

# Prompters on the Political Stage

*Lobbyists are looked on as pullers of strings who work in furtive secrecy. In Germany, their stalling tactics are considered to have added to the backlog in political reform. **CORNELIA WOLL**, who worked for several years at the **MAX PLANCK INSTITUTE FOR THE STUDY OF SOCIETIES** in Cologne, paints a somewhat less ominous picture for Europe as a whole. Many lobbyists are more concerned with keeping their companies or associations informed of current legislative intentions than with pressuring politicians. On issues of particular complexity, their expertise is actually in demand.*

As one of the most disputed pieces of legislation passed by the European Union, it exemplifies the power and powerlessness of interest groups in Brussels: the chemicals regulation REACH (Registration, Evaluation and Authorisation of Chemicals) that takes effect on June 1 introduces new rules for chemical substances in Europe – for the benefit of consumers. In an ambitious undertaking, some 30,000 substances are to be registered step by step. The EU Parliament approved the legislation by a large majority in December 2006. In the future, a new Chemicals Agency in Helsinki will supervise registrations and approvals and develop a database. It is also a battle won in the war against carcinogens.

But the lobbyists continue to fight. Is the regulation far too weak, a watered-down version of the original draft, doctored by industry representatives' sleight of hand? Consumer watchdogs are concerned, above all,

that potentially hazardous substances will still be permitted to be used. Companies are simply required to guarantee that the risks are manageable, and that alternatives that present no health risks are being researched.

Criticism is equally loud on the opposing side: REACH is a job killer, it is said, a sinful bureaucratic doctrine that hampers European competitiveness. Such is the view of Germany's Chemical Industry Association, which warns that manufacturing costs will rise. Employers are already openly

threatening to switch production to non-EU countries. The new legislation that will, in the future, regulate the use of chemicals in children's toys, clothes and toothbrushes raises many questions. It seems that no one is genuinely happy with it.

Political scientist Cornelia Woll is concerned less with the content of the regulation than with the way in which it came into being. A former employee of the Max Planck Institute for the Study of Societies in Cologne now working at the Centre

European parliamentarians in Strasbourg vote on REACH – new rules for the chemical industry.



PHOTOS: THE ASSOCIATED PRESS / DPA – PICTURE ALLIANCE (2)



It's not just MEPs in Brussels who make policy – the staff of the approximately 1,000 interest groups also play their part.

d'Etudes et de Recherches Internationales at Sciences Po Paris, she is researching the relationships between companies and governments – and the role of lobbyists in the European Union. In this respect, REACH is a rich source of material.

## NO ONE IS SATISFIED – WHICH IS A GOOD SIGN

“Even if the chemicals regulation is described as the worst case of lobbying in Europe to date, it also shows that the representation of interests works well in the EU,” says Woll. “The lobbying came from all sides: from industry, from regional groups frightened for their countries' ability to compete, and therefore about jobs, and from consumer groups and environmental bodies.” These lobbyists systematically attempted to influence the media and public opinion in a fight for attention that lasted years and that has now ended in numerous compromises being written into the regula-

tion. The fact that no one was satisfied in the end could also be taken as a good sign, Cornelia Woll suggests.

Lobbyists do not enjoy a good reputation. They are regarded as well-paid whisperers in political ears, professional schemers and manipulators. German media, too, are fond of casting the profession in a bad light. *Die Strippenzieher* (“The pullers of strings”), for example, is the title of a book by journalists Cerstin Gammlin and Götz Hamann that examines the sinister power of interest groups in Berlin.

Cornelia Woll, on the other hand, tries to draw an unemotional balance. She is interested less in special interest politics at the national level than in the European perspective. The main focus of her work is on Brussels, where there are estimated to be around 15,000 active lobbyists. Only in Washington are representatives of interest groups present in greater numbers, though the percep-

tion of these lobbyists is far less critical in the US. That is a good reason for Woll to compare lobbying practices in Washington and Brussels with one another in her research.

Originally, the 29-year-old researcher intended to concentrate on the influence of trade associations on commercial policy matters. However, in the course of her work, Woll became aware of how strongly interest group politics in Europe has changed: the influence of corporatist associations has declined substantially. Today, it is mainly individual companies that have offices in Brussels and maintain contact with the resident bureaucrats. Since the mid-1980s, some 350 companies have set up shop, giving the impression that the EU Commission is besieged by special interests.

## LOBBYING IS AN EXPENSIVE BUSINESS

This also reflects the political significance that the EU has acquired: with



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Not even the color of a rubber duck's beak escapes the attention of the European Parliament.

so many decisions affecting every aspect of life now being made in Brussels, interest group politics is no longer limited by national borders. Not only has a supranational corpus of lobbyists long since established itself, the number of EU-wide associations is also soaring. There seems to be little doubt as to their orientation: some 70 percent of the nearly 1,000 interest groups in Brussels are devoted to economic goals. Humanitarian groups, environmental organizations and consumer bodies are in the minority.

Cornelia Woll sees a fundamental problem here: "The intensively argued special interests of small groups are far easier to represent than more diffuse general interests," she writes in a paper: "In addition, the costs of interest representation weigh more heavily on citizen groups than on corporate players." Maintaining both national offices and a presence in Brussels calls for long-term investment. Owing to the fees they command, hiring additional professional lobbyists, public relations experts and lawyers is often the preserve of the financially powerful. However, Woll also points out that the European Commission is keen to balance out this "fundamental asymmetry" by providing financial support for underprivileged groups.

The major corporate players may find it easier to assert their interests. Yet, Woll regards it as an exaggeration to conclude that the lobbyists have seized the reins in Europe. "There is no automatic link between the presence of protagonists and their political influence," she notes.

"Lobbyists are not just concerned with exercising influence."

One important task is to act as observers of European politics. After all, companies have a legitimate interest in knowing in advance what new laws and directives are coming their way – and how to prepare for them.

Cornelia Woll refers to this as monitoring. And the fact is that even associations and industry representatives often lack information about the EU, as an amusing example illustrates: The Brussels office of a national employers' association once received a call from an agitated employer in Germany who was evidently upset. He had heard about a proposed new directive and urgently wanted to speak to a Mr. Coreper who was, to his knowledge, competent to deal with such matters. Only as the conversation proceeded did it become clear that the COREPER he was referring to was not a bureaucrat, but the Committee of Permanent Representatives that comprises up to 180 working parties.

### THE CASE OF THE RUBBER DUCK

Politics in Brussels is sometimes less than transparent, which is one reason why lobbyists mediate between the committees and corporate headquarters back home. However, the growing importance of interest groups also has to do with the fact that more and more technical decisions are being made in Brussels. The chemicals regulation REACH is just one example, albeit one with many emotional issues attached. In general, the more complex the subject, the greater the demand for the expert knowledge that interest representatives possess. Woll, who worked as an intern at the European Parliament and once spent three weeks grappling with the color of rubber ducks, has a personal insight into the problems: particularly in Brussels, the devil is in the detail. And if rubber ducks glow bright red, then to an expert eye, that may mean that they contain hazardous substances. "In a

worst-case scenario, the bureaucrats and MEPs in Strasbourg may know so little about a piece of legislation that they have to rely on the lobbyists' suggestions," says Woll.

When the researcher first began studying the lobbying practices of American and European businesses seven years ago as part of her doctoral thesis, she first had to convince the skeptics in her own academic environment. Colleagues and professors warned her of the difficulty of even gaining access to the offices of such interest groups and getting honest answers. "When it starts to get interesting, they'll clam up," was one well-meant piece of advice. But Woll was not to be deterred. She interviewed a total of 80 representatives of special interests in Brussels and Washington regarding their activities and working methods. "If you ask different stakeholders about directives coming out of Brussels, after a while, a lot of interesting details come to light," says Cornelia Woll.

As a scientist, she has gained experience in dealing with otherwise discreet interest groups. Sometimes it is worth appealing to the egos of lobbyists who are happy to report their successes in Brussels – and to relate what they have achieved for their companies. On the other hand, the actual influence of lobbyists is more difficult to measure. For practical reasons, most researchers have restricted themselves to analyzing the presence and financial clout of companies active in Brussels, from which they can then draw conclusions about the influence of each player.

In the course of her interviews, Cornelia Woll has not come across a single smoking gun or scandal: "The popular cliché of intrigue and voices whispering in the dark is somewhat off the mark." Without doubt, there are some black sheep in the fold. It is also regarded as ill-advised in Brussels to aggressively coerce decision-makers. The preferred method is to suggest that a new directive will cost jobs. In the case of REACH, the chemical industry was not the only one to use this strat-

egy to marshal opinion against the regulation. The auto industry also recently mobilized its forces when the issue of an EU-wide limit on new vehicle emissions arose, with companies in Germany roping in Federal Minister of Economics Michael Glos as an advocate of their cause.

Generally, however, businesses try to exercise a more subtle influence. The responsible bureaucrats in Brussels are not, after all, up for election and are therefore less susceptible to political pressure than, say, members of the German Bundestag, Cornelia Woll concludes. Most lobbyists are simply concerned with articulating their interests at the right time and in coordination with Commission representatives, avoiding unnecessary costs.

### A REGISTER FOR LOBBYISTS

Conversely, it is also in the interests of those of a political hue to resolve problems in dialogue with European interests. This contrasts sharply with the typical practices of American lobbyists, who argue their case with far greater vehemence – and are happy to cite the will of the electorate in support of their argument. "European lobbyists are fundamentally concerned to play a constructive part in political events, because access to the political process is dependent on their adopting a constructive approach," Woll believes. Still, there is growing public pressure on the EU Commission to control the lobbying scene more rigorously in the future.

Just recently, the EU Commissioner for Administrative Affairs, Audit and

### OUT OF DARK CORRIDORS AND INTO THE LIGHT OF PUBLIC ATTENTION

The term "lobby" originally referred to the foyer of Britain's House of Commons. Here, voters had free access to their elected representatives – a chance to be heard in advance of important votes. Another interpretation traces the term back to US President Ulysses S. Grant, who liked to retire to the famed Willard Hotel in Washington, D.C. to enjoy a smoke, his wife having allegedly forbidden him to do so in the White House. While the President took a drink at the bar, people wanting something from him waited in the lobby.

In the US, lobbying is looked on as part of the democratic system. Even Alexis de Tocqueville, in his book *Democracy in America*, warned of the danger that the elected majority will always ignore the minority. To prevent this tyranny of the majority, as he described it, the minorities should form groups and ensure that their interests are heard by political decision makers. The common good is, accordingly, the sum total of individual interests.

In continental Europe, however, it was the teachings of Jean-Jacques Rousseau that left their mark on political theory. The French philosopher postulated the existence of a *volonté générale*, a general or common will that can develop only in the absence of sub-groups. Thus, interest representatives have long enjoyed a negative image. In Germany, for example, the representatives of the major business associations have been held jointly responsible for the country's inability to tackle necessary reforms. In some capital cities, however, the expertise of lobbyists is in demand. They can even be found assisting ministries in drafting the texts of complex legislation.

Not only the social function, but also the job description of lobbyists has changed dramatically. Whereas it is mainly lawyers who comprise the profession in the US, in Brussels, it is not unusual to encounter political scientists, experienced corporate executives and even journalists and politicians who have changed sides. The demand for political advisers and corporate representatives in Brussels is likely to increase even further, given that more and more important decisions are being made there. If the EU Commission prevails with its Transparency Initiative, however, lobbyists will no longer walk in dark corridors in the future, but in the bright light of public attention.

PHOTO: PICTURE ALLIANCE/JAKE-IMAGES  
ULYSSES S. GRANT

Anti-Fraud, Siim Kallas, introduced the European Transparency Initiative. Among other provisions, this would require lobby groups to obtain accreditation in Brussels, apply for entry in a register and submit to a code of conduct. Kallas' intention is to avoid corruption, with warning bells still sounding after the scandal surrounding the American lobbyist Jack Abramoff, who used huge bribes to purchase the compliance of US senators.

For some, the Transparency Initiative does not go far enough. The Alliance for Lobbying Transparency and Ethics Regulations (Alter-EU), of

which Greenpeace, for example, is a member, is demanding that lobby groups should, in the future, also disclose the funds they receive.

In principle, Woll believes the Estonian EU Commissioner's moderate approach to be correct: "It makes good sense to be able to see who was consulted in a particular legislative procedure and what the interest groups actually said." The opportunity already exists to request copies of every document the Commission has received on every piece of legislation, including policy papers and lobbyists' proposals.

On the other hand, anyone taking the trouble to delve in would have reams of paper to work through. It is not only EU officials who often balk at this time-consuming task, but also Brussels-based journalists. Even scientists find the going tough. Yet Cornelia Woll sees a need to address the issue of lobbying – even if only to put the cliché of shadowy figures behind the scenes into perspective.

CHRISTIAN MAYER



PHOTO: BPA - PICTURE ALLIANCE/CORBIS

Siim Kallas is trying to regulate lobbying: an uphill battle against the auto industry.