

**Lobbying in Old and New Europe:
Understanding Practices and Perceptions in the
European Parliament**

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Abstract

The increasing power of the European Parliament has attracted interest representatives to more actively pursue their interests within the institution. Consequently, Members of the European Parliament (MEPs) have also become more significant players in lobbying the European Union. This thesis focuses on how MEPs from different national lobbying cultures perceive lobbyists and use resources from them in the policymaking process. The case selection of MEPs from Poland and the United Kingdom offers a rich comparison of perceptions from two different lobbying systems. Interview findings confirm that Polish MEPs are more reluctant to work with lobbyists on policy issues because of less familiarity and comfort towards lobbying and a general concern for transparency in the policymaking process.

Key Words: European Parliament, lobbying, Members of the European Parliament, national lobbying culture, Poland, United Kingdom

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List of Abbreviations

CEE	Central and Eastern Europe
EP	European Parliament
EU	European Union
IDEI	Information about the Domestic Encompassing Interest
IEEI	Information about the European Encompassing Interest
MEP	Member of the European Parliament
MS	Member States
NGOs	Non-governmental organizations
NMS	New Member States
UKIP	United Kingdom Independence Party

Introduction

Lobbying¹ in the European Union (EU) is essential to ensure that the voice of groups and individuals is heard in the European policymaking process. Starting in the 1960s, EU lobbying did not truly take off until the 1980s with the development of the Single Market. The introduction of qualified majority voting on these issues and increased EU competences resulted in a dramatic increase of interest representation groups and lobbyists (Greenwood 2002; Greenwood 2003). Every day, 15,000 officials from the European Parliament (EP) and the European Commission meet 20,000 lobbyists (European Commission 2001; Greenwood 2003). Here, interest representation² includes a wide array of actors: European trade federations, European non-governmental organizations (NGOs), commercial consultants, national business or labor associations, regional representations, international organizations and lastly, think tanks.

Recently, the increasingly powerful European Parliament has attracted a significant amount of attention from lobbyists seeking to shape European policies. With the implementation of the Treaty of Lisbon, the European Parliament has gained more institutional prestige through the extension of the ordinary legislative procedure to more policy areas (Cirone 2011, 5). As a result, EP committees have gained a significant edge over the Council of Ministers because of the trend to conclude informal agreements early on during the legislative process (Marshall 2010, 555).

¹ In this paper, the European Commission's definition of lobbying (2007) is utilized, signifying "activities carried out with the objective of influencing the policy formulation and decision-making processes of the European institutions."

² This paper uses the terms lobbying and interest representation interchangeably.

As the institution gains more interest from lobbyists, Members of the European Parliament (MEPs) become more actively sought after to influence policies. MEPs have taken many roles in interacting with lobbyists. Some initiate new policy ideas and help to formulate EU agenda, while others taken on more inter-institutional activities through negotiating with the European Commission and the Council of Ministers (van Schendelen 2010, 86). In the wider scope of EU lobbying, MEPs have an exchange relationship with interest representatives entailing the supply and demand of various types of resources. Although many studies have focused on this relationship, little research has been conducted on the subject of how MEPs perceive lobbying and their uses of interest representatives. Furthermore, scholarly work on lobbying has been limited in understanding the impact of national lobbying cultures in the EU context.

The contribution of my research is to gain a better grasp on what the differences in MEP perceptions and uses between two national lobbying cultures. As one of the selected cases, the United Kingdom has a lobbying system more aligned towards pluralism, featuring a high level of professionalization among all types of interest groups (Parvin 2007). Comprising many of the same characteristics of lobbying in Central and Eastern Europe (CEE), the other case study of Poland provides insight into a semi-corporatist lobbying system with limited professionalization and access for interest groups, and widespread skepticism on the added benefits of lobbying in the policymaking process. Therefore, the key research question in this paper is: *compared to British MEPs, are Polish MEPs more reluctant to work with lobbyists due to less familiarity with the process and general concern for transparency?*

To provide a solid theoretical background, *Chapter 1* consists of a literature review on EU lobbying, focusing on lobby systems, the importance of actors in EU lobbying, and EU national lobbying styles. Due to the lack of substantial research on the subject, this section gives an overview of the lobbying system and characteristics of both the UK and Poland. In trying to understand the differences between the British and Polish lobbying approaches in Europe, in-depth semi-structured interviews had been chosen as the research method to gather significant information about lobbying perceptions and uses between both delegations.

Chapter 2 offers a discussion on lobbying dynamics between MEPs as actors and the impact institutional framework of the EP. This chapter features a thorough examination on the specific role of MEPs during the lobbying process, including MEP contributions and their demands from lobbyists. The final section touches upon recent efforts for transparency within the institution.

Chapter 3 presents a qualitative analysis of the MEP interview content and relates it back to previously mentioned literature and topics on EU lobbying and lobbying system. The final section confirms the main hypothesis of the thesis on the differences in perception and use of lobbyists, while discussing its significance in the context of lobbying systems and EU lobbying as a whole.

CHAPTER 1 –

LOBBYING IN THE EUROPEAN PARLIAMENT:

A LITERATURE REVIEW

1.1 Lobbying the European Parliament

In recent years, the European Parliament has been viewed increasingly more powerful lobbying venue (Beyers and Kerremans 2007; Kerremans and Princen 2008). As a result of the increasing stature of the EP, it comes as no surprise that Members of the European Parliament have become the central targets of European-wide interest representation. Of the interest representatives that enter the European Parliament, 40% of all lobbying is done by individuals rather than by firms, think tanks and other organizations (European Parliament 2003).

To regulate the vast numbers of interest representatives, the European Parliament has been the most progressive EU institution ever in establishing and implementing lobbying regulations. In 1996-1997 EP adopted two sets of rules, which were annexed to its Rules of Procedure. These two sets consisted of the “Transparency and members’ financial interests,” a code of conduct for MEPs, and “Lobbying in the EP,” an accreditation system for lobbyists. More recent changes in the EP’s lobbying regulation are more thoroughly discussed in *Chapter 2*.

1.1.1 The EU Lobbying System Debate

To understand lobbying in the EP, the EU lobbying system is described to contextualize the general lobbying scene. The EU lobbying system has been classified under three different models: pluralism, corporatism and policy networks. Advocates of pluralism (Heritier 1999; Eising 2007) focus on the input side of policymaking, meaning various interest representation groups have equal opportunities to shape policies (Schubert 1995). The power arrangement is not marked by domination; instead, organizations tend to counterbalance each other, while the state plays a passive role in this arrangement (Schumann 1994). The pluralist school is centered on the competitive nature of interest representation groups to challenge each other, to combine common interests and to overlap in the pursuit of their interests. Scholars have argued that pluralism is the key, defining characteristic of the EU interest intermediation system (Mazey and Richardson 1993; Schmitter 1997; Richardson 2001). In regards to pluralism, the EU promotes competition among interest groups as well as their professionalization, while maintaining an arms-length distance. Eising (2007) has slightly challenged this model with his notion of 'elite pluralism,' noting that insider status and resources advantages of business interests limit the actors that can lobby. Advantaged lobby groups are given 'elite' status within the lobbying system.

In opposition to pluralism, corporatism (Andersen and Eliassen 1991; Gorges 1996; Bouwen 2002b) is defined by a privileged arrangement of interest groups, particularly preferred by the state, and by a hierarchical position, giving groups the potential to monopolize relationships with state entities. Interest groups concentrate more

on steering the output process through formalized consultative processes, such as social dialogue, with European institutions.

Beyond the pluralism-corporatism debate, academics have offered alternative explanations. The main alternative explanation is the policy networks approach, which is meant to overcome the cleavages of the two schools. Some academics view the EU as a mixed system of corporatism and pluralism (Greenwood 2003, 266), and others note that the recent EU enlargements have promulgated an even more mixed character of interest representation (Mihut 2008, 9). The policy networks entail power dependency and resource exchange between the government and interest groups (Börzel 1997; Saurugger 2002). In terms of other explanations, Falkner (2000) notes that the insertion of corporatist practices with the Maastricht and Amsterdam treaties has not changed the rules of collective bargaining process, which do not reflect any long-standing lobbying models but rather the features of the social realm.

1.2 An Actor-Centered Approach to European Lobbying

In explaining the intricacies of European lobbying, scholars have taken three streams in interpreting the relationship between interest representation and policymaking: transnational collective action, the exchange model, and as a form of political protest mobilization (Charrad and Eisele 2007, 33). The first perspective of transnational collective action examines how national organizations mobilize on the European policymaking stage (Greenwood et al. 1992). The second perspective brings a more economic spin on the relationships between lobbyists and institutions through focusing on the supply and demand of the offered resources (Henning 2000; Bouwen 2002b). The

third perceptive explores the role of transnational social movements and protest mobilization by analyzing the potential for contentious politics and its impact on European integration (Imig and Tarrow 2001).

Given the scope of this thesis, the second perspective of the exchange model is best suited since this stream studies the specific relationship between European institutions and lobbyists. Furthermore, this stream allows for an analytical framework that delivers results, which can be used for further theory development, unlike the non-generalizable findings of individual lobbying case studies (Michalowitz 2004, 42). Traditionally, this exchange model between interest representation groups and European institutions has been developed by Bowen's theory of access goods (2002), analyzing the supply and demand of access goods. Accordingly, this model of access goods entails that interest representatives can only gain access under the condition that EU institutions have a demand for access goods, which consist of expert knowledge, information about European encompassing interests, and lastly, domestic encompassing interests (2002, 369).

Although Bouwen's theory of access good presents a systematic framework of lobbying, the economic underpinnings of the model do not take into account the distinct qualities of actors. Irina Michalowitz argues that lobbying entails "a combination of the specific demand of an actor, the agent category with specific agent characteristics, and the individual qualities of an agent with regard to negotiation and personal skills" (2004, 271). In understanding MEPs perceptions and uses of lobbying, this research project utilizes Michalowitz's argument on the importance of individual actors in the lobbying process.

1.3 Lobbying Styles of Old and New Europe in Brussels

Within EU policymaking, member states (MS) have been noted to have diverse national lobbying styles. Academic Rinus van Schendelen (1993) first studied EU national lobbying styles and preferences. Yet, little research into the subject has been conducted since this initial study. With the last two EU enlargements, the accession of more MS has contributed to a more heterogeneous mix of national lobbying styles. In these new member states (NMS), lobbying is often tied with the pejorative connotation of influence trafficking and corruption (Gadowska 2006; Jasiecki 2006; Mihut 2008). This section investigates nascent and developed lobbying cultures and links them back to the literature on lobbying models. The two compared lobbying models are the British and Polish cases, which provide a solid juxtaposition to comprehend more about these traditions.

1.3.1 The British Model of Lobbying Europe

The British national lobbying style has mostly been identified with discretion, self-reliance and an arms-length distance between government and interest groups. For lobbyists, discretion is mainly observed in the lack of information about lobbyists and their clientele. For example, the size of corporate lobbying cannot be gauged due to the lack of registers or lists (Parvin 2007, 10); although academics do observe substantial growth of UK interest representatives (Baumgartner et al. 2008). Some scholars argue that the secret and quiet nature of lobbying is the main difficulty in conducting meaningful research on the subject (Souza 1998). In describing the culture, Grant Jordan notes, “on the whole the [lobbying] industry likes to keep quiet about who works for

whom. In part this is seen as discretion on behalf of clients, but it is also through an unwillingness to draw attention to the fact that influence is being exerted in a way that fits uneasily with the picture book version of our democracy” (1991, 28).

Additionally, the discretionary quality of British lobbying has greatly impacted its perception among British citizens. An OECD study (2009, 17) reports that British citizens perceive interest representation groups as exercising unhealthy levels of control over the national government. To describe the fluid relationship between government and industry, the term “revolving door” has been utilized as individuals move back and forth between government and private sector positions (House of Commons 2009, 5). The current system of regulation does not display the extent to which lobbyists influence the decisions of policymakers. Due to discretion, the lack of an evidence trail has resulted in a call for greater transparency, allowing citizens to examine the impact of interest groups in accessible, evidence-based judgments (Ibid. 12).

The second characteristic of British lobbying is self-reliance, noted both in the UK and Brussels. Van Schendelen observes, “the practice of self-reliance was encouraged under the Thatcher cabinets, as a side-effect of her general ideology of privatization that kept interest groups responsible for their EU affairs” (2010, 144). The growth of British EU affairs interest groups had started from the 1980s development of the Single Market and institutional treaty changes in the past two decades. In EU lobbying, British interest representatives exhibit the following preferences: a stance towards negative integration; lobbying for general legislation based on hard law; and the belief that better regulation should be the guiding principle in EU values and the creation of new EU agencies (Ibid.).

The third characteristic is that the British government tries to keep an arm's length apart from organized business and labor (Ibid. 29). The House of Commons does not generally use social consultations or meetings with stakeholders; instead, they enforce "rule of law rather than rule of compromise" (Ibid.). Additionally, the UK does not have any lobbyist register; however, other measures have been established to tackle issues of misconduct. On the lobbyist side, professional lobbying associations have instituted self-regulatory transparency measures to shake their image of influence peddling (OECD 2009, 8). On the lobbied side, the House of Commons (2009, 22) has introduced rules on the conduct of its members, civil servants and Ministers "to regulate the lobbied rather than the lobbyists" (Malone 2004, 23). These rules entail statutory controls, contractual terms and employment guidance.

From these characteristics, British lobbying resembles the pluralist system with the distance of the government to interest representation groups and the self-reliance of groups to promote their interests. However, the discretionary and secretive nature of the system along with the 'revolving door' scandals hint at some corporatist elements because the relationship between business and the government is unclear due to employment practices. In the academic literature, the lobbying system is considered to be formerly corporatist due to the privatization zeal of the Thatcher governments (Jordan 1991; Hennessy 1995). With the decline of the corporatism, recent growth and professionalization of interest groups indicates a more pluralist system as these groups have largely adopted lobbying and public affairs techniques found within the private sector to stay competitive (Parvin 2007).

1.3.2 The Central European Model of Lobbying Europe

The Central European model of lobbying does not subscribe to a specific model of lobbying given its nascent development in new democracies. The term “lobbying” has often been associated with influence peddling and corruption (Jasiecki 2006; Mihut 2008). For example, 72% of Polish citizens believe politicians and civil servants are easily swayed by lobbyists in a situation that would be profitable for them (Public Opinion Research Center 2010, 3). Interestingly, the Polish elite also seems skeptical of interest representation within policymaking. A Burston-Marsteller study (2009, 42) showed that only 3% of Polish elite view lobbying as constructive force in the legislative process versus the European elite average of 48%. Furthermore, the study showed that 90% of Polish respondents were strongly concerned about lack of transparency in lobbying from both NGOs and business; these concerns were the strongest throughout Europe (Ibid.). This lack of transparency is attributed to be an intrinsic characteristic of the Polish governing process, in which the secrecy and use of informal contacts are widespread (Zybertowicz 2002; Gadowska 2006).

In the 1990s, the CEE lobbying style had first developed to resemble some elements of corporatism, especially during the process of democratization (Ost 2000, Padgett 2000) and EU membership negotiations (Cox and Mason 2000; Mansfeldova and Rakusanova 2006), when interest groups met with national government in corporatist arrangements. The introduction and use of consultations by the central government allowed for privileged cooperation of certain interest groups, which is characteristic of corporatism. Mihut (2008) notes that corporatism remains problematic in CEE, despite the progress achieved through dialogue among interest organizations and governments.

One key issue is clientelism, an exchange relationship with individuals of unequal standing, pervading every CEE country to varying degrees (Gadowska 2006; Jasiński 2006; McGrath 2008). Other academics attribute the failure to sustain a corporatist model because of the inefficacy of corporatist-style institutions to promote business interests that had historically been stifled during communism and transition (Osa et al. 2003; Duvanova 2007). Pérez-Solórzano Borragán (2006) notes that many small and medium-sized businesses were unable to pursue their interests because of several factors, such as bureaucracy, poor information and a bias towards supporting state-owned monopolies.

The deficiencies of domestic lobbying have been reflected in EU lobbying. Notably, the CEE countries have been described as a “a marginalised group of actors in European politics” for their distance to main policy stakeholders and inability to form a regional coalition (Charrad 2010, 169). Kristina Charrad (2010) notes several factors for this limited engagement in Brussels. First, lobbyists from NMS have significantly less support from their home organizations, resulting in limited finances and over-stretched staff. Second, lobbyists are unlikely to receive additional resources because domestically lobbying is seen as “corrupt,” which undermines potential gains that could be reaped by effective lobbying. Third, civil society actors have remained fragmented from post-communist transition. Alfio Cerami offers an explanation of this ‘incomplete dialogue’ as a result of restructuring transitional economies, so actors like trade unions were unable to participate in blocking crucial austerity measures (2008, 8). Hallstrom (2004) suggests that these actors unable to actively pursue opportunities from Europe because of weak organization capacities and the lack of lobbying experience on the domestic and supranational levels. Pleines (2007) suggests that CEE civil society actors lack the social

prestige of European-wide umbrella organizations and the informal, ad hoc nature of European consultations engage with highly visible societal actors that are specialized in advice and campaigns for policy formulation.

Additionally, van Schendelen has identified general characteristics of lobbying behavior among NMS from CEE. These features include:

- An ambivalent attitude towards Europeanization as these countries are more skeptical as they recently regained independence from foreign occupation,
- Domestically, these nations generally do not have a vibrant business landscape with big companies and most interest groups generally rely on domestic capital for their activities,
- In lobbying the EU, central governments exert the most energy in the Council and their permanent representations because they do not have many civil servants within the Commission and expert and comitology committees,
- In the Council of Ministers, ministers along with their policy position frequently change due to unstable domestic politics,
- CEE countries have similar common policy interests, especially agriculture, free movement of workers and security (2010, 152-153).

New member states have also had an increase in the amount of interest groups, especially decentralized governments and commercial interests, represented in Brussels (Ibid.).

In this research project, the case study of Poland has been selected to explore perceptions and uses of European lobbying among Central European MEPs. Regarding van Schedelen's lobbying characteristics, Poland fits the general trends with the exception of Euroscepticism and unstable domestic politics. In terms of Euroscepticism,

the governing party Civic Platform maintains a pro-European platform (Parusinski 2010), and Poles are the second most Euro-enthusiastic nationality with 56% supporting this outlook (Eurobarometer 2011). In domestic politics, political spectrum has stabilized among the Civic Platform and the Law and Justice parties (Parusinski 2010). With these exceptions, van Schedelen's claims do not completely reflect the nuanced developments in CEE.

In the case selection for this project, Poland can shed light onto regional trends since “there is no obvious way in which Poland differs from other post-communist countries in its environment for business-political relations” (McMenamin 2003, 21). Furthermore, Poland has similar features to other post-communist MS in a strong government active in Brussels, while third-sector actors, such as NGOs and think tanks, rank as the lowest stakeholders within European policymaking (APCO Worldwide 2008). The British lobbying style was chosen over other national lobbying styles because of the long tradition of lobbying since the 1980s and the early establishment of British actors in Brussels due to Thatcher era reforms. The juxtaposition of the Polish and British case studies delves into whether more developed national lobbying cultures, such as the British, are more engaged with EU lobbying than nascent lobbying cultures, like the Polish. MEPs can offer useful insight into how national lobbying styles are transposed into the European arena and associated practices and characteristics.

1.4 Operationalization of the Literature Review

From the literature review, the summarized findings on the national EU lobbying styles are the foundation to develop a hypothesis to craft the interview guide and to assist

in the qualitative analysis of interview content. The extrapolated hypothesis is as follows:

Hypothesis: In comparison to British Members of the European Parliament, Polish Members are more reluctant towards work with lobbyists on policy issues because of less familiarity and comfort to lobbying and a general concern for transparency in the policymaking process.

1.5 Methodology

This research project has a qualitative research design consisting of elite interviews and a qualitative analysis of interview results. The first stage consisted of semi-structured, in-depth interviews with Members of the European Parliament and assistants from the United Kingdom and Poland. MEP assistants were also included as they play a critical role in meeting with lobbyists and analyzing lobbying materials. The second stage entailed a qualitative analysis of the interview content, which is featured in *Chapter 3*. To answer this project's central research question, in-depth interviews were chosen to probe the distinct normative perceptions and understandings on lobbying in the EP. Given the limited academic work of European lobbying and NMS politicians, interviews offer an advantage over surveys and questionnaires because of the ability to identify and develop upon insights and observations of EU lobbying.

From May to June 2011, a total of 13 interviews were conducted with MEPs and their assistants, who had either consented to a face-to-face interview in their Brussels

offices or submitted email responses to the interview guide³. Depending on the type of interview conducted, there were slight differences in the content and length of the interview guide. The email interview guide⁴ had been designed to distinguish among the relationships of the MEP's office, European party group and national delegation with lobbyists. This email version did not feature the more descriptive Question 7 and Question 8, a control question about the legislative process, from the original guide. For face-to-face interviews, these semi-structured interviews consisted of asking open-ended questions and improvised follow-up questions to respondents. It is important to note that several questions, specifically 5, 6, and 7, in the interview guide were designed to understand how an MEP general perceives lobbying. Although the number of politicians interviewed is a small percentage of each national delegation in the EP, this project presents an exploratory study on lobbying perceptions and uses of MEPs from developed and developing lobbying cultures. Due to scheduling difficulties, Polish MEP interviewees were underrepresented in comparison to their UK counterparts. Further research should include a more equal distribution of MEPs and a larger sample size of interviewed MEPs.

³ The interview guide is available as Appendix 1 on page 43. For Polish MEPs, the same interview guide had been translated into Polish. The Polish language version is available upon request.

⁴ The email interview guide is available as Appendix 2 on page 44.

CHAPTER 2 – LOBBYING MEMBERS OF THE EUROPEAN PARLIAMENT: ACTORS AND PROCESS

Despite the focus on institutions in EU lobbying, political actors remain influential in deciding which policies they support or disapprove of. Some view MEPs as ‘power multipliers’ attracting groups that would support their policy initiative in order to pressure bureaucrats (Beyers and Kerremans 2007). In the broader institutional context, one must keep in mind that the EP’s process and structure combined with individual preferences of MEPs determine the amount and type of information demanded as well as the price paid for information (Michalowitz 2004, 66). This chapter aims to bridge the role of MEPs within the European lobbying process and the institutional constraints imposed by the European Parliament.

2.1 Members of the European Parliament as Actors

MEPs have been attributed to having a multitude of roles: initiators of new policy ideas, contributors in formulating EU agenda, negotiators with the European Commission and Council of Ministers, critics of inter-institutional activities, and barristers on legislative proposals from the Commission (van Schendelen 2010, 86). MEPs are the subject of lobbying from a whole range of agents, but most frequently, Commission officials, interest groups and public relations agencies (Ibid.). For lobbyists interested in a particular dossier, there are usually ten relevant MEPs and their assistants, including the rapporteur, the MEP responsible for leading a dossier, the shadow rapporteur, and appointed overseers from other political groups (Ibid). These MEPs are members of an

EP legislative committee specializing in a policy interest. Of 20 EP standing committees and additional temporary ones, each tends to act as a micro-parliament for a specific policy field (Corbett et. al 2007). With committee membership, MEPs can also be sought out by decentralized governments and interest representation groups as assistant lobbyists to frame agendas and policy issues, and to question the Commission and Council (van Schendelen 2010, 88).

In this research project, the focus is on MEPs without regard to the individual's position in an EP Committee in broader approach to understand how MEPs are lobbied. Additionally, influential MEP committee members can often pose a significant counterweight to the acknowledged power of the rapporteur (Marshall 2010, 572), so minimizing the MEP interview group is nonsensical.

2.2 The Demands of MEPs

Information has long been at the heart of MEP demands from interest representatives. These resources may come in the form of private information, such as technical expertise, data on specific markets and production costs, as well as information on citizen preferences to assess the socioeconomic and political consequences of a policy. In the EP, interest representatives can perform four functions: service functions, lobbying functions, decision making functions and implementation functions (European Parliament 2003, iii). The service function entails organizations being employed for a specific, exclusive use of their services (Ibid.). For lobbying functions, interest groups push their own stance to influence the process of European policymaking (Ibid.). The decision making function involves organizations working in expert groups to select policy proposals (Ibid.). Finally, for implementation functions, groups work on implementing

and managing a proposal to fit their needs. These four ascribed functions of interest representation show a complex relationship between lobbyists and the MEPs. Institutionally, the information supplied by interest groups gives the EP a degree of independence other European institutions and national organizations (Diekmann 1998; Cited in Michalowitz 2004, 67).

For an MEP, information is pivotal in evaluating the impact of legislative measures on the European internal market (Kohler-Koch 1997, 12). According to Bouwen's theory of access goods, the most critical resource for a Member of the European Parliament is *information about the European Encompassing Interest (IEEI)*, information about the needs and interests of European sectors (Bouwen 2002b, 380). MEPs use IEEI for a European perspective on detailed policies (Warntjen and Wonka 2004). The second most valuable access good is *information about the Domestic Encompassing Interest (IDEI)*, information about the needs and interests of national and subnational markets. This resource is of lesser importance because MEPs are elected through national party lists, meaning their constituencies do not hold them directly accountable for their actions (Michalowitz 2004, 276). As a result, IDEI may not hold much power for lobbyists since they cannot exert the pressure of potential consequences for MEPs (Ibid.). Despite the inefficacy of IDEI, lobbyists from MEP's home countries are still at an advantage. There is a higher likelihood that MEPs will interact with national interest groups and there may also be a higher level of perceptiveness and willingness to accept their arguments (Ibid. 67). Furthermore, nationality is often an important basis for building informal networks in the European institutions and in Brussels due to the ease of establishing a connection from sharing a mutual culture (Hooghe 2001, 169).

In contrast, some authors stress that MEPs do not need policy information as a pretense to meet with lobbyists, but information may aid in beneficial policy outcomes (Eising 2007). In the MEP-lobbyist relationship, MEPs are in a position of power as their demand for resources greatly determines the success of lobbyists (Dür 2008). In light of these arguments, some academics have a multi-faceted view of the demands MEPs have for lobbyists. Michalowitz argues that lobbyists provide “support, backup and direct lobbying, contact provision and information provision” for MEPs (2004, 273).

2.3 Accessing and Supplying Influence in the European Parliament

Within the EP, the institutional framework impacts how, when and exactly who interest representatives lobby. The structure of the EP points to the relevant venues for legislative lobbying – the plenary session, committees, committee secretariats, hearings, the college of quaestors and intergroups (Westlake 1994). The aim of lobbying in the EP is for the institution to exert pressure on the other institutions during the policymaking process. Through various legislative processes, with codecision being the most popular, interest representatives have multiple access points or political opportunity structures allowing them to shape the policy process (Kerremans and Princen 2008).

The informal and formal underpinnings of an institution shape how and when lobbyists present their interests (Coen 2007). After attempts to influence a proposal in the Commission, lobbyists can start their lobbying efforts anew in the EP (Marshall 559). The formal rules of the EP provide a temporal opportunity structure for lobbying in three phases, each of which has agenda-setting power (Ibid. 557). The first and most crucial phase or access point is the process of drafting the rapporteur’s report that first defines

EP's negotiating position (Mamadoh and Raunio 2003). In the committee, informal rules supersede formal procedures to favor the influence of policy-oriented MEPs (Marshall 2010, 557). Appropriately, interest representatives are most successful when they know the policy preferences of members of the relevant committee (Ibid.). Furthermore, Michalowitz emphasizes, "lobbying actors are only likely to score if they are in line with politicians or institutions driving the issue" (2004, 270). The second pivotal access point is the open amendment phase (Marshall 2010, 558). The proposed amendments in the committee's report can drastically change the content of a legislative proposal, which may more influential in later policymaking stages (van Schendelen 2010). The last crucial access point is the compromise phase, in which informal deals often crosscut the significance of the formal voting procedure to determine how MEPs vote during a plenary session (Ibid.).

Another forum to lobby MEPs includes meetings of EP intergroups, which are composed of MEPs concerned about a particular issue from at least three European party groups. Registered intergroups are required to publish lists of membership and financial disclosure. Approximately twenty intergroup meetings exist; however, there are roughly fifty unregistered intergroups (van Schendelen 2010, 86). Intergroup meetings are a perfect access point for lobbyists for two reasons. First, these meetings are open and interest representatives can gain easier access to MEPs. Second, the main goal of these meetings is to encourage the creation of European-minded legislation on the particular issue; therefore, these intergroups aim to push forth resolutions during plenary sessions (Ibid. 87). These groups can also exert pressure on the Commission to draft a legislative proposal on a policy issue. This ability to influence the Commission indicates that the

EP's power is greatly than its formal powers as a "major creator of EU issues and agendas" (Ibid.).

2.4 MEP Lobbying and Corruption: A Call for Transparency

The European Parliament has been attributes as the vanguard of lobbying regulations among European institutions. In the 1980s, the rise of lobbyists initially instigated a debate on lobbyist registers and the financial interests of MEPs (European Parliament 2003). In 1996 and 1997, further regulations called for a mandatory code of conduct and a lobbying register, which allowed lobbyists a one-year pass into the EP in exchange for registering (Ibid.).

After several years of silence on lobbying in the EP, the 2008 resolution 'Development of the Framework for the activities of interest representatives (lobbyists) in the European institutions' highlighted the importance of interest groups, equal access to the institution, and the need for transparency of groups influencing MEPs (Cini 2011, 11). The passed resolution had been a response to the 2007 European Commission proposal 'Follow-up to the Green Paper "European Transparency Initiative"' (Ibid). The EP resolution had supported a one-stop mandatory lobbyist register for both institutions, along with an inter-institutional agreement among the Commission, EP and the Council for full financial disclosure, a common code of conduct and a removal mechanism for violating parties (Ibid.). Currently, the EP and the Commission have approved the common register, although registration is voluntary. The Council has opted out of any transparency initiatives, but left the option open to implement them in the future (Phillips 2011). To incentivize lobbyists to register, the EP intends to only grant access badges to lobbyists complying with the register and code of conduct (Ibid.).

Alongside the latest developments in European lobbying regulations, recent scandals and conflicts of interest have drawn this issue in the public spotlight. Most notably, the UK newspaper *Sunday Times* set up an eight-month long sting operation in which journalists pretended to be banking lobbyists offering a bribe to MEPs for tabling proposal amendments (Ibid). From 736 MEPs, four accepted the bribe, sending the media astir on the need for lobbying regulations in the EP. The rise of European lobbying and the increasing public scrutiny of EU public officials points to the need to better understand the nature and significance of interest representation within Brussels.

CHAPTER 3 – MEP PERCEPTIONS AND PRACTICES OF EU LOBBYING

This chapter offers a qualitative analysis of the interview content⁵ from British and Polish MEPs and then situates these results within the larger body of academic work on EU lobbying. Before proceeding to assess the interview responses, it is important to note that all MEPs interviewed in person correctly answered the control question, Question 8, which confirms scholarly work about the key EP access point, consisting of the Committee's work on a legislative proposal, for interest representatives. The control question was essential to ensuring that the interview responses came from interviewees with a sufficient knowledge of the subject. This chapter is divided into four different sections. The first three sections highlight MEP perceptions of EU lobbying system, their engagement with interest representatives, and the importance of working with lobbyists. The final section provides an in-depth discussion about the significance of the results in the broader context of available academic literature.

3.1 MEP Perceptions of the EU Lobbying System and Transparency

The EU lobbying system had largely been seen the same to the British lobbying in terms of the process and methods by British MEPs, whereas Polish MEPs did not feel qualified to answer this question. Polish MEPs did not have thorough knowledge or experience of Polish lobbying, noting that lobbying is predominantly done in the Polish

⁵ Original interview transcriptions are on file with author.

Parliament, of which none of the interviewees had been members. Polish MEP 3 (2011)⁶ did note working with some regional interest representatives, but not on the same scale and with the same organization to make a meaningful comparison.

Generally, all British MEPs noted very positive relationships with interest representatives in their office, with the exception of British MEP Assistant 1 who noted only positive relations with anti-EU interest groups⁷. British MEP 1 describes the general outlook of most British MEPs, “[m]y view is that if you’re a politician representing the people, then any individual person or any representative or any member of society is perfectly entitled to ask to see you.”

In understanding the relationship of European party groups and the UK national delegation to lobbying, MEPs either reported largely favorable relations with interest representatives or they were unable to answer the question for these larger groups of MEPs. In terms of the national delegation gatherings with interest representatives, most British MEPs did not have any collective meetings, although British MEP 6 did note an occasional meeting with labor unions, both national and pan-European, with wider groupings of MEPs.

In comparison, the Polish had a heterogeneous approach in dealing with interest representatives. Polish MEP 1 described an open process of meeting with interest representatives. Polish MEP 2 only met with technocratic policy-oriented lobbyists.

⁶ Interviews with MEPs are referred to by nationality and assigned number in parentheses throughout this chapter.

⁷ This interview had been an outlier because it reflected only the views of one MEP assistant from the UK Independence Party (UKIP). Another interview with a UKIP MEP showed a more tolerant and positive attitude to interest representatives.

Polish MEP 3 had a standoffish relationship with lobbyists, noting an aversion to being in continuous contact with these groups.

Polish MEPs suggested that the delegation did not have a stance towards interest representatives, noting the individual manner in which MEPs dealt with lobbyists. Yet, the way the Polish EP delegation views lobbying can still be extrapolated in their activities. Polish MEPs 2 and 3 noted incidents, when interest representatives, particularly those from Poland, would meet with larger circles of Polish MEPs or even with the delegation to present their arguments. Polish MEP 3 (2011) notes, “when there are lobbying efforts clearly tied to Polish interests, then they make contacts with the delegation. When there are issues deal more with international lobbying, then the lobbyists try to contact specific MEPs⁸.” Although these national interest representatives would then try to find like-minded European partners or delegations, the starting point of the Polish delegation confirms the claim that nationality is a significant foundation to build informal contacts within European institutions (Hooghe 2001; Michalowitz 2004).

On the subject of transparency, the British delegation had a wider range of opinions on stricter EP lobbying rules from absolute necessity (British MEP 2, 6 and 7), general indifference (British MEP 5), and direct aversion (British MEP 1). Although most British MEPs saw no differences between UK and EU lobbying, British MEP 2 (2011), like Polish MEP 3, saw the national lobbying system as largely deficient in comparison to EU lobbying due to a lack of a UK lobbying register and an endless string of corruption scandals. However, in comparison to the Polish delegation’s stance on transparency, the desire for stricter regulations was not as strong.

⁸ Quotes of Polish MEPs have been translated into English by the author.

For the Polish delegation, MEPs reiterated the importance of following the EP lobbying regulations, stressing the necessity for transparency in the institution. Given the common perception of a lack of transparency in Polish national lobbying (Burstons-Marsteller 2009), this emphasis within the interviews is consistent with previous studies (Public Opinion Research Center 2010). Furthermore, Polish MEP 3 (2011) describes the difference between the Polish and EU lobbying systems in terms of transparency, stating:

In a large country like Poland, lobbying is done in ways that are unofficial, more in the sense of implying something is important and suggesting and so on. No, it should all be transparent, open and compliant with the rules. It seems to me that on the European level, despite many deficiencies, this is a system acknowledged as normal.

3.2 MEP Engagement in EU Lobbying

In engaging with interest representation, individual preferences of the MEP are the most pivotal determinant of which interest representatives, if any, will be received and which materials will be exchanged. Both national delegations stressed the type of engagement and the intensity predominantly depends on the individual preferences of the MEP. British MEP 2 (2011) notes, “we are in this particular Parliament subject to the same sorts of lobbyists and issues that we are dealing with. But, I mean, different people will organize their work in different ways, even two people from the same country.” As in the previous quotation, Polish MEP 1 (2011) also discusses the mixture of individual characteristics with the institutional structure of the EP, “[e]ach MEP shapes the type of contact with lobbyists according to their own expectations and convictions as well as

with the official rules that regulate the lobbying world.” The interaction between individual actors and the EP institutional framework substantiates the work of Irina Michalowitz (2004) on the significance of distinct qualities of an actor to determine lobbying relationships within an institutional context.

To understand MEP engagement in lobbying beyond individual preferences, resources from interest representatives were examined. Mainly, British MEPs (2, 4, 5, 6 and 7) use information from lobbyists, followed by expertise (MEPs 3, 4 and 7), and lastly, for contacts (MEP 7). Similar to the UK delegation, Polish MEPs follow the same order by utilizing lobbyists for information (Polish MEPs 1, 2, 3), expertise (Polish MEP 3) and contacts (Polish MEP 2). Although contacts were not rated highly, they still may be significant for the Polish EP delegation. Polish MEP 1 elaborates, “contacts are useful for the purposes of the party and the national delegation. For the party in Poland and the national delegation, one can bring a list of people useful for a policy issue.”

From the interview results, information is typically described as the main access good for MEPs; however, information is not necessarily the main pretext for a meeting, but in most cases, it is valuable to the policymaking process (Eising 2007). British MEP 1 (2011) supports this view, stating, “Generally speaking, there isn’t any information that I want. There are a zillion companies out there and they will publish some reports. They’ll publish very worthy leaflets and brochures and stuff like that. What I say to lobbyists – only come to see us if you have an issue.”

In assessing the work of lobbyists, both groups of MEPs noted a wide range in the quality of material produced. In deciding what materials and documents were most relevant to them, both groups of MEPs stressed their independence to decide upon the

utility of these resources. Among the British MEPs, there was a divergence in the type of lobbying materials MEPs would typically accept. One group of MEPs (1 and 7) would look through every type of lobbying document, whereas another group (MEPs 2, 5 and 6) would focus on resources most appropriate to their work. British MEP Assistant 2 (2011) details this preference, “The closer a lobbyist’s material is to exactly the MEP is doing, the better. Being given general stuff is frankly said – useless.”

In dealing with lobbyists, the British delegation noted some interaction with pushy lobbyists, but these MEPs (2 and 3) would simply deny seeing them, while only one (MEP 4) would be open and try to listen to them. Some (MEPs 1, 6 and 7) did not note any incident of aggressive lobbying. Polish MEPs did not cite any negative incidents when dealing with interest groups in which they felt interest representatives crossed the line in pushing forth their interests; instead, they stressed the propriety of following EP lobbying regulations. Polish MEP 3 (2011) states, “I think that when you lay down very readable rules dealing with lobbyists may do, then there is little room for that [pushy behavior].” Bad lobbying consisted of interest representatives wanting an MEP to confirm that they will vote a certain way; whereas good lobbyists were described as having “very realistic” and “very concrete” arguments (Polish MEP 3 2011).

3.3 The Relevance of Lobbying for an MEP’s Policy Work and Constituency

In assessing the significance of collaboration with interest representatives, British MEPs collectively saw this relationship as fundamentally essential to their work in the EP. British MEP 2 (2011) elaborates upon the role of interest representation, “we cannot make policy, we couldn’t draft legislation in a void. We need input from people. We need

input from the industries, the NGOs, the academics, all walks of life that are involved in a particular subject area. And without that, we couldn't attempt to do the job we're asked to do." For Polish interest representatives, interest representatives were not seen as indispensable to policy work in the EP. Responses varied from "essential" (Polish MEP 1) to "not important" (Polish MEP 3) in terms of the significance of lobbyists of MEP policy work. Polish MEP 2 viewed them as relatively irrelevant in the long run because any change to a legislative proposal would be subject to compromise, meaning that there would be no significant improvement on legislation when working with a lobbyist.

In respect to the working with lobbyists on policy legislation, many British MEPs (British MEPs 2, 3, 4, 5, 6, 7) noted that had been also quite important to their constituencies back home in both a direct and indirect manner. To contrast, Polish MEPs viewed working with lobbyists of less importance to their constituency. Generally, their work with lobbyists affected their regions in a broad, largely indirect way. However, MEPs did note that when there were issues and lobbies directly from their constituency, then working with interest representatives had been particularly important for them. Polish MEP 3 (2011) states, "If it's lobbying from the constituency I am associated with, for example mining, then it has a great significance because when the mining industry wants to have a particular result, it affects the workers – the workers in my region. Then of course, it has a serious significance and it has an effect on the voters."

3.4 Contextualizing MEP Perceptions in EU Lobbying Literature

This research project featured the following central hypothesis: *in comparison to British Members of the European Parliament, Polish Members are more reluctant to work with lobbyists on policy issues because of less familiarity and comfort to lobbying and a general concern for transparency in the policymaking process.*

Based on the interview results, this main hypothesis has been confirmed. Interviews with Polish MEPs indicated a certain level of discomfort when dealing with interest representatives, and the stress to conduct lobbying activities in an appropriate and transparent manner. It is significant to note the level of discomfort and reluctance to working with interest representatives varies depending on the individual characteristics of the MEP. For example, one Polish MEP employed a no-lobbyist policy, receiving information solely from the Polish Permanent Representation in Brussels or Polish ministers and policy experts (Polish MEP Assistant 2 2011), while other Polish MEPs would schedule meetings with interest representatives. In contrast, interview British MEPs had no qualms or second thoughts about meeting with lobbyists and viewed them an essential part of their policy work and the legislative process. All interviewed Polish MEPs, on the other hand, did not think lobbyists had been essential in their general policy work, although working with interest representatives gained importance when it deal with policy issues directly relevant to their constituencies or with regionally based representatives.

In addition to the insights gained from the hypothesis, one can note some parallels with the current EU lobbying literature in the wealth of material collected from the interviews. In terms of lobbying systems, the perceptions and activities of MEPs seemed

to reflect many of the values of their national lobbying model as well as previous studies done on the subjects. As previously mentioned, the Polish lobbying system has been known to have corporatist elements (Osa et al. 2003; Gadowska 2006), and had participated in corporatist arrangements during EU accession negotiations (Mansfeldova and Rakusanova 2006). This corporatist intimacy between government authorities and interest representation relationship is evident in how Polish MEPs in the Polish delegation's contact with lobbyists. While Polish MEPs meet with their own national interest representatives, such as paper manufacturers and mining associations (Polish MEP 3 2011), other interest representative groups do not enjoy privileged access to a wider group of MEPs, but they have to approach them individually. Furthermore, the choice of an MEP to use resources only selected by the Polish Permanent Representation (Polish MEP Assistant 2 2011) also alludes to some corporatist elements. By maintaining a close, hierarchical relationship with governmental entities, the MEP relies on materials and viewpoints that had previously been formulized through the interactions between government authorities and specific stakeholders.

In the UK case study, relations with lobbyists among British MEPs reflect more of a pluralist understanding in encouraging interest groups to take a pro-active position and to reach out in shaping policy proposals. MEPs had often stressed the importance of meeting a variety of actors in order to gain an independent and multi-dimensional comprehension of a policy issue. Furthermore, independence was further stressed in the absence of larger collective lobbying in the British EP delegation.

In understanding the larger ramifications, the Polish MEP perception of lobbying has the potential to stifle the inclusion of relevant stakeholders in the policymaking

process. The proposed joint Commission and EP register, strongly supported by Polish MEPs, may in the future quell some of the fears over the absence of transparency with interest representation. With increasing openness in lobbying the EP, interest groups may gain more legitimacy and access among Polish MEPs. It is important to note that mere openness to lobbying in the legislative process does not equate to an ideal lobbying system free of corruption. Too much comfort with interest representatives can also result in rapid turnover of employees between the public and private sectors as in the UK. For lobbying to work for the greater benefit of the policymaking process, striking a balance between openness to interest representatives and transparency remains crucial.

Conclusion

In understanding MEP perceptions and practices towards lobbyists, clear variations have emerged from the conducted interviews. The comparison between British and Polish lobbying preferences has shown that differences in lobbying systems may impact how MEPs view and engage in lobbying on the European level. The British take a more open and accepting stance towards the role and added benefits of interest representatives in the legislative process. Like the Polish MEPs, the British MEPs also did not gain lobbying experience through being members of their national parliament; however, they were considerably more aware of the system before entering the European Parliament and gaining knowledge on European lobbying. The Polish EP delegation expressed varying levels of distrust towards work with interest representatives and stated a strong stance for increased transparency. These interview results remain consistent with the main findings of previous studies (Burston-Marsteller 2009; Public Opinion Research Center 2010). Albeit this project could have benefited from larger sample size among the Polish MEPs with only 3 participating in the study along with one assistant, this project has nonetheless showed distinct pattern among those who were interviewed. Another limitation is generally how open and forthcoming MEPs were during interviews given the sensitive nature of the subject.

This study has offered a small window into understanding the way MEPs perceive and interact with interest representation. From these interview results, many questions have yet to be explored. Can MEPs adopt more open and accepting viewpoints through their interaction with European lobbying in the long run? Furthermore, can lobbyists in Brussels bring practices and values from European lobbying to influence their own

national lobbying cultures back home? Is there potential for increased understanding of the value of CEE interest representatives in the legislative process through their professionalization on the European lobbying scene? These unanswered queries present rich opportunities for further academic research. In this thesis, the perceptions and viewpoints of elected European politicians expound the vital significance and challenges in incorporating interest representatives to make policies that impact everyday life for the citizens of Europe.

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Appendix 1: Interview Guide Questions

- 1.) Which types of interest representation (lobbyists, associations, political consultants) are most important to you in your work?
- 2.) Compared to lobbying in your country, how is lobbying in Brussels similar or different?
- 3.) Which resources do you use from interest representation (expertise, information, contacts, etc)?
- 4.) How would you describe the type of contact your office, party group and national delegation has with lobbyists?
- 5.) How do you avoid problems that may arise from interest group representatives aggressively pushing forth their own interests?
- 6.) How do you judge the quality of work you have seen from lobbyists?
- 7.) Could you describe an instance when lobbying had ended in a successful result and another that ended in failure?
- 8.) During which points of the policymaking process were you most in contact with interest representation groups?
- 9.) When you worked with interest representation groups, how important were these policy issues to your work in the European Parliament?
- 10.) When you worked with interest representation groups, how important were these policy issues to your constituency?

Appendix 2: Email Interview Guide Questions

- 1.) Which types of interest representation (lobbyists, associations, political consultants) are most important to you in your work?
- 2.) Compared to lobbying in your country, how is lobbying in Brussels similar or different?
- 3.) Which resources do you use from interest representation (expertise, information, contacts, etc)?
- 4.) How would you describe the type of contact your office has with lobbyists?
- 5.) How would you describe the type of contact your European party group has with lobbyists?
- 6.) How would describe the type of contact your national delegation has with lobbyists?
- 7.) How do you avoid problems that may arise from interest group representatives aggressively pushing forth their own interests?
- 8.) How do you judge the quality of work you have seen from lobbyists?
- 9.) When you worked with interest representation groups, how important were these policy issues to your work in the European Parliament?
- 10.) When you worked with interest representation groups, how important were these policy issues to your constituency?