

Interest groups in EU policy-making

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Accepted on 26 May 2008

Published on 2 September 2008

Living Reviews in European Governance

Published by

Connecting Excellence on European Governance (CONNEX)
and

New Modes of Governance (NEWGOV)
ISSN 1813-856X

Abstract

There is a plethora of studies on interest groups in the European Union. While these studies have generated a wealth of insights, it is not actually clear what they have accomplished. This Living Review seeks to identify those areas of interest group studies in which our knowledge is fairly consolidated and in which major research gaps or major controversies can be noted. I argue that these research gaps and controversies stem from both the empirical variance in the interest group landscape and the theoretical segmentation of EU interest group studies. These have been shaped by influences from Comparative Politics, International Relations, Policy Analysis, and Democratic Theory. I suggest that future research should engage to a greater extent in cross-cutting theoretical debates in order to overcome the pronounced demarcation of research areas and in more rigorous theory testing than has sometimes been the case. The article starts by discussing the problem of conceptualizing interest groups before moving on to the fissured theoretical landscape. Thereafter, major research themes are discussed. First, I review the relation between EU institutions and interest groups. Here, I look both into multilevel governance and Europeanization studies that focus on the vertical interaction and into analyses that stress the horizontal segmentation of the EU system in different institutions and sectors. Second, I analyze core themes of EU and comparative interest group studies, namely the issue of collective action, the access of interest groups to policy-makers and their influence on EU policymaking.



How to cite this article

Owing to the fact that a *Living Reviews* article can evolve over time, we recommend to cite the article as follows:

Rainer Eising,
“Interest groups in EU policy-making”,
Living Rev. Euro. Gov., Vol. **3**, (2008), No. 4. [Online Article]: cited [<date>],
<http://www.livingreviews.org/lreg-2008-4>

The date given as <date> then uniquely identifies the version of the article you are referring to.

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1 Introduction

Interest organizations have been steady companions of European integration. They have responded and contributed to the growing importance of European Union (EU)/European Community (EC) politics by promoting their cases readily before the EU institutions. Despite numerous empirical studies that have generated a wealth of insights, our knowledge about them is still limited. The existing body of literature demonstrates quite well why national groups join in the circuit of EU collective action and what strategies of interest representation are available to them, but it has also notable gaps, brought about some areas of controversy, and displays some contradictions in its findings (for a similar view of U.S. interest groups, see Baumgartner and Leech 1998). In this article, I review the state of the art in EU interest group research (for a more comprehensive review, see Beyers, Eising, and Maloney 2008a) omitting the role of civil society in EU politics because another Living Review is dedicated to this topic (see Finke 2007).

I argue that several reasons account for the contradictory points of view as well as the gaps in the study of interest organizations in the EU: the difficulty to nail the interest group concept to the wall, the variety of theoretical perspectives that stand in the way of a cumulation of knowledge, the changing nature of the European polity, and the methodological focus on case studies and specific units of observation. First, I reflect on the concepts of interest groups and interest organizations. Then, I review the different theoretical strands that influenced EU interest group studies. Finally, I look into major topics in this literature: I start by looking into the consequences of the EU institutional setting for interest organizations. Then, I discuss the political mobilization, the access to policy-makers, and the influence of groups on EU policy-making.

2 The interest group concept

In most advanced capitalist democracies, the number of interest groups is very large indicating that their political mobilization capacity is considerable. As an important implication, interest group systems are loosely coupled and segmented into quite a few sub-systems. Unlike in party systems, where all units of the system are said to operate according to the logic of party competition, many interest groups have no relations at all. Moreover, several groups do not operate according to a competitive logic but have developed a division of labor with other groups. As a consequence of the variance within interest group systems, interest group studies face tremendous difficulties to produce far reaching generalizations. They have not even managed to agree on a common terminology for their central unit of observation: They focus on interest groups and organizations, special interest organizations, associations, political lobbies, civil society organizations, social movement organizations, non-governmental organizations, non-profit groups, civic groups etc. As a consequence of empirical variance and a wide variety of research interests, the research field is heavily compartmentalized. While this variety can be regarded an indicator of a vibrant research community, it must be noted that there is little communication between different strands of the literature.

In this review essay, I use the conventional term ‘interest group’, although this label carries much baggage (see Jordan and Maloney 2007). What are the key features or components which define an interest group? For present purposes, a brief definition of this concept is in order. I propose three factors (based on Beyers, Eising, and Maloney 2008b): *organization*, *political interests*, and *informality*.

Organization relates to the nature of the group and excludes broad movements and waves of public opinion that may influence policy outcomes as interest groups. Interest groups politics concerns the political behavior of aggregated individuals or organizations. *Political interest* refers to attempts of these organizations to push public policy in one direction or another on the behalf of constituencies or a general political idea. *Informality* relates to the fact that interest groups do not normally seek public office but pursue their goals through informal interactions with politicians and bureaucrats. This, however, does not rule out that important facets of state-group relations in capitalist democracies or in EU politics are heavily institutionalized.

The concept ‘*interest group*’ itself can be misleading as it refers to individuals, organizations or institutions that are associated in a body that aims at influencing public policy. However, not all interest group scholars study *groups* in this way. Some consider institutions (such as hospitals, schools or universities), firms or local governments as interest groups or interest organizations (see Gray and Lowery 2000). These institutions show some level of organization and exhibit policy preferences. Accordingly, it makes sense to conceive of such actors as *interest organizations* that are equivalent to interest groups, although they are not really aggregating the preferences of some constituency. While many interest groups are indeed associations, a significant portion of the field consists of organizations that act in part like interest groups even though their *raison d’être* is usually not the representation of interests. Hence, interest groups and interest organizations are united in their function to influence public policy. Distinguishing interest groups from interest organizations acknowledges the existing heterogeneity and reduces some ambiguity through clearer labeling (Jordan and Maloney 2007: 32–33).

3 A fissured theoretical landscape

This section gives an overview of the major theoretical lenses on EU interest groups. EU interest group research has moved from older theoretical perspectives that were derived from international relations and comparative politics approaches, towards newer modes of analysis that are rooted in policy studies, concepts of associative and deliberative democracy, and studies focusing on multi-level governance and the Europeanization of interest groups. While most of these approaches have been developed in other areas of Comparative Politics and International Relations, especially the literature on multi-level governance and Europeanization studies do now feed back into other areas of political science (see also Woll 2006). There is now a healthy variety of theoretical and analytical lenses on EU interest groups but unfortunately communication among scholars working in different traditions is rather poor. While these different perspectives may stimulate the debate on interest group politics in the EU, they can also impede the accumulation of knowledge. I suggest that an important reason for the lack of transparency of this literature and the emergence of contradictory points of view is the compartmentalization of the theoretical traditions. It is therefore an important task of future studies to engage in cross-cutting debates as well as in systematic theory testing rather than staying in their research niches. A brief review of the major theoretical perspectives shall illustrate that proposition:

Till the 1980s, two *international relations* approaches – neofunctionalism and intergovernmentalism – dominated the study of European integration. Both consider the impact of interest organizations on the integration process but offer very different theoretical lenses on their political role. Neofunctionalists (Haas 1958; Lindberg 1963) were the first to study the role of interest organizations in the European Community. Their main research interest was in the changing nature of international relations after World War II and the build-up of a supranational political organization (Kohler-Koch 1992). Drawing partly on the American group approach of politics (Truman 1993) and focusing on economic interest groups, they had strong hopes that business associations and trade unions would be among the driving forces of European integration. In normative respects, they appreciated the political engagement of these organizations because, presumably, interest groups would not only contribute to the deepening of European integration and the peaceful resolution of conflicts but also to an increase in economic welfare throughout the EC. However, early on it became clear to them that these theoretical expectations were not matched by their empirical findings (Haas 1958: 318–359). During the consolidation of the European Economic Community (EEC) and the set-back of the integration process in the 1960s and 1970s these questions lost therefore in relevance while others gained in prominence. Continued member state resistance against important integration measures led Stanley Hoffmann (1966) to an intergovernmental account of European integration in which interest organizations played only an insignificant role and caused Ernst B. Haas (1975) to question the usefulness of regional integration theory altogether.

With the new dynamics of European integration in the mid-1980s, the search for the leading actors of this transformation resurged: in line with the neofunctionalist tradition, supranational institutionalists (Sandholtz and Zysman 1989) argued that business interests played an important part in this transformation and later empirical studies presented some empirical evidence in support of this argument (Cowles 1997; see also Collignon and Schwarzer 2005 on banking interests and EMU). But scholars rooted in liberal intergovernmentalism viewed the integration process as the outcome of bargaining among the large member states. They maintained that interest groups did not have a great say in major policy decisions and that, in any case, they represent their interests only to their national governments who would act as gatekeepers to the EU (Moravcsik 1998). Hence, the strategies of interest groups in the EU system and their influence on EU policy-making are contested – not only on the basis of empirical evidence but already on the grounds of theoretical assumptions.

Scholars rooted in the *comparative politics* tradition discovered the political system of the

European Community (EC) only in the 1970s. They were mostly interested in how interest intermediation in the EC operated and what role associations played in EC decision-making (Meynaud and Sidjanski 1971; Schwaiger and Kirchner 1981). Later, the emphasis shifted to the patterns of interest intermediation (Averyt 1977) and the conditions of collective action in the European Community. The dependence of EC level interest intermediation on national interest group systems came as much into focus as the new options which the EU institutions entailed for national interest groups (Burkhardt-Reich and Schumann 1983). Several authors arrived at the conclusion that the multi-layered and segmented European institutional setting promoted informal, sectoral, and pluralistic patterns of interest intermediation rather than formal, cross-sectoral and corporatist patterns (Averyt 1977; Streeck and Schmitter 1991). Following this line of reasoning, there is a rather broad agreement that some form of pluralism is characteristic of EU interest intermediation (Coen 1998; Cowles 2001; Schmidt 1999). However, even this assessment is not without its critics: Some studies found more formal and regularized relations among interest groups and the EU institutions (Andersen and Eliassen 1991; Mazey and Richardson 2002: 124; Mahoney 2004) and others detected quasi-corporatist patterns of interest intermediation in some policy-areas, notably in EU harmonization policies and in the EU social dialogue (Eichener and Voelzkow 1994c; Falkner 1998).

Studies that discuss the contribution of interest organizations to *European democracy* also arrive at fundamentally different conclusions: In his pioneering study that was rooted in a critical appraisal of the pluralist perspective on interest groups, James Caporaso (1974) criticized the narrow pursuit of self-interests fearing that it might jeopardize the legitimacy of the entire integration process. In recent years, the debate about the democratic deficit of the EU as well as the study of social movements in the European Union nourished more favorable views on interest groups in the EU (Imig and Tarrow 2001a; Balme, Chabanet, and Wright 2002; della Porta 2007). Among the political institutions, the European Commission and the Economic and Social Committee emphasize ways to make the political participation of civil society organizations – that are equivalent to interest groups in the narrow sense presented above – more effective and democratic (see EC 2000, 2001, 2002). The theoretical debate on this topic focuses on the possibility and the prerequisites of deliberative and associative democracy in Europe (see Kohler-Koch and Rittberger 2007). The renewed interest in normative questions has also come to spur a number of empirical analyses on this topic (Pollack 1997; Smismans 2004, 2006; Warleigh 2001). As a consequence, the study of interest groups in the EU has been systematically linked to democratic theory and concepts of political representation (for a useful overview, see Finke 2007).

With respect to the contribution of interest groups to *European governance*, the analytical results are not unequivocal. Based on their analysis of associational self-regulation in EU harmonization and standardization processes, Eichener and Voelzkow (1994c) concluded that interest groups enhance the governability of the European Union. In contrast, rooted in a study of the organizational characteristics of some 50 EU level business interest groups, Greenwood and Webster (2000) suggest that these organizations are unable to act as governance partners of the EU institutions. However, it is difficult to infer from these studies the conditions under which EU level interest organizations are actors in their own right, serve as political fora in which their members discuss their political options or are merely instruments of their dominant members.

In sum, the theoretical and empirical scope of EU interest group studies has widened tremendously over time. Similarly, the scientific controversies about the adequate theoretical and methodological approach to EU interest intermediation have intensified. The field has clearly moved beyond the earlier stage of adapting the approaches developed in other fields of study to European interest intermediation. Most notably, the concepts of multi-level governance and Europeanization (see below) are rather new approaches that feed back into comparative politics and international relations. For example, the study of multi-level governance gives new impetus to research on comparative federalism (Benz and Lehbruch 2002; Hooghe and Marks 2003; Nicolaïdis and Howse

2001) and to studies of international organizations and their linkages to national politics. However, in order to address some of the controversies and clarify the uncertainties associated with the roles and functions of interest groups, the demarcations between different research communities need to be brought down. Promising avenues are the cross-fertilization of interest group and social movement research (Balme, Chabanet, and Wright 2002; Imig and Tarrow 2001a), of interest group studies and analyses of political cleavages in the EU (see Marks and Steenbergen 2002; Beyers and Kerremans 2004) as well as the incorporation of interest groups in the analysis of political representation in the EU (see Kohler-Koch and Rittberger 2007).

4 EU institutions and interest groups

4.1 The co-evolution of the EU institutions and interest groups

An abundance of studies emphasizes the importance of the EU institutional setting to the representation of societal and economic interests (e.g. Mazey and Richardson 1993). The transfer of political authority to the EU institutions is important for interest groups because political institutions do not only ‘organize some conflicts into politics and some conflicts out of it’ (Schattschneider 1960) but they also channel how these conflicts are being resolved. There is wide-ranging consensus that the EU institutions are not just an opportunity structure for interest organizations in which pursue their interests (Marks and McAdam 1996; Imig and Tarrow 2001b,c; della Porta 2007) but that they shape the arenas of interest intermediation in manifold ways. They set up committees and bodies for the regularized consultation of groups (Mazey and Richardson 2002; Mahoney 2004; van Schendelen 2002), delegate policy-making and implementation powers to them (Falkner 1998; Falkner *et al.* 2005), support a variety of interest organizations by providing finance, organizational help and granting privileged access (Aspinwall and Greenwood 1998; Pollack 1997; Smismans 2004, 2006), set standards for appropriate interest group behaviour (EC 2001, 2002) – and pursue their own policy preferences in alliances with groups that are supportive of their case.

More generally, some authors suggest that the EU institutional setting and the interest group system co-evolved (Eichener and Voelzkow 1994a,b). With the increasing scope of EU regulation, successive institutional reforms, and enlargements the EU-level interest group population has increased considerably over time (Balme and Chabanet 2002; Greenwood 2003) feeding back into the governance capacities of this complex institutional setting. Note that the exact number and diversity of groups of the EU interest group system is not known. The various directories of interest groups in the European Union comprise different types of organizations and differ with regard to the total number of actors in each class (for a useful discussion, see Berkhout and Lowery 2008).

At the start of the European integration process (1950/60s) a small number of interest organizations were active in Brussels. In the most dynamic phases of the EU/EC institutional evolution – after the founding years and the moves towards the Internal Market and Monetary Union –, it was mostly economic interest groups that responded most pronouncedly to the integration process by forming new EU interest organizations. In response to greater social regulation, the number of diffuse interests or NGOs has grown appreciably in recent years so that the bias that has been present in the system has been somewhat reduced. In 2002, the Commission registry of civil society organizations CONECCS (Consultation, the European Commission, and Civil Society) listed 885 EU level groups with approximately 80 per cent stemming from business and 20 per cent representing diffuse or public interests.

Over time, the predominant organizational formats also changed. Initially, EU interest organizations were mainly sectoral or cross-sectoral peak associations of national interest groups. Today many are mixed membership groups that include combinations of national associations, multinational corporations, other interest organizations as well as cities and regions. According to Justin Greenwood (2003: 9), it is now also commonplace for large numbers of firms (ca. 250), national associations (170), regions (171), and political, economic and legal consultants (ca. 280) to have Brussels offices – and many more actors are frequent commuters heading from Bruxelles Midi to Berlaymont.¹

While the lobby-system in Brussels is therefore no longer in its nascent stage of development it remains less stable and less consolidated than some national associational systems as a consequence of the mutating EU constitutional structure. It is also likely that successive enlargements had a significant impact on the EU system of interest representation – a largely under researched

¹ Bruxelles Midi is the main train station in Brussels and Berlaymont is the headquarter of the European Commission.

phenomenon (but see Blavoukos and Pagoulatos 2008). Moreover, the increase in the number of public affairs consultants and of large firm lobbying reflects the increasing professionalism of lobbying activities both at the national and at the EU level.

More specifically, some studies focus on the *vertical* dimension of the EU multi-level setting while others stress the *horizontal* segmentation of the EU into different pillars and institutions. It is often said that the former leads to complex linkages across levels of government while the latter tends to cause segmentation along policy issues and institutional competencies.

4.2 Multilevel governance and Europeanization

4.2.1 Multilevel governance and interest organizations

Several authors assert that the political opportunity structure of interest organizations and social movements has profoundly changed due to European integration (Marks and McAdam 1996; Imig and Tarrow 2001b). In several issue areas, European, national, and regional political processes are now closely intertwined. In response, interest groups and social movements have come to participate more or less regularly in EU policy-making and -implementation. Usually, one of two main analytical approaches is applied in order to capture how interest organizations responded to these institutional changes: multi-level governance (MLG) (Marks and Hooghe 2001) and Europeanization studies (Cowles, Caporaso, and Risse 2001; Featherstone and Radaelli 2003) dominate the study of vertical interactions. More recently, the concepts of venue shopping and the political construction of scale have also been employed in order to illuminate the behaviour of interest groups in the European Union setting (see Princen and Kerremans 2008).

The multi-level governance approach is supposed to capture the point that political authority is dispersed across and shared among European and national institutions (Jachtenfuchs and Kohler-Koch 1996; Hooghe and Marks 2003). The delegation of powers to the European Commission, the European Parliament, and the European Court of Justice made these institutions important to the representation of interests. According to this concept, however, national institutions have not become obsolete for national interest groups. In fact, national executives continue to enjoy substantial EU policymaking powers as members of the EU Council or the European Council. And as most EU policies are implemented by national institutions, these remain important addressees of domestic interest groups. Therefore, many analysts claim that domestic groups need to pursue a 'dual strategy' and promote their interests now vis-à-vis domestic and EU institutions (e.g. Kohler-Koch 1997: 3). This differs remarkably from the liberal intergovernmental conception of European politics in which domestic interest groups rely entirely on their national governments for the pursuit of their EU related interests (Moravcsik 1998) because the national executives act as gatekeepers to European politics aggregating domestic interests. Some authors have therefore characterized the EU as a network polity (Ansell 2000) or as a system of network governance (Kohler-Koch and Eising 1999).

Studies on the relations among federal (or multilevel) systems and interest group systems suggest also three major reasons why the EU might form a fertile environment for interest groups to flourish (Armingeon 2002: 214). First, political regulation in multilevel systems allows for greater inter-regional differences in interest group organization than unitary states. Second, cultural, social, and economic differences are more pronounced in multilevel systems than in unitary states, giving rise to greater variety in the interest group landscape. Finally, in unitary states, interest groups have greater incentives to concentrate on central-level representation, whereas the dispersion of political authority in multilevel systems makes for greater differentiation within the associational landscape. Hence, most of the evidence points to multilevelness as being conducive to the formation of a great variety of interest groups.

4.2.2 The Europeanization of interest organizations

Whereas the multi-level governance perspective seeks to integrate different territorial levels in a unified framework of analysis, Europeanization studies maintain the analytical separation of these layers. These analyses concentrate on the impact the EU has on national interest groups and patterns of interest intermediation (Cowles 2001; Falkner 2000; Schmidt 1999; Grossmann and Saurugger 2004). They seek to identify cross-national similarities and differences, denote areas of convergence, and trace the causal mechanisms of these processes.

So far, the systematic and comparative study of the EU impact on domestic interests is confined to a limited number of member states. Most analyses concentrate also on certain categories of interests. The few comparative studies concentrate on three large Western European member states – France, Germany, the United Kingdom (Schmidt 1999; Cowles 2001; Eising 2004) or tend to include smaller Western and Northern European member states (Lehmkuhl 1999; Schneider, Finke, and Baltz 2007). Further Europeanization studies are country studies. Interestingly, so far the contribution of the EU to the consolidation of democracy and civil society in the Southern and Eastern European member states is little explored (Perez-Solorzano Borragán 2003). In fact, it might be difficult to generalize from these studies to the interest group systems of the new EU member states that have come only relatively recently into being (see Lowery, Poppelaars, and Berkhout 2008 on the importance of contextual factors). Hence, we have obtained rather detailed knowledge about a few member states and issue areas but we lack comprehensive evidence about the Europeanization of interest groups across the union.

Some Europeanization studies look into the EU impact on domestic modes of *interest intermediation*. The literature on state-society relations distinguishes among four such modes: pluralism, corporatism, statism, and networks. While many scholars still look at national interest group systems in Europe as independent units (Siaroff 1999), Europeanization studies draw attention to the embeddedness of these systems in the European Union. A core hypothesis often linked to the Europeanization concept is that the *degree of fit* among the European and the domestic situation is decisive for the national adaptation to the EU (Cowles, Caporaso, and Risse 2001). Frequently, a high (low) degree of fit is associated with low (high) adaptation pressures in the member states.

Following this line of reasoning, Vivien Schmidt (1999; see also Falkner 2000) analyzes the repercussions of the EU on the domestic modes of interest intermediation in France, Germany, the United Kingdom, and Italy. She finds that quasi-pluralistic patterns are prevalent at the EU level and argues that German corporatism fits this mode better than the statism that she identifies in the UK, Italy and France. Consequently, adaptation pressures – and difficulties – would be greater in this group of countries than in Germany. However, Maria Green Cowles (2001) arrives at fundamentally different results in her study of the impact which EU foreign trade policy-making in the Transatlantic Business Dialogue (TABD) has on national industry federations. She also rests her case on the degree of fit argument and characterizes the EU mode as a form of ‘elite pluralism’ because, in the context of the TABD, large firms have a direct say in the formulation of EU foreign economic policy. She argues that this elite pluralism poses a greater challenge to associations socialized in German corporatism and French statism than to those that are used to British pluralism. Cowles finds empirical support for her argument in the German and British cases and contends that the French industry association has actually been empowered on the domestic level due to its involvement in the TABD negotiations. Hence, the findings of these studies on the Europeanization of interest intermediation are quite contradictory.

Both conceptual and empirical aspects account for these differences: Both authors conceive differently of pluralism and stress different elements of this concept. Vivien Schmidt (1999: 157–162) paints a broad picture of the cross-sectoral EU policy-making process ranging from policy formulation and implementation. By contrast, Maria Green Cowles focuses on the patterns of decision-making in a sub-sectoral forum of EU trade policy and on their fit with domestic foreign

economic policy formation. She finds that large firms are more involved in EU foreign trade policymaking than are industry federations. Stressing the aspect of consensus formation in the making of policies, Vivien Schmidt identifies a high degree of fit among European quasi-pluralism and German corporatism. In contrast, Maria Green Cowles highlights the different roles that firms and associations supposedly play in each system thus arriving at a poor degree of fit.

Their conceptual differences lead the authors to classify one of their cases differently. While the EU mode is held to be pluralistic, the German mode corporatist and the French mode statist, the authors disagree on the United Kingdom. Vivien Schmidt groups the UK among the statist countries because the British government has excluded interest organizations on important occasions from policy formation, whereas Maria Green Cowles puts the UK in the pluralistic camp because both firms and the British industry federation are routinely involved in British policy formation.

More generally, these difficulties stem from problems that are built into typological analysis. Not only are different elements being used to construct these typologies but also these typological elements do not always co-vary in the way envisaged. Empirically, even those cases that have been allotted to one and the same type may vary greatly. This makes it of course difficult to determine the prevalent modes of interest intermediation and to establish their 'degree of fit'.

4.3 Institutional segmentation, negotiation systems, and policy networks

Most comparative research finds a growing diversity and density of the interest group population in advanced political economies (Atkinson and Coleman 1989, 1992). Variations across policy areas, policy issues and along the policy cycle in the EU are traced to both the characteristics of different issue areas and the characteristics of the EU institutions. The *institutional context* defines the opportunities to get in touch with EU decision-makers (Meynaud and Sidjanski 1971: 468; Marks and McAdam 1996). Notably, three elements of the EU institutional setting are said to shape the relations with interest groups: its segmentation into three pillars, the allocation of powers to its institutions, and their vertical and functional differentiation. As it comprises the vast majority of the Union's policies, the subsequent analysis concentrates on the first pillar, the European Community (EC).

The allocation of legislative and executive powers to the EU institutions causes variations along the policy-cycle as well along policy areas. The European Commission's legal monopoly over policy initiation grants it a crucial role in agenda setting and policy formulation. Numerous empirical studies have demonstrated that it is the most important point of contact for interest groups in these phases of the policy-cycle (Meynaud and Sidjanski 1971; Mazey and Richardson 1993; Coen 1997, 1998; Bouwen 2002a,b; Balme and Chabanet 2002). Despite its role as a guardian of the treaties in policy implementation EU level interest groups pay less attention to its activities in the later phases of the policy cycle. National interest organizations split their activities more evenly across the entire policy cycle (see Eising 2004). The Commission's internal differentiation also causes some variance: it is rarely approached as a collegiate body. Rather, interest groups maintain relations with one or more of its Directorates-General that are responsible for specific policy areas.

Over time, the European Parliament has acquired substantial legislative powers and has become more important to interest groups (Kohler-Koch 1997). Nonetheless, even today, it is often held to be less important than the Council or the Commission because its influence varies tremendously along legislative procedures. The EP is considered to represent supranational and citizen interests in EU policy-making. Being elected by national voters, its members seem more amenable to national interests than the Commission and more open to diffuse interests, including those representing the environment, consumers, or large social groups such as the unemployed and pensioners.

Owing to its decisive position, the EU Council would seem to be a highly relevant contact for interest groups. Given its relatively few meetings and its composition of national delegates, the

Council and its administrative machinery is rarely lobbied in Brussels. For the most part, access to the EU Council occurs through national groups via the national ministries rather than directly to the collective decision-making body of the EU (Michalowitz 2004). The European Council is more removed from interest group pressure. Not only does it comprise the heads of state and government, but it also meets formally only once every six months, lessening its impact on the minutiae of day-to-day politics in the EU.

As the EU judiciary, the European Court of Justice (ECJ) monitors compliance with and interprets EU law. The preliminary rulings procedure offers interest organizations a channel to have questions of European law referred to the ECJ whose interpretations might invalidate domestic laws. However, in practice, to take a case to the European Court usually demands that a body of EU law already exists. And even where this is the case, the outcome of such action is uncertain, the financial costs heavy, and the duration of the case generally lengthy, which means that this avenue is not available to all citizens and interest groups, and will only be worthwhile when the stakes are felt to be especially high. Therefore, litigation strategies appear to be a rarer phenomenon than legislative lobbying by interest groups (see Bouwen and McCown 2007).

Finally, the Economic and Social Committee (ESC), set up to channel the opinions of organized interests within the European policy process, has only consultative rights in EU legislation. The ESC is a tripartite body composed of individual members representing employers, workers, and other interests. It is generally considered to be of marginal importance for the representation of interests within the EU.

Given the functional segmentation of the EU institutions, their internal differentiation as well as the variations along policy areas, several authors find it impossible to identify cross-sectoral patterns of interest intermediation. They claim that the EU patterns are sector- or policy-specific (Greenwood and Ronit 1994; Falkner 2000). In this vein, since the 1980s, many policy studies have come to enrich the empirical research on interest groups in the European Community. While mostly seeking to describe or explain the evolution of European policies, several authors analyze in great detail how organized interests adapted to European policy-making and what influence they had on EU policies. Highlighting the importance of sectoral or policy characteristics, they place sectoral negotiation systems (Grande 1996) or policy networks at the heart of their analysis (Peterson 2003; Börzel 1997). Emphasizing variance across sectors and policy areas, this perspective receives additional support through the increasing number of studies that highlight the complexity of EU governance. For instance, Helen Wallace (2005) distinguishes among five different modes of governance in the EU giving examples from five different issue areas.

A few recent studies go even further. Taking into account the 'elusive fluidity' of EU policy making (Kassim 1994), they take individual issues as reflected by EU directives as their main units of analyses. Recent quantitative studies generalize on the basis of the samples of issues they analyze (Mahoney 2007; Schneider, Finke, and Baltz 2007). Several analyses suggest that EU policy-networks tend to become more open for new actors and also larger as a consequence of the growing scope of EU regulation as well as the successive enlargements. Clearly, this can put established patterns of alliance formation to the test. At the same time, the struggle for the attention of the EU institutions becomes more intense and the uncertainty about the direction of EU policy-making increases. However, there is mixed evidence about these developments. On the one hand, several case studies illustrate indeed that more and more ad hoc coalitions are formed and that issue specific campaigns are on the rise (Pijnenburg 1998; Aspinwall 1998; Warleigh 2000). Interest organizations that were able to enjoy a representative monopoly for their domain at the EU level such as the European Environmental Bureau from the 1970s till the second half of the 1980s are now facing competition from other groups in their domain and must develop workable arrangements and a division of labor with them. On the other hand, patterns of alliance formation seem to be marked by long-standing ideological cleavages (Beyers 2004) and concentrate on the cooperation with isomorphic organizations (Eising 2009). Finding oneself beside strange

bedfellows in issue coalitions may be a rarer phenomenon than is sometimes suggested (see also Mahoney 2007).

More generally, since the 1980s, the increased number of groups that do not represent occupational or business interests has reduced the bias that has long been present in the EU associational system. This does not necessarily mean that public interests have a greater voice in EU policy-making because their political clout is hampered by their lesser capacity to organize and mobilize sanctions (Imig and Tarrow 2001b,c). But according to several observers, there is now a greater variety of cleavages in EU policy-making and groups that mobilize around ideas and norms have increased in importance (Marks and Steenbergen 2002; Wessels 2004; Finke 2007).

5 Organizational mobilization, access, and influence

Why then do groups mobilize in the EU, what access do they have to policy-makers, and what impact do they have on EU policies? These core questions of EU interest group studies are also of major relevance to the comparative study of interest groups. In recent years, a body of comprehensive empirical studies has engaged in systematic theory-testing on these issues (Bennett 1997; Beyers 2002, 2004; Beyers and Kerremans 2004; Bouwen 2002a,b; Coen 1997, 1998, 2007; Dür and De Bièvre 2007a,b; Eising 2004, 2007a,b; Greenwood and Aspinwall 1998; Mahoney 2004, 2007; Schneider, Finke, and Baltz 2007). It is interesting to note that the explanations of political mobilization, access to policy-makers and political influence focus in part on the same explanatory factors, but put different emphases on them, and arrive, in part, at different findings. Before addressing these issues in more detail, it is important to note that there is a general agreement about the following issues:

EU regulation is a strong stimulus for interest groups to mobilize, seek access, and exert influence on EU policies (Caporaso 1974: 27; Cram 1998: 67–69).

Resources such as policy information, financial means, constituency size, and economic clout are important prerequisites for both access and influence, notably, policy information is deemed to be a crucial exchange good by many authors (Bouwen 2002a,b; Crombez 2002; Mazey and Richardson 1993).

The predominance of bureaucratic politics and consensus formation among member states in the EU system support insider rather than outsider strategies of interest groups (Imig and Tarrow 2001a; Warleigh 2001; Rucht 2002).

5.1 Collective action and organizational mobilization

Studies on the logic of collective action have yielded fairly robust insights about the factors that shape the organization of interests at EU level. An important study rooted in the collective action paradigm came to the conclusion that there is no real collective action problem in the EU (Greenwood and Aspinwall 1998). Based on the classic analyses put forward by Olson Jr (1965) and by Clark and Wilson (1961), Aspinwall and Greenwood (1998) distinguish among selective and collective incentives to join associations on the one hand and material and social incentives on the other. They rest their empirical case on surveys of both EU associations and their national members. Their findings suggest that collective interest representation and policy information are crucial for the decision to join EU associations. In contrast, specific material incentives offered by the EU associations play a much lesser role (see also Sidenius 1998: 96–99 on Danish interest groups) thus undermining Olson's logic of collective action. Later empirical studies corroborated that neither the kind nor the number of their selective material incentives affect the membership density of EU-level groups (Eising and Kohler-Koch 2005).

Apparently, the decision to join EU associations is not really guided by specific cost-benefit analyses, but by more diffuse considerations: Collective interest representation is deemed necessary when representing interests vis-à-vis EU institutions. In essence, the cost of membership is an insurance premium (see Jordan 1998) that seems well worth paying for. The opportunity costs of non-membership can be enormous: they range from null (when there is no need for lobbying) over the cost of hired consultants or individual monitoring and lobbying efforts to organizational annihilation. Therefore, membership is rarely questioned and fully-fledged exit is hardly an option (see Greenwood 2002: 242–249). It is far more likely that members raise their voices in order to obtain a greater say in the associational bodies (see Platzer 1984 and Cowles 1997 on the reorganization of UNICE²), streamline the associational landscape in a sector (see Grote and Lang 2003 on telecoms; Lehmkuhl 1999 on transport), cut down organizational costs and improve the

² The former Union of Industrial and Employers' Confederation of Europe is *Businesseurope* since January 2007.

coordination of interest representation (see Coen 1998, 2007), or work unilaterally or in coalitions beside the EU level interest groups. However, it would be interesting to confront this evidence with analyses studying the population ecology of EU associations in order to draw a better picture of the evolution of the EU interest group landscape.

Besides the EU institutional factors and the incentive structures some contextual factors are held to be important. The embeddedness of actors in domestic and international associational systems is said to affect EU level interest representation: Experiences in transnational and international associations reduce transaction costs and can ease organized collective action in the EU (on UNICE, see Haas 1958: 324; Platzer 1984). Moreover, Grant Jordan (1998: 32) claims that the organization of interests at the domestic level constitutes the basic decision about *whether* collective action takes place. The formation of Eurogroups is only a secondary decision about the *how* of collective action at EU level even if in several instances political entrepreneurship was necessary to bring European associations into being (e.g., Haas 1958; Cowles 1997).

Yet other studies point to socio-economic and technical dynamics such as in the merging of telecommunications, media and information technology (Bartle 1999: 369–370; Knill 2001; Grote and Lang 2003). Already in the pluralist tradition of interest groups, these factors have been considered to be important influences on the organization of interests (see Truman 1993: 75) because they reduce the cost of organization and communication, change the scope of interest domains, raise new issues that associations must deal with, or because they open up new courses of action. However, the newer generation of EU interest group studies no longer considers these factors as sufficient influences on the formation and mobilization of groups pointing to additional contextual and actor-related factors.

5.2 The access to EU policy-makers

The study of collective action in the EU focuses mostly on the motivation and the incentives of actors to get organized at the EU level. Analyses that seek not only to explain the membership decision but look into interest group access and influence usually take a broader set of explanatory and contextual factors into account. It is common to conceptualize access as the number of contacts that interest groups maintain with the EU institutions (see Bouwen 2002a,b; Beyers 2002). By now, it is well established that the EU institutions are quite open to interest organizations (Mazey and Richardson 1993, 2002). Accordingly, interest group politics in the EU centres on insider rather than outsider strategies (see Broscheid and Coen 2003; Beyers 2004). When pursuing insider strategies, interest groups seek direct access to EU policy-makers e.g. by tabling position papers or participating in committee meetings. When pursuing outsider strategies, they tend to have more recourse to the media or mobilize the public through protests or other activities (see Wilson 1973; Walker 1991). Even though the strategies groups employ can vary across issues and even though groups may combine both strategies on some issues, there is a trade-off when seeking direct access to and building trustful relations with the European Commission or the European Parliament and simultaneously blaming or threatening these institutions through the news.

I discuss the access of interest groups to the EU institutions by comparing business interests to social movements. The former are generally said to apply insider strategies while the latter have greater recourse to outsider strategies. Business interest organizations are likely to seek and obtain access to EU policy-makers because their member firms are subject to EU regulation, because they tend to be more resourceful than non-commercial interests, and usually seek face-to-face contacts with policy-makers in order to pursue their interests. However, in a study of 800 national and EU business associations, the emergence of the EU multi-level setting has not led to a fully-fledged convergence of interest group behaviour (Eising 2004). While a significant minority of groups now represents their interests regularly vis-à-vis national and EU institutions, the majority of the domestic business groups does not extend its activities to the EU level. Variations within domestic

interest group systems are caused by the division of labour among the groups, some of whom are more concerned with providing services or coordinating markets than with interest representation. Moreover, multi-level players who act both at the domestic level and at the EU level tend to have more resources than the groups that are nested within domestic settings. International variations among the French, German and British groups can in part be attributed to different modes of interest representation. However, as discussed, it is controversial whether German corporatism is a more fertile ground for EU level activities than British pluralism or French statism (see also Schmidt 1999; Cowles 2001). The empirical evidence is rather mixed.

Subject to less EU regulation, in control of fewer resources, thriving on outsider strategies, and dwelling on more or less fluid domestic social networks and supporters, social movements can be expected to respond less pronouncedly to European integration. Accordingly, Imig and Tarrow (2001b; 2001c) found in their study of 9,872 protest events between 1984 and 1997 that only five per cent of these protests were responses to European Union institutions or policies. 95% of all protests were related to regional or national affairs and only 5% were directed at the EU. 83% of these protests against the EU took place within single member states, only 17% of them were the outcome of transnational collaboration. Finally, 82% of the EU protests were staged by occupational groups like farmers, fishers and coal miners. These are heavily affected by EU market regulation and have a tradition of political protests on domestic grounds. Only some 18% of the contentious actions against the EU were the outcome of political mobilization by non-occupational groups. This is a striking difference to national protests in which these groups account for a large portion of contentious action. While Imig and Tarrow (2001a; 2001b) identify a gradual increase in the use of contentious action against the EU other studies do not yield the same result (Rucht 2002). In sum, there is limited contentious action in response to European integration, the evidence about an increasing trend towards protests is mixed, and these protests do usually not involve social or advocacy groups but occupational groups.

Also here, the institutional context is important. The complexity of the EU multilevel setting is said to cause troubles for social movements (Rucht 2002). Political protest is targeted at the media and the public whose support is supposed to bring about the desired political change. However, political communication about the EU takes usually place within national borders. There is still no transnational European public (see de Vreese 2007 and the contributions in Kohler-Koch and Rittberger 2007). Only in the member states does public opinion have an immediate effect on public policy-makers who are accountable to their voters (della Porta 2007). In the EU, this mechanism is less developed because the elections to the European Parliament are 'second order' elections and because the EU executive is not at the disposal of voters (see Loveless and Rohrschneider 2008). Hence, there are relatively few protests against the EU and most of them are staged in national arenas and targeted at national audiences and policy-makers.

Finally, to some extent, domestic embeddedness is supposed to explain the political behaviour of interest groups in the EU (Eising 2004; Beyers 2002: 35; Cowles 2001; Schmidt 1999). On the one hand, it is plausible to assume a negative correlation among domestic embeddedness and European activities: The closer their relations with domestic institutions, the less interest groups need to or aspire to become involved in EU politics. But on the other hand, a positive relation may be found. Close relations with domestic institutions can improve the organizational capacity to voice concerns at EU level. In turn, these European activities may help to consolidate the position in domestic politics.

Studies on the political behaviour of business interests (Eising 2004) indicate that none of these general propositions finds full empirical support: while it can be safely ruled out that weak domestic embeddedness generates more access at the EU level, strong embeddedness has ambiguous effects: while more than 50% of the business associations that maintain close relations with domestic institutions have not incorporated the EU institutions in their strategies of interest representation some 40% have extended their political activities to the EU level on a routine basis. Hence, the

effect of strong domestic embeddedness on the access to EU policy-makers is contingent upon other conditions such as the division of labor in the associational system, organizational resources, and EU institutional change: for instance, only the combined sticks and carrots of the dynamic European regulatory agenda – including threats of social regulation and the prospect of market integration – and of the changing institutional opportunity structure – entailing the loss of member state vetoes in the Council of Ministers in the Single European Act – propelled large firms to act increasingly at the EU level in the late 1970s and mid-1980s (Greenwood, Grote, and Ronit 1992; McLaughlin, Jordan, and Maloney 1993; Cowles 1997; Coen 1997, 1998).

5.3 The influence of interest groups on EU policy-making

What impact do interest groups leave on EU policies? While the access of interest groups is comparatively easy to conceptualize, to measure, and to verify, establishing the influence of groups is notoriously tricky (see also Dür and De Bièvre 2007a). As a consequence, it is not well understood and contested what say groups have in EU policies. Remember the International Relations debate between supranational institutionalists and liberal intergovernmentalists about the influence of business interest groups on the Single Market Programme (Sandholtz and Zysman 1989; Moravcsik 1998). Studies on the influence of groups focus on the political economy of European integration as well as on the role of private and public actors in EU policy-making. Recent studies are increasingly aware of the methodological pitfalls that are involved in analysing influence.

How then does the EU affect the influence of interest organizations and state institutions? Studies centering on the structure of the *EU political economy* stress the efforts at the making of a regional market and at transnational economic regulation (see Cafruny and Ryner 2003; Pollack and Shaffer 2001). Critical political economy theories suggest that European integration promotes transnational neo-liberalism and spurs new transnational dynamics of European capital (Holman and van der Pijl 2003: 89). In essence, European integration benefits and is subject to the influence of the transnational sections of capital while at the same time subduing labor by exerting severe pressures on the flexibility of domestic labor markets. Liberal political economy studies share the insight that large firms have become key players in transnational regulation and set important parts of the agenda of the Transatlantic Business Dialogue (TABD) between the United States and the European Union. But the relationship that has emerged among state and business in this dialogue is viewed as a partnership (see Cowles 2001). This means that the dialogue need not always be unequivocally beneficial to international capital. Note, however, that the parallel Transnational Labor Dialogue between American and European peak labor federations lacks both the differentiated structure of the TABD and equivalent regulatory components. This has led its critics to regard it as ‘a structure without action’ (Knauss and Trubek 2001: 250) indicating that the policy agenda of the EU favors business interests over labor interests.

From a different perspective that centers on *EU decision-making processes*, it is not clear who wields influence: it is contested whether European integration enhances the influence of state institutions or that of (specific) interest organizations on public policy. On the one hand, several authors draw on Robert Putnam’s (1988) notion of two-level-games placing it in the institutional setting of the EU in order to assess the influence of interest groups. Three factors are enlisted to support the hypothesis that EU policymaking strengthens state actors rather than interest groups. Andrew Moravcsik (1998) has emphasized that European integration strengthens national executives who act as gate keepers between the national and the European arenas. He claims that they obtain more resources from European integration than any other actors. It appears that European integration strengthens their capacity to set the domestic political agenda, control policy information, justify state activity, and contain the ability of opposing actors to veto their political initiatives. Moreover, domestic interest organizations may also lose ground due to what Edgar Grande (1996) calls the ‘paradox of weakness’: the involvement of public actors in EU

negotiations and their efforts to build compromises in EU decision-making may actually allow them to gain autonomy vis-à-vis private actors. A strategy of ‘self-binding’ themselves to certain policy stances and references to negotiation pressures in the EU may be suitable means to turn down unwarranted interest group demands. Finally, the complexity of the EU multilevel system and the allocation of competencies to a multitude of public actors is said to make it impossible for interest organizations to identify ‘the’ decisive locus of political authority in the EU (Grande 1996). Several empirical studies have indeed identified a strong to dominant position of national executives in the EU negotiation systems (e.g. Wolf 2005; Schneider, Finke, and Baltz 2007).

On the other hand, several authors doubt that European integration generally strengthens state actors vis-à-vis interest organizations. They highlight different aspects of the EU institutional setting and emphasize the cooperation of public and private actors in EU policy networks. Some authors argue that the EU multilevel system increases the influence of interest organizations because it grants them many points of access (Pollack 1997). They pay greater attention to the total number of access points than to the negotiation logic that may arise from the interlocking structure of political authority in the multilevel setting. In this view, easy access to and the resource dependencies of the EU institutions may tip the balance in favor of private players.

Yet other institutionalist arguments emphasize the legal opportunities of the EU system. The supranational character of EU law, the practice of the European Court of Justice to view many EU legal provisions as creating rights for individuals, and the increasing use of the preliminary rulings procedure allows interest organizations to proceed against domestic rules and practices. Therefore, not only Jill Lovecy (1999: 148) reaches the conclusion that EU law may sometimes allow “policy outsiders” at the national level to come centre-stage at the EC level’ and overturn ‘entrenched national and sub-national [...] practices which have been the product of those who are “policy insiders” within the member states’. However, bringing a case to the court is costly, time consuming and usually requires an established body of favorable EU law. As its outcome is uncertain and may not apply to other cases, this route is not open to each and every actor. It appears that the preferred route of most actors is legislative lobbying rather than litigation (see Bouwen and McCown 2007).

A third group of institutional arguments stresses the horizontal differentiation of the EU. They point out that national executives may not gain autonomy across the entire range of EU policy areas. The strengthening of public vis-à-vis private actors has been found in studies that analyzed either treaty reforms or policy areas in which the executives enjoy decision-making rights. In the Social Dialogue, such rights have been accorded to the EU social partners. Therefore, information asymmetries may arise in favor of the national social partners rather than the national governments because the former are closely involved in European social policy-making (see Falkner *et al.* 2005). However, as this quasi-corporatist arrangement applies only to a limited area of social policy, it is not well suited to invalidate the assessment that public actors gain vis-à-vis private actors in EU policy-making. But more generally, EU politics need not always lead to information asymmetries in favor of state institutions.

Finally, those studies drawing on the literature about policy networks or advocacy coalitions (Kohler-Koch and Eising 1999; Peterson 2003; Sabatier and Jenkins-Smith 1993) pose a conceptual challenge to the claim that private interests lose out to public institutions. They emphasize that European policies are predominantly made in constellations that consist of both private and public actors and that may stretch from the EU level into the member states. In this perspective, it is necessary to disaggregate the public and the private sectors, rather than referring to the ‘public sphere’ or the ‘private sphere’ alone in order to identify in detail the winners and the losers. In sum, good reasons are given for both the perspective that the EU strengthens the state and the point of view that private actors are empowered so that the evidence on this question is yet inconclusive.

In methodological terms, case studies and comparative analyses need to apply careful process tracing methods and put competing propositions to the test in order to provide a persuasive

account of the say of private actors in EU politics (Eising 2006; see also Dür and De Bièvre 2007a). Nonetheless, even well designed qualitative studies face difficulties to attribute policy outcomes to specific causes and isolate the role of interest groups. This may allow for alternative interpretations of the events. For example, Edgar Grande (1996) has developed the ‘paradox of weakness’ (see above) on the basis of a case study about the involvement of German actors in EU information and communication technology policy. But the strengthening of public actors vis-à-vis private actors is not the only lesson one can draw from this case: According to other accounts, the initial EU information technology-program ESPRIT was drawn up by a coalition of large firms and the Commission against the resistance of the large member states’ administrations (Sandholtz 1992) so that, in fact, the very case that gave rise to the theorem entails substantial evidence against it.

Quantitative studies usually apply spatial models or survey methods to establish the influence of actors on EU decision-making or on the formation of national positions regarding EU policy (e.g. Schneider, Finke, and Baltz 2007). Having the advantage that they do not suffer from the ‘small N – large X’ problem, they can generalize on the basis of a large number of cases. In one way or the other, the spatial models measure how close the policy outcome is to the actors’ preferences (see also Dür 2008). However, this procedure may be criticized on different accounts: an outcome close to the actors’ preferences does not automatically imply that these had a say in the decision. To solve this problem, greater attention needs to be devoted to the mechanisms by which actors seek to exert influence. Moreover, measuring only the shift from the formal policy proposal to the final legislative act overlooks the informal dynamics of agenda setting that precede this development. In surveys, scholars may also directly ask interest groups to assess their own influence on EU policy. Obviously, this method has the drawback that interest organizations may overstate their own influence in order to legitimize the resource flows from their members. Controlling for the assessments of state actors would seem useful to improve the validity of such results. As a consequence of these pitfalls, in a study of EU trade policy-making that focuses on the role of advocacy groups, Dür and De Bièvre (2007b) combine survey methods with qualitative analysis. In this policy area and for the development NGOs they analyze, they arrive at a persuasive account of ‘access without influence’.

6 Conclusions

The literature on interest group politics in the European Union has generated a wealth of insights that have consolidated our knowledge on several aspects of EU collective action: In general, we know why groups mobilize in the EU, what strategies they tend to employ in the EU institutional setting, and what are their major points of access in the EU multilevel system and at the EU-level. Many studies stress that the EU institutions are not merely an arena in which to pursue given interests but that these institutions shape the ground of interest group politics in manifold ways. In EU interest intermediation, policy information is usually held to be the critical resource that is exchanged among policy-makers and interest groups.

However, on other topics our knowledge is more limited and on yet other themes it is controversial. Broadening the literature would allow for incorporating important new research problems. Some empirical research gaps – such as the EU effects on the development of civil society in Eastern Europe or the vertical interaction of interest groups in the multilevel system – may be addressed by designing comparative studies with a broader focus that include countries, issues and organizations that have so far been neglected. Currently, efforts are under way to fill in a major theoretical research gap – the contribution of interest organizations to European democracy and social capital – both by designing empirical work on this topic and by reinterpreting the empirical findings of previous work.

The research controversies about the segmentation of EU interest intermediation, the patterns of alliance formation, the Europeanization of interest intermediation, and the influence of groups on EU policies would benefit from cross-cutting debates across different strands of the literature and from more rigorous theory-testing. Accordingly, the recent dialogue between social movement research and interest group studies, the embedding of interest group studies in broader theories of political representation, its linkages to analyses of the broader cleavage structures in the EU, and the increasing number of comprehensive empirical studies are promising new avenues in this literature.

7 Acknowledgments

While I single-authored this review, the article builds on my collaboration with Beate Kohler-Koch as well as with Jan Beyers and William Maloney. I am grateful to work with these fine colleagues and happy to admit that I learned a lot through our cooperation. Evidently, they are not to blame for any shortcomings of this review. I would also like to thank the two reviewers for their helpful criticism and suggestions.

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