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Trading information for access: informational lobbying strategies and interest group access to the European Union

Adam William Chalmers

ABSTRACT Lobbying in the European Union (EU) is defined by an exchange of information: well-informed interest groups supply understaffed and pressed-for-time decision-makers with policy-relevant information for legitimate ‘access’ to the EU policy-making process. While we know quite a bit about the informational needs of decision-makers, an interest group’s capacity to meet these needs remains relatively uncharted territory. This analysis examines the informational determinants of interest group access to the EU from a supply-side perspective; namely, how do different types of information and different tactics used to provide this information buy access to different EU decision-makers? Results from an empirical analysis indicate that information tactics are, on balance, more significant determinants of access than information types. The medium, in other words, is more important than the message. I also find that largely discredited ‘outside’ tactics, like organizing public events and launching media campaigns, are very important in granting interest groups access to EU decision-makers.

KEY WORDS Access; European Union; information; interest groups; lobbying.

The currency of lobbying in the European Union (EU) is information. Information plays an important role in shaping an interest group’s organization and behaviour, its day-to-day activities, and even the extent to which it can affect decisions in its own favour. At root, information defines how interest groups interact with EU decision-makers. Groups are relative experts on the policy issues most affecting their interests and have considerable technical, specialist and politically salient information on these topics. EU decision-makers, woefully understaffed and pressed for time, find it helpful, if not necessary, to draw on this information in order to reduce uncertainties about potential policy outcomes. Importanty, interest groups find themselves in a good position to take advantage of this informational asymmetry. They thus tend to supply information to decision-makers in exchange for legitimate access to the policy-making process with the goal of having their voices heard at the EU level and, ultimately, steering the EU policy-making process.
Lobbying as information exchange has long found considerable support in the existing literature (Austen-Smith 1993; Bouwen 2002; Crawford and Sobel 1982; Hall and Deardorff 2006). But while formal models predict when and at which stage of the policy-making process interest groups are likely to provide information (Crombez 2002; Hojnacki and Kimball 1998) and large-scale stocktaking research has provided insight into the vast informational repertoires of interest groups (Baumgartner et al. 2009; Schlozman and Tierney 1986), how informational lobbying ultimately relates to access remains relatively uncharted territory. The scant work that has addressed the issue does so almost exclusively with reference to demand-side factors. Access, in other words, is understood as a function of the informational needs of decision-makers. The actual capacity of interest groups to meet these needs is largely ignored. Instead, this capacity is arrived at entirely via assumptions about a group’s interests and organizational structure. Informational exchange becomes an altogether mechanical process: those groups naturally predisposed to having a certain type of information will gain access to those decision-makers who most value that type of information.

Clearly these demand-side explanations of access only tell us part of the story. Missing from the literature is a supply-side account of the informational determinants of access. Such an account is important because it will give us a more accurate picture of interest group access to the EU and will also allow us to empirically examine the informational determinants of access and test the demand-side assumptions noted above. I argue that an interest group’s capacity to supply information to decision-makers begins with a consideration of the full range of strategic choices interest groups make with regard to information provision. Specifically, I examine two supply-side factors: the type of information being sent to decision-makers and the tactics used to do so. Information type can range from technical data and expert knowledge, to legal information, to information about the economic and social impact of a proposed policy. Information tactics can include so-called ‘outside’ tactics like mobilizing citizen support behind a policy as well as old-fashioned shoe-leather strategies like writing a letter, making a phone call or meeting over dinner or drinks. Examining these supply-side factors provides insight into the information types and tactics that ultimately grant interest groups the most access to EU decision-makers.

This analysis draws on data gathered in elite interviews and an online survey of interest group representatives. Survey questions are used to tap the full repertoire of information types and tactics used by a broad range of interest groups as well as the frequency with which these groups have access to EU decision-makers. This data is then used in regression analyses of the informational determinants of interest group access to the main EU decision-making bodies. Interview data is used to help explain the regression results. Three central findings are presented. First, some evidence is found to support the assumption that meeting the presumed informational needs of decision-makers results in greater access. Second, I find evidence that the type of information sent is far less important...
in determining access than the tactics used to send the information. Groups use certain tactics to increase the salience of the information type. To turn a phrase, the medium is more important than the message. Lastly, evidence suggests outside tactics are not inferior to inside tactics in terms of gaining access. Instead, while the use of inside tactics has been institutionalized through the EU’s various intermediation efforts, outside tactics provide groups with a unique tool for increasing the salience of lobbying efforts.

The remainder of this analysis proceeds as follows. First, I present a brief overview of the existing literature on the informational determinants of access organized in terms of information types and information tactics. Next I present my supply-side approach to access. I discuss how survey questions were used to measure an interest group’s capacity to provide information to decision-makers as well as their access to decision-makers. I then present results from regression analyses and descriptive statistics using survey data. Results are explained with reference to the existing literature and interview data.

INFORMATIONAL LOBBYING AND ACCESS

Lobbying is inherently interactive. Relationships and even just face-time with decision-makers are key prerequisites to influencing the policy-making process. What counts, then, is interest group ‘access’ to the right people in the right places at the right time (Bouwen 2004a). Access tends to be understood in terms of an exchange between interest groups and decision-makers. While the larger interest group literature has a long history of modelling this exchange in terms of ‘pressure and purchase’ tactics, in the EU context lobbying is best understood in terms of information exchange (Chalmers 2011). ‘In Brussels,’ as Broscheid and Coen (2002: 170) put it, ‘the key to lobbying success is not political patronage or campaign contributions, but the provision of information’. There is a huge demand for policy-relevant information in the EU resulting from the fact that EU decision-makers are understaffed, under-resourced and pressed for time (van Schendelen 2005). The literature assessing how interest groups meet these informational needs and exchange information for access is rather limited and tends to focus on two points: the types of information interest group exchange for access and the tactics or strategies used during the exchange process.

Information types

Bouwen (2002, 2004a, 2004b) has provided an influential exchange model of interest group access focused on information types. Access patterns, for Bouwen, are determined by the type of information certain EU decision-makers require for their legislative work. This informational need is a function of a decision-maker’s role in the EU policy-making process. The Commission serves a largely apolitical and technocratic function and presumably requires a large amount of technical, operational and expert information. The Parliament,
as the EU’s only elected supranational assembly, requires information that allows it to evaluate the Commission’s proposals from a ‘European perspective’. Finally, the Council is a wholly intergovernmental institution and carries out executive policy-making functions. As such, according to Bouwen, it requires information that can facilitate bargaining between member states. From these demand-side factors Bouwen deduces the types of interest groups we can expect to have the most access to the various institutions. Companies presumably have recourse to the type of technical information required by the Commission; European associations have information about the ‘European encompassing interest’ which appeals to the Parliament; national associations exchange information about the ‘national encompassing interest’ to the Council.

Several other scholars have taken up Bouwen’s basic exchange model of access. Michalowitz expands Bouwen’s logic to an examination of several other private interest groups as well as ‘public interest groups’. Mirroring Bouwen’s assumptions, technical information is assumed to grant private interest groups access to the Commission, and ‘expertise with regard to the national situation’ is assumed to be translated as more access to the Council for national firms (Michalowitz 2004: 89). By contrast, public interest groups possess information about ‘public support’ and are thus hard pressed to find an audience outside the Parliament. Dürr and de Bievre also consider the informational exchange potential of public interest groups (in particular non-governmental organizations [NGOs]). Their estimation, however, is even less optimistic. NGOs are distinctly disadvantaged in that they cannot generate technical and expert information and are invariably ‘compelled to constantly appeal to general principles like equity, social justice, and environmental protection’ making their informational contribution of ‘little value’ to EU decision-makers (Dürr and de Bievre 2007: 82).

Eising (2007b) addresses the fact that the evidence presented in these demand-side studies is only piecemeal and calls attention to the need for a consideration of the supply-side factors of access. Eising tests informational lobbying alongside institutional context, organizational structure, and a group’s choice of ‘national or EU strategies’ as determinants of access. Importantly, Eising does find evidence that information provision ‘improves access’ to EU decision-makers (Eising 2007b: 352). However, Eising’s model is limited in that he uses a very vague ‘information’ variable that lumps together a narrow range of information types: political; legal; technical; and economic information. Despite providing evidence that information buys access, Eising does not tell us which types of information grant interest groups the most access and in which EU institutions.

**Information tactics**

Informational lobbying is not only about the type of information being sent to decision-makers but also the tactics used to convey this information. The main
distinction here is between outside tactics and inside tactics (Gerber 1999; Kollman 1998; Walker 1991). Outside tactics refer to interest groups ‘mobilizing citizens outside the policymaking community to contact or pressure officials inside the policymaking community’ (Kollman 1998: 3). These tactics centre on using the media, launching public campaigns and even organizing public events (ranging from rallies to conferences to cocktail parties). Inside tactics, by contrast, involve a more direct form of contact between interest groups and decision-makers and usually refer to old-fashioned shoe-leather strategies like writing letters, making phone calls and having face-to-face meetings.

On balance, inside tactics are considered more effective than outside tactics. As Beyers (2004) explains, inside tactics are better for providing technical and complex information, are far less costly and do not carry the same reputational costs as outside tactics — airing a decision-maker’s dirty laundry in public is simply no way to win favours or make friends. Empirical research, however, is more equivocal in terms of which tactics are most effective. Eising’s (2007b) analysis found that inside tactics lead to more access and that outside tactics tend to ruin a group’s chances of access. Beyers (2004), as well as Binderkrantz (2005), are less categorical. Both studies show that the complementary use of both strategies is rather common and question whether outside tactics are inherently inferior to inside tactics. Part of the issue is how outside tactics are defined. ‘Protest politics’, according to Beyers, and ‘disruptive tactics’ according to Binderkrantz, are used infrequently and only by a minority of groups. Other forms of traditional outside tactics, like the use of different media strategies, are, however, used very frequently by a broad range of interest groups. Both studies give purchase to Baumgartner and Leech’s observation that ‘the most effective groups may not be those that are the best at a given strategy but rather those that have the greatest repertory of strategies available to them’ (1998: 148).

THE INFORMATIONAL DETERMINANTS OF ACCESS

As Eising (2007b: 330) points out, ‘no coherent picture has yet emerged as to what determines the access of interest groups to the EU’. Bouwen’s exchange model is elegant but ‘piecemeal’, focusing entirely on demand-side factors and assumptions about a group’s capacity to provide information. Information types and tactics have rarely (if ever) been considered together as complementary aspects of informational lobbying. Both theoretical and empirical work tends to focus on private interest groups (like companies or professional associations) with very few studies focusing on so-called diffuse groups like NGOs (for an important exception, see Beyers [2004]). A consideration of access patterns and informational lobbying covering both basic types of interest group or, for that matter, a broad range of different interest group types, is still missing.

This analysis seeks to address these shortcomings. To this end I propose a supply-side approach to testing the informational determinants of access in...
the EU. Such an approach brings together an examination of the types of information interest groups provide to decision-makers in exchange for access and the strategies used to do so. Information, in other words, has two dimensions: types and tactics. How information is sent has an important bearing on how informational content is perceived. Using different tactics can increase the salience of a message, send signals regarding the importance or urgency of a message and indicate an interest group’s commitment to the message (Potters and van Winden 1992; Rasmusen 1993). Examining information provision in terms of types and tactics allows us to address a series of (largely untested) questions raised in the existing literature. First, which types of information grant the most access to which decision-makers? Second, is there a link between the presumed informational needs of decision-makers and the type of information interest groups tend to provide? Third, which tactics grant the most access to which EU decision-makers? Fourth, are outside tactics really inferior to inside tactics when it comes to access?

Data for this analysis was collected in 64 elite interviews and a large-scale online survey of 308 interest group representatives. For the online survey, a list of 2,500 interest groups was generated using three sources: the ‘European Commission’s Register of Interest Representatives’; the 2008 edition of Landmarks’ ‘European Public Affairs Directory’; and the ‘Brussels-Europe Liaison Office’ list. Combining these registers helps balance any bias toward lobbying in any particular EU decision-making institution and also provides information on a very broad range of different types of interest groups. A sampling frame of 1,000 interest groups was established using a simple proportional sampling technique. Moving beyond the common private–diffuse interest group dichotomy, 11 specific types of interest group were examined: professional associations; companies; law firms; public affairs consultancies; chambers of commerce; academic organizations; trade unions; NGOs and associations of NGOs; religious groups; think tanks; and, lastly, public authorities (regions, cities and municipalities). A total of 308 responses were collected, putting the response rate at about 30 per cent. Table 1 details the distribution of survey responses. Assessing how representative this sample is vis-à-vis the EU interest group population is very difficult. There is no definitive list of interest groups in the EU and there are only loose approximations of the number of groups that actively lobby at the European level (Berkhout and Lowery 2008). Nevertheless, we can use Greenwood’s (2007: 11) list calculated from Landmarks’ data as a benchmark of sorts. A comparison of these two lists (see Table 1) suggests that there is adequate coverage for quite a few interest group types – in particular, companies, professional associations, NGOs, public authorities and consultancies. However, one potential limitation of the present study are low response rates for law firms, think tanks, chambers of commerce, academic organizations and religious organizations. A truly representative sample would include satisfactory response rates for these interest groups as well.

The three main variables tested in this analysis are information types, information tactics and interest group access to EU decision-makers. In what follows
### Table 1  Distribution of online survey responses by interest group type

<table>
<thead>
<tr>
<th>Interest group type</th>
<th>Frequency</th>
<th>Percentage</th>
<th>Interest group type</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Survey Data</strong></td>
<td></td>
<td></td>
<td><strong>Landmarks Data (2001)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Companies</td>
<td>44</td>
<td>14.29</td>
<td>Corporates</td>
<td>295</td>
<td>11.9</td>
</tr>
<tr>
<td>NGOs</td>
<td>78</td>
<td>25.32</td>
<td>Citizen interest associations</td>
<td>429</td>
<td>17.3</td>
</tr>
<tr>
<td>Consultancies</td>
<td>30</td>
<td>9.74</td>
<td>Consultancies</td>
<td>153</td>
<td>6.2</td>
</tr>
<tr>
<td>Public authorities</td>
<td>34</td>
<td>11.04</td>
<td>Regions</td>
<td>198</td>
<td>8.0</td>
</tr>
<tr>
<td>Chambers of commerce</td>
<td>4</td>
<td>1.30</td>
<td>National chambers of commerce</td>
<td>40</td>
<td>1.6</td>
</tr>
<tr>
<td>Law firms</td>
<td>0</td>
<td>0</td>
<td>Law firms</td>
<td>115</td>
<td>4.6</td>
</tr>
<tr>
<td>Think tanks</td>
<td>4</td>
<td>1.30</td>
<td>Think tanks/training organizations</td>
<td>103</td>
<td>4.2</td>
</tr>
<tr>
<td>Professional associations</td>
<td>73</td>
<td>23.70</td>
<td>EU trade/professional associations</td>
<td>843</td>
<td>34.0</td>
</tr>
<tr>
<td>Trade unions</td>
<td>28</td>
<td>9.08</td>
<td>National trade/professional associations</td>
<td>122</td>
<td>4.9</td>
</tr>
<tr>
<td>Academic organisations</td>
<td>2</td>
<td>0.65</td>
<td>National employers’ federations</td>
<td>38</td>
<td>1.5</td>
</tr>
<tr>
<td>Religious organisations</td>
<td>1</td>
<td>0.32</td>
<td>EU and global trade associations</td>
<td>24</td>
<td>1.0</td>
</tr>
<tr>
<td>Other</td>
<td>10</td>
<td>3.25</td>
<td>International organizations</td>
<td>118</td>
<td>4.8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>308</td>
<td>100.00</td>
<td><strong>Total</strong></td>
<td>2478</td>
<td>100.00</td>
</tr>
</tbody>
</table>
I will detail how each of these variables was operationalized and measured by survey questions.

There is neither a definitive nor exhaustive list of information types in the existing literature. As Mahoney (2008: 82) has argued, any attempt to create such a list will necessarily have ‘some degree of arbitrariness’ simply because the information types available to interest groups are ‘so broad and rich’. Nevertheless, scholars commonly make a broad distinction between ‘expert/technical information’ and ‘politically salient information’. The former tends to be understood as highly technical, scientific, objective and data-driven information (Ainsworth 1993; Crawford and Sobel 1982). The latter conveys details about public support as well as normative/value-laden claims (Mahoney 2008). While this basic dichotomy necessarily encompasses a broad spectrum of information types, it also does not disaggregate between specific types. Interview data collected for this analysis paint a much more diverse picture. Lobbyists speak of providing decision-makers with ‘technical’ and ‘data driven arguments’, ‘concrete’ and ‘confidential information’, as well as information using ‘legislative language’ or ‘legal language’. Information also commonly conveys ‘facts and figures’ and details about how some proposal ‘effects everyday people’. Information can also ‘clarify’ a position or ‘translate’ technical details into something understandable and relatable. Finally, lobbyists can use ‘context information’, ‘information related to confidence building’ and information about ‘representativeness’, ‘citizen interests’ or ‘public backing’ for a proposal. For the purpose of the survey, interview data were coupled with insights from the existing literature to generate a manageable list of six information types: legal information; information about the feasibility of implementing a proposal; information that makes technical or scientific data understandable/relevant; information about public opinion; information about the economic impact of a proposal; and information about the social impact of a proposal. Data were collected on all six information types by asking respondents to identify how frequently (on a scale of 1 to 5, with 1 being ‘never’ and 5 being ‘very often’) their organization provides these types of information to EU decision-makers.

Unlike information types, information tactics have been subject to considerable stocktaking research detailing the large strategic toolkits available to interest groups. Scholzman and Tierney (1986) identify 23 such tactics, ranging from direct and informal contact with legislators, presenting research results, talking to journalists, advertising, writing letters, giving testimony, organizing protests, helping draft legislation, agenda setting, to campaign work. Similar surveys conducted by Knoke (1990), Walker (1991), Heinz et al. (1993), and more recently Baumgartner et al. (2009) find ‘remarkably robust’ support for Scholzman and Tierney’s study (Baumgartner and Leech 1998: 149). For this analysis, insights from the literature and from interviews were used to generate a list of information tactics. Five inside strategies and two outside strategies were examined. Inside tactics include: face-to-face meetings; write a letter; write an email; make a phone call; and participate in the ‘open consultation’
process.\textsuperscript{10} Outside tactics include: start a media campaign; and organize a public event. Data were collected on information tactics by asking respondents to identify how frequently (on the same 1 to 5 scale) their organization provides information to EU decision-makers using these different tactics.

Measuring types and tactics in terms of frequency (as opposed to importance, for instance) is based on the simple idea that ‘more is better’. In other words, sending information more frequently will result in more access. There is support for this approach in the literature. Potters and van Winden (1992: 285), for example, provide compelling evidence that ‘more letters and more personal visits produce a more favourable response by legislators’. In the EU context, Eising (2007b: 336) found some support for the hypothesis that ‘the more policy information that [interest groups] can deliver, the better their access’. It seems that rather than straining interest group relations with decision-makers, a ‘frappez, frappez toujours’ logic, as Potters and van Winden (1992: 285) call it, is both ‘rational and effective’.

Access was measured by asking respondents how frequently, on the same 1 to 5 scale, their organization is in contact with the EU’s main decision-making institutions – namely, the European Commission, the European Parliament and the Council of Ministers. Measuring access in this manner is consistent with other empirical research on access in the EU (Beyers 2002; Bouwen 2004a, 2004b; Eising 2007a, 2008; ). Further, measuring access in terms of frequency highlights the inner logic of lobbying as information exchange. As Carpenter et al. (1998) explain, decision-makers are in the market for policy-relevant information, if only because it reduces uncertainties about potential policy outcomes. In order to maximize their chances of receiving information, decision-makers would necessarily seek to interact \textit{most frequently} with those groups that are best able to provide information. It is important to note that interacting with decision-makers does not \textit{only} imply providing them with information. Groups might interact with decision-makers to get information or as part of their pre-advocacy activities (like networking). As such, instruments measuring types and tactics are not, at the same time, capturing a large measure of interest group access.

EMPIRICAL ANALYSIS

Table 2 presents the results of an empirical analysis of survey data using ordered logistic regression. The informational determinants of access (corresponding to six information types and seven information tactics) are tested in three models, each corresponding to different EU institutions. I discuss the results for information types and tactics in turn.

Information types

When it comes to information types, access patterns do seem to roughly match the presumed informational needs of EU decision-makers. For instance, as
Table 2  The informational determinants of interest group access to the EU

<table>
<thead>
<tr>
<th>Types</th>
<th>EC</th>
<th>EP</th>
<th>Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public opinion</td>
<td>1.0 (0.13)</td>
<td>0.95 (0.12)</td>
<td>0.94 (0.11)</td>
</tr>
<tr>
<td>Economic impact</td>
<td>1.0 (0.18)</td>
<td>1.0 (0.16)</td>
<td>1.06 (0.16)</td>
</tr>
<tr>
<td>Social impact</td>
<td>1.0 (0.15)</td>
<td>1.45 (0.19)**</td>
<td>1.09 (0.14)</td>
</tr>
<tr>
<td>Legal information</td>
<td>0.85 (0.11)</td>
<td>1.2 (0.15)</td>
<td>1.4 (0.17)**</td>
</tr>
<tr>
<td>Feasibility information</td>
<td>1.5 (0.27)**</td>
<td>1.0 (0.16)</td>
<td>0.76 (0.12)</td>
</tr>
<tr>
<td>Information making sense of technical/expert data</td>
<td>1.0 (0.14)</td>
<td>0.96 (0.11)</td>
<td>1.06 (0.12)</td>
</tr>
<tr>
<td>Tactics</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Face-to-face</td>
<td>1.39 (0.24)*</td>
<td>1.5 (0.25)**</td>
<td>2.9 (0.55)**</td>
</tr>
<tr>
<td>Open consultation</td>
<td>1.49 (0.22)**</td>
<td>1.35 (0.19)*</td>
<td>1.09 (0.16)</td>
</tr>
<tr>
<td>Write letter</td>
<td>1.3 (0.19)</td>
<td>1.37 (0.19)*</td>
<td>1.5 (0.22)**</td>
</tr>
<tr>
<td>Write email</td>
<td>1.03 (0.19)</td>
<td>0.96 (0.16)</td>
<td>0.62 (0.11)**</td>
</tr>
<tr>
<td>Phone call</td>
<td>1.22 (0.19)</td>
<td>1.45 (0.21)**</td>
<td>1.19 (0.17)</td>
</tr>
<tr>
<td>Media campaign</td>
<td>0.73 (0.09)**</td>
<td>0.96 (0.12)</td>
<td>1.35 (0.16)**</td>
</tr>
<tr>
<td>Public event</td>
<td>1.5 (0.22)**</td>
<td>1.6 (0.23)**</td>
<td>0.85 (0.11)</td>
</tr>
</tbody>
</table>

Log likelihood          | –248.15 | –290.53 | –312.99 |
LR chi² (13)         | 134.70  | 173.55  | 140.44  |
Pseudo R²            | 0.21    | 0.23    | 0.18    |
N                     | 256     | 256     | 252     |

Notes: entries are ordered logistic coefficients with standard errors in parentheses.
* p < 0.05; ** p < 0.01.
Bouwen (2002) and Michalowitz (2004) predict, supplying the Commission with ‘technical information’, or in this case information detailing the feasibility of implementing a proposed policy, leads to more frequent access. This ‘technical’ information serves the Commission’s largely apolitical and technocratic functions and reduces the complexity and policy uncertainties that tend to define the Commission’s legislative tasks (Bouwen 2009). Access to the Parliament is granted by supplying information about the social impact of a policy proposal. The informational needs of the Parliament follow its internal bifurcation as an effective branch of the legislative process and as a public arena for wider political debate (Lehmann 2009: 55). For this reason, the Parliament relies somewhat on the supply of technical details and scientific expertise but also on information about ‘wide ranging’ issues, ‘like a cleaner environment, higher employment’ that are ‘known to be of interest to a large number of citizens’ (ibid.: 52). Information about the social impact of a policy seems to serve both purposes, combining substantive, technical details with a specific public or social dimension. Importantly, regression results found no support for the expectation, expressed in Michalowitz (2004), for instance, that information about ‘public opinion’ would grant the most access to the Parliament. Results for the Council are less straightforward. The type of intergovernmental bargaining facilitated by information about the so-called ‘national encompassing interest’, as Bouwen (2002) predicts, cannot be easily read into the regression results. Moreover, only ‘legal information’ appears to be related to access to the Council at a statistically significant level. This legal information might be playing an important role at the vote stage of the legislative process where the technical details have already been taken care of and the Council finds itself tasked with ironing out the legislative language of EU regulations and directives. More specifically, the Council’s jurist-linguists work to produce a final version of a regulation, directive or decision in the *langue de base* (normally French or English) (Hayes-Renshaw and Wallace 2006). This juridical-linguistic work should not be underestimated as it can have a large impact on member state interests. After all, ‘careless drafting or inaccurate translation ... could result in the adoption of inconsistent or incoherent legislation and in uneven implementation between member states’ (ibid.: 116f). Interest groups would clearly be well served by having important legal information when lobbying the Council.

The regression results for information type also reveal a preponderance of ‘evidence-based policymaking in the EU’\(^{11}\). To understand this trend it is useful to consider not only which types of information grant groups the most access, but also which types of information different groups use most frequently. Table 3 presents this data organized by group type. Low responses rates from a number of interest group types (see Table 1) limit this comparison to six main interest group types: companies; consultancies; NGOs; professional associations; public authorities; and trade unions.

There is clearly a stark difference between information about public opinion and legal information and the remaining four information types. It appears as if
### Table 3  Information types

<table>
<thead>
<tr>
<th>Interest group type</th>
<th>Feasibility of implementation</th>
<th>Economic impact</th>
<th>Social impact</th>
<th>Making sense of technical information</th>
<th>Public opinion</th>
<th>Legal information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Companies</td>
<td>2.63</td>
<td>3.06</td>
<td>2.84</td>
<td>2.95</td>
<td>1.72</td>
<td>2.11</td>
</tr>
<tr>
<td>Consultancies</td>
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<td>4.08</td>
<td>4.31</td>
<td>2.62</td>
<td>2.69</td>
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<td>3.41</td>
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<td>2.81</td>
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<td>2.45</td>
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<td>2.68</td>
</tr>
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<td>4.14</td>
<td>2.86</td>
<td>2.29</td>
<td>2.5</td>
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<tr>
<td>Average</td>
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<td>3.4</td>
<td>3.5</td>
<td>3.1</td>
<td>2.4</td>
<td>2.6</td>
</tr>
</tbody>
</table>

**Note:** Entries are mean scores.
evidence-based policy-making in the EU has created a demand for data-driven, technical information. As one interest group representative explained: ‘It is no longer good enough to go to the Commission or anyone else with a position that isn’t scientific in nature and that isn’t reinforced by data.’12 As another interest group representative explained, ‘serious lobbying has to be based on facts and figures. Just to say, “we want this” and “we don’t want that” amounts to nothing. The basis always has to be science’.13 In short, evidence-based policy-making requires evidence-based lobbying.

The key common denominator of the most frequently used information types is an implicit ‘cause–effect’ logic highlighting the consequences of a proposal: ‘We try to assess what would happen if such a proposal passed,’14 according to one interest group representative. ‘In very few cases,’ to speak with another, ‘do we send just raw data. We are always analyzing the possible consequences.’15 In addition to making a distinction between technical/expert information and politically salient information, the distinction between information types expressing a clear cause–effect logic and information types that do not is also clearly important. A cause–effect logic is implicit in information about the feasibility of implementing a proposal, about the economic and social impact of a proposal, as well as (but perhaps to a lesser extent) information that is meant to make sense of technical information. By contrast, legal information and information about public opinion do not implicitly convey a clear cause–effect relationship and are thus the least frequently used information types in the EU.

Importantly, evidence-based policy-making appears to be common across all interest group types. Information about public opinion and legal information are used very infrequently by all groups while information conveying an implicit cause–effect logic is used most frequently. This finding challenges long-standing assumptions in the literature linking group type to information type (Bouwen 2002; Dürr and de Bievre 2007; Michalowitz 2004). Private interests, like companies and professional associations, do appear to be frequently transmitting so-called technical information to decision-makers but so too are diffuse groups like NGOs. In fact, NGOs most frequently provide information about the social impact of a proposal, followed closely by information about feasibility. NGOs are not, contrary to assumptions made in the literature, limited to providing information about public opinion or ‘compelled’ to rely on information of ‘little value’ to EU decision-makers.

Information tactics

On balance, and compared to the results for information types, regression results indicate that information tactics appear to be doing most of the explanatory work in all three models. Several tactics show significant differences in each model, whereas only one information type shows significant differences. In other words, and to turn a phrase, when it comes to gaining access to the EU the medium is more important than the message. Rasmusen (1993), in a
study of American lobbying, already noted that the way that information is sent is linked to the persuasiveness and perceived importance of the actual informational content. For instance, certain tactics have a particular ‘attention-getting’ value and can even be used to effectively transmit otherwise content-less information. Similarly, tactics can be used to enhance the message contained in the information. The frequent use of costly tactics, according to Potters and van Winden (1992), increases the persuasiveness, political salience, importance and even (perceived) reliability of information. Lobbyists interviewed for this study support this argument. Many acknowledged that there is ‘no single template’ for choosing how to provide information to decision-makers. Instead, they tend to use ‘a whole range of strategies’ to convey a single message. In many cases, the same basic informational content is supplied using open consultation, writing position papers, emails and public events. Sending the same information very frequently using different tactics says something about the seriousness and commitment of the interest group as well as the urgency and importance of the message.

One of the central findings of this analysis is that outside tactics are not nearly as marginalized as the literature predicts. Indeed, regression results indicate that media campaigns and public events, despite being costly, are key determinants of interest group access to all three EU decision-making bodies. This is not to say, however, that inside strategies are somehow less important. In fact, many inside strategies considered here are important determinants of access as well. Clearly, the results provide support for the notion that using a large repertory of tactics is always better than using just one tactic (Baumgartner and Leech 1998; Beyers 2004). What still needs to be explained, however, is why outside strategies, in addition to inside strategies, are so important for gaining access.

To answer this question, first consider which tactics interest groups tend to use most frequently (Table 4).

While outside tactics might be important determinants of access, they are used only very infrequently when compared to inside tactics. Even NGOs, commonly assumed to be limited to the use of outside tactics and relegated to the periphery of the lobbying arena, prioritize inside tactics (cf. Gerber 1999; Michalowitz 2004). Most interest groups simply use inside tactics far more frequently than outside tactics and they do so not only because inside tactics are less costly than outside tactics but because they are more expedient. Lobbyists interviewed for this project explain that there is an important premium on providing timely information in the EU. Information that is too late loses all of its value. The idea is to be in the policy-making process ‘right from the start at the earliest possible stage.’ Interest groups fittingly characterize themselves as ‘early warning radar systems’ alerting members to potential windows of opportunity before they open. Emails, phone calls and simple letters are thus favoured over tactics that require organization, planning and, in some case, the raising of funds.
Table 4  Information tTactics

<table>
<thead>
<tr>
<th>Interest group type</th>
<th>Face-to-face meeting</th>
<th>Open consultation</th>
<th>Letter</th>
<th>Email</th>
<th>Phone call</th>
<th>Media campaign</th>
<th>Public event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Companies</td>
<td>3.26</td>
<td>3.47</td>
<td>2.58</td>
<td>3.37</td>
<td>2.95</td>
<td>1.89</td>
<td>2.32</td>
</tr>
<tr>
<td>Consultancies</td>
<td>4.54</td>
<td>4.15</td>
<td>3.46</td>
<td>4.38</td>
<td>4.23</td>
<td>3.15</td>
<td>3.69</td>
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<tr>
<td>NGOs</td>
<td>3.52</td>
<td>3.67</td>
<td>3.54</td>
<td>4</td>
<td>3.25</td>
<td>2.79</td>
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<td>Professional associations</td>
<td>3.88</td>
<td>4.21</td>
<td>3.78</td>
<td>4.06</td>
<td>3.84</td>
<td>2.28</td>
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<tr>
<td>Public authorities</td>
<td>3.68</td>
<td>3.68</td>
<td>2.97</td>
<td>3.81</td>
<td>3.37</td>
<td>1.52</td>
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</tr>
<tr>
<td>Trade unions</td>
<td>3.64</td>
<td>4.36</td>
<td>4.14</td>
<td>4.29</td>
<td>3.07</td>
<td>3</td>
<td>2.64</td>
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<tr>
<td>Average</td>
<td>3.8</td>
<td>3.9</td>
<td>3.4</td>
<td>4</td>
<td>3.5</td>
<td>2.4</td>
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</tbody>
</table>

Note: Entries are mean scores.
The considerable resources and time required to launch media campaigns or to host public events explain their infrequent use. But how do we explain the significant impact of outside tactics on access patterns? First, the investment of resources into a tactic has an important bearing on the potential salience of information content. A large-scale media event would surely communicate an interest group’s commitment to its aims and goals. Perhaps even more important to the relative importance of outside tactics is the thorough institutionalization of inside tactics in the EU. Interest groups in the EU have long been mediated by the social dialogue, consultative bodies, and a plethora of formal and ad hoc committees and consultation processes. Importantly, inside tactics are natural components of this type of institutionalized engagement. Institutionalized lobbying in the EU (especially in the Commission) simply requires the near exclusive use of inside tactics. Outside tactics, by contrast, remain beyond the pale of this institutionalization and thus retain a certain novelty and power. Standing out from the crowd, then, means adopting those tactics that are not thoroughly institutionalized. Launching media campaigns and hosting public events, even if only infrequently, become very important paths of access to the EU.

Outside tactics are not ‘outsider’ tactics. They are not, as assumed in some of the literature, reserved for ‘those associations on the periphery of the political system’ and which are ‘disadvantaged in the policy process’ (Beyers 2004: 216). Outside tactics are just as feasible as inside tactics and, when it comes to access, perhaps even more so. All of this reflects a larger trend towards the professionalization of lobbying in the EU (Lahusen 2002; Maloney 2009). It also gives purchase to the important distinction between outside tactics and protest tactics (see Beyers 2004). Lobbying in the EU is less and less about shouting slogans and waving banners and more about approaching the policy-making process as policy experts and speaking the language of decision-makers.

CONCLUSION

This analysis has sought to shed some light on the informational determinants of interest group access to the EU by putting forward a supply-side account of access. A key advance made in this analysis is the treatment of informational lobbying in terms of both information types and information tactics. In other words, it is not just about the information provided to decision-makers but also how this information is conveyed that determines access. Moreover, systematically itemizing and testing a broad range of different information types and tactics has provided a number of important insights into the determinants of access in the EU. First, regression results show that access is, indeed, largely related to meeting the presumed informational needs of decision-makers, thus bearing out some of the central assumptions in the existing literature. Assumptions linking specific interest group types to specific information types and tactics, however, found little support. Groups appear to be able
to draw rather freely from a broad array of different types and tactics. For information types, in particular, the preponderance of a type of evidence-based lobbying leads interest groups to prioritize information types conveying an implicit cause–effect logic. Second, regression results also suggest that how information is conveyed to decision-makers is more important than the actual content of the information. Put bluntly, the medium is more important than the message. Groups can increase access to the various EU decision-making bodies by sending the same information using multiple tactics and increasing the salience and urgency of information by frequently using specific tactics. Finally, this analysis has provided evidence that both inside and outside tactics relate to greater access to the EU. While inside tactics are used very frequently and outside tactics very sparingly, both can be used by groups to increase frequency of access to EU decision-makers. This result suggests that, contrary to much of the existing literature, outside tactics are not inherently less effective than inside tactics. Outside tactics, in other words, are not necessarily outsider tactics.

This analysis marks a first attempt to provide a supply-side analysis of the informational determinants of access. Its central findings must be measured against its limitations. First, and perhaps most important, is the fact that there are missing data on several important interest group types. A complete picture of supply-side factors would need to include data on these missing groups. A second limitation is related to the restricted scope of this analysis: namely, the informational determinants of access. This could be a point for future research. How, for instance, do non-informational determinants of access (like those discussed in Eising [2007b]) as well as common control variables like group resources and a group’s organizational structure factor in? Finally, a study of access is necessarily limited in what it can say about interest group influence or success in the policy-making process. Access might be essential to getting what you want, but it not a guarantee that preferences get translated into policy outcomes. This last point, however, is representative of the much larger problem of measuring interest group influence in the EU and elsewhere.

**Biographical note:** Adam William Chalmers is Assistant Professor in the Institute of Political Science at Leiden University, the Netherlands.

**Address for correspondence:** Adam William Chalmers, Institute of Political Science, Leiden University, Wassenaarseweg 52, 2333 AK Leiden, The Netherlands. email: a.w.chalmers@fsw.leidenuniv.nl

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NOTES

3 Interview, Illona Kish, Secretary General, Culture Action Europe, Brussels, 15 November 2009.
4 Interview, official, Daimler AG, Brussels, 7 October 2009.
5 Interview, official, Coca-Cola Ltd., Brussels, 8 December 2009.
6 Interview, Andrew Jackson, Advisor, BusinessEurope, Brussels, 11 December 2009.
7 Interview, Hugo Nijkamp, Sea Alarm Europe, Brussels, 7 December 2009.
8 Interview, official, Bayer AG, Brussels, 9 December 2009; interview, Juliana Wahlgren, Networking and Campaigns Officer, ENAR, Brussels, 18 November 2010.
9 Interview, Dr Volker Löwe, official, Das Büro des Landes Berlin bei der EU, Brussels, 28 October 2009.

10 Open consultation is an invitation for interest groups to provide information to the European Commission at the agenda-setting stage of the policy-making process.
11 Interview, Paul Voss, Manager for Energy and Environment Policy, AEGPL Europe, Brussels, 16 November 2010.
12 Ibid.
13 Interview, Dr Marlene Wartenberg, Director, Vier Pfoten, Brussels, 19 November 2010.
14 Interview, official, Bureau of Nordic Family Forestry, Brussels, 7 December 2009.
15 Interview, official, Ferrovie dello Stata, Brussel, 10 December 2009.
16 Interview, John Monks, General Secretary, ETUC, Brussels, 15 November 2010.
17 Interview, Illona Kish, Secretary General, Culture Action Europe, Brussels, 15 November 2009.
18 Only public authorities break this trend, providing information through public events more frequently than through letter writing. The difference, however, is only marginal (a matter of a fraction of a percentage point).
19 Interview, Martin Romer, General Secretary, European Trade Union Committee for Education, Brussels, 17 November 2010.

REFERENCES


