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Access to EU political institutions:
Political leaders and working groups
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Abstract

The paper analyses the access of interest organizations to the EU institutions drawing on data from 800 business interest associations and 34 large firms. It argues that these contact patterns derive from the salience of the contacts for the political actors and the interest groups, the opportunities enshrined in the EU institutional setting, and the characteristics of the interest organizations. Replicating the design of previous access studies, the analysis yields other empirical results than these and traces the differences to the different types of data that have been used in the studies. The study identifies a differential access of EU associations, large firms, and national associations to the EU institutions and points to important variations between the working level of these institutions and their political leadership.

Introduction

The relations among the EU institutions and business interest groups have become a major element in the governance of the European Union. Many scholars consider the access of interest groups to the EU institutions as important because systematic variations in these access patterns can result in biased politics. Thus, finding an elitist bias in these contact patterns, Thomas Hueglin (1999: 260) transferred Ernst E. Schattschneider’s well-known comment on the political process in the United States to the European Union: ‘the heavenly chorus sings with a strong upper class accent’. David Coen (1997, 1998) arrives at the same conclusion when characterizing the EU patterns of interest intermediation as a form of ‘elite pluralism’ (see also Cowles 2001). The systematic analysis of these access patterns is all the more important because, according to Liesbet Hooghe’s study of the European Commission, its officials maintain almost as many contacts with interest organizations as with Members of the European Parliament (MEP) or with officials in the Council of the EU. The Commission officials are only more often in touch with national civil servants than with business interest groups (Hooghe 2001: 64-65). They are also more frequently in touch with business interests than with diffuse interests.
It is therefore puzzling that there are only few studies that systematically analyze the access of interest groups to the EU institutions. In their seminal study of European interest group politics at the beginning of the 1970s, Jean Meynaud and Dusan Sidjanski (1971: 491-638) outlined the contours of a ‘morphologie d’accès’ to the European institutions that already expressed what has become the conventional wisdom about these contact patterns: Among the various routes that the interest organizations could take to influence the institutions of the early European Communities, they highlighted the importance of the Commission for the interest organizations and pointed out that the access to the Council of the EC occurs for the most part indirectly, by national interest organizations via those national departments that are in charge of the policy dossier and send their experts in the Council working groups. Interest groups would only rarely seek and obtain access to the Council as a collective decision making body. Given that the European Parliament had then only a consultative status in the formulation of EU policies and was composed of national parliamentarians, they (1971: 577-586) ranked it, together with the Economic and Social Committee, only as an institution of secondary importance to interest organizations. A large part of the relatively few contacts with the members of the European Parliament would come about through initiatives taken by national associations rather than by Eurogroups.

In recent years, and based on an analysis of the financial sector, Pieter Bouwen (2002a, b) has put forward a parsimonious explanation of these access patterns. He suggests that the ‘organizational form’ matters most when the access of interest organizations to the EU institutions is to be explained. He compares the access of three forms of organizations: firms, EU associations, and national associations.¹ According to him, these types of organizations differ in the number of contacts with the EU political institutions because they can deliver different ‘access goods’. He singles out (2002b: 11-12) the information that interest organizations can provide (see also Crombez 2002). The argument is that the three types of organization differ in their capacity to deliver specific kinds of information to EU policymakers: Supposedly, firms are best at delivering expert knowledge about markets and technologies, EU associations control information about the so-called ‘encompassing European interest’ of their members, and national associations command information about the ‘encompassing national interest’ of their members. He does not analyze empirically whether the organizations are in control of these access goods but investigates the contact patterns of EU politicians and officials with these organizations as an empirical test for his
propositions. His analysis builds on interviews with Members of the European Parliament as well as officials of the Commission and the Council of the EU who indicated the frequency of their interactions with firms, EU associations, national associations, and political consultants.

This empirical evidence is important, but also piecemeal. It draws only on evidence provided by the demand-side, it is based on a single economic sector, it disregards variations among the firms and among the associations, and it neglects explanatory factors beyond the expertise of the interest organizations. It also aggregates contacts at different levels of the political institutions. In this article, I intend to broaden the study of the access patterns by drawing on data from interest groups that operate in different economic sectors, considering cross-national variations, and looking at different levels of the state institutions, namely the level of the political leadership and the working levels.

I argue that the access patterns are shaped by the salience of the contacts, the institutional opportunities, and the capacities of the interest organizations. In this study, I replicate some elements of Pieter Bouwen’s study by comparing the mean access of the interest organizations to the EU institutions. Then, I validate the outcome of this analysis by studying in more detail the relations that have emerged among state and business at the EU level. Information provided by firms and associations about their access to EU policy-makers serves to test the reliability of the previous study. The outcome puts into question some of its findings that build on interviews with EU bureaucrats and politicians. I then set out to explain the different results of the two studies, tracing them in part to the different data that have been employed.

The politics of access in the European Union

**Access to the EU institutions: salience, opportunities, and capacities**

I define access as the frequency of contacts between interest organizations and EU institutions. This definition emphasizes that interest organizations obtain contacts with EU political institutions and do not just aim at them or forego their access opportunities. It excludes indirect ways and means to exert influence on policy-makers via the public or the media. Therefore, the access concept is better suited to study the representation of interests by business which is said to pursue insider strategies and seek face-to-face negotiations with policy-makers than the activities of social movements for which the mobilization of the media and public is more common. This access concept implies either a successful attempt of an

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1 To some extent, Bouwen also considers the professional consultancies, but less systematically than the other three forms of organization so that I do not consider them here.
interest group to approach the EU institutions or the incorporation of an interest group into EU policy-making by these institutions. Disentangling the contacts between state and business from their initiators, it captures strategic choices on part of the political elites. I argue that political access results from the salience of these contacts for the interest groups and the political institutions, the political opportunities enshrined in the institutional structure, and, finally, from the organizational capacities of the interest organizations.

**Salience and political exchange**

The salience of the contacts is rooted in resource dependencies among state institutions and interest groups. None of them can autonomously pursue and achieve their political goals. Hence, the access patterns cannot be fully understood without an exchange paradigm. The EU institutions depend on interest groups for their information, for their consent, or their active cooperation. As their regulatory tasks generate a huge demand for information and cooperation (Meynaud and Sidjanski 1971: 523; Majone 1989: 163), some authors maintain that the political money in the EU is information (Bouwen 2002a, b). Actors use their information strategically to achieve outcomes that are closest their own preferences (Crombez 2002). The ensuing information exchange increases the knowledge of the actors about EU policies and their consequences, and it also reduces the uncertainty about the positions and strategies of other actors. This can sometimes promote an understanding of each other’s position even though it does not necessarily facilitate an agreement.

Some organizational features make for the dependence of the EU institutions on external advice: in relation to their Europe-wide tasks, they have only limited resources at their disposal. Being detached from the implementation of EU policies on domestic grounds, they are in need of information that enables them to devise policy proposals that solve the problems at hand, can be administered by the member states, and win a sufficient majority among the legislators in the Parliament and the Council (Meynaud and Sidjanski 1971: 552; Mazey and Richardson 2002: 148).

The EU institutions have recourse to several sources of information. International organizations, member state administrations, think tanks, interest organizations, and scientific experts give important policy advice. This reduces the risk that actors withhold or manipulate information. The incentives to retain information or provide false or are further reduced by the fact that many actors are involved in a series of policy games in which their reputation may suffer if they have proven to be unreliable. Now, firms and business interest associations are particularly important sources of information because in the area market
regulation, standard setting, and external commercial policy. Notably in these areas, EU policy-makers appreciate their technical and economic information as well as their knowledge about the preferences of their members.

Given that EU policies have long centered around market integration, the European institutions consider their involvement in the development of EU policies essential. Business interests seek access to the EU institutions to receive information about the development of EU policies and wield influence over them in negotiations with the state institutions. James Q. Wilson (1980) has pointed out that individuals, groups, and firms are motivated to respond to regulatory policies because they must either carry their costs or may obtain substantial benefits from them. In his theory of the European regulatory state, Giandomenico Majone stresses the costs of EU regulation that fall upon firms and individuals (1996). Usually, business interest organizations seek direct access to policy-makers in order to wield influence over public decisions (Wilson 1973). However, having access to the EU institutions does not imply that these contacts change the course of events. Even many discussions with EU policy-makers may not bring about the desired results. Even if EU politicians take business concerns into consideration in EU legislation, this is not necessarily a consequence of their interactions with business organizations. It may simply be the result of convergent policy preferences. What is more, in some instances EU institutions may even co-opt interest organizations in order to pursue their own policy preferences.

In short, access is not equal to influence in the sense that the input of interest organizations shapes the substance of EU policies. However, several scholars argue that there is a positive relation among the access of interest organizations to EU policy-makers and their influence on EU policies (see Meynaud and Sidjanski 1971: 465; Beyers 2002). Those organizations that are regularly in touch with EU officials and politicians are well positioned in the EU policy process. They are usually well informed about EU policy-making and can process this information to their members whereas those organizations that are only infrequently in touch with the EU institutions lack that information and depend on other interest groups or national institutions to deliver it to them. Everything else being equal, it is likely that the regular contact partners of the EU institutions are also important coalition partners of other interest organizations because they are in a better position to exert influence on EU policies. In sum, the study of the access pattern serves to identify the features of those organizations that assume crucial positions in EU policy networks as well as important patterns of the political process in the European Union.
The institutional opportunities
While the salience of the contacts motivates interest groups and EU institutions to exchange information and negotiate with their counterparts, the institutional setting defines the opportunities of interest organizations to get in touch with the EU decision makers. Earlier studies illustrated that the European multi-level system offers interest organizations multiple points of access (Pollack 1997; Grande 1994; Marks and McAdam 1996). As Meynaud and Sidjanski have argued: ‘la configuration et l’importance respective des accès dépendent du pouvoir officiel de décision depuis le stade de l’élaboration initiale jusqu’à celui de l’adoption finale’ (1971: 468). This article limits its attention to the institutional opportunity structure at the EU level.

The EU is marked by its pronounced institutional segmentation (see Peters 1992). In the first pillar of the EU, the European Community, interest groups enjoy relatively good access to the European institutions. This is less so in the other two pillars of the European Union which cover the common foreign and security policy (CFSP) and police and judicial co-operation in criminal matters. These two pillars operate more intergovernmentally, and, as such, involve much less input from the Commission, the European Parliament, and the European Courts. This allows member governments to prevent interest groups from gaining access to the EU policy process. For most interest groups, then, the EC pillar provides the greatest potential for access to the EU institutions, not least because it comprises the vast majority of the Union’s regulatory and distributive policies. Therefore, the subsequent analysis concentrates on the European Community.

Enjoying a monopoly over policy initiation in this pillar and being granted a crucial role in agenda setting and policy formulation, the European Commission is considered to be the most important point of contact for interest groups in the EC (Coen 2002: 263-264; Mazey and Richardson 2002: 135-136). It has also acquired important powers under the so-called delegated legislation in policy implementation which comprises the large majority of EU legal acts. Many interest organizations underline that is difficult to obtain substantial modifications of a Commission proposal once it has been presented to the European Parliament and the Council of the European Union (Meynaud and Sidjanski 1971: 550). It is not uncommon that the final Council decision is largely identical to the proposed text. Therefore, it is important for interest organizations to take action before the Commission has formed its opinion and

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2 According to Rinus Van Schendelen (2002: 63-64), 82 per cent of the EU legal acts in the year 2000 were matters of delegated legislation in the comitology system of the EU. Only 18 per cent fell under the secondary legislation upon which the Council, and, depending on the decision-making procedure, the European Parliament decide.
finalized the details. As the EU’s ‘guardian of treaties’, it also has an important role to play in monitoring the compliance with Community law by member-states and nonstate (or private) actors. The Commissioners are its most senior officials and nominated by the member state governments subject to a vote of approval by the European Parliament. Even though the Commission exercises its powers collectively, it is rarely approached as a collegiate body. Being organized into several Directorates-General (DGs) each of which is responsible for specific policy areas, interest groups tend to maintain relations with one or more of these DGs. The Commission has developed elaborate standard operating procedures and strategies to incorporate them into EU policy-making. The central role of the European Commission in EC policy formulation leads to the first hypothesis:

**H1** Interest organizations maintain more contacts with the Commission than with the other EU institutions.

The European Parliament (EP) is the EU institution that has changed the most over time. Being initially a consultative body, it has acquired substantial legislative powers and ‘is now a force to be reckoned with across a wide range of policy domains’ (Wallace 2005: 65). Nonetheless, even now, the EP is often held to be less important to interest groups than the Council or the Commission because its influence varies greatly according to the issue at hand and the decision-making procedure that applies. Since they are nominated by national parties and elected by national voters, the Members of the European Parliament (MEPs) are said to be more amenable to national pressures than the Commission and also more open to diffuse or public interests, including those representing the environment, consumers, or large groups such as the unemployed and pensioners. As a consequence, some analysts regard the links forged between interest groups and MEPs as ‘coalitions of the weak’ (Kohler-Koch 1997: 6–7). According to Mazey and Richardson (1993: 12), the normal pattern for producer groups is still to see the EP ‘very much as a secondary arena’. In general, the heads of the Standing Committees and the **rapporteurs** who draft the EP amendments to EU policy proposals are considered to be the most important addressees for interest group demands.

The interest groups don’t find it easy to access the relevant actors in the EP because its members commute between Strasbourg, Brussels and their electoral districts and the parliamentary majorities are more unstable than in the member states. The EP is organized in party groupings of which the largest and most important are the European People’s Party and the European Socialists. In many issues, the rules of the EU legislative process prescribe an absolute majority in the parliament and make necessary or, for that matter,
facilitate an informal grand coalition of the two large parliamentary parties (Hix 2005). However, given the lack of party-political discipline that emerges, in general, in parliamentary systems where the parliamentary majority supports the government that is in charge, in the EP, the importance of territorial, institutional, party-political, and issue-specific decision criteria varies to a greater extent.

Owing to its pivotal position, the Council of the EU is a highly relevant point of access for interest groups and consists of a series of specialized councils in different issue areas. The main legislator of EU policies consists of ministers from the national governments. Its meetings and the common decisions are prepared by the Committee of Permanent Representatives (Coreper I and II) that consists of the heads and deputies of the member states' permanent representations in Brussels, and the numerous Council Working Groups that are composed, for the most part, of national experts. Given its relatively few meetings in Brussels, the Council and its administrative machinery are rarely lobbied in Brussels. Rather, domestic interest groups tend to address their concerns to particular government departments, representing their specific interests at national level. While the Council’s policy positions evolve along national lines, in part as a consequence of pressure by domestic interests, the European Council is more removed from interest group pressure. Not only does it comprise the heads of state and government (as well as the President of the Commission), thus representing the general interest to a greater degree, but it also meets formally only once every six months, lessening its impact on the minutiae of day-to-day politics in the EU. Therefore, the analysis concentrates on the EU Council. The second hypothesis is:

**H 2 Interest organizations maintain more contacts with the European Parliament than with the Council of the European Union.**

In general, it can be expected that the interest organizations have more frequent interactions with the working level of the EU institutions than with their political leadership. European integration consists largely of technical details that are put in place by a technico-bureaucratic structure (Mazey and Richardson 2002: 136). The desk officers in the Commission and in the Council working groups as well as the rapporteurs of the EP committees are responsible for drafting the policy proposals or sorting out their details. It is estimated that some 70 per cent of Council texts are agreed in its working groups, another 15 per cent in Coreper or other senior committees, which leaves only some 10-15 per cent to the ministers (Wallace 2005: 58). Accordingly, the bureaucratic staff depends heavily on the information and the support of the interest organizations. In contrast, the attention of the
Commissioners and the Ministers is usually not directed towards all policy details but focused on those aspects of an EU directive that are contested or that are considered to be particularly important. On the part of the interest groups, lobbying them aims either at establishing broad policy principles – such as the attempts of the European Roundtable of Industrialists to mobilize support for the Internal Market Program amongst the member state governments (see Cowles 1997) –, at revising decisions that were taken before in the policy process – such as the German Chancellor Schröder’s well-known intervention in favor of the Volkswagen AG –, or at raising the stakes in favor of a specific policy alternative rather than others. Hence, less frequent access to the political leadership does not imply that these contacts are less important for interest groups than those at the working level.

**H 3** Interest organizations maintain more contacts with position holders at the working level of the European institutions than with their political leadership.

As the EU judiciary, the European Court of Justice (ECJ) monitors compliance with and interprets EU law. European law takes precedence over national law and grants rights to individual citizens that the national courts must uphold. As a consequence, the preliminary rulings procedure, which offers a channel for national courts to refer questions of European law to the ECJ, allows interest groups to challenge the compatibility of domestic and EU law. However, in practice, to take a case to the European Court usually demands that a body of EU law already exists. And even where this is the case, the outcome of such action is uncertain, the financial costs heavy, and the duration of the case generally lengthy, which means that this avenue is clearly not available to all citizens and interest groups, and will only be worthwhile when the stakes are felt to be especially high.

Finally, the Economic and Social Committee (ESC) is a distinctive institution in this context, as it was set up to channel the opinions of organized interests within the European policy process. However, as this tripartite body has only consultative rights in EU legislation, it is generally considered to be of marginal importance for the representation of interests. Direct contacts between the EU institutions and interest organizations are now much more important than this institutionalized forum for interest intermediation.

**Organizational form and organizational capacities**

This section explores the proposition that different forms of organizations vary significantly in their access to the EU institutions, comparing large firms, EU associations, and national associations. It is trivial to state that not all firms are equally well equipped to take political
action at the EU level. To a large extent, a firm’s dependence on associations and its capacity to act individually at EU level is determined by its size (see Coen 1997, 1998). Small firms tend to rely on their national and European associations to represent their interests because they do not have the resources to sustain substantial public affairs capacities. Lacking also investment power, they must unite to gain political clout. In contrast, large firms control substantial economic resources that allow them to act unilaterally and turn them into relevant interlocuters for state actors.

It is interesting to note that, despite these capacities, many large European firms relied on national lobbying. Several firms were national champions (see also Hayward 1995) that had either been nationalized or received a preferential treatment at the domestic level. Many firms were not only preoccupied with regaining their national market in the 1950s and 1960s, but enjoyed also excellent access to their national governments which would see after their interests in the European arena and could veto European policies that ran against them. Moreover, initially, the Commission had a distinct preference for consulting community-wide interest organizations rather than national associations or firms so that it would not need to arbitrate amongst different national points of view and might even find an integrationist perspective in the interest group proposal (Meynaud and Sidjanski 1970: 394-395).

Notably, the firms responded to the threats and opportunities enshrined in two broad regulatory initiatives in the 1970s and 1980s: On the one hand, they mobilized against European social regulation and the efforts to introduce regulations for Works Councils in multinational firms by the end of the 1970s (Vredeling directive), and, on the other hand, they supported EU market integration and the Internal Market Program when they were facing the European economic crisis of the late 1970s and early 1980s and growing international competition (Sandholtz and Zysman 1989). The failure of national government programs to address these problems provided incentives for European big business to organize at the European level (Cowles 1997).

Given the economic and political ‘Eurosclerosis’, the Commission also reviewed its stance on the involvement of firms in the making of economic policies. It started to work directly with a number of firms to find solutions for the problems plaguing industrial sectors such as the steel industry and to devise research and technology policy programs for the European High Tech industries (Sandholtz 1992; Grande 1993) Meanwhile, there are several important examples for the emergence of Commission bodies that brought together Central Executive Officers (CEO) from large firms: e.g., the Competitiveness Advisory Group, the Bangemann Group in
Telecommunications and Information Technology, and the Transatlantic Business Dialogue on international regulatory issues (see Coen 2002; Cowles 2001).

As a consequence of the increasingly felt political weight of the European institutions and the loss of their governments’ veto powers in the Council due to the Single European Act and subsequent treaty reforms, the firms pressed also for changes of the membership direct membership and participation in the committee work. Nowadays, several direct membership organizations at the European level exclude national associations, such as the Roundtable of European Industrialists that consists of roughly 50 Central Executive Officers of large European companies (Cowles 1997, Coen 2002). The public affairs activities of the firms have also become more professional including greater attempts to coordinate the lobbying efforts of international subsidiaries and the establishment of public affairs offices in Brussels.

In light of these developments, some analysts claim that the European Commission has come to work more closely with large firms than with associations (Coen 2002; Cowles 2001) labeling this a form of ‘elite pluralism’ in the European Union. To the EU institutions, it can be important that associations do not exert direct control over the economic resources of their members whereas large firms command tremendous investment power. Furthermore, their economic and technical knowledge is usually closer to the market than that of associations (Mazey and Richardson 2002). As they are also important players in their home markets, large firms may also serve the EU institutions as avenues to exert influence on national governments. Maria Green Cowles highlights the role of the European Round Table of Industrialists and its CEO members in persuading national governments of the benefits of the Internal Market Programme (1997). In sum, there are good reasons to believe that large firms have better access to the EU institutions than other interest organizations and that a form of elite pluralism has emerged in the EU.

H 4  Large firms have better access to the EU institutions than associations.

Similarly, not all business associations will have equal access to the EU institutions. In particular, their location in the EU multilevel setting shapes the political activities of business associations. It is unlikely that domestic groups will be equally active at the EU and the national levels of government. These organizations are embedded in domestic structures and social relations and depend on the routine exchanges with domestic partners from whom they extract resources (see Wilson 1973). Only if the EU regulation has an important impact on them and their members, if the division of labor among them and those EU associations which represent them in EU politics is unsatisfactory, or if the terms of EU policy
implementation at the national level must be worked out, will they extend their activities to the 
EU level. Hence, national associations concentrate on domestic institutions whereas EU 
associations focus on EU institutions.

H 5  EU business associations maintain more contacts with the EU institutions than 
national business associations.

I assume that these expectations (H 4 and H 5) hold across the institutions. Hence; I do not 
agree with the proposition that the relative access of firms, national associations, and EU 
interest groups varies across the Council, the Parliament, and the Commission because 
these institutions are in need of different exchange goods (Bouwen 2002a, 2002b: 13-16). 
According to that reasoning, the Commission would depend mostly on the expert knowledge 
that firms possess about markets and technologies because it helps it to promote European 
policies. Given that it must ensure the support for its policy proposals in the other EU 
institutions and amongst interest groups, it would also be interested in the information EU 
associations can provide about the ‘European encompassing interest’. Only then is it short in 
supply of the knowledge national associations possess about the ‘domestic encompassing 
interest’. Given that it is a supranational institution whose members are responsible to 
national voters and that it must scrutinize and modify (or reject) the Commission proposals 
and seek consensus with the Council, the European Parliament would seem to be mostly 
interested in the information EU associations provide about the encompassing European 
interest, followed by the knowledge of national associations about their domain. Finally, in the 
EU institutional framework, the EU Council is the most intergovernmental institution whose 
task it is to amend the Commission proposals and decide upon them. It would therefore be 
most interested in the information about the ‘domestic encompassing interest’ that national 
associations can provide. Given that the national governments usually seek to reach 
consensus in the Council and must also find a consensus with the parliament when the co-
decision procedure applies, the Council is also in need of some information about the 
‘European encompassing interest’. Table 1 summarizes the expected rank order of the 
contacts that the interest organizations maintain with EU institutions.

In the empirical analysis, Bouwen (2002b: 24) does not find support for his hypothesized rank 
orders: First, EU associations maintain more contacts with the Commission than firms, and 
these have more frequent access to the supranational bureaucracy than national 
associations. The conclusion would be that the European Commission is more dependent on 
the European encompassing interest than on expert knowledge about markets. Second,
European associations do not have significantly more contacts with the EP than national associations, but both maintain more contacts with MEPs than large firms do. It follows that the European Parliament demands as much information about the European encompassing interest as about the national encompassing interests but depends less on the firms’ expert knowledge about markets. Thirdly, national associations have the best access to the Council of the EU, closely followed by firms. EU associations have clearly less access. Thus, the Council members are mostly interested in the domestic consequences of EU policies, and then they depend on market knowledge provided by firms. The subsequent section analyzes whether these empirical findings are also supported when using different data.

Table 1  Expected and empirical ranking of interest organization contacts with EU institutions and national governments

<table>
<thead>
<tr>
<th>Political institution</th>
<th>Expected and empirical rankings of interest organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>All EU institutions</td>
<td>1. Firm &gt; EU associations &gt; National associations</td>
</tr>
<tr>
<td>European Parliament</td>
<td>2. EU association &gt; National association &gt; Firm</td>
</tr>
<tr>
<td></td>
<td>3. EU association = National association &gt; Firm</td>
</tr>
<tr>
<td>European Commission</td>
<td>2. Firm &gt; EU association &gt; National association</td>
</tr>
<tr>
<td></td>
<td>3. EU association &gt; Firm &gt; National association</td>
</tr>
<tr>
<td>Council of Ministers</td>
<td>2. National association &gt; EU association &gt; Firm</td>
</tr>
<tr>
<td></td>
<td>3. National association &gt; Firm &gt; EU association</td>
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</tbody>
</table>


The empirical analysis

The Data
These hypotheses shall be tested in a study that combines Lijphart’s comparable cases research strategy (1975) with statistical methods. Important context variables are controlled by focusing on a particular category of collective actors in EU member states with several common features. The cross-sectional analysis is based on a survey which was conducted between June 1998 and March 1999. The survey focused on two classes of actors. It addressed 1,998 German, French, British, and EU business associations and asked them to specify their patterns of interest intermediation. In addition, 68 large firms in these countries have been questioned. Due to its large size and broad sectoral coverage, the analysis gives a good indication of the cumulative responses of business interests to European integration after almost 50 years of the integration process. But note that there is no time series data

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available (yet) on this topic and that only few questions in the questionnaire cover the time dimension. Overall, 834 responses were received (see table 2). Excluding international associations, the rate of return was 40.9 per cent, and the return rates for the different sub-groups ranged from 32.3 per cent in the case of the French associations to 50.0 per cent in the case of the large firms.

Table 2  The rate of return of the survey

<table>
<thead>
<tr>
<th></th>
<th>EU associations</th>
<th>German associations</th>
<th>British associations</th>
<th>French associations</th>
<th>Multi-national firms</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trade associations</td>
<td>420</td>
<td>727</td>
<td>501</td>
<td>350</td>
<td>68</td>
<td>2066</td>
</tr>
<tr>
<td>addressed</td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Questionnaires returned</td>
<td>185</td>
<td>322</td>
<td>206</td>
<td>113</td>
<td>34</td>
<td>860</td>
</tr>
<tr>
<td>Questionnaires excluding</td>
<td>162</td>
<td>321</td>
<td>204</td>
<td>113</td>
<td>34</td>
<td>834</td>
</tr>
<tr>
<td>international associations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rate of return excluding</td>
<td>40.8</td>
<td>44.2</td>
<td>40.9</td>
<td>32.3</td>
<td>50.0</td>
<td>40.9</td>
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<tr>
<td>international associations</td>
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</table>

The sample excludes public interest groups because their organizational logic differs to some extent from that of business interest groups (Offe and Wiesenthal 1985; Olson 1965). Instead, the study focuses on producer and employer associations. This means that the largest family of interest organizations active at the EU level is covered: about 80 per cent of the EU associations are business interest associations (see European Commission. General Secretariat 2002).

The focus on the large member states - France, Germany and the United Kingdom – holds important background conditions fairly constant: these are the country size, the level of economic and technical development, the relevance of these countries in EU decision-making, their formal decision rights, and their long duration of EU membership. Therefore, the findings presented here cannot be easily translated into the contexts of the worse-off member states (Portugal, Spain, and Greece) whose economic structures diverge somewhat or into the contexts of those member states that entered the European Union only in 1995 (Sweden, Finland, Austria) because these were only recently exposed to the full influence of the European Union. Evidently, this holds all the more for the new member states of the Eastern enlargement.

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4 Economic branches from agriculture, industry, and services are included. The largest branch is trade with a share of 13.8% of all associations.
The access patterns

I test the presented hypotheses by comparing the mean access of the interest organizations to the EU institutions. T-tests (pairwise comparisons) compare the mean access of each type of interest organization – EU associations, national associations, and large firms – to different EU institutions (H1 – H3). Analyses of variance identify whether the mean access to each EU institutions differs across the different types of interest organization (H4 – H5). They are supplemented by pairwise post-hoc comparisons (not reported) that identify the significant differences. Access has been measured on a six-fold scale that includes the following classes: no contacts, annual contacts, half-yearly contacts, quarter-yearly contacts, monthly contacts, weekly contacts.

Figure 1 illustrates the average access of the firms and the associations to the EU institutions. All types of organizations maintain significantly more contacts with the Commission (at working level) than with the MEPs and the position holders in the Council of the EU, confirming H1: Perhaps not surprisingly, this confirms that the European Commission is the most frequent addressee of interest group demands at the EU level. Contacts with the officials at the working level outnumber the contacts with the political leadership of the Commission and the Council, confirming H3. However, H2 is not empirically supported: Whereas both EU and national associations have more frequent contacts with the European Parliament than with the Council of the EU which was expected, this is not true for large firms. They present their arguments as often to the EP committees as to the Council machinery.

The hypotheses about the importance of the organizational form and the location in the institutional setting find only partial empirical support: As expected (H5), large firms and EU associations maintain clearly more contacts with the EU institutions than national associations. The EU institutions are more dependent on the technical information and economic clout of firms and on the European encompassing interests of EU associations than on the ‘domestic encompassing interest’ of national associations. Many large firms and EU associations have become regular interlocuters of the EU institutions, whereas most national associations maintain only occasional contacts with them. Large firms maintain more contacts with the EU institutions than national associations because these mobile and resourceful actors are able opt out of their domestic contexts whereas most national associations remain tied to them. EU associations communicate more frequently with the EU
institutions because they serve as European information brokers and act as interest intermediaries for their members.

However, contrary to H 4, firms do not interact more frequently with the EU institutions than EU associations. While they have much better access to the EU Council than the EU-wide associations, they do not have more contacts with the Commission officials and the parliamentary committees than the Eurogroups. Even when taking into account the relatively small number of firms in the EUROLOB survey, the differences among firms and EU associations are less pronounced than the characterizations of the EU as a system marked by elite pluralism would suggest. Both firms and EU associations have become regular interlocuters of these EU institutions. However, the firms have significantly better access to the Commission’s leadership and to EP members than the EU associations, indicating important intra-institutional variations. It must be borne in mind, though, that the contact density of the firms with the Commissioners and their Cabinets, the Members of the European Parliament, and the Council is rather low in comparison with that at the working level. In correspondence with H 3, the bulk of their political activities are devoted to influencing the details of EU legislation.

In sum, the decision-making rationality varies both across the EU institutions and within each institution: The political clout of firms counts more in the higher echelons of the Commission, among the MEPs, and within the EU Council than among the policy experts in the Commission and in the Parliament. The latter are also open to the information provided by EU associations. These act and speak for their EU-wide constituencies and provide information about their ‘European encompassing interest’ outweighing the expert information and the investment power of large firms. Access to the higher strata of the EU institutions is more selective and, for the most part, restricted to the corporate actors. Firms have roughly similar access to the parliamentary and executive institutions at each level. Even though this pattern depends partly on the greater specialization of Eurogroups on interest representation than is common among national associations (Greenwood 2002), this finding puts the characterizations of the EU political process into perspective. In fact, it suggests that ‘elite

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5 ANOVAs for access to EU institutions by firms and associations: European Commission working level: F 56.109 df between 4, df within 829, p .000; European Commission leadership: F 52.172 dfb 4, dfw 829, p .000; European Parliament F 31.874, dfb 4, dfw 784, p .000; Council of the EU F 36.525 dfw 4, dfb 759, p .000. Post-hoc comparisons indicate significant differences for all institutions among EU associations and firms, on the one hand, and national associations, on the other. There is just one significant difference among national associations: the mean access of German and British groups to the working level of the Commission differs. The post-hoc comparisons do not indicate significant differences among EU associations and large firms regarding their access to the EC working level, but regarding their access to the EC leadership, the Council of the EU, and the EP members.
pluralism’ is more pronounced in the member states than at the European level — no matter if these nations are deemed to be corporatist, statist, or pluralistic.

Figure 1 European Union contacts among state and business (means)

The hypothesized access of the interest organizations to the EU institutions (H 1 – H 3) has been largely confirmed. Unsurprisingly, the European Commission has proven to be the most important addressee of interest group demands at the EU level. Compared to the findings reached by early studies of EU interest intermediation (Meynaud and Sidjanski 1971), the European Parliament draws nowadays far more attention of interest organizations to itself. As expected, all types of interest organizations maintain the least contacts with the Council. However, the expected ranking of the interest organizations found only partial support (H 4 – H 5): As assumed, national associations have fewer contacts with the EU institutions than EU associations or large firms. But the access of the large firms and the EU associations does not differ as much as was expected highlighting the importance of technical expertise, investment power, and EU-wide constituencies in EU level interest
representation. Moreover, surprisingly, associative interest intermediation seems to play greater role in EU politics than in national politics.

**The relations among EU institutions and interest organizations**

A closer inspection serves to validate these findings. In what follows, I scrutinize whether the interest group access to information, their activities during the policy-making cycle, their initiation of the contacts, and their cooperation with the policy-makers support the outcome of the access analysis or shed new light on it. Those interest organizations that have access to them find it not very difficult to obtain *information* from the Commission and the Parliament. On a scale ranging from one (very difficult) to six (not difficult at all), on average, the EU associations score between 4.4 and 4.8. Without a noteworthy difference among French, German, and British groups, the national associations achieve between 4.0 and 4.4, and the firms have scores between 4.8 and 4.9. The access to information from the Council is much worse. Furthermore, there are important variations among the interest organizations. Firms and EU associations have better access to information from the Commission than national associations, and, in correspondence with the outcome of the access analysis, firms find it also easier to obtain information from the Parliament and the Council than the other organizations.
Figure 2  The access to information from the EU institutions (means)

(1) very difficult – (6) not difficult at all

The activities of the interest groups across the policy-making cycle vary. Given that the primary task of the EU institutions is still the conception of common policies rather than their execution, it can be expected that the interest organizations are more active when the EU institutions design policy proposals and decide upon them than during the implementation stage. Figure 3 illustrates that it is indeed quite common for the interest organizations to represent their interests frequently vis-à-vis the Commission when its services devise EU directives and regulations. However, only a minority of them is able to raise their voice already when the EU policy agenda is being set. Given ‘the unpredictability of the European policy agenda’ (Mazey and Richardson 1993: 11) this is hardly surprising: ‘the market for policy ideas within the EC policy process is much broader and is more dynamic than in any one national policy system. This is no doubt beneficial in terms of policy innovation, but the ensuing process is more difficult for everyone – including groups – to manage. ... new ideas and proposals can emerge from nowhere with little or no warning, simply because the

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6 Associational measures for the timing of interest representation at the EU level by associations and firms: Agenda Setting: CHI² 95.005 (df 8), p = .000 Cramer-V .250; Commission proposal: CHI² 69.152 (df 8) p = .000 Cramer-V .211; European Parliament debate: CHI² 47.148 (df 8) p = .000 Cramer-V .177; EU Council debate: CHI² 32.217 (df 8) p = .000 Cramer-V .147; Transposition: CHI² 66.938 (df 8) p = .000; Cramer-V .209; Implementation: CHI² 62.565 p = .000 Cramer-V .204.
Commission has seen fit to consult a particular group or a particular expert’ (Mazey and Richardson 1993: 22). Large firms and EU associations are more likely than national associations to deliver position papers to the EU policy-makers or give their expert opinion on them when the political agenda is being set and when EU policies are being formulated and debated. Among the national groups, German associations are earlier involved in the game than the other groups. French groups are basically absent from the early stage of the policy-making process.

Figure 3 The timing of lobbying activities at the EU level (per cent of firms and associations)

The interest group activities tend to decrease once the Commission has delivered its proposals to the Parliament and the Council, underlining the crucial position that the Commission assumes in the EU legislative process. Many associations regard the Parliament still as an institution that is only of secondary importance to them even if the gap to the other institutions has narrowed over time. By contrast, the EP draws as much attention of large firms to it as the Commission. Also in these stages of the policy-making cycle, the EU associations and firms are more vocal at the EU level than the national groups. When the policy proposal is discussed by the Council, national groups direct their attention to the national governments rather than the Council as a collective decision-making body: Only 31
per cent of the German groups, 19 per cent of the British organizations, 26 per cent of the French associations, but 53 per cent of the large firms claim to be frequently active at the EU level when the Council working groups meet, Coreper debates, or the Council of Ministers takes its decision.

In the final stages of the policy-making cycle, these patterns do not hold any longer: When EU policies are being transposed into national law or implemented in the member states, the domestic associations and the firms are far more interested in discussing the details of EU legislation and the nitty-gritty of the implementation process with the EU institutions than the EU associations. These tend to confine themselves to influencing the early stages of the policy-making cycle while leaving the details of the decentralized transposition and implementation to their national members.

The firms and the associations tend to *initiate the contacts* themselves rather than to rely on other interest organizations that provide links to the EU institutions or to wait for invitations to participate in committee meetings, hearings, or expert groups.⁷ Among the EU institutions, the Commission involves interest organizations routinely into the policy-making process, but it includes only a minority of the organizations frequently in these deliberations. The EP is far less inclined to recruit the expertise of firms and interest organizations in its meetings and hearings, and this is even more true of the EU Council. The Commission includes 36 per cent of the EU associations and 27 per cent of the firms frequently into its deliberations. Given the variety of interests they confront, the EU institutions structure the participation of interest organizations in the policy-making process to a greater extent than national institutions so that they established a great variety of consultative structures (Eising and Kohler-Koch 1999b; Mazey and Richardson 1993; 2002).

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⁷ Associational measures for the contact initiatives at EU level: Firms or organizations themselves: CHI² 99.049 (df 8) p = .000 Cramer-V .252; Other interest organizations: CHI² 26.756 (df 8) p = .001; Cramer-V .134; European Commission: CHI² 67.948 (df 8) p = .000 Cramer-V .214; EU regulatory authorities: CHI² 18.283 (df 8) p = .019 Cramer-V .115; European Parliament: CHI²=51.641 (df 8) p = .000; Cramer-V .188; Council of the EU: CHI² 26.556 (df 8) p = .001; Cramer-V .115.
These patterns correspond well with the EU institutional structure. However, their organizational capacities and their location in the EU multi-level system trigger some important variations among the firms and the associations. First of all, not only are firms and EU associations far more likely to start political initiatives than national associations. The EU institutions are also more likely to take the initiative and include them into the policy-making process rather than national associations. This preferential treatment is an important asset of the Eurogroups vis-à-vis their national members. Among these, the British associations attempt less often than the French and German groups to approach the EU institutions.

Second, the EU associations rely less on other interest organizations to provide links to the EU institutions than the national associations and firms, confirming that several of them have become important intermediaries between their members and the EU institutions. Finally, the consultation practices of the EU regulatory authorities do not reflect the criteria of the other EU institutions. They consult national associations as frequently as EU associations about EU standards and regulations whereas they incorporate firms slightly less into these discussions.

**Conclusion**
The access patterns in the European Union are shaped by the salience of the contacts for the actors, the institutional opportunities of interest organizations and their organizational capacities. In many respects, they resemble the domestic processes of interest
intermediation regarding EU affairs. The analysis confirmed the central position of the European Commission in the policy-making process and illustrated that the importance of the European Parliament for interest organizations has increased over time. The organizational capacities of the interest organizations and their institutional location were not as important as was expected. In particular, the differences among large firms and EU associations are less pronounced than was expected. Both have become regulator interlocuters of the EU politicians and officials whereas national associations are only infrequently in touch with them. Accordingly, the technical expertise and economic clout of firms matter as much to the EU politicians and bureaucrats as the ability of the Eurogroups to represent the interests of their members during the early stages of the policy-making cycle.

More specifically, these findings differ from the results that were obtained by Pieter Bouwen. There are two major reasons for these differences: First of all, the different research designs account for the different findings: Pieter Bouwen has conducted a group comparison in which the EU officials and politicians were asked ‘to establish a ranking of their contacts with the different forms of business interest organizations’ (Bouwen 2002b: 20). This procedure does neither indicate how many contacts firms, EU associations, and national associations maintain individually with parliamentarians or politicians. Nor does it identify the central tendency or the dispersion of the access patterns of each type of interest organization because the group sizes differ and the organizations that do not maintain contacts with the EU institutions are omitted from the analysis.

The exclusion of those organizations from the analysis that do not maintain contacts with EU politicians and bureaucrats tends to exaggerate the access of that group in which contacts with the EU institutions are heavily concentrated on a sub-set of organizations – namely the national associations. Only those national groups that evolved into multilevel players and represent their interests regularly at both the EU level and vis-à-vis the national institutions (Eising 2004) have approximately as many contacts with the EU institutions as EU associations and large firms. Hence, even though, according to Bouwen’s analysis, the MEPs may have roughly as many contacts with domestic interest organizations as with EU organizations, his ranking does not allow for the inference that national and EU interest organizations have similar access to them. Nonetheless, his analysis sheds much light on the overall balance of interest organizations that are consulted in the financial sector.

Second, the studies conceptualized the access to the Council in different ways because Council members and officials have a dual affiliation: They are at the same time members of
the EU legislative and their national governments or administrations. The EUROLOB survey conceived of the Council as a collective EU institution. When taking the contacts of interest groups with their national governments at the domestic level into account (see chapter 5), the ranking of the interest organizations’ contacts with the Council changes: Firms still maintain the most contacts with the national representatives, but they are now followed by national associations and only then by EU associations. This comes closer to Bouwen’s results even though the ranking of firms and national groups is still reversed in the two studies. In sum, this article puts into question the results of previous studies on the access patterns in EU politics.

References


