

# The scope and patterns of mobilization and conflict in EU interest group politics<sup>1</sup>

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**Abstract.** The literature on interest group mobilization in EU legislative politics is heavily focused on organizations as much attention is concentrated on groups' organizational characteristics, their activities towards different institutional venues, and their attempts to influence policies in one or a small set of policy cases. Yet, despite our growing knowledge about interest group politics, we know little about the pervasiveness of lobbying or the patterns of conflict and mobilization in EU interest group politics. How are conflict and mobilization in EU interest group politics structured? Can we speak of structural patterns of interest group conflict and mobilization or is the EU rather a balkanized lobbying arena? In order to analyze these questions we adopt a policy-centered account, instead of an organization-centered perspective, of interest group politics. More precisely, for a sample of 116 pieces of legislation we analyze the scope of interest group mobilization, the divisiveness of mobilization processes and the nature of conflict that is mobilized through the activities of lobbyists. For our empirical analyses, we triangulate evidence from different sources including media-analyses, interviews with 80 experts in the European Commission, interviews with 143 lobbyists and consultations. We conclude with a discussion of how our understanding of conflict structures complements policy field- and organization-based explanations of interest group politics.

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<sup>1</sup> All authors contributed equally to the paper and are listed in reversed alphabetical order.

## **Introduction**

By now, many studies of interest group activity in the EU and elsewhere have demonstrated the dominance of business over non-business interests. The diversity and range of groups that mobilize are shown to vary according subtle and complex dimensions, such as venue characteristics and policy domain properties (e.g. Berkhout et al 2015; Beyers and Kerremans 2007; Bouwen 2002; Broscheid and Coen 2007; Coen and Katsaitis 2013 Eising 2007; Dur and Matteo 2013; Hanegraaff et al. 2011; Kohler-Koch and Quittkat 2013; Rasmussen and Carroll 2013; Rasmussen et al. 2014). Not only is there a strong difference in types of groups that mobilize, generally business groups outnumber non-business groups. We also find skewed mobilization patterns across different policy domains as only a few policy areas attract intensive interest group mobilization, while the most areas are populated by only a few niche players (Baumgartner and Leech 2001; Halpin 2011; LaPira 2014; Hanegraaff et al. 2011). Such skewed mobilization patterns have important implications: the more groups lobby on a given proposal, the higher the likelihood that there are competing positions and the less likely it is that they individually can exert considerable influence on political outcomes.

Although we find similar mobilization patterns across different political systems, much of the literature derives its conclusions from mapping the number of groups represented in different policy venues or analysing the political strategies group use. Often studies lack a direct policy-link and, therefore, then to develop as somewhat static understanding of mobilization. Moreover, studies of interest group density usually demonstrate mobilization biases in terms of sheer numbers but not yet in terms of substantive positions taken by the different types of groups that mobilize (but see Baumgartner et al 2009). Therefore, little is known about which types of interests stand against each other, or to extent to which the lobbying of organized interests reproduces stables patterns of contention.

Understanding the patterns of inter-group conflict, by analysing the positions they take vis-à-vis legislative bodies across policy domains, aids in understanding patterns mobilization and vice versa. Therefore, this paper seeks to develop a more dynamic and policy-centred approach by looking at varying levels of mobilization of different types of groups in concrete EU policy-making processes. While high levels of mobilization are likely to co-occur with intense conflict and polarization, niche lobbying is more probable when policies face little contestation and a high consensus among organized interests. By analytically connecting patterns of conflict

and mobilization we may thus further our understanding of how the structure of interest group politics. Can we identify structural patterns of conflict and contention in relation to interest group mobilization, or is the EU polity more characterized by a balkanized lobbying arena? These research questions inform our theoretical discussion and empirical analysis.

Systematic insight in the role of interest groups in EU-policy-making remains rather limited especially when it concerns how lobbying relates to policy conflict. Often studies studying interest group mobilization and conflict are based on case studies and focus on instances characterized by considerable mobilization and conflict. By relying on a medium sized sample of mobilization process in EU legislative policy-making, we introduce variation for both dimensions which are of interest for this paper – mobilization and conflict - and are thus able to present a more balanced picture of how interest groups contribute to the politics in EU policy-making. More specifically, our analysis emphasizes two aspects of interest group lobbying in EU legislative politics: First, we investigate the scope of mobilization by analysing the number of interest groups which actively lobbied in decision-making processes on 116 legislative acts the European Commission introduced between 2008 and 2010. Second, we draw on the positions interest groups take vis-à-vis the Commission's policy proposals to learn more about conflict and polarization interest groups bring about in EU policy-making processes. Here aspects are of interest to us: first, of and how conflict varies with the scope of mobilization and, second, the extent to which the nature of conflicts between interest groups and the Commission as well as between groups themselves changes with varying patterns in the types of groups – business and non-business – which mobilize.

The empirical approach presented in this paper takes a middle ground between a case-study design and a large-N-design. In this way we aim to develop an account that is sensitive to policy specific aspects of lobbying and which, at the same time, is sufficiently large in scope so that it enables us to develop a more general account of lobbying in the EU. While most large-N-studies investigate factors that affect an individual group's lobbying decisions, we analyse patterns of interest group mobilization on a large number of pieces of legislation as well as the political divisiveness that corresponds with interest group mobilization.

The paper is structured as follows: In the next section we will explicate the analytical framework and the research questions which guide our exploration of EU interest group mobilization in 116 cases of EU legislative policy-making. The section will be followed by a

discussion of the research design and the data which we use for our exploration. The fourth section presents the results on the scope of mobilization and the nature of conflicts in EU legislative lobbying. We conclude the paper with a discussion of the results and how they aid in answering our research questions.

### **Interest groups and political competition in EU politics**

The question of how many interest groups mobilize to influence policies and the conflicts which result from the sometimes competing positions taken by groups, is of central importance for any polity. Answers to these questions provide us with insights on the causes of political conflict and, more generally, the political and societal cleavages that characterize a polity. Existing studies on interest group mobilization in national political systems have shown that groups' mobilization efforts are very unequally distributed across different policy-making processes (Baumgartner/Leech 2001; Halpin 2011). A crucial question, however, is whether or not these skewed mobilization patterns indeed reflect conflictual positions among groups as is sometimes assumed. In this paper we will explore whether and to which extent the mobilization patterns we find in EU policy-making are systematically related to political conflict.

To date, several explanations have been put forward to explain the skewed mobilization of interest groups across policy domains. Existing explanations either concern issue-characteristics or resource-based explanations. To start with the latter, as resources are scarce, interest groups need to prioritize political initiatives on which they want to become active. Groups can be expected to concentrate on those policies which are of high relevance for their members and constituency. When many groups that organize similar constituency interests mobilize, they will face severe competition, which restrict the eventual number of groups that capable to mobilize successfully on their own (Gray and Lowery 1996). Typically, to cope with a competitive environment, groups specialize on very specific topics and seek to occupy or monopolize specific issue niches (Browne 1990; Chamberlain 2009; Heaney 2004). If niche interests play an important role in groups' actual mobilization in EU policy-making, we should observe a substantial share of mobilization processes in which only a few and/or only a specific type of group will mobilize.

Next to a resource-oriented explanation, interest groups might also take cues from each other and the more general policy environment and mimic other groups' political practices when,

for example, deciding on whether or not to mobilize on a specific policy. This leads to self-reinforcing processes, which result in ‘cascades of attention’. Such cascades explain why some policy domains are characterized by large numbers of mobilizing groups, whereas others are less densely populated (Baumgartner and Leech 2001; Boscarino 2009; Halpin 2011). Another set of explanations does not focus on group’s resources but on the characteristics of the policy issues. Some might attract a larger number of groups than others, given their scope or breadth of individual issues they cover, the salience of issues or their (technical) complexity (see Klüver et al 2015 for a discussion).

Related to policy characteristics, are other, so-called demand factors might attract higher levels of interest group mobilization. Interest groups’ attention to a policy might, for instance, result from the Commission’s consultation efforts. Groups might rely on the consultations as a heuristic short cut to identify politically important proposals. Moreover, by institutionally structuring the interactions, consultations provide opportunities to voice criticism and support at rather low cost, which might also increase interest groups’ inclination to mobilize. In addition, the media might significantly contribute to groups’ mobilization and lead to increased efforts by interest groups. Interest groups might learn through the media about the contentious aspects of a policy. Moreover, they might feel obliged vis-à-vis their members to mobilize in policy conflicts which are covered by the media in order to demonstrate that they are working hard to represent their members’ interests.

The scope of mobilization does not tell the whole story. Conflicts resulting from group mobilization and the influence which interest groups can exert on specific policies are also affected by the policy positions interest groups adopt. Therefore, we will analyse how divisive specific legislative cases were amongst the mobilized groups. If only a few groups mobilize and there is no substantial disagreement between them and/or the EU institutions, the chances that they can successfully exert influence on the content of policies are higher compared to a dense and highly competitive setting. Other political actors might not be interested in the issue or, due to the lack of political contestation, fail to recognize its potential importance. If, however, a large number of groups mobilize and if their positions on the legislative proposal diverge considerably, we have a much more competitive political context in which lobbying will be much more costly and the effect on policy outcomes will be pretty uncertain. Such issues can also be expected to attract the attention of political parties, governments and the media and will

force politicians to more carefully explain to the public why a decision was taken in a specific way, thus restricting their leeway to privilege one constituency over another when deciding on the content of policies.

In addition, we will analyse whether or not there are recurring patterns of conflict in which one type of group – for example groups representing business interests – opposes another type – for example NGOs – in EU legislative politics. While empirical measures of conflict and competition in interest group politics are based on organizational proxies juxtaposing business versus non-business, we start from a policy-centred perspective and do not presume that all groups of the same type are always united. Such a pattern would indicate the dominance of a structural conflict between “specific” economic interests and “diffuse” public interests in EU politics. However, conflicts in EU interest group politics might not follow such clear lines and regularly intra-business conflicts occur. For instance in transport policy, train companies often oppose car manufacturers. The sides opposing each other in the contestation of policies might be very similar or rather heterogeneous in terms of group type. Some business organizations might mobilize together with NGOs and against the demands advocated by other business interests. For instance producers of renewable energy often lobby together with environmental NGOs. The positions taken by interest groups in their mobilization efforts would then be rather fluid and not represent structural divisions between different types of interest groups, but rather represent alliances and controversies on an issue-by-issue basis.

### **Data and research design**

The data used for answering our research questions are part of the larger INTEREURO project, which analyses lobbying strategies and interest group influence for a stratified sample of 125 European Commission legislative proposals (directives and regulations) that were submitted between 2008 and 2010. As we expected that only a limited number of cases will generate substantial political controversies we stratified our sample. Generally, political attention is characterized by highly non-linear distributions with only a small number of highly contested cases (King et al, 1994, p. 125), which makes simple and un-weighted randomized sampling problematic. Our sampling strategy aimed at striking a balance between having enough cases with at least some political contestation and mobilization by interest groups and a sufficient number of purely randomly selected cases where we expected no or little lobbying to take place.

To select politically contested EU legislative proposals, we relied on their coverage by five news sources (Agence Europe, European Voice, the Financial Times, the Frankfurter Allgemeine Zeitung and Le Monde) (for a detailed discussion of the sampling strategy, see Beyers et al. 2014a; Beyers et al. 2014b).<sup>2</sup> About two-thirds of the proposals for directives and 60 per cent of the proposals for regulations were mentioned at least once in one media source. This threshold is low and introduces a large variation in public salience across proposals in our sample. About 40 percent of the legislative proposals did not gain any media attention at all. In this way we selected the first randomly ordered 48 proposals for directives and 38 proposals for regulations that were mentioned in at least two of these media sources. To add additional variation in terms of salience, we added a randomly selected set of 10 proposals for directives and 9 proposals for regulations that did not meet the media coverage criterion. Finally, we added all proposals for directives and regulations that had not made it into the sample following that strategy, but for which the EC held public consultations and consultation documents are available. We did this for pragmatic reasons, as we wanted to benefit from the additional data that is available for consultation cases and as this enables us to control for the extent to which lobbying through consultations can be seen as a signal of political salience.

We also relied on the news reports to identify all stakeholders (public and private) which were reported to be politically active in the respective decision-making process and stored all the statements these actors made in a separate database. Statements are quotes made by interest group officials that can be directly linked to one of the sampled proposals. We coded all these entries according to a technique that is highly similar to the political claim analysis developed by Koopmans and Statham (1999), whereby the unit of observation consists of an actor who puts forward a particular statement or claim (see also Baumgartner et al., 2008; Miller & Riechert, 2000).

In addition, we conducted two sets of interviews. First, the Salzburg INTEREURO team interviewed 95 policy experts in the European Commission. During these interviews we identified a large number of issues as well as stakeholders that were seeking to influence the policy outcome. Next, these interviews with EC experts were followed by 143 interviews with EU-level interest group officials who were closely involved in lobbying with regard to these

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<sup>2</sup> Using some non-English-language media sources was important to avoid a bias in our sample towards proposals of specific interest to some countries and to identify cases that are particularly important at the national level.

legislative cases (more details on these interviewing projects see Beyers et al. 2014a/b). These 143 interviews were conducted with officials from 111 different interest organizations; some organizations were interviewed multiple times because they were involved in more than one case. These interviews with EC-experts covered 70 proposals. For the interviews with interest group officials we covered 85 proposals. All these interviews were meant to map the entire range of interests who actively tried to influence the policy outcomes, to measure the divisiveness by identifying the different policy positions and to assess the lobbying strategies these mobilized interests adopted.

The interviewing itself was preceded by considerable pre-research, including short telephone interviews, on each case so that the most relevant informant could be selected and contacted for an interview. One of the most important reasons why we did not interview EC experts or interest groups officials on all cases is simply because our pre-research showed that 37 cases showed almost no lobbying activities (see below). Another 9 proposals were dropped because no interest groups could be convinced to cooperate on these proposals or nobody within the organization had a memory of the specific proposal they were selected for. The largest part (64 percent) of our interest group respondents represent business associations, another 29 percent represent NGOs and the remaining 8 percent are officials from professional organizations, firms or labor unions. These numbers correspond fairly well to the overall population of interest groups active on EU politics (De Bruycker & Beyers 2015; Wonka et al. 2010).

The interviews with EU level interest organizations aimed at getting information on, amongst others, groups' mobilization strategies and the positions they took on specific policy issues that were controversially debated during the decision-making process. In particular, for every legislative proposal we identified the main conflictual policy issues. These are specific aspects of a legislative proposal where stakeholders took a conflicting position and disagreed on the preferred policy outcome. Take for example the legislative process on animal protection: In 2008 the Commission proposed to thoroughly revise the existing legislation on the testing of animals for scientific purposes. One of the most contested issues we identified in this proposal was the testing of non-human primates in research. Whereas some actors wanted to continue the testing on primates with the current best-practice, others wanted to gradually reduce or completely ban these tests. For the identification of contested issues, we relied on prior interviews with Commission (EC) officials and key Members of the European Parliament

(MEP's), conducted by the Salzburg INTEREURO team. On 47 issues we were not able to interview interest groups because none were active on the issue or because we could not find an interest group who was willing to cooperate or the interviewee did not have a sufficient memory of the issue.

To explore patterns of mobilization, we identified all stakeholders active on the legislative proposals. Through combining multiple data-sources – newspapers, interviews with Commission and interest group officials – we mapped all private and public stakeholders who were involved in the preparatory and decision-making phases of each of these 116 cases. This empirical basis allows us to generate a systematic account of how many groups mobilized on each case, how conflictual the mobilization was and what the patterns of divisiveness resulting from the positions taken by different types of groups are. In short, our analyses below take the 116 cases as a starting point and triangulates evidence we collected from all these sources. We assess patterns of mobilization in terms of density per proposal, and compare this with visibility in the media, the number of consultations documents submitted and the number of conflictual issues identified.

To explore the divisiveness of interest group lobbying in EU policy-making, we rely again on our interview data. The level of conflict is assessed both at the level of legislative proposals as well as at the level of specific issues, i.e. specific policy aspects of a policy. On 47 issues (out of 339) we were not able to interview interest groups because none were active on the issue or because we could not find an interest group who was willing to cooperate or the interviewee did not have a sufficient memory of the issue.<sup>3</sup> During the interview we asked for each issue whether the lobbyist activities were aimed at 1) seeking major changes or blocking the proposal, 2) supporting the proposal, but asking for changes or 3) supporting the Commission proposal as it stands. The more a set of interests supported the EC legislative initiative and the less countervailing interests are mobilized, the less the respective policy was the object of conflictual mobilization by interest groups.

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<sup>3</sup> 292 of the 339 issues were covered by interviews with one interest group. One group regularly provided us with information on more than one issue.

### **Empirical analysis: mobilization patterns and structure of conflict**

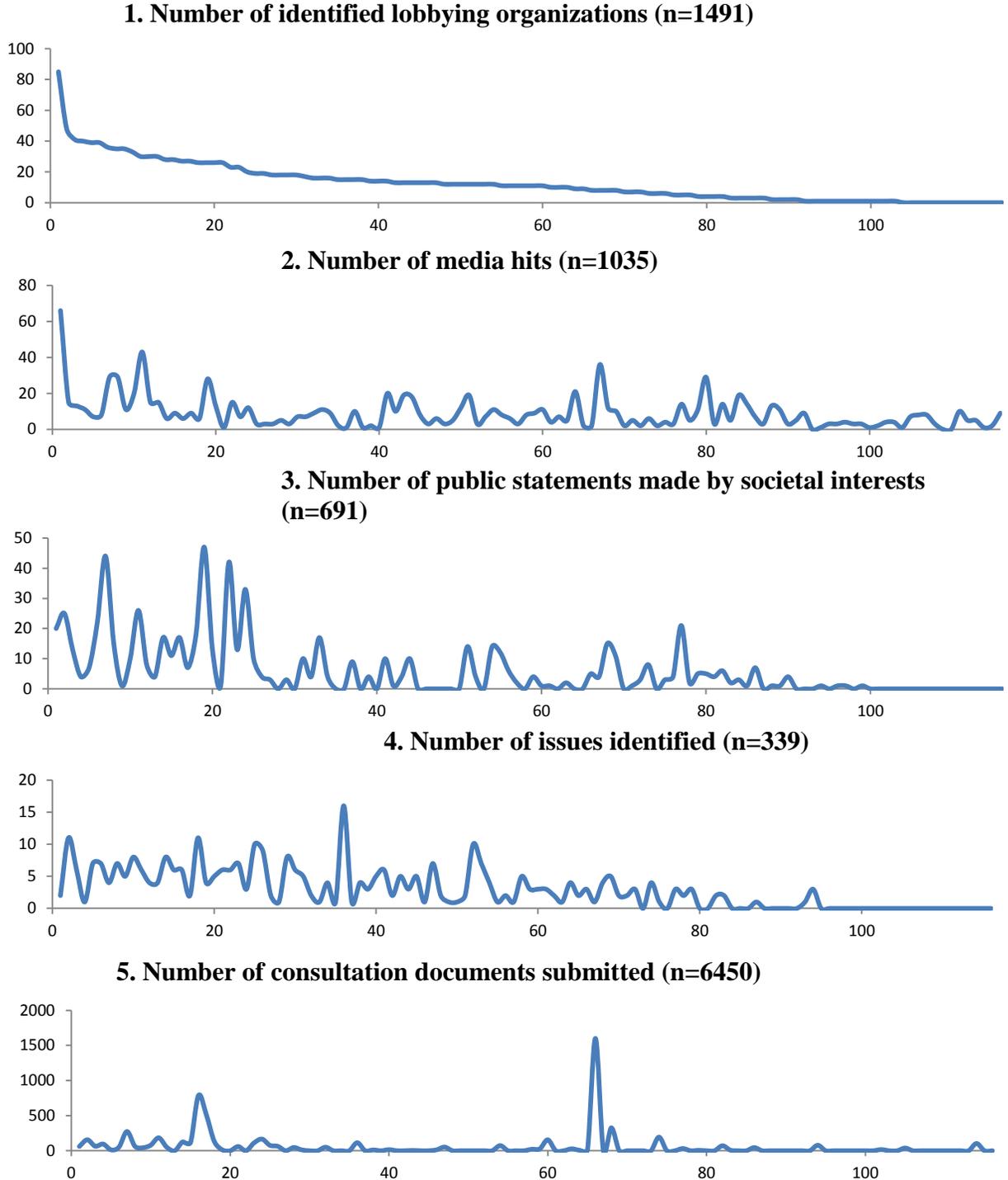
Our empirical analysis consists of two steps. We first start with exploring the scope of interest group mobilization. In a subsequent step we will link mobilization patterns to the nature of conflict that arises between interest groups and the European Commission and among the groups themselves. In this way we aim to link patterns of mobilization to patterns of conflict.

We start our exploration of the scope of interest group mobilization in EU legislative policy-making by plotting groups' advocacy activities across our sample of 116 legislative cases. We thus present an empirical analysis of actual lobbying activities taking place on a set of 116 EU legislative proposals (rather than analysing "mobilization" patterns by investigating the numerical representation of groups in different policy venues dealing with diverse policy areas). As one can see from figure 1.1. (in with proposals are ordered with those generating most lobbying attention on the left), mobilization activities vary considerably across our sample of legislative acts. A relatively small number of proposals attract the attention of a large number of groups, while in the majority of proposals a dozen or less groups mobilize: about half of the groups who mobilized (718 out of 1491) are active on only twenty percent of the 116 cases. On 13 cases we were not able to find any lobbying activities by groups and for 16 cases only one or two lobbying organizations could be identified.

Figures 1.2 and 1.3 show that the intensity of political contestation, measured by the number of times media reports on the respective policy-making process and by the public statements made by interests groups in these press reports, largely follows the scope of mobilization. The (non-parametric) correlation coefficients are .4 and .6 respectively (Table 1). At the same time, however, the distributions depicted in figures 1.1 and 1.2 show that even policy-making processes in which only a moderate number of groups mobilized can get considerable media attention. These might be cases in which conflicts are particularly intense among a small number of players, thus calling for an investigation also of the intensity of interest group conflicts in EU legislative policy-making. Moreover, we find a positive and relatively strong correlation (.8) between the number of groups which mobilized and the number of issues, i.e. specific policy aspects, in a legislative proposal which were contested in the course of the policy-making process. Although these figures give a nice overview of the skewed scope of mobilization, they do not allow us to assess whether mobilization corresponds with an expansion of contested issues or whether a greater number of potentially conflictual issues goes

hand in hand with more lobbying, i.e. the direction of the relation. The next steps in our analysis aim to clarify the connection between scope of mobilization and divisiveness.

**Figure 1. Scope of political mobilization on 116 legislative proposals**



**Table 1. Four measures of scope of mobilization (Spearman Rho)**

|                    | N media hits | N statements | N issues | N submissions |
|--------------------|--------------|--------------|----------|---------------|
| N mobilized groups | 0.39***      | 0.61***      | 0.79***  | 0.49***       |
| N media hits       |              | 0.56***      | 0.23**   | 0.16          |
| N statements       |              |              | 0.48***  | 0.39***       |
| N issues           |              |              |          | 0.53***       |

p<.001\*\*\*, p<.01\*\*

The skewed pattern of mobilization shown above indicates “cascades of attention and mobilization” (Halpin 2011: 224), or what other scholars have called bandwagoning and countervailing lobbying (Baumgartner and Leech 2001), that lead to the concentration of advocacy activities on a few policy proposals. This aspect is exemplified by the substantial positive correlation between the amount of issues lobbyists and EC expert identified during the interviews. Countervailing lobbying means that an increase in the public salience of proposals leads to an expansion in the scope of conflict as potentially affected interests start paying attention to the proposal. In the dense area on the left side of Figure 1 – where most lobbying occurs – more conflict emerges because groups tend to keep an eye on their competitors.

It is very likely that considerable share of the density in this area is due to the fact that advocates mobilize when their opponents (or allies) are active. Our analysis of the scope of political mobilization shows a skewed pattern in which groups’ actual mobilization concentrates on a relatively small set of proposals. The scope of mobilization, however, does not necessarily correspond with levels of conflict. In the following sections we will therefore investigate the extent to which the scope and different patterns of mobilization indeed correspond with varying levels of conflict. We will focus on two important aspects of conflict: divides between groups during their mobilization and the support and/or opposition they voice regarding the Commission’s legislative proposal.

There are different ways to understand divisiveness between interest groups. First, there are instances where no societal interests are lobbying actively or where only a tiny number of groups are mobilizing without raising strong controversies between interest groups at the EU level. In 38 of our cases (out of the n=116), i.e. one third of our sample, we could not identify any lobbying activities by interest groups (Table 2). All these cases were carefully screened on the basis of various media sources and short expert interviews. While we identified some groups through the media analysis, the various experts we talked to confirmed that these were generally non-controversial cases where no significant lobbying took place.

Policy-making on the remaining 72 legislative proposals is characterized by some lobbying. For each case, we identified crucial conflict lines (based on data collected in the EC-expert interviews and a careful reading of the media coverage), and for each side in these conflict we selected an EU-level interest group that could give a representative overview of the positions associated with the conflict dimension they represented. In sum, we ensured that for each proposal we interviewed stakeholders on different “sides” of the policy conflict (Baumgartner et al. 2009).

The following analysis will focus on the 72 legislative policies where we could identify some controversial political mobilization by interest groups in our interviews and media analyses. In a subsequent step we investigate whether the distribution of positions taken vis-à-vis the Commission proposal vary among different type of stakeholders. To do so, we distinguish between the issue-positions of business and non-business groups (labour and NGOs) concerning conflictual issues identified in the interviews with interest groups. Issue-positions concern the degree of change stakeholders demand (rather than some substantive positions expressing a preference for a specific content). We distinguish between (1) support for the Commission’s proposal, (2) demanding minor changes or (3) demanding major changes/seeking to block the entire proposal. In the following analyses we rely on the positions towards the Commission proposal as an indicator for the degree of conflict during interest groups’ mobilization on specific EU legislation.

The information provided in Table 2 links our investigation of the scope of mobilization to the conflict intensity that result from interest groups’ lobbying efforts. In about one quarter (N=28) of the policies in our sample we observed limited lobbying (Table 2). This means that only a small number of groups mobilized and/or that those who mobilize took rather similar positions. This happens for instance in cases where one or two EU-level peak associations mobilized all its national members around one single policy. Given the nature of these cases, the number of advocates we could interview was rather low, and in all these cases we could interview just one lobbyist who mostly represented one particular side. It is interesting to notice that with regard to this set of proposals a substantial proportion of the lobbyists defended positions in support of the EC proposals (and did not seek any policy change, 40%), that a similar proportion is seeking some policy changes (42%), while a minority (17%) seeks to block

the proposal or advocates major policy changes. Clearly, the Commission does not face major challenges with respect to these cases.

**Table 2. Divisiveness in the sample of 116 legislative cases**

|   | Percentage sample N=116 cases | Number of issues assessed during the interviews | Seeking major changes or blocking the proposal (N issues/%) | Supporting the proposal, but asking for changes (N issues %) | Supporting the proposal without changing it (N issues %) | Level of conflict among stakeholders average variation |
|---|-------------------------------|---|---|--|--|--|
| 6 cases lack of information                       | 5%                            | -   | -   | -  | -  | -  |
| 38 non-controversial cases                        | 33%                           | -   | -   | -  | -  | -  |
| 28 limited lobbying (one interview)               | 21%                           | 53  | 9 (17%)   | 22 (42%)   | 21 (40%)   | 0.99   |
| 44 substantial lobbying (more than one interview) | 38%                           | 390   | 108 (27%)   | 135 (35%)  | 105 (27%)  | 6.70   |

The next set of 44 cases (38 percent of our sample) is more complex. Here, our qualitative and quantitative pre-research – namely interviews with EC experts and our media-analysis – indicated that many more stakeholders were involved and in most of these cases we could identify multiple coalitions of actors that adopted policy views which contradict or opposed each other. Therefore, we could and needed to carry out multiple interviews for each case. These interviews showed a) a larger propensity among the lobbyists to disagree with the Commission proposal and b) more indications of countervailing lobbying. In 27 percent of the instances where our interviewees adopted a position (n=109) the lobbyist defended a position aiming to block a legislative initiative or lobbied for major amendments, while the inclination to support the EC (without seeking any changes) was much lower (namely 27% in contrast to 40% for the 28 cases with limited lobbying). It is also interesting to see that there is a much higher diversity of different positions within each single legislative case. We calculated the variation of all positions stakeholders adopted for all the issues per proposal and it is clear that the positional divergence among stakeholders was much larger in the 44 cases with substantial lobbying compared to the other cases (6.70 versus 0.99).

In short, the mobilization on almost 62 per cent of the cases in our sample (6+38+28; first three rows Table 2) did not lead to major divisions and conflicts between different types of interest groups. In the words of Baumgartner and colleagues, there were generally no clear opposing “sides” (2009: 6) and the groups that advocated their interests seldom opposed each other. One example includes the issue of ‘harmonization’ on the 2009 Commission proposal laying down minimum standards for the reception of asylum seekers. Some member states plead

for a low level of harmonization of minimum standards for reception of asylum seekers while ECRE, Amnesty International and the Commission sided for a full harmonization of minimal standards. Cases in which opposing positions were voiced or where the EC is more severely challenged in the sense that more actors seek major policy changes make up about 38 percent of sample. For example on the 2008 Commission proposal combating the sexual abuse of children and child pornography one dominant issue concerned the blocking of child pornography on the internet. A coalition of children right groups strongly advocated the compulsory blocking of these websites while some internet right groups argued for the prohibition of blocking and 'internet freedom'. In conclusion, the evidence presented in Table 2 suggests that a large scope of mobilization coincides with the mobilization of more opposition stakeholders vis-à-vis the Commission proposal.

In a next step we investigate whether the distribution of positions taken vis-à-vis the Commission vary among different types of stakeholders. To do so, we distinguish between the issue-positions of business and non-business groups (labour and NGOs) concerning the 339 conflictual issues identified in the interviews. We rely on the same indicator for conflict as in the previous analysis, i.e. we will analyse the positions different types of interest groups take vis-à-vis Commission proposals. As we have multiple stakeholders assessing similar issues, we have in total 405 valid issue positions for either business or non-business stakeholders for a total of 72 legislative proposals.<sup>4</sup>

Table 3 lists the issue positions per type of mobilization. We classified the set of mobilized stakeholders for each proposal as including only business groups, only non-business groups or a mix of both business and non-business groups. In the pre-research stage we identified the major stakeholders representative for a 'side' (cf. Baumgartner et al 2009), i.e. for the conflicting perspectives and positions on a legislative proposal. Of a total of 72 legislative proposals, 36 are characterized by only business mobilization, 6 proposals attracted only non-business groups. Finally, 30 proposals attracted both business and non-business groups. Important is that this way of presenting the evidence does not tell us anything about whether or not business or non-business interests presented different sides in concrete conflicts. Of course,

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<sup>4</sup> This is the net result of all 445 position minus 40 missing values: there were conflictual issues identified during the interviews, but no clear positions were provided.

business and non-business interests could take similar positions. However, it tells us something interesting about the constellations that are likely to emerge in EU legislative lobbying.

To begin with, very few proposals mobilize only non-business. Basically, we have three types, cases with only business, mixed cases and a minor rest-category with only non-business. All 405 positions were further distinguished between issue-positions in favour, suggesting minor changes or suggesting major changes/blocking the proposal on that specific conflictual issues. The type of positions that emerge is related to the constellation in which the lobbyist operates, namely on whether we deal with a set of homogenous business interests or a more mixed constellation. This suggests that the level of conflict with the Commission is largely shaped by who is mobilized. The distribution of type of changes demanded, and thus the level of conflict among business stakeholders and the Commission, is roughly equally distributed if only business groups mobilize. But when both business and non-business groups mobilize, business takes more moderate positions and requests less major changes and is somewhat more likely to seek minor changes to the Commission's original proposal. Non-business stakeholders tend to support the Commission's proposal more often when they lobby on their own (which does not happen often), whereas their propensity to oppose the Commission increases when they lobby alongside business stakeholders. This finding indicates that the nature of mobilization is inherently and organically related to the structure of conflict arising between the Commission and the type of stakeholders in EU policymaking. Namely, when only business or only non-business groups are mobilizing, there is a lobbyist who is somewhat less likely to contest policies. In occasions where both business and non-business groups mobilize, EU policies face somewhat higher levels of contestation from interest groups and namely from non-business interests.

**Table 3 issue positions and type of mobilization**

|                                    | only business<br>(N=36 proposals) | only non-<br>business<br>(N=6 proposals) | mixed business & non -<br>business<br>(N=30 proposals) |                 | N issue<br>positions |
|------------------------------------|-----------------------------------|--|--|-----------------|----------------------|
| <b>Policy position</b>             |                                   |  | business   | non-business    |                      |
| <i>Support</i>                     | 39 (31%)<br>35%                   | 9 (7%)<br>45%                            | 53 (44%)<br>35%  | 24 (19%)<br>20% | 125<br>31%           |
| <i>minor change</i>                | 35 (22%)<br>32%                   | 7 (4%)<br>35%                            | 62 (39%)<br>40%  | 55 (35%)<br>46% | 159<br>39%           |
| <i>major change/block proposal</i> | 37 (31%)<br>33%                   | 4 (4%)<br>20%                            | 39 (32%)<br>25%  | 41 (34%)<br>34% | 121<br>30%           |
| N issue position                   | 111 (27%)                         | 20 (5%)                                  | 154 (38%)  | 120 (30%)       | 405                  |

Row-percentages between brackets.

**Figure 2. Distribution of divisiveness in the sample of 116 cases**

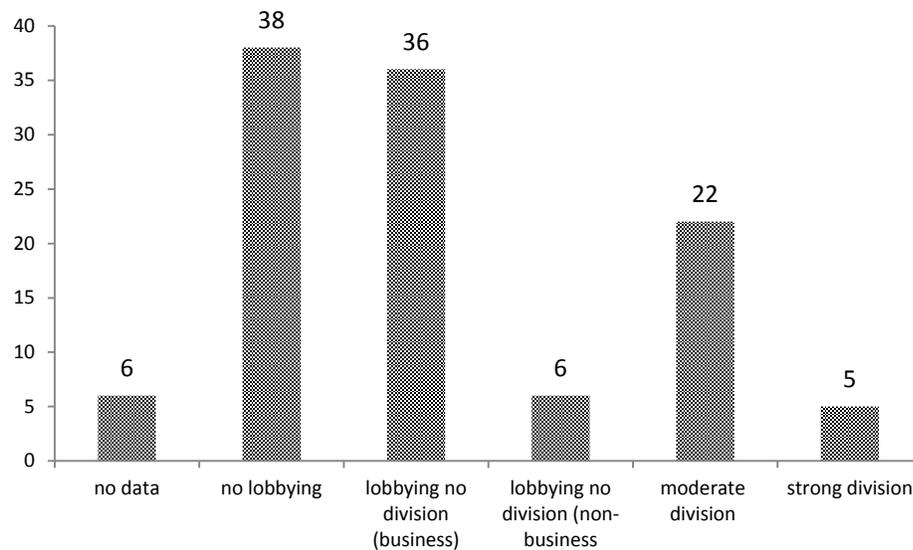


Table 3 does not grasp the divisiveness at the proposal level, but shows that it is worthwhile to consider how business and non-business are divided on specific legislative proposals. In order to get a comprehensive account we focus again on the entire set of 116 legislative cases. Two scenarios are conceivable when the mobilization of interest groups leads to conflict. First, the divides between groups might run along structural lines by recurrently showing opposing positions for business groups on the one hand and non-business groups on the other. We conceptualize such constellations as “strong divisions”. In these constellations, possible outcomes are blockage or the conflict may end with one side as a clear winner. Second, the opposing sides might be less cohesive. There might be some disagreement between business groups or among non-business groups and on some aspects of a proposals business and non-business groups might hold the same positions. This implies a constellation where bargains and log-rolling on different sub-issues might be feasible. If we observe such patterns our data, we coded them as “moderate divisions”. Figure 2 plots all the characterization of all the 116 cases, and actually, only in five of the 116 proposals do we observed major divisions between the two sides with business and non-business groups taking different positions on each and every issue. Next, we have a subset of 22 cases which we could label as “moderate divisions”. All other cases are not characterized by a mobilized cleavage of business versus non-business and a substantial number of these cases are only weakly conflictual.

## **Discussion and Conclusion**

In this paper we explored two aspects of interest group politics in EU policy-making: First, we investigated the scope of mobilization by interest groups in the decision-making process on more than 100 pieces of EU legislation and, second, we explored the conflicts which result from interest groups' mobilization efforts. Our central goal thereby was to gain a better appreciation of the extent to which interest group politics contributes to conflict and contention in EU legislative politics.

We show that the political importance of interest group mobilization in EU legislative politics varies strongly between policy-making processes: Interest groups' mobilization efforts are strongly skewed towards a few proposals on which a relatively large number of interest groups mobilize, while the majority of proposals receive political attention of only a few or no interest groups at all (Figure 1). This finding is in line with findings on lobbying in the US and UK (Baumgartner and Leech 2001, Halpin 2011, La Pira , et al. 2014). In addition, the scope of interest groups' mobilization efforts correlate positively and considerably with media's attention on EU policy-making and interest groups' position on policies are well covered by media (Figure 1.2 & 1.3). Interest groups thus contribute considerably to the public element in the contestation of EU policies and, more generally, to the politicization of EU politics. And, so we argue in the paper, the broader public political attention contributes to self-reinforcing processes which lead interest groups to jump on the mobilization bandwagon that result in the skewed pattern of mobilization we observe in Figure 1.1.

Moreover, while we do find that interest groups are actively mobilizing on quite a large share of policy issues, we also find that the divisiveness in terms of issue positions is quite similar across different patterns of mobilization. In policy-making processes in which only business groups mobilize, we find a roughly similar distribution of preferences among business groups as in cases in which both business and non-business groups become active.. However, in these cases of mixed mobilization, a higher percentage of business groups support the Commission's proposals as opposed to NGOs.

In future versions we will aim at a more fine grained and detailed data analysis to better and more fine grained exploration description of the conflicts arising in EU interest group mobilization. While the aim of this paper is explorative and descriptive, more fine grained

analyses and measure should then also allow us to explore more systematically possible explanations for the patterns identified.

## **Literature**

Baumgartner, F. R. and B. L. Leech (2001). "Interest Niches and Policy Bandwagons: Patterns of Interest Group Involvement in National Politics." Journal of Politics **63**(4): 1191-1213.

Baumgartner, F. R. and C. Mahoney (2008). "The Two Faces of Framing. Individual-Level Framing and Collective Issue Definition in the European Union " European Union Politics **9**(3): 435-449.

Baumgartner, F. R., Berry, J. M., Hojnacki, M., Leech, B. L., & Kimball, D. C. (2009). *Lobbying and policy change: Who wins, who loses, and why*: University of Chicago Press.

Berkhout, J., et al. (2015). "Interest organizations across economic sectors: explaining interest group density in the European Union." Journal of European Public Policy DOI:10.1080/13501763.2015.1008549.

Beyers, J. and B. Kerremans (2007). "Critical Resource Dependencies and the Europeanization of Domestic Interest Groups." Journal of European Public Policy **14**(2): 460-481.

Beyers, J., et al. (2014a). "Let's talk! On the practice and method of interviewing policy experts." Interest Groups & Advocacy **3**(2): 174-187.

Beyers, J., et al. (2014b). "Policy-Centred Sampling in Interest Group Research: Lessons from the INTEREURO-project." Interest Groups & Advocacy **3**(2): 160-173.

Boscarino, J. (2009). "Surfing for problems: Advocacy group strategy in the U.S. forestry policy," *The Policy Studies Journal*, 37(3): 415-434.

Bouwen, P. (2002). "Corporate Lobbying in the European Union: The Logic of Access." Journal of European Public Policy **9**(3): 365-390.

Broscheid, A. and D. Coen (2007). "Lobbying activity and fora creation in the EU: empirically exploring the nature of the policy good." Journal of European Public Policy **14**(3): 346-365.

Browne, W.P. 1990. Organized Interests and Their Issue Niches: A Search for Pluralism in a Policy Domain. Journal of Politics 52 (2):477-509.

Chamberlain, A. 2009. Population ecology and niche seeking in the development of gay and lesbian rights groups. Social Science Journal 46 (4):656-670.

- Coen, D. and A. Katsaitis (2013). "Chameleon Pluralism in the EU: An empirical study of the European Commission interest group density and diversity across policy domains." Journal of European Public Policy **20**(8): 1104-1119.
- De Bruycker, I. and J. Beyers (2015). "Balanced or Biased? Interest Groups and Legislative Lobbying in the European News Media." Political Communication DOI: **10.1080/10584609.2014.958259**.
- Dür, A. and G. Mateo (2012). "Who lobbies the European Union? National interest groups in a multilevel polity." Journal of European Public Policy.
- Eising, R. (2007). "Institutional Context, Organizational Resources and Strategic Choices. Explaining Interest Group Access in the European Union." European Union Politics **8**(3): 329-362.
- Gray, V., and D. Lowery. 1996. A Niche Theory of Interest Representation. Journal of Politics **58** (1):91-111.
- Halpin, D. (2011). "Explaining Policy Bandwagons: Organized Interest Mobilization and Cascades of Attention." Governance **24**(2): 205-230.
- Hanegraaff, M., et al. (2011). "Open the door to more of the same? The development of interest group representation at the WTO." World Trade Review **10**(4): 447-472.
- Heaney, M. T. 2004. Outside the issue niche - The multidimensionality of interest group identity. American Politics Research **32** (6):611-651
- King, G., et al. (1994). Designing Social Inquiry. Scientific Inference in Qualitative Research. Princeton, Princeton University Press.
- Kluever, H., et al. (2015). "Legislative lobbying in context: towards a conceptual framework of interest group lobbying in the European Union." Journal of European Public Policy DOI **10.1080/13501763.2015.1008792**.
- Kohler-Koch, B. and C. Quittkat, Eds. (2013). De-Mystification of Participatory Democracy. EU Governance and Civil Society. Oxford, Oxford University Press.
- Koopmans, R. and P. Statham (1999). "Political Claims Analysis: Integrating Protest Event and Political Discourse Approaches." Mobilization: An International Journal **4**(1): 40-51.
- La Pira, T. M., et al. (2014). "The two worlds of lobbying: Washington lobbyists in the core and on the periphery." Interest Groups & Advocacy doi: **10.1057/iga.2014.4**.

- Miller, M. and B. Riechert (2000). Interest Group Strategies and Journalistic Norms. Environmental Risks and the Media B. Stuart and A. Cartner. London, Routledge: 45-53.
- Rasmussen, A. and B. J. Carroll (2013). "Determinants of Upper-Class Dominance in the Heavenly Chorus: Lessons from European Union Online Consultations." British Journal of Political Science **44**: 445-459.
- Rasmussen, A., et al. (2014). "Representative of the public? Public opinion and interest group activity." European Journal of Political Research **53**: 250-268.
- Wonka, A., et al. (2010). "Measuring the Size and Scope of the EU Interest Group Population." European Union Politics **11**(3): 463-476.