Introduction

LOBBYING IS A THRIVING industry on both sides of the Atlantic. K Street is notorious in Washington as the locus of high-powered lobbyists, with the Hill as the primary object of their attention. Round Point Schuman and Avenue de Cortenbergh form the geographical center in Brussels, with lobbyists descending on Berlaymont and Parliament. Both systems involve a wide range of advocates[1] juggling for a role in the policymaking process, from beekeepers to chemical manufacturers, environmentalists to fishermen, recreational boaters to soda makers. If you can think of an interest, industry, institution, or idea, you can probably find a representative promoting its case in the two capitals.

The number of citizen groups, lobbying firms, professional associations, geographic representations, corporations, religious groups, think tanks, and foundations that are making sure their concerns are heard in the policymaking process is ever-growing in both the United States and the European Union. In both capitals, their advertisements can be seen in the major newspapers, their posters on bus stops, and their position papers in the offices of policymakers. Literally hundreds of lobbyists can be seen dashing to and from lunchtime meetings nearly every day of the year in the cafes of the Place du Luxembourg and restaurants of Dupont Circle. It seems the work of U.S. and EU advocates is nearly identical. Their aims are the same: influence public policy in their favor; their means appear indistinguishable: letters, e-mails, meetings, advertisements, demonstrations, coalitions, media outreach; and their effect seems similar: watchdog groups in both Washington and Brussels are relentless in their criticism of the influence of special interests. Are U.S. and EU advocacy comparable? Does the same process explain advocacy strategies and advocacy success in both polities?

Some observers would say no. Citing cultural differences, many practitioners and scholars argue lobbying in Brussels is a fundamentally different enterprise than that found across the ocean. Caricatures have developed of

advocates in each sphere. The European lobbyist is neutral, amicable, and seeks only to provide helpful information to the EU institutions. The American lobbyist is partisan, forceful, and seeks to manipulate policy to his or her will. The exchange between EU advocates and officials is cordial and collegiate as they work together to shape policy. Interactions between advocates and officials in Washington are combative as lobbyists try to strong-arm politicians with money and threats. While these may be pure forms of the stereotype, many observers rely on some version of them in explaining U.S. and EU advocacy differences.

Euractiv, one of the main EU news outlets, published a special report on U.S. and EU lobbying, noting: "Although lobbying techniques in Brussels and Washington are often considered similar, public affairs professionals on both sides of the Atlantic are convinced that differences in 'style and substance' will remain between the two capitals. Language and national cultures are only part of the explanation. The traditional, consensus-based approach to EU policymaking and lobbying will probably continue to contrast with the highly professionalized and more aggressive U.S.-style for many years to come" (2005a).

The implicit and explicit cultural differences that underlie the descriptions of archetypal American and European lobbyists parallel the narratives told on the larger stage of transatlantic relations. A unilateral Texan cowboy, intent on bullying the world, cannot seem to get along with European statesmen during international diplomatic negotiations whether it be about Iraq, Iran, Kyoto, or GMOs. Whether it is the result of a frontier heritage or the superpower status of the United States or the acumen and reserve that come from two thousand years of war, peace, and culture on the Continent, Americans and Europeans, the stereotype goes, are breeds apart.

Is this the case for the players in the policymaking game in Washington and Brussels? Are American lobbyist cowboys and European lobbyists just more cultured? Do they differ significantly in their advocacy behavior? And if so, can it be explained by their natures? I would argue no; culture is not the primary explanatory factor. This book fleshes out that argument, develops a theory about what does determine U.S. and EU advocacy strategies and advocacy success, and provides significant empirical evidence, both qualitative and quantitative, in support of the proposition that it is institutions, issues, and interest group characteristics, not culture, that largely drive advocacy decisions and the resulting policy outcomes.

IF NOT CULTURE, THEN WHAT?

While cultural differences may appear to explain some of what we observe in the U.S. and EU advocacy communities, upon deeper investigation and sys-

tematic study it becomes clear cultural explanations are lacking. American lobbyists do not behave in the archetypal manner at all times and even appear, in some instances, to proceed in the manner thought to be typical of their European counterparts. Likewise, EU advocates engage in American-style lobbying in certain situations. If culture explained the differences, the effect of that pervading force would be felt consistently, not variably. The institutional structure of a political system fundamentally influences advocacy strategies and advocacy success and can better explain the variation in differences we see between the United States and the European Union when it comes to advocacy.

Advocacy is a process that aims to influence public policy. The process is initiated with an advocate's decision to mobilize for a political debate, at which point the advocate determines his or her position on the issue. Once the advocate chooses to engage on an issue, a series of additional decisions need to be made about the advocacy strategy, including what arguments to use, what targets to approach, what direct or inside lobbying tactics to employ, what public education or outside lobbying tactics to engage in, and which allies to work with. The process concludes when the policy debate ends, and this determines the advocate's lobbying success (many times leading to a new advocacy process because issues carry on through time). Each of these sets of decisions, or stages, of the advocacy process can be viewed as dependent variables to be explained.

Three aspects of the institutional structure of a political system are highly significant to the advocacy process: (a) the democratic accountability of policymakers, (b) the rules of the policymaking process, and (c) the nature of the media system that conveys policy-relevant messages. Considering the first aspect, how accountable political institutions are to the people should influence how advocates approach those institutions and how successful they are in influencing the policymaking process. Policymakers who are directly elected by the public to their posts are driven by the reelection motive (Mayhew 1974).[2] If they want to retain their posts, policymakers behave in a manner that will not displease their constituents to the point that they would vote them out of office. This leads advocates targeting elected officials to formulate their advocacy strategies to emphasize how the advocates' position will help (or at least not jeopardize) the policymakers' reelection chances. Such strategy influences the arguments they make; they will frame their positions as being good for the policymakers' constituents, in line with public opinion, and in line with broadly shared values, among others. It affects the targets they select, as lobbyists focus on those who share their perspective and represent geographic regions that share the advocate's values. These policymakers can more easily be convinced that supporting the advocate's position will not be detrimental to them come election time. The

presence of the reelection motive also influences the tactics advocates choose to convey their policy messages. Advocates targeting the directly elected are more likely to rely on tactics that highlight the position of the public, such as grassroots and outside lobbying strategies, and signal broad-based support as coalition activity can do.

Advocates targeting nonelected policymakers have no incentive to try to maximize this type of reelection connection. Lacking the leverage that comes with constituent mobilization threats, advocates targeting nonelected policymakers formulate their advocacy strategies to emphasize the importance of the information and expertise they can share. This influences the arguments they make to nonelected policymakers; advocates will focus on the technical—contributing research, data, and sector-specific information to the policymaking process. Their targets will be determined by what institutional units need information and their tactics selected to most efficiently convey that information.

These expectations hold within and across systems. That is, within a political system that has lobbying targets that are both directly elected and not elected, their democratic accountability will drive advocacy strategies toward them. Comparing across systems, advocates targeting policymakers in systems with institutions democratically accountable through direct elections will formulate their advocacy strategies with the reelection motive in mind. Those targeting policymakers in systems without direct elections will formulate their advocacy strategies to emphasize their information provision.

The effect of democratic accountability on lobbying success—that is, whether the advocate saw his or her policy preference realized at the end of the issue debate—is a dependent variable that has to be considered at the system level since the outcome on the issue is determined by the policymaking process of the entire system. This point is made to draw a distinction with the effect of democratic accountability on strategies discussed above, which can vary within a political system. The effect of democratic institutional designs could manifest in a number of ways: groups may be more effective in the aggregate in systems *with* direct elections, they could be more successful in systems *lacking* democratic accountability, it may be the case that it is citizen groups that enjoy influence with directly elected policymakers, or, alternatively, it could be the wealthy groups that can help them get elected who are most influential. Since democratic institutional design determines the motivations of policymakers, it simultaneously impacts the advocates trying to influence those policymakers. The specific hypotheses regarding these relationships are presented in detail in chapter 2.

The rules of the policymaking process are the second aspect of a political system's institutional structure that influences the advocacy process—

both strategies and success. Policymaking rules include the institutional rules that dictate how a proposal becomes and does not become a law and what institutions, institutional subunits, and policymakers will be included in the policy debate. Since these rules determine who is involved in the political game on any given issue, the rules of the policymaking process influence an advocate's choice of targets and the selection of tactics to use to most effectively communicate to those policymakers. Policymaking rules also affect the likelihood of policy change since different rules make it more or less difficult to get legislation passed. Advocates operating under rules that minimize the probability of policy change are more likely to adopt blocking positions, while advocates operating under rules that maximize the likelihood of policy change will tend to assume modifying positions. In addition, rules that affect the likelihood of policy change can in turn influence an advocate's lobbying success. Thus, fairly mundane institutional rules are expected to have a significant impact on advocacy strategies and advocacy success.

The third and final institutional aspect critical to advocacy is the nature of the political system's media machine. Advocacy is about communicating your message to lawmakers, and in many political systems the media are a major conduit of political communications. In modern democracies the media play a critical role conveying information from political elite to the public, as well as relaying information about public opinion and concerns to the political elites (Cater 1959; Cook 2005). The strength and scope of a political system's media machine have very real implications for an entire category of advocacy activities—outside lobbying. In systems with greater media reach, advocates are more likely to work to mobilize the grassroots, place issue advertisements to inform the public of policy topics, promote news coverage of an issue, or organize protests and demonstrations. While the effect of the nature of the media system is constrained to one stage of the advocacy process, it is a critical stage since it links to the citizenry.

Institutional design is not the only force determining advocacy strategies and success in any polity; two other sets of factors also play a role: issue and interest characteristics. To understand how advocates devise advocacy campaigns and if they succeed in achieving their advocacy goals, one has to consider the nature of the issue at hand—if it is highly salient, if it is regulatory or legislative, if it is a massive initiative or a minuscule proposal, if there are high or low levels of conflict with staunchly opposed adversaries. All of these factors drive lobbying decisions and influence the success of advocates in all democratic systems. In addition, the characteristics of advocates—who they represent, their resources, their structure, their membership, among others—also contribute to advocacy strategy decisions and their chances for success. These factors are discussed in more detail in chapter 2.

PREVIOUS LITERATURE ON ADVOCACY

The subfield of comparative interest groups studies is quite small, although interest in comparing advocacy across political systems is rising, as indicated by the growing number of preliminary conference papers and research agendas. There have been a handful of studies comparing lobbying activities in the United States, the United Kingdom, and the European Union (McGrath 2005; Thomas and Hrebenar 2000; Thomas 1993), but they have been qualitative and descriptive undertakings, and have failed to look systematically at the factors influencing advocacy in the two polities.

The bulk of comparative interest group research has focused on classifying national interest group systems as either corporatist or pluralist. Using as indicators the size of groups, the number of groups, and the existence of formal structures for interest intermediation, scholars have attempted to assign political systems to various categories and typologies, including pluralist, corporatist, clientele, statist, neocorporatist, network, and elite pluralist, among others (Streeck and Schmitter 1991; Siaroff 1999; Lijphart 1999; Eising 2005). The aim of most of this work has been either to describe or to determine the relationship between interest intermediation and democracy or socioeconomic performance (Eising 2005, 3). It is not immediately clear from this literature how the various interest intermediation patterns would influence advocacy strategy selection.

Combing the large but distinct bodies of literature on U.S. interest groups and advocacy and on EU groups and lobbying, however, provides a foundation for the theorizing and hypothesis-building presented in chapter 2. In response to the thriving lobbying communities in the United States and the European Union, scholarship on advocacy in both polities has flourished, albeit separately. The extant work highlights how issues and interest characteristics are important factors determining advocacy strategies.

In the European Union, a great deal of work has been done on advocacy activity in certain policy areas: the electronics industry (Cawson 1992), telecommunications (Schneider 1992), biotech (Greenwood 1994), fruit trade policy (Pedler 1994), aviation (Van den Polder 1994), transport (Stevens 2004), postal policy (Campbell 1994), and the environment (McCormick 1999; Rucht 2001; Boyd 2002; Long, Salter, and Singer 2002). These works considered jointly demonstrate how advocacy differs depending on the policy area and issue.

Considerable research also has been conducted on various types of actors active in the EU policymaking arena: business/economic groups (McLaughlin et al. 1993; Coen 2002; Bouwen 2002; Grossman 2004), trade associations, (Martin and Ross 2001), farmers (Klandermans et al. 2001; Bush and Simi 2001), "diffuse interests" (Pollack 1997), regional interests (Keating and

Hooghe 2001), and professional lobbyists or consultancies (Lahusen 2002). Through these studies of various categories of actors, authors have attempted to uncover the advocacy practices of different types of advocates. Considering the individual pieces of scholarship jointly suggests lobbying varies by interest group—that is, farmers are more formally included in decision making on the Common Agricultural Policy, diffuse interests find it difficult to access the commission, trade associations coordinate the work of their national components. Other scholars have sought to shed light on the similarities and differences of interest groups through general surveys of a range of advocate types (Greenwood 1997, 2002; Coen 1997, 2002; Marks, Haesly, and Mbaye 2001; Kriesi, Adam, and Jochum 2005).

These earlier works on interest groups and advocacy in the European Union, taken together, demonstrate the importance of issue and interest characteristics in explaining advocacy. However, no single study has been designed that could simultaneously consider the effect of both issue variation and interest variation on advocacy strategies and advocacy success. Studies of any one issue area lack variation on issue factors. Studies of any one advocate type lack variation on interest group characteristics. Moreover, they also tend to lack variation on issue context, since advocates are studied in a general manner through surveys that do not gather information on specific issues or the political context of a case. Thus, in the EU literature, there is a lack of variation in institutions since the focus is on one polity, and a lack of variation in issues or interests depending on the topic of the case study. Regardless of the study's focus, two critical levels are always held constant.

In the United States, previous research also gives strong credence to the idea that issue and interest characteristics matter when it comes to understanding advocacy strategies and success, but this body of work also leaves out an important component influencing advocacy—institutions. In the literature on American interest groups we have not seen a systematic study of the effect of democratic institutional design because we lack variation in institutions. In the United States, rigorous empirical and theoretical work on advocacy has been thriving for decades. Group theory has developed considerably since the early work of Bentley (1908), Truman (1951), and Milbrath (1963). Volumes have been written on mobilization (Dahl 1961; Olson 1965; Walker 1983), lobbying tactics (Schlozman and Tierney 1986; Berry 1989; Baumgartner and Leech 1998), lobbying coalitions (Hula 1999; Hojnacki 1998; Whitford 2003), lobbying targets (Bauer, Pool, and Dexter 1963; Austen-Smith and Wright 1994; Hojnacki and Kimball 1998), and advocate influence (Smith 1984; Gerber 1999; Smith 2000; Tauber 1998). What has been missing is study of the effect of institutional structure on each of these critical aspects of lobbying—an unavoidable omission when the critical independent variable is constant across cases. Thus, while scholarship on American groups has greatly

advanced our understanding of the advocacy process on numerous fronts, the effect of institutional design on that process continues to elude us.

Only when we move to a comparative framework, looking at advocacy activity across polities, across issues, and across advocates, can we begin to understand the full process at play determining advocacy strategies and success. This is precisely what my study does and this research design is an important departure from previous research on lobbying. Rather than holding the factors driving advocacy strategies and success constant, as is typical, the research presented here is based on cases randomly selected to cover the full range of policy activities in the European Union and the United States. The cases involve substantial variability in issue salience, scope, policy domain, and conflict. The array of advocates involved in the study ranges from trade associations to citizen groups to corporations. And of course, with the same methodology followed in the United States and the EU, the study allows comparison across institutions as well.

CHAPTER LAYOUT

This book presents the first large-scale quantitative study of advocacy in the United States and the European Union. Drawing on 149 in-depth interviews with advocates in the two capitals who are active on 47 political issues, I detail the determinants of American and European advocacy strategies and their lobbying success.

An introductory section detailing the political systems and the advocacy communities of the United States and the European Union follows this introduction. Chapter 1, an overview of the two political systems, is provided for those readers not familiar with one or the other or both polities. The structure of the governing institutions, media systems, and advocacy communities is detailed. Chapter 2 lays out the theoretical approach of the research, the framework for explaining advocacy. A comprehensive study of U.S. and EU advocacy is achieved by identifying key factors at the institutional, issue, and interest group levels and their relationship to the advocacy process. Chapter 3, Researching Advocacy, describes the research design, the sample of cases, and the advocates interviewed.

Each of the following six chapters is devoted to a single stage of the advocacy process. Each includes theoretical discussions and empirical evidence—both quantitative and qualitative—of the determinants of decisions in that advocacy stage. Chapter 4 discusses the approach lobbyists in the United States and the European Union take toward a policy debate. The differences in lobbying approaches—whether a lobbyist is seeking to promote a proposal, modify it, or kill it—depend on the institutional setting and the issue characteristics at hand, not on innate cultural tendencies. Chapter 5 looks at the argumen-

tation strategies lobbyists employ. The findings show remarkably similar argumentation types in the two polities but demonstrate that they are used with different frequency. Chapter 6 investigates the differing targeting strategies of U.S. and EU lobbyists.

Chapters 7 and 8 present the findings regarding the tactics advocates use. Chapter 7 deals with inside lobbying tactics, those strategies employed by lobbyists in political capitals, communicating directly to policymakers (e.g., face-to-face meetings, Dear Colleague letters, and cocktail parties, and drafting legislative language.) The findings demonstrate that lobbyists in the United States and the European Union are using very similar tactical repertoires and that issue characteristics affect inside lobbying decisions in similar ways in the two capitals. Chapter 8 addresses outside lobbying tactics, those strategies that work to influence policymakers through the public, mobilizing constituents with press releases, political advertisements, and grassroots letter-writing campaigns.

Networking and coalitions are detailed in chapter 9. This chapter demonstrates the varying propensity for American and European lobbyists to create ad hoc issue coalitions and the similarity of their networking strategies. Chapter 10 considers the final stage of the advocacy process, lobbying success. The same sets of factors that explain advocacy strategy decisions also help explain who wins and loses in political debates. This chapter shows how the U.S. system tends toward more winner-take-all outcomes, with business, more often than not, seeing its goals realized. The EU system, on the other hand, tends toward compromised success, with more advocates, business, and citizen groups emerging at least somewhat victorious.

The conclusion draws the findings together to summarize the similarities and differences between lobbying in the United States and the European Union. It also discusses how these findings extend to the comparative study of interest groups more broadly.

NOTES

1. Much debate surrounds the proper term to use when studying advocacy. Interest groups, organized interests, civil society organizations, and lobbying groups all connote some type of group, leaving out the other important players in all lobbying communities, such as individual firms, institutions, and other governmental units and lobbying, law, and PR firms. The term "advocate"—any entity attempting to influence the policymaking process—successfully captures all these actor types and is therefore used throughout the text.

2. The term "directly elected" is used to distinguish popularly elected policymakers from those elected by parliaments or governmental committees.