

**THE AMERICAN INTEREST GROUP COMMUNITY IN
THE EUROPEAN UNION: DEVELOPMENT, MAKE-UP,
AND OPERATING TECHNIQUES**

Clive S. Thomas

University of Alaska Southeast
Juneau, Alaska 99801
e-mail: jfcst@uas.alaska.edu

and

Michael L. Boyer

University of Alaska Southeast
Juneau, Alaska 99801
e-mail: atomreyes@yahoo.com

Prepared for delivery at the seventh biennial conference of the
European Community Studies Association, Madison, Wisconsin, May
31-June 3, 2001

ABSTRACT

THE AMERICAN INTEREST GROUP COMMUNITY IN THE EUROPEAN UNION: DEVELOPMENT, MAKE-UP AND OPERATING TECHNIQUES

Clive S. Thomas

and

Michael L. Boyer

University of Alaska Southeast

This paper has three purposes: (1) to trace the development of the US interest group community in the EU and outline its present make-up; (2) to assess reasons for success and failure of American groups lobbying there; and (3) to make preliminary observations about the extent to which lobbying techniques transfer across political systems.

The project is based primarily on original data from 97 structured interviews conducted between 1997 and 2000; plus access to another source of original data on the relationship of business and non-governmental organizations (NGOs) in the policy making process in the EU..

The approach is to first set out the rationale and propositions of the project, explain the methodology and data and define key terms. This is followed by a review of existing literature. Next comes an overview of the goals, development and present make-up of the American interest groups community in the EU. The following three sections explore the area of lobbying strategy and tactics in a transnational setting by comparing American and European lobbying methods, examining the challenges facing the American lobby over the years and how some American groups have tried to meet these challenges, and by presenting preliminary findings on the extent to which lobbying techniques transfer across political systems. The concluding section summarizes how all these findings help enhance an understanding of the American lobby in the EU and of transnational lobbying.

The results reveal an American lobbying community that ranges from the highly professional to very amateur but that American lobbying techniques are being more and more successfully adjusted to European culture and styles. And although American lobbying methods as used in the US meet some resistance in the EU, the increasing pluralism in the EU and the long experience of Americans with lobbying and interest groups activity means that American influence is slowly turning the rather amateurish approach of many Europeans in the lobbying field into more sophisticated operations.

Although a few studies of the political activity of American interest groups operating in the European Union (EU)—formerly the European Economic Community (EEC) and the European Community (EC)—have been produced, there is no comprehensive study of the American interest group community and its operations in the EU. This paper results from a project which, as one of its two primary goals, seeks to provide such a comprehensive understanding. The second goal of the project is to assess the extent to which lobbying techniques are transferable across political systems. This paper presents preliminary findings on both of these project goals.

Specifically, the paper has three purposes: (1) to trace the development of the US interest group community in the EU and outline its present make-up; (2) to assess reasons for success and failure of American groups lobbying there; and (3) to make preliminary observations about the extent to which lobbying techniques transfer across political systems. More detailed analysis of each of these subjects will come in later papers.⁽¹⁾ Based on the extensive data gathered in the project this paper simply maps the terrain and lays the foundation for later work. For example, although the paper identifies factors appearing to determine the success or failure of American groups, an attempt to assess the success of individual interests and segments of the American lobby will be the subject of a later study. Similarly, at this stage, the concern is not to develop a theoretical explanation of the operation of the American lobby in the EU or offer a theory of transnational lobbying. However, the paper does identify and briefly explain elements that might constitute such theories particularly in regard to transnational lobbying and offers the first comprehensive overview of American groups lobbying in the EU.

The approach is to first set out the rationale and propositions of the project, explain the methodology and data and define key terms. This is followed by a review of existing literature. Next comes an overview of the goals, development and present make-up of the American interest groups community in the EU. The following three sections explore the area of lobbying strategy and tactics in a transnational setting by comparing American and European lobbying methods, examining the challenges facing the American lobby over the years and particularly currently and how some American groups have tried to meet these challenges, and by presenting preliminary findings on the extent to which lobbying techniques transfer across political systems. The concluding section summarizes how all these findings help enhance an understanding of the American lobby in the EU and of transnational lobbying.

RATIONALE, PROPOSITIONS, METHODOLOGY, DATA , AND DEFINITIONS

Rationale

The impetus of this project was to examine the extent to which lobbying techniques—strategy and tactics—transfer across political systems by using American interest groups lobbying in the EU as an initial case-study. The specific purpose of the project can be stated as follow. Given that lobbying takes place in all political systems but takes different forms in different political jurisdictions, in regard to liberal democracies:

1. Are there universal elements of lobbying as a political activity, some fundamental aspects of the activity and perhaps some tenets used in attempting to influence public policy common in all countries? If so, what are they and how do we explain them?
2. What are the major differences in the activity, process and techniques of lobbying and how do we explain these? Explaining these differences appears to have a simple answer: They are a product of cultural and institutional differences; and this is probably true. This, however, is far too general, too catch-all an explanation to be of value analytically. We need to understand to what extent culture and institutions make a difference and where they are less important. This US-EU case-study provides some initial insights into this question.
3. Based on the findings on these first two goals, can we develop a general explanation of the similarities and differences of lobbying activity across liberal democracies what we might call a theory of transnational lobbying?(2) This, of course, is a major task and may not be possible in terms of a "general theory" just as a "grand theory" of interest groups has proven difficult to develop. However, this case study provides some insights into what might constitute the general and specific elements of such an explanation.

Given that the American political systems represents perhaps the classic model in terms of the level of development of interest groups and of lobbying activity, using American interests lobbying abroad should tell us much about the extent of the transference (or lack thereof) of lobbying techniques. Furthermore, with first six and now fifteen member countries, each with their own individual lobbying styles and now partially melded into a supranational organization with increasing competence, the EU appeared to be an ideal place in which to assess this transference of American lobbying techniques. At the same time, the study would also provide original insights into the activities and influence of American interests, a major set of outside forces, on the EU past and present.

The Major Proposition and Research Question and Their Modification

The original proposition of this research was: Given that the US has been a major player in the EEC/EC/EU over the years, that the United States is the political system where interest group and lobbying activity is most developed and represents a classic or benchmark system, and that the EU is a form of federation like the US offering multiple points of access for interest groups, it is reasonable to assume that American styles and techniques of lobbying, both through American influence and importation by Europeans have, in whole or in part, shaped the styles and techniques of lobbying in the EU.

From this general proposition was drawn a specific question for the research: To what extent has the success or failure of American groups in the EU been achieved by using American-style techniques and tactics, or depended on adjusting to European cultural norms and, if so, in what ways?

By a third of the way though the project and largely as a result of presenting the first paper from the research (Thomas 1998), it became obvious that the general proposition did not hold and that the main question arising from it was not proving very instructive. The initial research revealed that the attribute of being American was much less important than knowing the system, fitting in with it and having something that officials wanted. So the main question was reworked as follows: What makes an American group lobbying in Europe effective and what makes others ineffective?

The re-focus on lobbying as an activity as opposed to focusing on the attribute of being American, lead to the reformulation of the interview instruments. This together with the broad definition of an American interest (set out below) provided some corroboration of existing research on the American lobbying community in the EU but, in general, it questions many of the early finding, including those of initial stages of this project, and produced a picture of a much more diverse entity than hitherto understood.

Methodology and Data

The methodology of the project involves a synthesis of five information sources: (1) the existing literature on U.S.-E.U. relations and particularly that regarding the operation of American interest in the EU; (2) various works on the theory and operation of interest groups including comparative and transnational lobbying; (3) articles and "how to" guides on lobbying by practitioners, especially those relating to EU lobbying; (4) political science literature in the areas of political culture and other relevant fields; and (5) and the major information sources, a series of 97 structured interviews conducted over a three year period (1997-2000) with American and European politicians, civil servants, group

leaders and lobbyists and other political observers in Brussels and Strasbourg, EU national capitals, in Washington, D.C. and New York.

Those interviewed for the study, referred to here as the Thomas and Boyer project, were chosen in expectation of their knowledge on American groups lobbying in the EU plus their knowledge of European styles of lobbying so that they could make comparisons.(3) In addition, the authors had access to the data from a survey conducted by the Conference Board Europe on the political relationship of business and nongovernmental organizations (NGOs) in the EU. This study, referred to here as the NGO project, which combined mail surveys with some follow-up interviews, produced extensive data on lobbying techniques and what constitutes lobbying effectiveness within the EU (Conference Board Europe 1998).(4) As is the case with many surveys and interviews involving the sensitive areas of interest group strategy and tactics, many of those interviewed in both studies only agreed to participate on the condition that they not be identified.(5)

Definitions

The five terms defined here as a prerequisite to the analysis are: interest group, interest, lobby, lobbyist, and American interest group community.

Interest group is defined broadly as: "an association of individuals or organizations, usually formally organized, which attempts to influence public policy" (Thomas and Hrebener 1999, 114). Many researchers define the term more narrowly and include only formally organized groups and specifically exclude government entities as lobbying forces. Yet many groups and organizations which engage in lobbying are not formally organized and government entities are likely the most prominent lobbying force in all national capitals as well as the EU. The terms interest and lobby are used in a variety of ways. Most often in interest group studies they are used synonymously and interchangeably as generic terms for the collection of individuals, groups and organizations within a particular part of society, such as business, labor, environmentalists (the business lobby, the business interest, etc.). The term lobby always has political connotations; but interest may or may not. Interest may simply refer to a part (i.e. a sector) of society with like-minded concerns or a common identity that may or may not engage in political activity.

Thomas and Hrebener (1999, 115) defined a lobbyist as: "a person who represents an interest group in order to influence government decisions in that group's favor." This definition has gained some acceptance and been used by other scholars (for example, Rosenthal 2001; Nownes 2001). It is too narrow a definition, however, to be used in comparative lobbying analysis for embracing the roles of group personnel (in-house or under contract) designated to aid in affecting public policy (and, indeed, it is too narrow a definition even for

lobbyists in the United States). One major difference in the role of the "hired" or contract lobbyist (a term rarely used outside the US) is that in most countries, including those in the EU, Australia and Canada, these individuals are less likely to contact government officials directly but act as group advisors, monitor activity affecting the group and act as facilitators to set up meetings of group officials with policy makers. In fact, in some cases it is somewhat of a misnomer to call these individuals group "representatives" as some of them may rarely advocate the group's position directly to government. Nevertheless, these people are intimately involved in the process of lobbying as we have defined it, and therefore should be considered as part of the lobbyist community in their respective countries including the EU.

To embrace these roles and other differences between American lobbyists and those in the EU we developed the follows definition:

A person designated by an interest group to facilitate influencing public policy in that group's favor by performing one or more of the following for the group: (1) directly contacting public officials; (2) monitoring political and governmental activity; (3) advising on political strategies and tactics; and (4) developing and orchestrating the group's lobbying effort.

But should we refer to these people as lobbyists in comparative analysis if most countries do not use the term and, indeed, find it pejorative and that countries like France and Sweden do not have the word "lobbyist" in their language? The problem is that there is no widely accepted term that fits this need. Political consultant is probably the most general term used in western democracies to designate a hired lobbyist; and government affairs/public affairs representative are used most to refer to what Americans would call an in-house lobbyist. Both terms, however, are too general and can include other activities not associated with lobbying, such as campaign organizing. The advantage in using the term "lobbyist" is that, even though it is shunned by many countries and primarily associated with the United States, it is widely understood and the functions of the lobbyist more clearly recognized across the western world than any other term.

Delineating the American interest groups community in the EU is crucial for two related reasons. First, it is important for making comparisons with previous research. Previous work has not attempted to define the extent of this community but has often made assessments of the success or lack thereof of segments of it (Cowles 1994, 1996; Jacek 1995, 1995a). A delineation of this community will help place these studies in context and evaluate their findings. Second, the use of a narrow or broad delineation as to what entities are and are not members of this interest group community can lead to quite different conclusions on questions such as perceptions of the community, lobbying techniques used and their appropriateness, the success of individual interest or the community as a whole, and so on.

There are major questions regarding delineation of this community but space permits mentioning only the major concern that relating to American corporations and interest groups that have European affiliates and chapters. For example, General Motors and Ford have been involved in Europe since before World War II and "now account for about a quarter of the European market. As a result, they are accepted as European companies" (Calingaert 1996, 159). The question is, therefore, should these so called "European companies of American parentage" be considered as part of the American lobby together with companies with few or no affiliates in Europe that sell products or services in the EU?

The approach taken in this project is that an interest or lobby will be considered American if it meets the following criteria:

1. Has its headquarters or home base in the US.
2. Was incorporated, founded or organized in the US
3. Its management, employees or members are primarily American
4. Its ownership and control is primarily American

This operational definition clarifies whether lobbying efforts are on behalf of an American interest. For instance, lobby efforts to protect intellectual property of the Walt Disney Company in the EU would be considered in the furtherance of an American interest. However, efforts to alter a zoning restriction in order to expand the Disneyland Paris Resort would not be on the part of an American interest using the above definition because Euro Disney S.C.A., a publicly held French entity, operates Disneyland Paris, and Walt Disney has a 39 percent ownership interest (Walt Disney Company Annual Report 2000, 163-67).

RELEVANT LITERATURE

Four areas of literature are relevant to this study: (1) general treatments on US activity in the EEC/EC/EU; (2) work on US interest group activity in the EU; (3) related literature on interest group studies; and (4) other relevant political science literature, particularly that on political culture, new institutionalism and transnationalism.

US Activity in the EU

This body of literature is small but growing. It consists of two categories of works. First are general texts that treat the broad gamut of US-EU relations such as Coffey (1993), Smith and Woolcock (1993), Peterson (1996) and Calingaert (1996). Second, are works on US-E.U. economic and trade relations such as Gianaris (1991), Cohen, Paul, and Blecker (1996) and Hocking and Smith (1997).

These works provided essential background; but none is concerned with the day-to-day elements of lobbying by US interests in the EU.(6)

American Interest Groups Lobbying in the EU

A very small body of work exists on this subject. Although several scholars allude to American interests (e.g. Greenwood 1997) only Gardner (1991), Jacek (1995, 1995a) and Cowles (1994, 1996, 2001, 2001a) specifically focus on this interest community. Gardner's which is a "how to" guide for American organizations lobbying in the EU provides some insights into the development and cultural problems faced by American interests. The work by Jacek and by Cowles focuses on business groups or aspects of business activity.

Cowles has conducted the most extensive work in this area. Even though her assessment of the role of the EU Committee of the American Chamber of Commerce in Belgium (AmCham) may now need some modification, hers is the benchmark work on the AmCham. Her recent focus is less on the role of American groups lobbying than it is on the private/public US-EU business dialog (Cowles, 2001, 2001a).

Works by these authors have been useful as starting points for this project. However, as stated earlier, there is no general, systematic study of the development, make-up and operating techniques of American interest groups lobbying in the EEC/EC/EU.

The Interest Group Literature

In contrast, the literature on interest groups is vast; though only a small portion of it is relevant to this study and to this paper. The four major areas of this literature drawn on here are as follows.

First, is academic work on interest groups in the EU including Mazey and Richardson (1993), Pedler and Van Schendelen (1994), and Greenwood (1997) all of which provide useful insights on the elements and processes of lobbying. Of more value are works directly concerned with EU lobbying including: Andersen and Eliassen (1991), Kohler-Koch (1994), McLaughlin and Jordan (1993), and McLaughlin, Jordan and Maloney (1993). These focus on the dynamics of lobbying and how institutional structures affect it. Of most use is Van Schendelen (1993) who examines the political cultures of the then twelve members of the EU and how these cultures affected their lobbying styles.

Second, is work on foreign lobbies because in many respects the American interest group community in the EU is a foreign lobby. There is an increasing literature in this area particularly on lobbying in Washington, D.C. and within

the EU by non-member countries. Most of this literature, however, is concerned more with the issues involved in the sovereignty questions raised by foreign lobbies than it is with the cultural and process problems faced by foreign lobbies. Exceptions include: Moon (1988) on the South Korean lobby in Washington, Thomas (1994) on foreign lobbies in the United States, Hocking (1990 and 1991) on the Japanese lobby in the United States, and McLaughlin (1994) and Morrison (1995) on the Japanese lobby in the EU.

Third, are popular, practitioner articles, "how to" lobbying guides on various countries and the EU including some work on transnational lobbying. This literature is extensive ranging from books to magazine and newspaper articles to in-house publications available to the public.(7) While these range in treatment, because they are written by practitioners and journalists covering national capital politics, they have the advantage of identifying the key power points and players of the systems, the process of lobbying, the "do's and don'ts" for successful lobbying, and are often the most useful sources identifying changes and adaptations in political system as power relationships change. While a content analysis of these sources presents a challenge, it does provide the best source for identifying similarities and differences in lobbying and in the lobbying community between countries.

Fourth are studies of comparative interest group activity. Since Erhmann's Interest Groups on Four Continents (1958), a handful of other works have appeared on comparative interest groups including some neo-corporatist studies. Although useful as background for this study, most of this literature takes a country-by-country approach or is focused on general system level comparison and rarely deals with the techniques of lobbying or the transferability of lobbying techniques.(8). Most useful were: Wilson (1990 Chap. 1) which provides a context for comparing interest groups across countries; and Thomas (1993a Chaps 1 and 14) which provides a framework for assessing what shapes the interest group system in a country and reviews trends in comparative and transnational lobbying respectively.

Related Political Science Literature

Although they are yet to be fully explored in this project, three related areas of political science literature are proving very valuable. First, is literature on political culture. Work by van Schendelen (1993) has already been mentioned. Another useful source is Eatwell (1997). Second is the new institutionalism literature especially work on how institution affect interest group activity (North 1990; Czada and Adrienne Windhoff-Héritier 1991; Czada 1991; Windhoff-Héritier 1991). Third, is the transnational literature (Keohane and Nye 1970). The value of these three areas of literature will become clear in the latter part of this paper.

This related political science literature, like the other three areas outlined in this section, provide a context or background for this study. As explained, however, none of this literature treats the American lobbying community in the EU overall. Thus the survey data gathered constitutes the bulk of the source of intermission for this paper. Its major conclusions have been arrived at by comparing the results of the original research with the attributes of lobbying and interest group activity extrapolating from existing literature to produce an understanding of US lobbying activity in the EU and assess the extent to which lobbying techniques are transferable across political systems.

THE GOALS, DEVELOPMENT AND CONTEMPORARY MAKE-UP OF THE AMERICAN LOBBYING COMMUNITY IN THE EU

Goals

Notwithstanding recent moves to greater political integration, the EU has always primarily been, and will likely long remain, an economic entity. Thus, the major reason that American interest groups have had an increasing presence in the EEC/EC/EU is the importance of the Union as a market. As the world's foremost economy and trading nation, the US government and American businesses have had a major interest in trading with the EU and ensuring a favorable political climate to continue and expand operations. As the EEC/EC/EU has grown in both membership and in authority so has the presence of US interests expanded. Today about 15 percent of all US goods and about 25 percent of all services tendered abroad go to the EU. This places the EU second only to Canada as the destination of American goods and ranks the Union first as the destination of US services.⁽⁹⁾ And then there are extensive, more or less, separate European affiliates of American companies like Kellogg, General Motors and Coca Cola, plus American investments in the EU for which no figures are available but which likely extend into the tens of billions of dollars.

Although the economic element has been the major influence on the development and present make-up of the American lobbying community in the EU, two other factors have also been important. First is the US as a non-member of the EU—an Outsider. In effect, it is a foreign lobby in Brussels and Strasbourg and one approach that we can use to understand it—its make-up and operating techniques—is by using the theory on foreign lobbies. Second is the globalization of issues, particularly those related to causes such as the environment, human rights, animal rights and consumer interests. These three factors—economic, outsider status and the globalization of issues—have shaped the make-up of the American lobbying community in the EU and the way that it is viewed there.

Development

Together with listing its goals, an understanding of the contemporary composition of this lobby is best achieved by first reviewing the forces shaping its development over the history of the EEC/EC/EU. Five major factors have shaped this development: (1) the increasing competence of the EEC/EC/EU often accompanied by policies affecting non-member states; (2) EU member attitudes, pro and con, to the increasing economic presence of American businesses in the EU; (3) the advocacy explosion in the EU since the mid-1980s resulting in increased competition for the ear of policy makers; (4) the increasing needs of EU policy makers for information; and (5) forces beyond the EU such as the globalization of issues and changes in US foreign policy, especially trade policy.

Drawing mainly on the work of Cowles (1994, 1996) for the early years and on the Thomas and Boyer study for the most recent developments, Figure 1 (all figures follow the Notes and begin at page 22) provides an overview of the phases of development of the American interest community in the EU. Each of the five factors listed above that have shaped the development of this lobby can be seen in these phases. For example, Phase 2 (The 1970s) was a period very much influenced by EU reactions to the increased presence of American interests; and Phase 4 (1985-95) by both the expansion in EU competence and the interest groups explosion in the Union.

The Make-up of the Contemporary American Lobbying Community

The American lobbying community in the EU is a classic example of a foreign lobby from an advanced nation operating in another advanced political jurisdiction. Such lobbying communities lack the diversity of interests of domestic lobbying communities for the obvious reason that the range of issues of concern to a foreign lobby is much narrower. As Thomas (1994) has suggested, foreign lobbies from advanced nations are composed of five elements: (1) individual businesses; (2) a narrow range of other interests; (3) trade and peak associations; (4) a lobbying support community of private organizations; and (5) the government of that foreign nation. This categorization is applicable to the contemporary make-up of the American lobbying community in the EU.

About 95 percent of American groups and organizations lobbying in the EU today are business interests. AmCham lists 140 members on its website (AmCham 2001) including the following companies: Abbot Labs, AOL-Time Warner, AT&T, Black & Decker, Bristol Meyers Squibb, Coca-Cola, Compaq, Dell, Exxon-Mobil, Ford, General Electric, Federal Express, Gillette, General Motors, Hewlett Packard, IBM, Intel, International Paper, Kellogg, Kodak, Levi Strauss, 3M, Mars, Mastercard, Mattel, McDonalds, Microsoft, Motorola, Nike, Oracle, Pennzoil, Philip Morris, Proctor & Gamble, Texaco, UPS, and the Walt Disney Company.

As indicated earlier, the major peak association representing American interests, mainly business, is AmCham with its separate EU Committee (Cowles 1996). It is probably one of the best known lobbying entities in Brussels and has a reputation as a leader in lobbying strategizing. Some American trade associations also have offices in Brussels as with electrical equipment manufacturers. In addition, some American companies are able to join European trade associations such as that of automobile manufacturers and business software while other European trade associations do not permit this as is the case with the European pulp industry association.

For practical purposes, the American business lobbying community is actually two communities. One consists of organizations that have long had a permanent presence in Europe like the major automakers, Coca Cola and IBM. The other is made up of American businesses and trade associations that have recently established a presence because of the increased authority of the EU such as many high-tech companies. Some of the latter have permanent offices in Brussels, most do not. The bifurcated nature of the American lobbying in the EU became evident during the project interviews and has implications for strategy and tactics as we will see below.

As to American interests other than business, no American labor organization has a permanent presence at the EU level (other than the AFL-CIO in Paris because OECD is located there) and no American agricultural peak association has a presence in Brussels. Some American state governments, like New York and California, have offices in Brussels; but they do not lobby themselves but use their resources to aid businesses from their state in achieving their goals. In the past ten years some American public interest groups, such as environmental, animal welfare, and consumer groups have begun to work with their EU counterparts; but to date none have permanent offices in Brussels. This interaction of US and European public interest groups is likely to expand both because of the increased globalization of issues and the fact that the EU is very supportive of funding interaction between such EU and American groups.

The American lobbying support community expanded markedly after the Single European Act of 1986. The community consists of about twenty New York and Washington, D.C. law firms, such as Hunton and Williams, that have opened Brussels offices; about half a dozen political consultancies, such as Robinson Linton Associates, specializing in aiding American groups; and research and technical advising firms, including accounting firms that work primarily for US interests. Several accounting, law, and consulting firms have joined AmCham: Ernst & Young; Cleary, Gotlieb, Steen & Hamilton; Skadden Arps, Slate, Meagher & Flom; and Arthur Andersen, just to name a few.

Finally, as with any foreign lobby, the role of the national government both in a diplomatic and economic role is very important in promoting the

interests of its lobbying community. Some things can only be dealt with on a government to government level and thus the American public-private partnership is very important to the American lobbying community. The US government operates mainly through the US Mission to the EU and particularly the US Trade Representative (USTR), the Department of Commerce, and various other US representatives.(10) The USTR Office gives direct high level briefings to AmCham (Adams 1998, 2000). However, perhaps the US government's largest role is not as direct lobbyists but as an overarching, powerful yet silent lobbyist. Protectionist standards that discriminate against US interests prompt action by the US Mission and the USTR (Gardner 1991, 45; Adams 1998, 2000).

COMPARING AMERICAN AND EUROPEAN LOBBYING CULTURES AND STYLES

Lobbying and interest group activity have been hallmarks of the American political system since its inception and particularly since the rise of the railroads in the nineteenth century. And as indicated in Figure 1, by the late 1950s a well developed corps of lobbyists and interest groups existed in Washington, D.C. and in many state capitals.

In contrast, until the late 1950s and the pioneering work of a committee of the American Political Science Association (Almond 1958) on several countries, of Finer (1958) on Britain and of LaPalombara (1964) on Italy, interest groups and lobbying were seen as uniquely American and not believed to exist in parliamentary systems. Interest groups and lobbying had, of course, always been part of the political culture in the countries now part of the EU but took a much less overt form and was not seen "influence peddling" which was the way that European viewed American group and lobbying activity. As late as the early 1970, no textbook on British, French or German politics contained a separate chapter on interest groups and few included the term in their index. However, from the mid-1970s onward, scholars and practitioners came to recognize group and lobbying activity and this very much became part of the EU policy making process. Nevertheless, there was still some disdain and resistance to the American culture and style of lobbying.

As represented by the fifteen members nations of the EU, the acceptance of "lobbying" and its styles are very diverse (van Schendelen 1993). For example, the northern European countries (Sweden, Finland, Holland, and Britain) are used to lobbying and lobbyists and EU officials from these countries accept their role. Some southern European countries (Greece, Italy, Spain and Portugal), however, are less used to lobbyists and often have a negative attitude toward them. Thus, there is no one standardized way of lobbying in Europe. However, there are certain elements of the way European conduct political business that shape lobbying activity, some of which contrast with American lobbying styles and processes.

Overall, most Europeans interviewed for the Thomas and Boyer study saw American lobbying as it operates in the US and in some cases in the EU, as much more aggressive and "strong arm" than European styles; more developed in the range of techniques used; more formalized in terms of lobbyist-policy maker contact and presenting information; and much more open to public scrutiny. In terms of specifics, six contrasts are particularly instructive and these are set out in Figure 2. However, it is a mistake to see the American and European lobbying cultures and styles as somehow incompatible, as we will see below.

CHALLENGES FACING AMERICAN INTEREST GROUPS AND THEIR RESPONSE

The contrasts set out in Figure 2 do mean, however, that American interests face challenges in attempting to affect EU policy. These challenges fall into four broad categories: (1) cultural differences; (2) institutional differences; (3) strategical and tactical differences; and (4) non-member status—in effect, the American lobbying community is a foreign lobby. In some cases there is a fifth challenge: an ambivalent attitude of some Europeans, including EU officials, toward Americans and the United States.

American interest have faced these challenges with a wide range of responses from the most sophisticated to the most obtuse. IBM and Chrysler are among the former the Motion Picture Association of America is well-known as being among the latter. What makes the difference? There are, of course, many variables to the success of an interest group. But in terms of style and approach those set out in Figure 3 appear to be keys; they come through time and time again in interviewing EU officials and other observers.

Over the years American interest overall have gotten much more adept at dealing with the EU policy. This is due to several reasons. One is experience particularly for those interests with a long history in Europe. Another is the educational role of the EU Committee of AmCham which helps acclimatize American interests to European ways. Competition among interests for the ear of public officials and the use of more effective lobbying by European interests has also forced American interest to become more adept at dealing with the EU. So stories such as those stemming from the Vredeling initiative and the bullying tactics of the lobbyist for the American Motion Picture Association are by far the exception these days. As might be expected, however, the length of time that an American interest has been in Europe does seem to make a difference in how they are viewed and their level of sophistication in dealing with EU institutions and often to their success.

TO WHAT EXTENT DO LOBBYING TECHNIQUES TRANSFER AND ARE THERE SOME UNIVERSALS OF LOBBYING?: SOME TENTATIVE FINDINGS

While differences certainly exist between American and European lobbying cultures and styles, we also identified several similarities between the activities of lobbying in the US and in Europe. So in this section by using this US-EU case study and comparing it with work on lobbying in the US we come to make some preliminary observations about the extent to which lobbying techniques do transfer and whether we can identify some universals of lobbying. This we approach by first identifying some elements of American lobbying that has influenced EU activities, then looking at the similar elements of US and EU lobbying activity and tentatively identifying these as universals of lobbying. We conclude by raising some unanswered questions about the extent to which certain elements of lobbying are universal.

The Influence of American Lobbying Techniques

Even those interviewed who expressed an "anti-American attitude" agreed that EU and many national capital lobbying processes have been influenced by Americans professionalism in lobbying, and particularly the use of information technology, to the extent that European operations had to professionalize in terms of staff and monitoring techniques to compete with Americans. AmCham, for example, was the first organization in Brussels to develop a legislative tracking system, long before the European Parliament or Commission had such an instrument (Cowles 1996). Thus, American influence is slowly turning the rather amateurish approach of many Europeans in the lobbying field into more sophisticated operations.

Thus, although the American lobbying system is not being adopted by other countries as an American system for reasons stated earlier, in effect, the increasing pluralism of many western democracies— including the declining importance of party and ideology—the attributes of lobbying systems in western democracies are taking on more and more of an American-type complexion.

Similarities in US and EU Lobbying Activity: The Universals of Lobbying?

Whether it is Washington, D.C. one a US state capital or Brussels, Strasbourg or one of the EU member national capitals, there appear to be some fundamental activities of lobbying that are common to these places based on this research. It is important to emphasize the word activity here and distinguish it from process. It is the activity which is universal; the process for achieving these will, to varying degrees, be affected by culture and institutional structures and mores. Research reveals that the six most important of these are those set out in Figure 4.

It is worth noting that much of the time spent on these activities does not involve direct contact or representation of the group to public officials but is still part of the task of lobbying and of the lobbyist as we defined both terms earlier.

While the ultimate goal of all six of these activities is to influence government policy in the group's or organized interest's favor, they do not directly address effectiveness. Our research, however, offers some generic elements that appear to be universals of lobbying effectiveness across the US, the EU and its national capitals. Here there appear to be five crucial elements. All five were best summed up by Stanley Crossick, a veteran of thirty years of lobbying in the EU. "Successful lobbying," Crossick said, "involves getting the right message over to the right people in the right form at the right time on the right issue" (Crossick 1998). These five elements are explained in more detail in Figure 5.

There are also some underlying implications here that must constitute prerequisites for effective lobbying no matter what the system. Three, in particular, are: (1) that lobbying is at root a process of successful interpersonal communications and while this may be affected by cultural norms, the fundamental fact remains; (2) a need for knowledge of where power actually lies in the instance at hand; and (3) the need for adaptability as political circumstances and power relationship change.

Some Unanswered Questions About Culture, Institutional Structure, and Specific National Circumstances

Together, what culture and institutional structures and mores do is shape the forms and processes of these universal activities of lobbying and lobbying effectiveness. In effect, they determine the local "rules of the lobbying game." In many ways cultural and institutional factors overlap and thus may be inseparable. But for analytical purposes it is useful to distinguish between them if only because culture is more about values and behavior and institutions more about structures and processes.

As we saw in the US-EU case study, the importance of culture influences varies considerably and culture is, of course, a dynamic and not a static factor. Initial findings lead us to conclude that the more a group or interest is needed by public officials—elected or appointed—in the long-term or on a particular occasion or issue, as in the case a big American computer company supplying low-cost computers, they will overlook cultural traits such as "hard sells" and the use of "hired guns" as lobbyists. In short, the power base of the group is crucial and may override all other factors.

To use the stock phrase of the new institutionalists--institutions matter. Just a cursory glance at the American versus a parliamentary system will show the importance of the way that institutional structures channel lobbying processes and shape its techniques. But to what extent do they affect the universals of lobbying? This is complicated by two factors which are the two issues that divide institutionalist scholars: the definition of institutions; and the role institutions play in political and social life. While most definitions include both formal organizations and institutional rules and procedures that structure conduct, others include factors such as norms and class structure (Steinmo 1992, 19). North (1990, 3), for example, has defined institutions as "the rules of the game in a society, or more formally, . . . the humanly devised constraints that shape human interaction."(12) These are issues that we have yet to tackle.

There are likely to be some aspects of politics, certain political issues, or the general culture that will be unique to a particular country or other jurisdiction. For example, this may be the attitude toward another nation, xenophobic or not, as is the case with Europe and the US mentioned above; or the unique historical relationship between an interest group and a political party; or a long or short-term issue that has no specific counterpart elsewhere, such as the compensation for victims of Nazi forced labor by companies using this labor. Such unique factors may not lend themselves to generic comparative explanations of lobbying. Therefore, any comparative theory of lobbying must include some element to allow for the uniqueness of local jurisdictional circumstance.

CONCLUSION

In this paper we have employed a case study of the American interest community lobbying in the EU to throw light on the extent to which lobbying techniques transfer across political jurisdictions. In so doing, we have not only been able to provide the first comprehensive understanding of the development and make-up of the American lobby in the EU but also point to underlying elements, in terms of the fundamentals of lobbying activity and success, which observations to be made on why some American interests have been more effective than others. The case study also enables us to extrapolate as to what might be some fundamentals of lobbying and lobbying success.

In regard to the American interest group community in the EU three conclusions are particularly instructive. First, in this paper for convenience we referred to "the American interest group community" as if it were a monolith or a united entity. As has been shown, however, American groups and organizations have varying levels of presence in Brussels; and they use a range of techniques with varying levels of success. American lobbying operations in the EU range from the highly professional to the amateurish. And with the expanding role and size of the EU this diversity is likely to increase. Second, American interests are becoming increasingly skillful in adjusting to and

securing benefits from the EU policy process and the examples of American ineptitude in lobbying the EU are becoming less and less. Third, even though the culture and styles of lobbying used in the US meet resistance in the EU, the long experience of Americans with lobbying and group organization has proven very useful for those who know how to adapt these experiences to fit with European norms and needs.

Similarly, of the various points revealed by the study on the transferability of lobbying and group activity, three appear to be particularly enlightening. First, and perhaps most important, is that, at least based on this study, there do appear to be some universals of lobbying as an activity—building contacts, monitoring, etc.—and that these transcend culture and institutional structures and mores. Second, generally, culture and institutional strictures dictate the processes—the local "rules of the game"—of these lobbying activities: the ways of dealing with public officials and the channels of access. Yet, while culture can often act as a restraint and determinant of lobbying activity, other factors, particularly a power base and serving the immediate needs of public officials, can make it less significant. Third, while culture and institutions will always give some local variation to lobbying, there is an increasing confluence in techniques—such as methods of legislative tracking, the use of for-hire lobbyists, and more formalized planning of campaigns—across liberal democracies—or at least those of the US and EU.

NOTES

1. The preliminary paper from this study (Thomas 1998) was based on the first third of the data gathered on the project. A paper on the subject of transnational transfer of lobbying techniques which draws, in part, on more data from this study, will be presented at the American Political Science Association meeting in San Francisco this August/September (2001).

2. The term transnational is used in this project to refer to an interest group from one country lobbying in another country or a nongovernmental organization (NGO) lobbying in a country other than its home based country. This term is used rather than international lobbying because, at least in the international relations literature, international lobbying usually denotes governments lobbying other governments, whereas transnational lobbying is used to denote non-state actors lobbying across borders.

3. Clive Thomas acknowledges the support of the Fulbright European Union Senior Scholar Research Program for providing the bulk of the funding for this research project.

4. This project, on which Clive Thomas was the consultant researcher, involved the mailing of 345 surveys to businesses, interest groups, political consultants, EU officials, Members of the European Parliament (MEPs), and journalists. Two survey instruments were developed, one for businesses to detail their relations with NGOs in the context of European policy making, and one for those who observed the relationship between business and NGOs. The return rate was 31 percent (107 of the 345 mailed). The surveys were followed up by 43 interviews conducted by two researchers to augment information provided in returned surveys. The authors thank the Conference Board Europe (Brussels Office) for allowing the data from this project to be used in their research.

5. Of the 97 organizations and individuals who were interviewed for the Thomas and Boyer study only 35 were willing to allow themselves to be identified. The organizations permitting attribution included: Amnesty International (Brussels); CARE International (Brussels); Chrysler Europe; Dow Chemical Europe; Digital Corporation; EU Directorate General I (External Relations, EU-US Affairs); EU Directorate General XI (Environmental Division); European Environmental Bureau; Greenpeace (Amsterdam office); Polygram; Robinson Linton Associates (consultancy); Symon Visser, Strategic Value Ltd. (consultancy); Hunton & Williams (law firm/consultancy); The European Policy Center (consultancy); Interel (consultancy); SDS Corporation; ICL Corporation; the US Mission to the European Union (US Trade Representative's Office); the World Wildlife Fund; IBM-Europe; Time-Warner; ExxonMobil Chemical; and BEUC (European Union of Consumers).

6. One very recent and one forthcoming work on US-EU/transatlantic relations were unable to be obtained before writing this paper. These are: Eric Philippart and Pascaline Winand, eds., Ever Closer Partnership: Policy-Making in US-EU Relations (Brussels: Peter Lange/Inter-University Press, 2001), and Mark Pollack and Gregory Shaffer, eds., Transatlantic Governance in a Global Economy (Lanham, MD: Rowman and Littlefield, 2001 forthcoming). However, the authors were able to obtain advanced copies of the chapters in these books on the Transatlantic Business Dialog written by Maria Green Cowles for which they extend his thanks. See the Reference section for these citations.

7. Examples of these sources are: on the US deKieffer (1981) and Smith (1979); on Britain Miller (1990), Greer (1985) and some chapters by practitioners in Jordan (1990); on Canada, Sawatsky (1983); on Australia, Cullen (1990) and Sekules (1991); and many on the EU including Gardner (1991), Anderson (1992), Oglivie (1993), Bony (1994), as well as chapters by practitioners in Mazey and Richardson (1993).

8. Besides Erhmann (1958), the major works on comparative interest groups include: edited volumes by Thomas (1993), Richardson (1993); and authored books by Ball and Millard (1987) and Wilson (1990). The edited volumes, including Erhmann, use a country-by-country approach with one or two chapters written from a comparative perspective. The authored books focus on group sectors (Ball and Millard) or on individual countries and basic topics such as explaining corporatism (Wilson).

9. Figures obtained from the US Bureau of the Census: from an interview of July 7, 1997 with Richard M. Preuss of the Bureau and from the Bureau's web site, <http://www.census.gov/foreign-trade>.

10. Obviously, the role of the US government goes far beyond this interest group support role in the EU and extends into the security and military realms. These three roles overlap and often affect American interests lobbying in the EU. The juncture of the economic, the security and the military and how it affects American interest groups lobbying in the EU is a major study of its own awaiting to be conducted. However, for purposes of this project we deal only with the US government's role in aiding (and in some cases hindering) the goals of American private interests.

FIGURE 1

DEVELOPMENT OF THE AMERICAN LOBBYING COMMUNITY IN THE EU

PHASE I--1957-EARLY 1970S: PROMETHEUS LOBBYISTS

The American Chamber of Commerce in Belgium was established in 1948. But it was not until after the Treaty of Rome (1957) that U.S. interests organized and developed a Pan-European perspective. Responsive to a more unified Europe, American interests founded the European Council of American Chambers of Commerce in 1963, known as AmCham. By the early 1970s, American multinational enterprises (MNEs) began to develop European Community public affairs departments and set up Brussels offices.

The US lobby entered postwar Europe with broad experience not just in organization and monitoring government policy, but in the transmission of communication in order to influence government decision-makers. Unlike the situation in Europe, lobbying and organized interest group activity was well developed in the U.S. by the 1950s. Thus, like Prometheus, US MNEs brought the spark of lobbying--organization, information, and techniques of influence--to Europe. These lobbying practices would both be an asset and a disadvantage for the American lobbying community.

PHASE 2—THE 1970S: EUROPEAN RESISTANCE AND AMERICAN REACTION

The tremendous influence of US firms and the American style of lobbying, resulting from the so-called "American Invasion" prompted concern to the extent that the 1970s can be characterized as a decade of European resistance to U.S. MNEs. Legislation, court decisions, and policy pronouncements were geared toward controlling dominant US MNEs like Coca-Cola, IBM, General Foods, Kodak and H.J. Heinz.

In response, American firms in Brussels further organized into groups such as the Ravenstein Group, "one of the first groups of American companies in Brussels;" the International Public Affairs Forum (IPAC); and the Industry/Government Ad-Hoc Council (Cowles 1994, 131-132).

PHASE 3—1980-85: THE VREDELING FALLOUT

In 1980, the European Commission proposed the Vredeling initiative as a means of promoting employee rights and bargaining power by requiring MNEs to share with their European subsidiaries a clear picture of the MNEs undertakings. The response was an "all out attack" by U.S. MNEs spearheaded by the EU Committee of AmCham; a plane full of Washington D.C. lawyers descended upon Brussels (Cowles 1996, 345). The result was a public relations disaster for US firms, and "controversy [that] did not die down until the mid-1980s" (Cowles 1996, 345-46). The Vredeling disaster resulted in a widespread realization that, despite the fact the US has laid ground work for EU lobbying, certain US lobbying tactics were simply not transferable to Europe, primarily aggressive, hard sell, third party, legalistic lobbying.

PHASE 4—1985-95: EXPANSION AND ADAPTATION IN THE INFORMATION AGE

This was the most dynamic period in the development of the American lobbying community in the EU. The lessons of the Vredeling initiative, the Single European Act, the Maastricht Treaty and the pending revision in the Union charter expected in Amsterdam, had several major influences on the make-up and operation of the lobby and its affect on EU practices. These were: (1) an increase in the number and range of American businesses setting up Brussels offices; (2) a major expansion in the American lobby support community (law firms, accountants, consultancies); (3) increased role of the US government's support function for the American lobby; (4) major adaptation of American interests to functioning in the policy arena more like Europeans and less like Americans in lobbying; and (5) American interests being the leaders in the use of organization and technology in lobbying as the information age (computers, the Internet, etc.) developed. This movement was led by AmCham and has had much influence on EU lobbying techniques.

PHASE 5—MID-1990-PRESENT: REGROUPING, AND GLOBAL INFLUENCES

From prior to the Amsterdam Treaty to the present two developments are noticeable. First, the developments of 1985-95 have given way to a period of reflection and regrouping on the part of many American interests, especially business interest as they watch to see how thing will play out with developments like European Monetary Union (EMU) and pending EU expansion to the East. There appears to be a lull in the opening of new Brussels offices by bother American businesses and the support community. Some businesses feel that they over-reacted in the previous ten years and, in fact, have pulled back their operations in Brussels to their U.S. offices (e.g. on electrical waste and related environmental issues) a move made possible, in part, by increased communications technologies such as the Internet. New initiatives have been launched like the Transatlantic Business Dialog which places the emphasis on private organizations initiating policy and aiding in solutions particularly in trade disputes involving American interests.

AmCham also appears to have gone through major changes. The edge that is once had on information and technological aid to the Commission and Parliament is gone and the presence of many consultants (a practice now curtailed) has raised concerns among many members of the group. And like all umbrella organization its generic/common denominator role (mainly on trade issues) is off less use to many of its members as EU policy gets more complex and specific. However, AmCham remains perhaps the most important force in the American lobbying community.

The second development is that, as the result of the increasing globalization of issues, several American non-economic interests, mainly cause groups largely through affiliation with their EU counterparts, have established a presence in the EU. This has added some diversity to the long-time monolithic business make-up of the American lobbying community.

Source: Calingaert (1996); Cowles (1994, 1996, 2001); The EU Committee of AmCham website <http://www.eucommittee.be/Pages/prof9>; Gardner 1991); Jacek (1995, 1995a); and the Thomas and Boyer study.

FIGURE 2

COMPARING US AND EUROPEAN LOBBYING METHODS AND STYLES

1. Legalism versus Traditionalism.

Partly to ensure that laws will not be declared unconstitutional by federal or state courts, but more perhaps because of the preoccupation with law and legalism that pervade American government, lobbying in the US often places great emphasis on legal advice and has given a pre-eminence to lawyers in the process of lobbying. To be sure, in the EU eventually all laws and regulations have to comply with the Treaty. However, in Europe and the EU, concern about legality and the role of lawyers in the early stages of policy making is much less significant. What is important is getting the policy drafted. Thus, many EU officials find the American preoccupation with legality in EU policy making as at best marginally important and at worst annoying.

2. The Language Factor

Multi-lingualism is not part of the experience of most Americans in their lobbying activities. In Brussels, however, there are a host of languages in which business can be conducted and the final version of proposals and legislation can be written in one of several languages. This places many American interest groups at a disadvantage especially when they offer changes in English to EU proposals the final draft of which will end up in a different language. Inevitably something, often much, is lost in translation.

3. Specific Access and Influence Techniques

Not being multi-lingual also marks someone out as an "outsider" and can inhibit access and influence in political subculture like the EU where multi-lingualism is wide-spread among policy-makers. Furthermore, often the best way to deal with a Dutch official, a French official or some other national in a decision-making capacity in the EU is to get a national of that country to approach him or her. In many cases Americans start at a disadvantage in contacting EU officials partly because there is an underlying skepticism, a sort of love-hate ambivalence, toward Americans for a variety of reasons including the preconception that Americans will try the "hard sell" in lobbying which is likely much less true in practice but is the perception.

Americans tend to be very businesslike on their first lobbying meeting with a public official providing position papers and other information. European lobbying, however, tends to be much lower-key on the first contact. And if this is a social meeting, such as a lunch (most likely arranged by a mutual contact), the lobbyist will often engage in small talk for most of the meeting and only at the end bring up the issue of concern and then perhaps only to ask how the official would like information presented at a later date.

EU officials also prefer to deal with individuals whom they know (public affairs people of various organizations, for example) and are disenchanted by delegations of representatives

from outside Brussels who come only for a day or so to make their points heard. American officials may also not be enamored by such meetings; but as they may be directly dependent on the groups—which EU officials would not be—they have to listen and agree to such meetings. Thus, American delegations from the US often get short-shrift from high-level EU officials and find themselves meeting with a lower level functionary in what is a perfunctory meeting.

4. The Range of Lobbying Strategies and Tactics

As the last example shows, Europeans are much more likely to use "insider" or direct contact in lobbying, as opposed to "outsider," indirect techniques, such as grassroots or media campaigns. This does not mean that the whole range of American techniques are not known to European interest groups and lobbyists or that they are not being used in some instances; rather it is a case of many not being part of the tradition of lobbying or being strategically or tactically inappropriate. Perhaps the most obvious of these is the use of campaign fund contributions by interest groups to candidates and parties. While this is increasing in Europe it is minuscule compared to the role of PACs in the United States. Of all the contrasts between US and European lobbying this is the one singled out by most of those interviewed as a major difference between the two lobbying systems. It leads many Europeans to believe that money is the most important factor in lobbying in the US and that policy outcomes are up for sale.

5. Lobbyists, Consultants and Their Roles

The contract lobbyist, common to Washington, D.C. and all fifty state capitals, does not have an equivalent in Brussels. The Brussels consultant (Robinson Linton Associates, Symon Visser's Strategic Value Ltd., for example, both interviewed for this paper) act as facilitators or advisors making appointments with EU officials for their clients and helping them plan strategies; but they do not usually meet directly with EU officials as American contract lobbyists would with politicians or bureaucrats in the U.S. Europeans do not like the idea of "hired guns" coming to represent clients; they insist on the principals of organizations—what American term in-house lobbyists—representing their organizations to public officials. Some American law firms in Brussels do, however, act as contract lobbyists for their American clients often against the advice of these law firms. In part, it was the concern among many Commission and parliamentary officials of seeing the same person on several occasions representing different American clients that lead to the demands for transparency (public disclosure) in lobbying at the EU level in the mid-1990s.

6. An Institutional and Procedural Constraint

Unlike the situation in the U.S. where "defensive lobbying," is a widely used tactic, it is not the nature of EU lobbying to stop something—to kill it. Proposals go through many levels and are changed only marginally at each level in the EU. Once a basic policy has been decided upon it is unlikely to be abandoned. This perplexes Americans who do not understand the EU policy process, often frustrates them, and sometimes causes bad feeling with EU officials when some Americans try to kill legislation, proposals or regulations. Watching their European counterparts accept this situation, some Americans mistake this for weakness of European lobbyists and see them as compromising too easily.

Source: Anderson (1992), Bony (1994), Gardner (1991), Mazey and Richardson (1993), Oglivie (1993) and the Thomas and Boyer Study.

FIGURE 3
RECOMMENDED APPROACHES FOR AMERICAN INTERESTS
DEALING WITH EU POLICY MAKERS

- 1. American interests should use Europeans to contact EU officials:** Although this rule does not always hold, especially if the organization has a long-standing relationship in Europe, it is recommended for interest newly established in Brussels and for first time contacts.
- 2. If at all possible set up a Brussels office:** This facilitates building good relations with EU officials. As one lobbyist for a major American automaker in Europe put it: "after all personal contacts are everything in lobbying no matter the country or political system."
- 3. Hiring a consultancy that is familiar with the system and its nuances:** This may be an American-type consultant (like Robinson Linton Associates, which is, in effect, very European) but more likely it will involve hiring a European consultancy.
- 4. American public affairs offices should not use Americans to be front people:** They can be planners or strategizers but not contact people (lobbyists) under most circumstances. Again, this rule does not always apply but it is a good guide.
- 5. The hard sell and strong-arm tactics tend not to work in EU lobbying:** This is not to say that they do not exist and are often part of the German approach. But Germany is a member of the EU and can get away with this to some extent; whereas Americans are non-members and have to overcome certain prejudices regarding perceptions of lobbying tactics.
- 6. The need to understand the limitations of the EU policy making system:** Its fluidity in turn-over of officials, its shifting power relationships and its bias against killing legislation are some elements that are hard to grasp by American interest group representatives.
- 7. Split lobbying between maintenance and issue lobbying as do many European companies:** The audience lobbyist does the rounds and maintains contact. Then he/she brings in the issue lobbyist for special issues and may accompany him/her on the visit.
- 8. Businesses should join AmCham:** It is well respected as an effective lobbying force in the EU and has much credibility. It also provides many opportunities for Americans to become acculturated to EU style lobbying.
- 9. The contract lobbyist, hired gun approach should be used with caution:** In some circumstances, especially for those companies not able to spend much time in Brussels, it may be the only alternative. Furthermore, the contract-type lobbyist is beginning to gain acceptance in the EU. There is still considerable antipathy among EU officials regarding contract lobbyists, however.
- 10. Americans should demonstrate a pan-European attitude:** As interests from a non-member state with no European parochial interest to champion, Americans are in an ideal position to show that they are promoting the interests of the EU as a whole. Several of the EU officials interviewed commented on how this was a major asset that Americans could capitalize upon and help counter their negative image as lobbyists and the other biases often directed

toward Americans. They can do this by showing their economic benefit to the EU; and also by simply serving the needs of EU officials by being major sources of information bearing in mind that EU officials take an oath to promote the interests of the EU.

Source: Anderson (1992), Bony (1994), Gardner (1991), Oglivie (1993) and the Thomas and Boyer Study.

FIGURE 4
SIMILARITIES IN US AND EU LOBBYING ACTIVITIES

- 1. Monitoring the activities of government and other interests as they affect the group:** Most lobbyists—hired or in-house—spend a large part of their time on monitoring. This may seem obvious. However, Baumgartner and Leech (1996) point out that, with the exception of Schlozman and Tierney (1986) and Heinz, *et al* (1993), most surveys of lobbying activity in the United States have omitted this activity. More recent work on the American states (Nownes and Freeman 1998) also confirm this.
- 2. The fundamental importance of making and maintaining contacts in government and with other groups:** One in-house lobbyist for Shell Oil said in an interview: "There are three important things to know about lobbying: contacts, contacts and contacts." Again, this may seem obvious. But for many years in parliamentary systems, including EU countries, it was believed that party-group ties (especially in countries with strong interest groups aligned with strong parties) precluded any lobbying outside this relationship based on personal, often informal, contact along the lines of the United States.
- 3. Building trust, credibility, and in some cases loyalty, with one's contacts, especially public officials:** This is simply the lobbying dimension of any close interpersonal relationship based on mutual benefit. While virtually all lobbyists list it, this factor tends to be more important to groups and representatives with relatively less influence.
- 4. Working to create a relationship with public officials where they will want to help one's group:** This is more than establishing and maintaining contacts and building up trust and credibility, though it involves all of these. It is the next step of making the public official want to use some resources—political capital—in a group's favor. It is essentially based upon need or a feeling of obligation on the part of the public official: need for information, a *quid pro quo* for a past aid, and so on. Such need or obligation, if strong enough, will give certain lobbyists great influence even though their trustworthiness and loyalty may sometime be suspect. This is part of the reason why some apparently "sleazy" lobbyists remain very prominent.
- 5. Working to insure harmony within the group and with other group allies on key lobbying issues:** Lobbyists and group leaders indicate that this is a major part of their task and is fundamental so as not to send mixed messages of the group's position to policy makers.
- 6. Continually refining the lobbying plan—strategy and tactics—in the light of the changing political climate:** This includes the political climate within the group as well as the external political situation in terms of group allies and opposition and changing government attitudes. It is perhaps even more important in the EU because of the fluidity and amorphous nature of the policy making process.

Source: Baumgartner and Leech (1996), Schlozman and Tierney (1986), Heinz, *et al* (1993), Nownes (2001), Nownes and Freeman (1998), Anderson (1992), Bony (1994), Gardner (1991), Oglivie (1993) and the Thomas and Boyer study.

FIGURE 5
FUNDAMENTAL ATTRIBUTES OF SUCCESSFUL LOBBYING

- 1. Conveying the right message;** This refers to the specific information that the group needs to get across to a policy maker. Sometimes this might be advocacy at other times simply some fact or statistic. The skill is in gauging what is most appropriate to be effective.
- 2. Delivering the message to the right people:** This involves knowing the key decision maker(s) and focusing on that person or group. This may not necessarily be the head of a government department or legislator. It may be a middle level manager or aide.
- 3. Presenting the message in the right form:** This necessitates knowing how policy makers want information presented or what is the most appropriate way to present it at the time, written or oral, presented by a consultant or the principal of a group.
- 4. Delivering the message at the right time:** This means that the message will be less effective, even lost if it is not delivered at the most crucial time that it is needed and when most appropriate during a communication with a public official.
- 5. The message must be on the right issue:** This indicates that even though the first four factors may be present, if the issue is not one capable of being affected by the group because of all sorts of factors—such as whether or not it is in the group's general area of lobbying, the resources brought to bear, salience of the issue to policy makers and the public, etc.—success may not be achieved however successful the group might be in general and however much effort it puts into lobbying. This confirms Baumgartner and Leech's (1996) point that effectiveness may very much be issue related. This was certainly borne out in the US-EU interviews, data that we will present in another paper.

Source: Crossick (1998).

REFERENCES

- Adams, Nancy [US Trade Representative in Brussels]. 1998 and 2001. Personal interviews.
- Almond, Gabriel A. 1958. "A Comparative Study of Interest Groups and the Political Process." American Political Science Review, 52 (March): 270-82.
- AmCham [American Chamber of Commerce in Belgium]. 2001. Website <http://www.eucommittee.be/Pages/prof9>;
- Andersen, Cecilia. 1992. Influencing the European Community. London: Kogan Page.
- Andersen, S. and Eliassen, K. 1991. "European Community Lobbying." European Journal of Political Research, 20 (2): 281-288
- Ball, Alan R., & Frances Millard. 1987. Pressure Politics in Industrial Societies: A Comparative Introduction. Atlantic Highlands, NJ: Humanities Press International.
- Baumgartner, Frank R., and Beth L. Leech. 1996. "Problems in the Study of Lobbying." Paper presented at the annual meeting of the American Political Science Association.
- _____. 1998. Basic Interests: The Importance of Groups in Politics and in Political Science. Princeton: Princeton University Press.
- Bony, Elizabeth de. 1994. "Lobbying the EU: The Search for Ground Rules." European Trends, No. 3: 73-79.
- Calingaert, Michael. 1996. European Integration Revisited: Progress, Prospects and US Interests. Boulder, CO: Westview Press.
- Coffey, Peter. 1993. The EC and the United States. New York: St. Martin's.
- Cohen, Stephen D., Joel R. Paul and Robert A. Blecker (1996). "European Union-United States Trade Relations." Chapter 10 in their, Fundamentals of US Foreign Trade Policy: Economics, Politics, Laws and Issues. Boulder, CO: Westview.
- Conference Board Europe. 1998. "Dealing Effectively with Non-Governmental Organizations in European Union Public Affairs: A Guide for Business." Brussels: The Conference Board Europe.

- Cowles, Maria Green. 1994. "The Politics of Big Business in the European Community: Setting the Agenda for a New Europe." Ph.D. Dissertation, American University.
- _____. 1996. "The EU Committee of AmCham: The Powerful Voice of American Business in Brussels." Journal of European Public Policy, 3, (3): 339-358.
- _____. 2001. "The Transatlantic Business Dialogue: The Private Face of Transatlantic Relations." In Eric Philippart and Pascaline Winand, eds., Ever Closer Partnership: Policy-Making in US-EU Relations (Brussels: Peter Lange/Inter-University Press), 229-266.
- _____. forthcoming 2001a. "The Transatlantic Business Dialogue: Transforming the New Transatlantic Dialogue." In Mark Pollack and Gregory Shaffer, eds., Transatlantic Governance in a Global Economy (Lanham, MD: Rowman and Littlefield), 213-233.
- Crossick, Stanley [European Public Policy Center]. 1998. Personal interview, Jan. 25
- Cullen, P. 1990. No is Not an Answer: Lobbying for Success. Sydney: Allen and Unwin.
- Czada, Roland M. 1991. "Interest Groups, Self-Interest, and the Institutionalization of Political Action." In Czada and Windhoff-Héritier, eds., cited below.
- Czada, Roland M., and Adrienne Windhoff-Héritier, eds. 1991. Political Choice: Institutions, Rules, and the Limits of Rationality. Boulder, CO: Westview Press.
- deKieffer, Donald. 1981. How to Lobby Congress: A Guide for the Citizen Lobbyist. New York: Dodd, Mead.
- Ehrmann, Henry W. ed. 1958. Interest Groups on Four Continents. Pittsburgh: Pittsburgh University Press, 1958.
- Eatwell, Roger, ed. 1997. European Political Cultures: Conflict or Convergence? London: Routledge.
- Feld, Werner J. 1972. Nongovernmental Forces and World Politics. New York: Praeger.
- Finer, Samuel. E. 1958. Anonymous Empire. London: Pall Mall.

- Gardner, James N. 1991. Effective Lobbying in the European Community. Boston: Kluwer.
- Gianaris, Nicholas V. 1991. The European Community and the United States Economic Relations. New York: Praeger.
- Greenwood, Justin. 1997. Representing Interests in the European Union. London: Macmillan.
- Greer, Ian. 1985. Right to be Heard. London: Ian Greer Associates.
- Heinz, John P, Edward O. Laumann, Robert L. Nelson, and Robert H. Salisbury. 1993. The Hollow Core: Private Interests in National Policy Making. Cambridge, MA: Harvard University Press.
- Hocking, Brian. 1990. "Bringing the 'outside' in: the role and nature of foreign interest lobbying." Corruption and Reform, Vol. 5, No. 3: 219-33.
- _____. 1991. "Japanese Lobbying in the United States: Foreign Threat or Domestic Politics." World Today, Vol. 49, No. 7.
- Hocking, Brian, and Michael Smith. 1997. Beyond Foreign Economic Policy: The United States the Single European Market and the Changing World Economy. London: Pinter.
- Jacek, Henry J. 1995. "The American Organization of Firms." Chapter 14 in Justin Greenwood, ed., European Business Alliances. Hemel Hempstead: Prentice Hall.
- _____. 1995a. "The Influence of Organized American Business on Public Policy in the European Union." A paper delivered to the 10th. International Conference of Europeanists, Charleston, SC.
- Jordan, A. G. ed. 1990. The Commercial Lobbyists. Aberdeen: University of Aberdeen Press.
- Keohane, Robert O., and Joseph S. Nye, Jr. eds. 1970. Transnational Relations and World Politics. Cambridge: Harvard University Press.
- Kohler-Koch, B. 1994. "Changing Patterns of Interest Intermediation in the European Union." Government and Opposition, 29 (2): 166-80.
- LaPalombara, Joseph. 1964. Interest Groups in Italian Politics. Princeton: Princeton University Press.

- Mazey, Sonia., and Jeremy J. Richardson. eds. 1993. Lobbying in the European Community. Oxford: Oxford University Press.
- McLaughlin, Andrew M. 1994. "Outsiders Inside? Japanese Lobbying in the European Union." A paper delivered to the 9th. International Conference of Europeanists, Chicago.
- McLaughlin, A. and Jordan, G. 1993. "The Rationality of Lobbying in Europe: Why are Euro-Groups So Numerous and So Weak? Some Evidence from the Car Industry." In Mazey and Richardson, cited above.
- McLaughlin, A., G. Jordan and W. A. Maloney. 1993. "Corporate Lobbying in the European Community." Journal of Common Market Studies, 31 (2), 191-212.
- Moon, C.-I. 1988. "Complex Interdependence and Transnational Lobbying: South Korea in the United States." International Studies Quarterly, 32 (1): 67-89.
- Morrison, Dan. 1995. "Mastering the System: How Disparities Within the European Union Contribute to Japan's Lobbying Success." In Justin Greenwood, ed., European Casebook on European Business Alliances. Hemel Hempstead: Prentice-Hall.
- North, Douglass C. 1990. Institutions, Institutional Change, and Economic Performance. Cambridge: Cambridge University Press.
- Nownes, Anthony J. 2001. Pressure and Power: Organized Interests in American Politics. Boston: Houghton Mifflin.
- Nownes, Anthony J., and Patricia K. Freeman. 1998. "Interest Group Activity in the States." Journal of Politics, 60: 86-112.
- Oglivie, Heather. 1993. "Lobbying in Europe: A Show of Restraint." Journal of European Business, 2 (3), July-August: 48-51.
- Pedler, Robin H., and M P C M. van Schendelen, eds. 1994. Lobbying the European Union: Companies, Trade Associations and Issue Groups. Aldershot: Dartmouth
- Peterson, John. 1996. Europe and America: The Prospects for Partnership. 2nd. ed. London: Routledge.
- Richardson, Jeremy J. ed. 1993. Pressure Groups. Oxford: Oxford University Press.
- Rosenthal, Alan. 2001. The Third House: Lobbyists and Lobbying in the States. 2nd. ed. Washington, D.C.: CQ Press.

- Sawatsky, J. 1987. The Insiders: Government, Business and the Lobbyists. Toronto: McLelland and Stewart.
- Schlozman, Kay Lehman, and John T. Tierney. 1986. Organized Interests and American Democracy. New York: Harper & Row.
- Sekulesk, P. 1991. Lobbying Canberra in the Nineties. Sydney: Allen and Unwin.
- Smith, Dorothy. 1979. In Our Own Interest: A Handbook for the Citizen Lobbyist in State Legislatures. Seattle: Madrona.
- Smith, Michael and Stephen Woolcock. 1993. The United States and the European Community. London: Pinter Publishers for the Royal Institute of International Affairs.
- Steinmo, Sven, et al, eds. 1992. Structuring Politics: Historical Institutionalism in Comparative Analysis. New York: Cambridge University Press.
- Thomas, Clive S., ed. 1993. First World Interest Groups: A Comparative Perspective. Westport, CT: Greenwood Press.
- _____. 1994. "Toward a General Understanding of Foreign Lobby Activity in the United States." A paper presented at the annual meeting of the Pacific Northwest Political Science Association, October.
- _____. 1998. "American Interest Groups Operating in the European Union: Some Preliminary Findings." Paper presented at the annual meeting of the American Politics Group, Manchester, England, January.
- Thomas, Clive S., and Ronald J. Hrebenar. 1999. "Interest Groups in the States." Chapter 4 in Virginia Gray, Russell L. Hanson and Herbert Jacob, eds., Politics in the American States: A Comparative Analysis, 7th. ed. Washington, D.C.: CQ Press.
- van Schendelen, M. P. C. M., ed. 1993. National Public and Private EC Lobbying. Aldershot: Dartmouth.
- Walt Disney Company. 2000. Annual Report 2000. Los Angeles, CA.
- Wilson, Graham K. 1990. Interest Groups. Oxford: Basil Blackwell.
- Windhoff-Héritier, Adrienne. 1991. "Institutions, Interests, and Political Choice." In Czada and Windhoff-Héritier, cited above.