks and argues that one essential component of the policy environment is the manner in which interest organisations are embedded in the community of stakeholders. For each consultation a policy community is formed by the participating stakeholders. The classic literature on policy networks would probably best describe this community as an “issue network” in which organisations participate on an ad hoc basis according to their level of interest in the matter decided upon (Mahoney, 2007b). The more links an organization has within this community, the better equipped it is to monitor the informational flow characterizing the event, the better able it is to coordinate with others and hence the better equipped the group is to

articulate its preferences in a manner that is able to anticipate the constraints created by the policy spectrum of aggregated preferences. The following hypothesis is tested:

H₅: Interest groups having more formal ties with other groups participating in the event, are more likely to achieve their preferences.

In addition, following the second approach presented in the literature review section, two alternative hypotheses are tested regarding the effects of interest type and organisational format:

H₆: Interest groups representing business interests are more likely to achieve their preferences than groups representing other interests.

H₇: European umbrella organizations are more likely to achieve their preferences than national organizations and/or groups lobbying on an individual basis.

6.5Analyses

6.5.1 Dependent and independent variables

In the empirical analysis conducted as part of this chapter, the unit of analysis is the interest group-policy issue dyad. The dependent variable is *preference attainment*, expressed as a dichotomous variable indicating for each dyad whether or not the preference corresponding to it was translated into outcomes. The choice to use a dichotomous dependent variable instead of the preference attainment index presented in chapter two of the present thesis (discussing levels of plurality in the policy demands expressed by stakeholders) is justified by the fact that a core element of the theoretical framework proposed to explain preference attainment are issue and preference level

characteristics which would have been lost had the analysis used a more aggregate measure of preference attainment.

To test the explanatory framework proposed to explain the attainment of preferences the following set of independent variables is used for the analysis: (1) *Issue salience*; (2) *Polarization of policy preferences*; (3) *Median preference*; (4) *Stance on regulation*; (5) *Inter-organisational ties*; (6) *Advocate type*; (7) *Organisational form*. The operationalization of these variables is detailed in the chapter presenting the research design of the present thesis, section four.

A set of control variables were also considered in the alternative specifications of the statistical models conducted as a robustness check. Following the current scholarship, three such control variables were considered. Two of them capture what the literature indicates to be relevant organisational structural characteristics when it comes to lobbying success: (1) the age of an organisation, a proxy for policy experience, credibility and legitimacy (Furlong, 2005) and (2) the fact of having a Brussels based office (Mahoney, 2004; Mazey and Richardson, 2006; Greenwood, 1997). This allows the analysis to control for the commonly made argument that organisations with more experience and legitimacy are more successful in achieving their goals and that having a Brussels based office makes a group's lobbying efforts more effective in terms of affecting policy outputs. Also, in line with the theoretical discussion on the concept of influence presented in section one of the present chapter, the analysis controlled for the level of *lobbying support* that interest groups benefited from in articulating their policy preferences. The operationalization of all these variables is presented in the research design chapter of the present thesis (section 1.4).

6.5.2 Model specifications

The nature of data is hierarchical, with interest groups' preferences clustered by issue and by policy proposal (or, alternatively, by interest group and the policy proposal). This violates the assumption of the non-independence of observations. As a result, for the core analytical models, I use mixed-effects probit models with random intercept terms at issue level, implemented using statistical software R and its lme4 and Zelig packages (Bailey and Alimadhi, 2007; Imai, King and Lau, 2007; Imai, King and Lau, 2008).

The statistical analysis presents three model specifications. Model 1 tests the effects of the policy environment on preference attainment. Model 2 presents a re-specification to investigate further the strong effect of the "Median preference" variable across different advocate types, and presents an interaction between median and advocate type.¹⁵ Model 3 analyzes only regulatory issues and tests the impact of a group's regulatory stance on preference attainment. The first two models are run on the same dataset containing 3984 interest group-issue dyads, providing information on groups' preference attainment on 79 issues across five consultations.

Model 3 includes "Regulation" as an explanatory variable and as only 42 issues were regulatory, the number of observations is smaller – 2251. In all three models (Table 6.1) proposals were considered fixed effects in an attempt to control for any particular proposal specific effect existing within the sample. None of the proposal

¹⁵ The value of the likelihood ratio test between model 1 and model 2 is -150, on 5 degrees of freedom, p-value < 0.000. This suggests an improvement in the explanatory power of model 2 and indicates that the decision to use an interaction terms was appropriate.

coefficients were statistically significant and they are not reported in the present analysis.

Table 6.1: Mixed effects probit models of preference attainment

	Model 1 (All issues)	Model 2 (All issues)	Model 3 (Regulation issues)
Interaction effects			
<i>Fixed effects</i>			
(Intercept)	-0.47 (0.463)	-0.288 (0.466)	0.525 (0.489)
<i>Policy space</i>			
Saliency	0.441 (0.951)	0.394 (0.948)	-0.361 (1.133)
ln (Polarization)	0.065 (0.113)	0.047 (0.112)	-0.278* (0.137)
Median	0.858*** (0.055)	0.317*** (0.095)	0.489*** (0.075)
Organisational ties	-0.0009 (0.002)	-0.0007 (0.003)	0.006 (0.005)
<i>Regulation (reference category – No regulation)</i>			
Moderate regulation			-0.90*** (0.139)
More regulation			-1.037*** (0.082)
<i>Interest type (ref category – Main business)</i>			
Secondary business	-0.357*** (0.069)	-0.471*** (0.109)	-0.301** (0.093)
Environment NGO	-0.441*** (0.093)	-1.39*** (0.148)	-0.342** (0.127)
National authority	-0.24* (0.121)	-0.36* (0.175)	-0.319† (0.163)
Local authority	-0.617*** (0.081)	-1.134*** (0.164)	-0.693*** (0.11)
Other interest	-0.511*** (0.104)	-1.304*** (0.159)	-0.456** (0.139)
<i>Organisation structure (ref category –European association)</i>			
National association	-0.145† (0.086)	-0.124 (0.087)	-0.028 (0.109)
Individual organization	-0.158* (0.075)	-0.097 (0.075)	-0.145 (0.099)
Other	-0.396* (0.197)	-0.581** (0.207)	-0.259 (0.254)
<i>Interaction effects: median*type (ref category – Main business)</i>			
Secondary business*Median		0.255† (0.137)	
Environment NGO*Median		1.734*** (0.183)	
National authority*Median		0.125 (0.23)	
Local authority*Median		0.848*** (0.189)	
Other*Median		1.586*** (0.202)	

<i>Random effects</i>			
Policy issue (sd)	1.02	1.01	0.88
<i>Model fit</i>			
Log-likelihood	-1974	-1898	-1083
Deviance	3947	3796	2166
Error rate	0.20	0.19	0.20
N	3984	3984	2251
Issues	79	79	42

†p<0.1; *p<.05; **p<.01; ***p<.001. Multi-level random intercept probit model with maximum likelihood estimates.

The results provide empirical support for one of the five hypotheses concerning the impact of the policy environment on preference attainment. Models 1 and 2 indicate a positive and strong statistically significant effect of a median preference on the probability of preference attainment. The coefficient of the median variable is highly statistically significant in both models. Table 6.2 shows for model 1 that, holding other explanatory variables constant, the change from a situation in which the preference is not median to a situation in which it is, increases the predicted probability of preference attainment by 0.32 (or by 85.68%).

Table 6.2: Effects of explanatory variables on preference attainment

Explanatory variable	Effect on preference attainment	Percentage change
Median	0.32 (0.26; 0.34)	84.68% (45.1%; 144.7%)
Median (for main business)	0.12 (0.05; 0.18)	24.02% (7.4%; 46.5%)
Median (for secondary business)	0.22 (0.14; 0.29)	69.6% (34%; 124.1%)
Median (for environment NGO)	0.66 (0.53; 0.75)	843% (299.4%; 2010.8%)
Median (for national authority)	0.17 (0.02; 0.32)	51.35% (3.6%; 140.5%)
Median (for local authority)	0.38 (0.26; 0.49)	307.33% (117.9%; 690%)
Median (for other interest)	0.62 (0.48; 0.72)	689.98% (279.8%; 1576%)
Regulation : “No” to “Moderate”	-0.31 (-0.43; -0.20)	-40.7% (-59.9%; -24%)
Regulation: “No” to “ More”	-0.36 (-0.43; -0.27)	-46.1% (-62.7%; -30.7%)
Interest type (Main business – reference category)		
Secondary business	-0.12 (-0.18; -0.07)	-17.94% (-28.9%; -9.4%)
Environment NGO	-0.15 (-0.23; -0.09)	-22.4% (-36.5%; -11.5%)
National authority	-0.08 (-0.16; 0.007)	-11.18% (-24.5%; 1.1%)
Local authority	-0.22 (-0.29; -0.15)	-31.64% (-45%; -19.2%)
Other interest	-0.19 (-0.26; -0.11)	-26.1% (-40.9%; -13.6%)
Organizational form (European umbrella organisations – reference category)		
National association	-0.04 (-0.11; 0.006)	-5.89% (-14.4%; 1.05%)
Individual organization	-0.05 (-0.1; -0.004)	-6.37% (-13.4%; -0.5%)
Other	-0.14 (-0.28; 0.0004)	-18.28% (-40.03%; 0.04%)

Note: 95% confidence intervals provided in parentheses. First differences in expected outcomes for “polarization”, “median”, “interest type” and “organizational form” are computed for model 1; for the interaction effects between median and interest type for model 2, while for “regulation” for model 3. When computing predicted probabilities and first differences in expected outcomes, other independent variables were kept at their mean if continuous and at their mode if categorical.

To understand better the effect of the median preference variable, model 2 proposes an interaction effect between median preference and advocate type. Given the strong effect of the advocate type variable (discussed below), it's worth exploring how the effect of articulating a median preference works across different advocate types. In model 2, the coefficient of the "Median" variable is still strongly statistically significant, and this is also the case for all of the interaction terms. The effect of the median position on preference attainment varies depending on interest type. The values of the first differences in the predicted probabilities of preference attainment show that, to different degrees, for all interest types articulating a median policy preference makes a significant difference in terms of preference attainment (having however the smallest effect in the case of main business). Most notably, for environmental NGOs, the change from articulating a preference that is not median to one that is, marks an extremely substantial change in the predicted probability of preference attainment: + 0.66 (or by 843%).

Contrary to the theoretical expectation, demanding more regulation has a negative and highly statistically significant effect on preference attainment. The change in the predicted probability for the regulation variable is -0.31 (-40.7%) for when the variable changes its value from a demand for "no regulation" to a demand for "moderate regulation", and -0.36 (-46.1%) when this variable changes from a demand for "no regulation" to one for "more regulation". The change is statistically significant.

No empirical evidence was found in support of the arguments made regarding the effects of issue salience, polarization or inter-organisational ties on preference attainment. To inquire further the effect of the inter-organisational environment on preference attainment, several alternative model specifications were run having as main indicators of a group's network location each of the considered ego network measures

presented in chapter five (i.e ego betweenness, broker index, the Bonacich power indexes). However, none of these indicators were found to have a statistically significant effect on preference attainment and therefore are not reported here.

However, the results provide support for the two alternative explanations. Model 1 shows that, taking “Main business” as reference category, groups representing “Secondary business”, “Environmental NGOs”, “Local authorities” or “Other” interests have statistically significantly lower probabilities of preference attainment. Similarly, the organizational structure of an interest group affects preference attainment. The results show that, to different degrees and relative to European associations, national associations and individual organisations are significantly less likely to achieve their preferences.

As a robustness check, alternative statistical models were specified testing for the effects of organisational age, having a Brussels office and of levels of lobbying support on the probability of preference attainment. None of the variables were significant and their presence in the models did not affect in any way the existing findings. The results are not reported here.

6.6 Conclusions

This chapter investigated the effects of the policy environment on interest groups’ preference attainment. The explanatory framework proposed elements such as issue salience, polarization of preferences, the positioning of preferences relative to others, a group’s stance on regulation and its organisational ties with other stakeholders, as explanatory factors of preference attainment.

The analysis found strong support for the argument that median preferences are more likely to be translated into policy outputs. For almost all interest types, adopting a

median preference had a significant positive effect on preference attainment. The coefficient of the median variable was positive and highly statistically significant in both base model specifications. In substantive terms, this is evidence of a consensual policy formulation process in which different and sometimes opposing demands are reconciled and included in the legislative proposal.

Contrary to the expectations, preferences for further regulation were less likely to be translated into policy proposals, than preferences for preserving the status quo. These results are consistent with Mahoney's comparative analysis of US and EU lobbying. In both systems: "advocates fighting for the *status quo* were more likely to achieve their goals" (Mahoney, 2007: 52). In this respect the two lobbying spaces are more similar to each other than it was previously thought. The finding is also consistent with previous analyses of EU environmental policy, which described it as one characterized by "a joint decision trap in which the status quo is given privilege and policy *lourdeur*" (Weale 2005:125, based on Scharpf, 1988 and Wallace, 1994: 80).

The findings provide additional evidence of the power of business in a policy area where higher levels of regulation bring about concentrated costs on specific economic agents such as car producers or airlines operators. Another possible explanation for this finding could be the rather liberal approach adopted by the Barroso Commission (during which most of the selected proposals were adopted) in terms of levels of regulation and subsidies in general, in all policy areas, as suggested by the latest literature on EU decision-making (Thomson, 2011:79-104). This liberal approach might have made the Commission more open to demands for lower levels of regulation and possibly the maintenance of the status quo in terms of standards of environmental

protection.¹⁶ In any case, the finding is consistent with some media reports on the selected policymaking events which emphasized the “watered down” character of policy proposals that the Commission put forward, following the consultations with stakeholders as compared to the initially stated ambitious policy goals.¹⁷

The results did not show a direct effect of inter-organisational ties on the probability of preference attainment. Chapter three indicates however that formal inter-organisational linkages have a strong positive effect on the probability of articulating a preference. Chapter four takes this analysis one step further and explores the effect of ties on interest groups’ preferences showing that when two groups were linked by a membership tie they are more likely to articulate the same policy preference. This might indicate an indirect effect of organisational ties on preference attainment, one that is mediated by the effect of network ties on the aggregate distribution of policy preferences. One method to further investigate the effects of organisational ties on interest groups’ preference formation would be an advanced social network analysis integrating attributes of interest groups, their roles in the network and the characteristics of the networks as explanatory variables.

The analysis found support for the classic argument that advocate type and organisational features affect lobbying success. Organisations representing “diffuse interests”, such as environmental NGOs and local authorities, perform significantly worse in achieving preferences than main business groups, representing “*concentrated interests*”.

¹⁶ An evaluation of the Barroso (I) Commission in terms of environmental policies made by a coalition of environmental NGOs emphasized its lack of ambition with respect to environmental protection standards and rules. “Barroso fails eco test, say green group”, EUobserver, June 2009 (article available online at: <http://euobserver.com/9/28289?print=1>, last accessed June 2nd, 2011).

¹⁷ Euractiv (2008) “Watered down waste directive get MEPs green light” (Article available at <http://www.euractiv.com/en/climate-environment/watered-waste-directive-gets-meps-green-light/article-173447>, last accessed June 2nd 2011).

The results indicate the European umbrella organizations are most influential players in affecting the policy formulation process. The results support suggestions that there has been an important shift in the role of European associations in the EU policymaking, which evolved from previously having a marginal role to attaining one of increasing importance (Knill, 2001). If European associations are alternative forms of representation, the findings indicate a legitimate policymaking process in which EU level representative structures are given an important say in policy formulation.

These two findings indirectly suggest that resource endowment matters for EU lobbying (Bouwen, 2004) and provide support for the characterization of EU policymaking as “elite pluralist” (Eising, 2007; Coen, 1998) or “semipluralist” (Eising, 2008: 7). The system seems to facilitate preference attainment for EU associations and business groups.

However, before making any final judgments on this essential issue, further empirical, systematic, large-n research similar to the present study is required, focusing on more policy areas, policymaking events and subsequent stages of EU policymaking. Future research should include both high-profile, politicized policymaking events, as well as more technical ones. Analyzing preference attainment of groups over time, across different policymaking events in the same policy area would allow for the investigation of short versus long term lobbying success. Similar but more in-depth analyses conducted on single decision-making events would also represent a step forward, allowing a more precise identification and understanding of the causal mechanisms lying behind the identified causal relationships. These research strategies would greatly increase the generalizing power and would allow the literature on EU interest groups to make the leap forward from exploratory to systematic, theory testing, explanatory studies that are currently a rarity in the literature (Coen, 2007).

Chapter 7

Conclusions

7.1 Main arguments and findings

This thesis analyzed interest groups' lobbying on environmental issues in the context of the European Commission's open consultations. The thesis empirically examined the patterns of interest representation, preference articulation, formation of lobbying coalitions and preference attainment. It also described the policy networks formed among stakeholders participating in the consultations.

Each chapter addressed a different question about EU lobbying on environmental policies. Chapter two addressed the current debate in the literature on the most appropriate characterization of the EU interest intermediation system. It suggested a new approach to studying the plurality of the EU interest group system. This approach consisted of examining the aggregate distribution of preferences articulated by interest groups across policy issues and their levels of preference attainment. Two plurality indexes and one preference attainment index were used to examine levels of pluralism in environmental policy. The findings show moderate levels of plurality in the preferences expressed by interest groups and a pattern of systematically higher levels of preference attainment by the main business interest organisations. This, it was argued, is indicative of a *constrained pluralist* interest intermediation system and provides further evidence in support of current descriptions of the system as "elite pluralist" (Eising, 2007; Coen, 1998) or "semi-pluralist" (Schmidt, 2006; Eising, 2008).

Chapter three examined the extent to which interest groups use consultations as a lobbying venue in which to articulate their policy demands. The chapter addressed the following question: what factors explain the variation in the frequency with which interest groups articulate preferences in the context of open consultations? The explanation proposed emphasized the importance of the inter-organisational environment and of the organisational resource endowment. Several findings are worth mentioning. First, the research found a strong, positive effect of the level of inter-organisational ties an organisation has with other stakeholders to the intensity with which it uses consultations as a venue to articulate its demands. Of the organisations that use open consultations, those that are better connected use these consultations more intensely. This provides further support to the importance of policy networks in EU policymaking (Beyers and Keremans, 2004; Börzel, 1997; Mazey and Richardson, 2005). Second, the findings indicate that resource-rich interest organisations (i.e. business interest groups) are less likely to articulate preferences in consultations relative to organisations representing environmental groups, national and local authorities. This suggests that resource-rich interest organisations might instead prefer direct contact with policymakers over participation in more open deliberative fora (Beyers, 2004; Coen, 2009). Third, the findings show that having a Brussels office decreases the probability that an organisation articulates demands in consultations. This is evidence against the commonly made argument in the literature that having a Brussels office increases interest groups' participation in all aspects of EU policymaking (Mahoney, 2004). Fourth, the analysis revealed that more structured consultation tools, such as standardized or semi-standardized questionnaires, increase the extent to which interest groups' express preferences on the policy issues. The results presented in chapter three also indicate that European level associations are more likely to articulate demands than

national associations or individual interest groups. This finding implies that European-level associations are clearly able to participate in the EU decision-making, to fulfill their representative mandate despite the potential problems that might arise following their diverse membership (Bouwen, 2002; Beyers, 2008; Michalowitz, 2004; Mazey and Richardson, 2005).

Chapter four took the analysis of EU lobbying behaviour one step further by examining whether or not interest groups participate in consultations as part of lobbying coalitions. Two empirical tests were proposed to identify the presence of coalitions. The first one tested for a causal relationship between two groups sharing a tie and expressing an identical policy demand. The second examined the structuring of the inter-organisational networks in search for clusters of organisations. The results of both tests show that coalitions are a reality of the early stages of EU policymaking, in line with the expectations of the classic theory of lobbying coalition formation (Hula, 1999). The chapter contributes to existing scholarship on EU lobbying coalitions by proposing a strategy to identify coalitions that captures two essential elements of coalitional behaviour: coordinated, purposive behaviour and similarity among the policy demands expressed by the coalition members.

Chapter five adopted a network analysis approach to investigate the inter-organisational networks established among interest groups in each selected consultation. The chapter provided relevant insights into the structuring of the relational environment of these policy communities, at both macro and micro level. The findings show highly fragmented inter-organisational environments, a high number of isolates, along with the presence of organisational clusters. To assess the level of embeddedness of interest organisations in the community of stakeholders, several ego network measures were computed and interest groups located in key network positions were

identified. The most noteworthy finding is that individual interest groups play several key roles in their local networks at the same time, which makes them key actors in the relational environment of open consultations.

Chapter six addressed the question of who gets what and why in EC consultations. In other words, the chapter examined the factors explaining interest groups preference attainment. The theoretical propositions referred to the effect of the policy context described in terms of issue characteristics, aggregate distributions of policy preferences and inter-organisational ties. This description involved a more refined definition of the policy context, a definition that captures several dimensions that until now have been largely neglected in the literature, and the inter-organisational networks established among stakeholders. The findings indicate that median preferences are more likely to be translated into policy outputs, providing further evidence of a consensual decision-making process during the formulation stage of EU legislation (Mahoney, 2008). Preferences for stronger EU regulatory regimes are less likely to be translated in the EC legislative proposals, whereas preferences for no regulation and the maintenance of the status quo are more likely to be translated into the text of policy proposals. In addition, business interest groups and European peak associations' preferences are more likely to find their way in the Commission's proposals. This finding provides further evidence that the EU interest intermediation is characterized by elite pluralism but the system produces outputs which favour resource-rich interest organisations (Eising, 2007; Coen, 1998; Hix, 2005).

7.2 EU lobbying and policymaking

The findings highlight three relevant features of the practice of EU lobbying and stakeholders' involvement in the EU policymaking. First, open consultations allow the European Commission to consult widely with stakeholders and to receive policy input from interest groups located throughout the EU Member States. This is in line with the purpose for which on-line open consultations were devised by the Commission. All major interests affected by the decisions made in the environmental area were present in the selected consultations. From this perspective open consultations do create the necessary conditions for a pluralist interest intermediation system at the EU level and facilitate and encourage direct participation of interest groups that might otherwise not have a voice in the EU policymaking system. This is the case for example of environmental groups that are active at regional or local levels across the EU Member States and of local municipalities.

However, there is a substantial variation across cases in the degree of representation of some interests, for example of environmental NGOs. While in two of the five selected consultations environmental NGOs were very prominent, in the remaining three they were scarcely present. Similar patterns were also found by previous research (Warleigh, 2000). Therefore, the system does not seem to encourage consistently similar or at least comparable levels of participation by organisations representing all affected interests. Organisations representing business interests were clearly more consistently present across the selected consultations. This in turn brings us to a second issue regarding EU lobbying: the much stronger presence of business interest organisations and their significantly higher levels of success in translating their demands into policy outputs. The obvious question is what makes them so successful?

Taking into considerations the findings on median preferences, preferences for different regulation levels and the presence of lobbying coalitions, I argue that the lobbying success of business groups resides in their numbers and disciplined lobbying behaviour. Business organisations are more numerous and they speak with a unified voice. The findings indicate low levels of plurality in their preferences and indicate that their similar preferences result from sharing inter-organisational linkages and thus from being part of a lobbying coalition. This lobbying behaviour increases the chances that business interest groups are in a majority and that their policy demands are median relative to those articulated by other organisations, thereby appearing more legitimate to policymakers. This in turn increases the likelihood that business organisations' preferences are translated into policy outputs.

To counter-balance the power of business over policy outputs, reforming the consultation system by making it more inclusive is just a first, necessary but not sufficient condition. The next step is for organisations representing other interests to understand the principles and specific drivers of effective lobbying and interest representation in the context of EU policymaking. The findings imply that NGOs would have enjoyed more success in translating their policy demands into the Commission's proposals if they had formulated a more coordinated lobbying strategy. This in turn suggests the need to re-think the supply side of EU lobbying and the need for organisational learning on behalf of organisations representing other types of interests concerning the rule of EU lobbying and the requirements of successful lobbying campaigns.

Third, the thesis raised the issue of the quality of interest groups' participation in open consultations. To increase the number of interest groups participating in the consultations and reach a far broader audience of stakeholders while keeping the data

management feasible, the Commission recently introduced more structured consultation tools such as standardized and semi-standardized online questionnaires. This measure had two implications. On the one hand it increased the number of stakeholders participating in the consultations and the number of policy demands they expressed on policy issues. On the other hand, however, this decreased the plurality of policy demands articulated by interest organisations and the opportunity for organisations to bring new issues to the policy agenda. Therefore, a more careful balance needs to be sought in the design of open consultations between levels of interest groups' inclusiveness, data management concerns and the opportunities the system offers for accommodating policy input in the policymaking process.

7.3 Future research

Throughout the chapters of this thesis, several questions, regarding both theoretical and methodological aspects of research on EU lobbying, were raised and proposed for further consideration and research. First, chapter two raised the important issue of what plurality thresholds should we use in order to precisely differentiate between low, moderate and high levels of pluralism characterizing an interest intermediation system. The indexes proposed by the present thesis to measure the plurality of demands articulated across issues and within advocate type represents a step forward towards measuring levels of pluralism in a more reliable, systematic manner. However, further consideration should be given to developing an ordinal scale that would match values of the index with levels of pluralism. In addition, to refine further the two plurality indexes proposed by the present thesis, future research should try to capture in greater detail and measure in a more precise manner the substantive differences between demands along a policy continuum. With the help of interviews and discussions with policy experts and

EC desk officers, a metric ordinal scale could be constructed and interest groups' demands placed on this scale according to the differences in their substantive meaning. This in turn would allow a more valid measurement of the plurality of policy demands articulated by interest groups.

Last but not least, to increase the generalizability of the present findings and make inferences about the levels of pluralism characterizing the overall EU interest intermediation system, future research should apply the proposed plurality and preference attainment indexes to other policy areas. This would deepen our knowledge about pluralism across regulatory, distributive and redistributive policy areas, thus creating the basis for comparative research.

Chapter three explained interest groups' demands articulation behaviour and suggested that one important factor affecting interest groups' choices for lobbying strategies is the availability of alternative lobbying venues. One of the arguments made was that business organisations are less inclined to articulate demands in the context of consultations since they prefer and have access to more selective and direct consultative forums, such as expert committees or personal access to policymakers. The research design adopted by this thesis did not test the effect of having access to other lobbying venues on the behaviour of interest groups in the context of open consultations. Future research should therefore address this issue by collecting data on interest groups' access to other lobbying venues during the policy formulation stage of EU legislation such as public hearings, expert committees, roundtables and, most importantly, by taking into account the frequency with which interest groups had access to policymakers from different Commission services involved in the formulation of policy proposals. These data could be gathered by accessing the archives of the European Commission on the basis of formal requests for information of public interest. This additional information

could also help research estimate the network ties between interest groups and policymakers in the analyzed policy communities. This in turn would allow a more precise definition and identification of policy networks formed around policymaking events and a more refined analysis of the effect of networks on interest groups' participation behaviour, lobbying strategies and preference attainment.

The research found that the consultation tools employed by the Commission to consult interested parties affect the frequency with which demands are articulated by organisations and the plurality of demands expressed. More structured tools increase the extent of participation but reduce the plurality of preferences expressed. However, these inferences were made on the basis of a limited number of cases. To test the effects of the consultation format on interest groups' lobbying behaviour in a more systematic manner, future research should increase the amount of variation in the consultation format by studying more consultations in which the Commission employed the entire range of consultation tools.

Last but not least, future research should examine the internal organisational processes through which European associations form their policy preferences on the issues considered in the consultations. Future research should empirically examine intra-organisational deliberative processes and see how organisational members negotiate among themselves the official policy stance that their representative body at EU level should assume. This would offer more refined insights into the effects of the organisational structures on interest groups' participation in the open consultation as indicated by the frequency with which they articulate policy demands. A related focus for future research concerns the decision for both European associations and their organisational members (be they national associations or individual interest groups) to simultaneously participate in open consultations. The findings of the present thesis

suggest that this is a strategy to increase the aggregate support for certain demands, but it would be interesting to evaluate how often this lobbying strategy is employed by different European peak associations, how much do European associations coordinate with their members in this respect and why some associational members decide to participate in consultations while others do not.

Chapter four examined the presence of lobbying coalitions based on inter-organisational ties among organisations based on common membership of overarching organisational structures such as national or European level associations. This research strategy did not capture potential cooperation linkages among organisations representing different types of interests and the occurrence of coalitions between “strange bedfellows” which are part of the Brussels lobbying scene (Mazey and Richardson, 2005; Warleigh, 2000: 233). As indicated in one of the interviews conducted for the present research by a representative of a prominent environmental NGO based in Brussels, this sort of cooperation and coalitions do occur. With the help of semi-structured interviews with representatives of interest groups based in Brussels, future research could estimate for each selected consultation, cooperation ties among organisations representing different interests, on the condition that the key informants possess sufficient knowledge on the activities of their organisations taking place at the time when the consultation event took place.

Chapter six examined the determinants of preference attainment in the context of one EU institution and lobbying venue. This approach could not examine the effects of institutions on lobbying behaviour and preference attainment. Future research should therefore bring institutions in the explanatory framework as an important factor affecting the patterns of EU lobbying and levels of lobbying success (Mahoney, 2007). This approach would “recognise the interaction between institutions, issues, and interest

group characteristics” (Mahoney and Baumgartner, 2008), and would add additional information about the effects of policy context on the articulation of policy demands and lobbying success. There are different ways to capture the effects of institutions on EU lobbying. One approach would be that for the selected consultations, future research should study lobbying across time and throughout all stages of the EU decision-making process. This means studying lobbying behaviour and preference attainment during the formulation, decision-making and policy implementation stages, by including observations about interest groups’ demands, lobbying strategies and preference attainment following their lobbying targeting the relevant institutions involved in EU decision-making. This strategy would allow capture the variation across EU institutions and decision-making stages (Coen and Richardson, 2009). An alternative approach would be to focus on the policy formulation stage only and to examine interest groups’ interactions with different Commission services (DGs) involved in the formulation of a specific policy proposal. This in turn would reveal variation in the policy practices and approaches to stakeholders’ involvement in the decision-making process within the European Commission, across DGs (Bouwen, 2009). An additional strategy would be to focus on only the leading DGs in open consultations, increase the number of selected consultations and choose them from all EU policy areas, to capture the variation in modes of governance and consultation regimes across policy areas (Mahoney, 2008).

Finally, future research should focus more on the role of the European Commission as an institutional actor with its own policy preferences, political goals and demands addressed to stakeholders. The present thesis assumed the Commission to be a neutral player, a policy driven, technocratic, bureaucratic actor interested in devising technically sound and politically legitimate policies. In line with this assumption, open consultations are a means through which the Commission forms its own preferences

about policy alternatives and outputs. Therefore the Commission's policy preferences before the consultation events, were not addressed in the present research. However, if we change the optic and consider the European Commission to be a political actor, interested in increasing its competences and relative power with respect to other EU institutions, more attention should be paid to the process of preference formation within the Commission. From this perspective, future research should examine whether the Commission already has a set of preferences on the issues it consults. If it does, these preferences should be estimated and included in the explanatory framework.

According to a prominent theoretical perspective in the literature, a core feature of EU lobbying is the exchange relationships established between policymakers and interest groups (Bouwen, 2004). Future research should assess the explanatory power of this perspective in the specific case of open consultations. This means identifying the expectations or demands of EC policymakers concerning interest groups' policy input and examining whether this affects interest groups lobbying strategies and levels of preference attainment. For example, to other lobbying venues, it has been argued that the Commission has a great interest in the technical and policy area specific information coming from stakeholders (Bouwen, 2009). Future research should investigate whether this is the case for open consultations too. There may also be other resources available to interest groups that could be relevant to policymakers in this particular context. Such resource dependencies between policymakers and interest groups could provide additional explanations of the extent to which policymakers respond to interest groups' policy demands.

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Appendix 1

Policy issues in five open consultations in the EU environmental policy area

1) Consultation on a proposal for a regulation for the reduction of CO₂ emissions for light weight vehicles (passenger cars).

Issue 1: What measures would assure that the proposed target of 120g/km for the reduction of CO₂ emissions for light weight vehicles is reached.

Issue 2: Time frame for reaching the targets.

Issue 3: Including N1 vehicles (commercial vans) in the scope of the regulation.

Issue 4: Parameter(s) to be considered when deciding what vehicles are covered by the regulatory text.

Issue 5: Should targets be mandatory.

Issue 6: Should there be penalties for car producers which do not comply with the targets.

Issue 7: Establishing any fiscal incentives to assure compliance with the targets.

Issue 8: Harmonizing the labelling system for cars.

Issue 9: Establishing an EU wide car marketing code of conduct.

Issue 10: Flexibilities allowed for car manufacturers to reach the required targets of CO₂ emissions.

2) Consultation on introducing aviation activities in the Emissions Trading Scheme.

Issue 1: Which entities should be responsible for the management of the Emissions Trading Scheme in the case of aviation activities.

Issue 2: Assuming that flights were included within the scope of an EU measure without regard to the nationality of the air carrier (thus covering flights operated by both EU and non-EU carriers on a given route), what scope of action would imply the lowest risk of distortion of competition for European businesses (including both the aviation and tourist industries).

Issue 3: Should there be a single detailed methodology for calculating the quantity of allowances to be allocated to each agent.

Issue 4: If the use of historic data were part of the allocation methodology, for which year(s) would the most accurate data be available.

Issue 5: Should there be a single detailed methodology for monitoring and reporting emissions/impacts (similar in nature to an individual tier in the guidelines for the ETS, cf. C(2004) 130 final).

Issue 6: What additional measures should be taken to reduce the impact of aviation on the environment.

3) Consultation on adopting a decision on the guidelines for monitoring, reporting and verification mechanisms for introducing aviation activities in the Emissions Trading Scheme.

Issue 1: Should the deadlines for the submission of tonne-kilometre plans and for their approval be set by the EC the same for all MS or should they be left open for each Competent Authority to set to reflect their own circumstances?

Issue 2: Should the monitoring plan cover both tonne-km and emissions in a single plan?

Issue 3: If common dates are agreed for the submission of tone-km plans, do you agree with the timing proposed in the European Commission consultation document.

Issue 4: Should the deadlines for the submission of annual emission monitoring plans and for their approval to be set by the EC the same for all MS or should they be left open for each Competent Authority to set to reflect their own circumstances?

Issue 5: If common dates are agreed for the submission of emissions plans, do you agree with the timing proposed in this document?

Issue 6: Would the submission of an updated monitoring plan before the start of the first trading period in 2012 contribute to improving the quality of monitoring and reporting the emission trading period?

Issue 7: In which circumstances would the ICAO designator not be considered as the appropriate way to define the aircraft operator?

Issue 8: What evidence should be required to ensure that applications to the special reserve refer to additional or new activity?

Issue 9: Is listing flight routes in a monitoring plan for tonne kilometre data sufficient to gauge potential expansion of aircraft operators?

Issue 10: Do you consider a standard source of GCD data from Eurocontrol as the most appropriate approach for your needs?

Issue 11: If an aircraft operator chooses to use measurements of actual passenger weight, what type of weighing instruments are used in the industry and what are their typical levels of uncertainty across a whole year?

Issue 12: Do you agree with the proposed measure of 95km recommended additional to account for uncertainty?

Issue 13: Should uncertainty assessments be required or not?

Issue 14: For operators, do the proposed tonne-kilometre templates fit your purpose?

Issue 15: Are there any parameters that should be covered in the tonne kilometre templates?

Issue 16: Is there a need to link to the content of the tonne-km templates to special software/databases?

Issue 17: Do you think that different levels of accuracy (or uncertainty) in monitoring and reporting of annual emissions should be required for different aircraft operators according to pre-defined categories of operators per annual emissions?

Issue 18: Do you consider minor and *de minimis* sources relevant in the context of the aviation sector?

Issue 19: If you consider that minor and *de minimis* sources warrant consideration in the context of the aviation sector, would the thresholds considered for stationary installations be applicable and for which kinds of flights not falling under the current exclusions?

Issue 20: Is there a standard level of uncertainty for fuel metering in the industry, which could be proved through calibration certificates?

Issue 21: Is there any specific requirement for the use of standard fuel density factors in the industry?

Issue 22: Should the MRV guidelines for aviation explicitly mention standard density conversion factors to be used in fuel measurement?

Issue 23: Should density measurement be required every time instead of using standard values?

Issue 24: Potential barriers preventing aircraft operators from gathering data on actual fuel consumption per flight.

Issue 25: Could aircraft operators not able to provide information on fuel consumption per flight provide instead total annual fuel consumption figures for their operations covered by the EU ETS?

Issue 26: Would there be any obstacles to data storage for the proposed storage period of 10 years?

Issue 27: Should there be allowed the option of using specific values for NCV to define the energy content of aviation fuels or should standard values be preferred instead?

Issue 28: If standard values are used, would the IPCC default values for NCV be appropriate?

Issue 29: How accurate in practice is the NCV data provided by fuel suppliers?

Issue 30: Preference for the option of using specific values for emission factors of aviation fuels or standard values for everyone?

Issue 31: Would IPCC default emission factors expressed as tCO₂/TJ be considered as an appropriate standard value for all aircraft operators?

Issue 32: Are there any barriers or concerns for aircraft operators developing activity specific factors expressed as tCO₂/TJ?

Issue 33: Could standard emission factors expressed as TCO₂ per tonne of fuel provide a more accurate measurement of emissions at lower costs?

Issue 34: Which situations would require the use of a fall-back approach?

Issue 35: Is special treatment of bio-fuels necessary or can the emission factor and NCV of bio-fuels blends be satisfactorily determined using the above requirements for standard fuels?

Issue 36: Agreement with the proposed methodology to account for measurement of uncertainty in a given aircraft operator.

Issue 37: Is listing fuel metering uncertainties that apply to an entire aircraft operator appropriate?

Issue 38: Should it be allowed to carry out monitoring without uncertainty assessment in the two pre-trading years?

Issue 39: Do the proposed annual emissions templates fit your purpose?

Issue 40: Which other parameters should be covered in the annual emissions templates?

Issue 41: Can the proposed annual emissions templates be completed with your existing data records?

Issue 42: Is there a need to link annual emissions templates to special software/databases?

Issue 43: Will the existing records of the aircraft operators, cross-checked with Eurocontrol data be enough to ensure completeness of flight and emission data?

Issue 44: Will the use of the ICAO designator ensure that emissions data is not duplicated for aircrafts operated by different operators?

Issue 45: Will additional checks be required to ensure completeness?

Issue 46: Do you agree with the proposed materiality levels?

Issue 47: Do you think additional guidance should be provided to verifiers outlining a recommended data sampling procedure, such as one which would consider the appropriate temporal and spatial data representation?

Issue 48: Do you think that the proposed templates for the monitoring plan and annual reporting will help reduce the verification risk?

Issue 49: What would be the additional competencies required for a verifier active in the aviation sector?

Issue 50: Regarding extra-EU operators: where will verification best take place in order to be cost efficient while still ensuring a reasonable level of assurance?

Issue 51: If verification needs to take place outside the EU or outside the MS where an aircraft operator has been assigned, which of these would be the most suitable approach: 1) each operator is verified by a verifier accredited in the country where it has been assigned; or 2) there is a minimum requirement that the verifier acts under the accreditation of an EU accreditation body?

4) Consultation on the adoption of a waste management framework directive.

Issue 1: Should there be established waste prevention targets?

Issue 2: Would the chemicals policy (REACH) play a role with respect to the quantitative prevention of waste?

Issue 3: Should waste prevention plans be voluntary or not?

Issue 4: Is there a potential beneficial role that the Directive on Integrated Pollution Prevention and Control (IPPC) could play in order to promote waste prevention?

Issue 5: Should material based recycling targets be used in conjunction with end of life product based targets?

Issue 6: Are material based waste targets appropriate or not?

Issue 7: Should recycling targets be set for the Community as a whole?

Issue 8: Should recycling targets be legally binding or indicative?

Issue 9: Should tradable certificates be used as an instrument in the strategy for waste management?

Issue 10: Should the introduction of a community landfill tax be used as an instrument in the strategy for waste management?

Issue 11: Should the promotion of pay-as-you-throw schemes be used as an instrument in the strategy for waste management?

Issue 12: Should the use of landfill bans be used as an instrument in the strategy for waste management?

Issue 13: Should the development of producers' responsibility for recycling be used as an instrument in the strategy for waste management?

Issue 14: Should the IPPC directive be extended to recycling operations as well?

Issue 15: Should there be a redefinition of waste?

5) Consultation on revising the Directive 2002/96/EC on Waste Electrical and Electronic Equipment.

Issue 1: Should the current levels of collection of WEEE be improved by adopting fixed mandatory collection target for all MS expressed in weight/year achieved by a certain date or differentiated per MS expressed in weight/year achieved by a certain date?

Issue 2: Should there be adopted mandatory collection target expressed in a % of collection in function of the total quantities of EEE put on the market in the preceding years in a MS or per product category?

Issue 3: Should there be adopted environmental weight based collection target focusing only on the environmentally most relevant streams to be collected (or combining with the fixed mandatory target described above)?

Issue 4: Should measures be taken for the adoption of an obligatory give-back by collection points to the producer responsibility organisations (PRO's) or to individual scheme?

Issue 5: Should there be an increase in the current targets for all or some categories in order to encourage the recovery and recycling of WEEE separately collected?

Issue 6: Should a target for category 8 equipment (medical devices) be introduced?

Issue 7: Should material based targets for all WEEE or per product category be introduced?

Issue 8: Should there be taken measures to stimulate the outlet market for recycled and recovered products, in particular for encouraging high level of material re-application?

Issue 9: Should the reuse of whole appliances be improved by setting a target for the reuse of whole appliances to be achieved by a certain date?

Issue 10: Should the reuse of whole appliances be included in the current or increased components, material and substance reuse and recycling targets?

Issue 11: Should the reuse of whole appliances be improved by giving obligatory access for the reuse sector/organisations to collected WEEE to select that equipment that could meet the criteria for being reused, refurbished or repaired?

Issue 12: Should the scope of the directive be clarified by clarifying the scope, by formalising criteria used in the documents on Frequently Asked Questions (FAQ)?

Issue 13: Should a fixed list of products falling under the scope or falling outside the scope (negative list), updated through the Comitology process be adopted?

Issue 14: Should measures introduce categories of equipment as being WEEE from private households or as being WEEE from users other than private households?

Issue 15: Should the scope of the directive be clarified by defining the scope under the RoHS Directive and refer to it in the WEEE Directive?

Issue 16: Should the scope of the Directive be placed under art. 95 of the Treaty?

Issue 17: Should (other) types of products/product categories in the scope be included in the scope of the Directive?

Issue 18: Should the scope of the Directive be extended so as to include all EEE (also above 1000 VOLT AC or 1500 Volt DC) and spare parts and components?

Issue 19: Should some types of products/product be exclude from the scope of the Directive?

Issue 20: Should the provisions on producers' responsibility be brought under a different legal basis such as provisions related to the scope, definitions, and product requirements in the legislative text under Art. 95 of the Treaty and provisions related to targets, stakeholder responsibilities and waste treatment under Art. 175 of the Treaty, aligning at the same time definitions?

Issue 21: Should measures be taken to harmonize the implementation of the allocation of financial responsibility, the frequencies and formats of reporting, the registration and making information available?

Issue 22: Should there be taken measures to stimulate eco-design through defining targets for reusability, recyclability and recoverability of electrical and electronic equipment?

Issue 23: Should there be introduced the development of treatment standards?

Issue 24: Should a definition of "remove" be included when referring to the requirements for the treatment of waste?

Issue 25: Should there be a modification of the entries of the current list in Annex II.1 to the Directive in function of technical progress including a reference to the exemptions granted under the RoHS Directive to ensure that for those applications, the hazardous components, parts and substances are removed?