

## LOGICS, PATTERNS AND POWER

# Clientelism, Committees, Pluralism and Protests in the European Union: Matching Patterns?

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*Many efforts have been made to identify general patterns of interest intermediation in the EU, ranging from early studies about clientela relations to recent depictions of protest politics. This review covers studies that aim at cross-sectoral generalisations as well as analyses that are confined to specific sectors, policy areas, and issues. While many analyses are rooted in the debate on corporatism and pluralism, since the 1990s the conceptual range has extended to the study of policy networks and communities. More recent studies identify a simultaneous trend towards greater politicisation and institutionalisation of EU interest intermediation. Altogether, this literature has yielded inconclusive results. It is unclear whether the EU is marked by cross-sectoral patterns or whether it is more meaningful to focus on policy areas or sectors as units of observation. The discussion suggests that part of the controversy surrounding these findings stems from problems inherent in the typological logic that frames these analyses. It is also argued that the explanatory aspects of this literature need to be strengthened and linked more explicitly to studies examining the democratic stability and economic performance of the EU.*

Many scholars have sought to identify empirical regularities of interest intermediation in the European Union because these are tied to important questions about the EU's governance capacities including its democratic quality and economic performance. The search for such patterns has drawn extensively on concepts that are rooted in the comparative study of interest organisations. These concepts have been applied to both the macro-level, i.e. to the EU political system, and the meso-level of the EU, i.e. to different sectors or policy areas.

These efforts have not yielded a definite answer even if they generated some common knowledge. So far, it is unclear if EU interest intermediation displays system-wide traits or if it forms a patchwork of different modes.

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While several studies find that the union is marked by some form of pluralism, others point to important variations across policy areas, sectors and issues (varying over time). Those authors who have identified a general mode of interest intermediation often highlight different facets. Thus, studies in the 1970s explored the possibility of *clientela* relations (Averyt 1977). In the 1990s, the pluralistic nature of EU interest intermediation (Streeck and Schmitter 1991) and the omnipresence of policy networks was stressed (Kohler-Koch and Eising 1999). In recent years, social movement scholars point to an increase in political contestation (Imig and Tarrow 2001; Della Porta 2007), while other analyses draw attention to the institutionalisation of state–group relations (Mazey and Richardson 2002). More generally, the search for modes of interest intermediation has become linked to the study of European governance emphasising a great variety and overlap of EU governance modes (Yee 2004).

However, there is a general consensus in three areas of the literature. First, there is broad agreement that cross-sectoral interest intermediation at the EU level is best characterised as a form of pluralism (Coen 1998; Cowles 2001; Schmidt 2006) even if important variations across policy areas must be taken into account (Greenwood *et al.* 1992; Falkner 2000; Yee 2004). Second, interest intermediation in the EU multi-level system is frequently depicted as a form of network governance or negotiation system (Grande 1994; Peterson 2001; Kohler-Koch and Eising 1999; Ansell 2000). Finally, the recent trends towards political contestation and institutionalising state–group relations can be traced to the dynamic evolution of the political order and discussions surrounding the democratic deficit in the EU (see Della Porta 2007; Finke 2007).

My discussion of EU patterns of interest intermediation proceeds as follows. First, I highlight its roots in comparative politics and its relation with the study of governance in capitalist democracies. Then, its evolution in the EU since the 1970s, highlighting the commonalities and differences among the different strands of the literature is discussed. The difficulties in identifying general patterns of EU interest intermediation and the contradictory outcomes of these studies to problems that are built into their typological mode of analysis are examined. To remedy some of these defects, I suggest that clarifying the causal status of these types (and their components) in explanatory theory and linking them to a broader research agenda are essential.

## **Types of Interest Intermediation in Comparative Politics**

### *Interest Intermediation, Democracy, and Economic Performance*

Empirical regularities of interest intermediation are an important topic in EU studies and in comparative politics because they embody crucial aspects of state–society relations. They draw attention to the ways in which

fundamental conflicts are being resolved and values are allocated in democratic political systems. The study of these patterns is linked to 'the constitution of states and societies, the role and the capacities of politics in society, and the sources of social cohesion' (Streeck 2006). Notions such as pluralism, corporatism, policy networks, policy communities, and negotiation systems inform our thinking about how political systems operate and how state–society relations are structured. Therefore, it is important to identify and characterise these modes (see Siaroff 1998; Traxler 2001). Several studies examining national patterns of interest intermediation have not just been interested in discerning empirical regularities but also assessed the consequences. Two far-reaching research interests may be distinguished. Studies that seek either to determine the relationship between interest intermediation and democracy (Lijphart 1999) or that look at the effects these patterns have on socio-economic performance (see Kenworthy 2002). Hence, these modes have been accepted as important explanations of democratic stability and economic performance.

Perhaps unsurprisingly, this literature has not produced unequivocal results. The impact of interest organisations on democratic stability and economic performance is difficult to estimate. Different theoretical and conceptual backgrounds have also led to varying assessments. Rooted in a Tocquevillian perspective, the literature on civil society and social capital generally underlines the contribution of associations to the democratic quality of political systems (Finke 2007; Saurugger 2008). However, empirical studies of the social capital in different OECD countries have not yielded clear-cut cross-national trends (contributions in Putnam 2001).<sup>1</sup> In contrast to the social capitalists, liberal political theorists are prone to argue that interest groups undermine the equal representation of citizen interests through elections and parties. Classic liberalism has remained sceptical of the collective organisation of interests below the nation-state, 'holding on to an atomistic image of political life in which autonomous individuals were the only legitimate constituents of the political order' (Streeck and Kenworthy 2005: 442).

Regarding economic effects, Krueger (1974) has bemoaned substantial welfare losses due to the rent-seeking activities of interest organisations, while Schmitter (1979; see also Olson 1982) highlights the contribution of corporatist interest intermediation to the economic well-being of modern capitalist states. Thus, depending on whether the relentless pursuit of self-interests, the intermediation between state and citizens, or the contribution to the governance of modern societies is stressed, the comparative study of interest intermediation arrives at different evaluations of interest group participation. Note, however, that empirical studies of such causal effects are rare. Several scholars emphasise the contribution of corporatist interest intermediation to the wage restraint of unions and low inflation rates in many OECD countries in the 1970s and early 1980s. However, Scharpf (1987) has highlighted the importance of independent central banks and

institutional configurations in which union structures and corporatist interest intermediation were only part of the explanation for these outcomes. Moreover, subsequently these countries converged on restrictive monetary policies and fiscal austerity programmes as well as neo-liberal micro-economic policies in the context of the internal market programme of the European Union, Economic and Monetary Union, as well as the institutionalisation of international monetary, trade, and investment regimes. Accordingly, Kenworthy (2002) does not find a significant effect of corporatism on inflation and unemployment in the 1990s. Despite such uncertainties and controversies, it is important to bear in mind that all these studies link the discussion of interest intermediation to wider research agendas in political science.

### *Pluralism, Corporatism, Statism*

The three classic approaches in the comparative study of interest intermediation have emphasised specific state–society constellations and governance mechanisms. Pluralism highlights the *competition* among interest organisations, corporatism points to *negotiations* among state institutions and peak associations, and statism stresses the element of *hierarchy* among state and society as well as interest organisations. Moreover, the extent of state autonomy, the degree of societal organisation, the variety, legitimacy and degree of interest group participation are said to vary significantly along these types. In recent years, attention has shifted towards more variegated and overlapping patterns of state–society relations such as policy networks or policy communities. These approaches tend to blur the distinction among public and private actors far more than the three generic types.

Rooted in the American study of interest groups, *pluralist* authors (Latham 1952; Truman 1993) highlight the *competition* and coalition formation among a large number of fragmented interest groups as a predominant governance mechanism in political systems. State and society are separated and the participation of interest organisations in public policy-making is considered to be highly legitimate. Interest groups have a voluntary membership and their leaders tend to be seen as delegates who are generally representative of members' views. The state's role varies in different formulations between that of a referee mediating the pursuit of individual interests (Latham 1952), to providing an institutional framework enabling and limiting group competition (Truman 1993) and, in neo-pluralistic versions, to that of an autonomous actor or a group in its own right (Lindblom 1980). In general, state actors rarely initiate policy collaboration and the organisations 'accept little responsibility for policy outcomes' (Crouch and Menon 1997: 151).

However, several scholars challenged the claim that pluralism formed the predominant mode of interest intermediation in affluent capitalist

democracies by identifying substantially deviant cases. This research has generated new types and revived dormant types of interest intermediation that emphasised more stable, regularised, and institutionalised interactions among state and society (see also Olsen 1983: 150). Important examples are *clientela* relations among interest organisations and bureaucracies and *parentela* relations among interest organisations and political parties in Italy (LaPalombara 1964), *corporate pluralism* in Norway (Rokkan 1966) as a more institutionalised form of pluralism and notions of quasi-corporatism in the United Kingdom (Beer 1958).

A European and class-based antipode to the American group approach, *neo-corporatism*, stresses *negotiations* among and within a few central or peak associations as its dominant governance mechanism. Two main uses of corporatism can be distinguished. First, when focusing on its organisational basis, corporatism forms an elaborated system of interest representation (Schmitter 1979). In a highly centralised associational setting that is marked by the horizontal and vertical division of labour, interest organisations are fairly comprehensive and small in numbers. Nationwide peak associations enjoy monopolies for the domains they represent. Interest group leaders tend to be trustees, having a broad mandate to represent their members' interests. Nonetheless, organisational decision-making is based on negotiations among staff and members rather than hierarchical directions. In its second use, corporatism is an institutionalised pattern of policy formation, mostly in economic policy-making (Lehmbruch 1977). The relatively autonomous state institutions and peak associations – mainly business and labour – seek to negotiate a tripartite consensus within closed and stable arenas. The associations are legitimate governance partners of state actors. They have co-decision rights in the formulation of binding rules and implement many of them via self-regulation. In short, they assume quasi-public functions. Hence, corporatism claimed early on that the separation between the private and the public sector was blurring. Austria, Sweden, Denmark, Norway, the Netherlands, and, to a lesser extent, Germany were characterised as fitting the corporatist model (see Crouch and Menon 1997).

Finally, in the *statist* mode – that has been added to the corporatism–pluralism scale because it did not seem to exhaust the nature of state–society relations – the state is a highly autonomous authority above society, legitimised by democratic vote and pursuing a common 'national' interest. State and society are separate entities and the dominant governance mechanism is *hierarchy*. State actors are crucial in policy formulation, with interest groups playing only a minimal role because their participation might undermine the general interest (that is protected by politicians and bureaucrats). Accordingly, participation in policy formulation is limited to a small number of organised interests. According to some observers, interest organisations politicise the later stages of the policy-making process, so that state actors accommodate them when implementing policies (Schmidt 2006: 108). In Western Europe, France has been identified as having a statist

system of interest organisation. Italy and Greece have also been labelled statist, with interest intermediation in these two countries having their own clientelistic touch (see LaPalombara 1964 on Italy).

*From Macro- to Meso-level Studies*

Initially, these concepts have been applied to the macro-level of political systems. But soon authors began to diverge in their scope of cross-sectoral generalisations. For example, in an influential effort to rank 24 democratic countries on a corporatism–pluralism scale, Alan Siaroff (1998) restricts the scope of his findings to the area of state–business relations and economic policy-making suggesting the term ‘economic integration’ as a summary measure that would replace corporatism. Other authors are very wary when it comes to identifying cross-sectoral patterns of interest intermediation. For example, the difficulty of characterising countries such as the United Kingdom placed the utility of this typology into question. The UK is often considered to be pluralistic (Cowles 2001), but sometimes is also held to be statist (Schmidt 2006). In addition to this, the turn to policy studies in the 1980s and 1990s highlighted sectoral and issue-specific variations from allegedly systemic modes of governance. Hence, while the level of conceptual abstraction was basically left untouched, the empirical scope of corporatism, pluralism, and statism became more limited.

Influenced by broad theoretical developments in political science, notably the neo-institutional and the governance turn, more complex and fine-tuned concepts attracted scholarly attention. The images of the political process became increasingly disaggregated, such as in the US literature on insulated sub-governments and iron triangles and more open issue networks and advocacy coalitions. The British debate centred on policy communities and policy networks (e.g. Atkinson and Coleman 1992; Marsh and Rhodes 1992: 13), in studies of macro-, meso- and micro-level corporatism (Cawson 1985), analyses of sectoral governance (Hollingsworth *et al.* 1994). Finally, the German approach focused on policy networks and negotiation systems (Scharpf 1993; Mayntz 1992).

Four different usages of the policy network concept can be distinguished. Some authors conceive of policy networks as specific types of interest intermediation (see Thatcher 1998). Other authors use the term as a metaphor under which to subsume a broad array of interaction modes. For example, in his comprehensive typology of state–society relations, van Waarden (1992) distinguishes among 11 different types including, *inter alia*, statism, clientelism, pressure pluralism, macro-corporatism, sectoral corporatism as well as parental relations and issue networks. In other words, this brand of the policy network concept forms an umbrella which subsumes several modes of interest intermediation (singled out in earlier studies). Furthermore, several analysts apply sociometric methods of network analysis to study inter-organisational relations (see also Dowding 1995).

These systematic quantitative studies centre on the strategic behaviour of organisations, inter-organisational resource flows, and the logics of exchange in these networks. Finally, for some authors, policy networks are not just an analytical construct but also an ontological concept that appears to signal a ‘real change in the structure of the political order’ (Mayntz 1992: 20; translation RE; see also Börzel 1997). Thus, Mayntz (1992: 21) conceives of policy networks as major elements in the process of societal modernisation that advanced capitalist democracies undergo.

It is worthwhile recalling important steps in the evolution of this field of study because similar moves can be noted in the study of EU interest intermediation. First, the search for patterns of intermediation has shifted from macro-level studies that focus on one dominant governance mechanism to studies that confine the empirical scope of these concepts to the meso-level, and invoke new concepts, or emphasise the mix of such modes in advanced capitalist democracies. This inflation of concepts and the development of ‘protective belts’ (Lakatos 1978) shielding them from inapplicability have led to a certain fuzziness of these concepts and uncertainty about their empirical scope. Second, while scholars have fine-grained these types, frequently their causal status and their links to other areas of political science theory remain underspecified. The generic formulations of these concepts have been associated with the democratic quality or the economic performance of political systems. The more limited statements do this at most for the sectors they analyse, corroborating the niche status of many interest group studies (see Beyers *et al.* 2008). In these more specific formulations, the types serve sometimes only as heuristic devices to organise the data and provide descriptions of specific policy-making processes. Not only do the conditions under which specific networks or modes emerge remain ambiguous and general, their consequences for political change are also not well understood. In fact, frequently political change or continuity are not being explained by network characteristics but by the properties of actors and contextual factors which calls for theories linking actors with contexts (see Dowding 1995; Thatcher 1998).

## **The Search for Patterns of Interest Intermediation in the European Union**

### *Clientelism and Pluralism*

Much like the study of national modes of interest intermediation, the search for such empirical regularities in the European Community/Union started relatively early. Many EU interest group scholars imported the conceptual and methodological tools that have been developed in comparative politics: e.g. concepts such as pluralism, corporatism, statism, and policy networks. However, this transfer of concepts is not always made explicit. Thus, Haas (1958) and Lindberg’s (1963) neo-functionalist accounts of European integration have fundamental roots in the American group approach to

politics (Truman 1993[1951]) without any explicit link being acknowledged. They were mostly interested in the contribution that interest organisations could make to European integration and linked the logic of interest group politics to the evolution of a European institutional order. Later scholars characterised European patterns of interest intermediation (Meynaud and Sidjanski 1971) and adapted concepts rooted in domestic contexts to the European Community institutional setting. However, these studies tended to vary in their assessments. Quite frequently, EU/EC interest intermediation has been regarded as pluralist (Streeck and Schmitter 1991), elite pluralist (Coen 1998; Cowles 2001), or semipluralist (Schmidt 2006). Other studies highlighted that it is governed in a network mode (Kohler-Koch and Eising 1999; Ansell 2000; Peterson 2001, 2003) and yet others point to important cross-sectoral variations (Falkner 1998; Dyson 1999; Lenschow 1999).

In his pioneering study on EC agricultural policy-making, Averyt (1975, 1977) applied LaPalombara's (1964) concept of *clientela* relations to the European Community in the 1970s. This concept places the relations among state bureaucracies and interest organisations at the centre. *Clientela* relations are permanent and formalised, and, supposedly, they strengthen the position of each partner in the arrangement. They emerge if an interest group becomes, in the eyes of an administrative agency, the natural representative of the sector which is the reference point for its administrative activity (LaPalombara 1964: 262). The focus on interest group–bureaucracy relations rather than on interest group–party relations as in the *parentela* concept seems well justified because the European Parliament was not directly elected and held only advisory powers in EC legislation in the mid-1970s. Contemporaneously, many studies concentrate on the relations among interest groups and the Commission (Mazey and Richardson 2002) neglecting somewhat their relations with the European Parliament, the Council of Ministers, and the Economic and Social Committee because the Commission is still the prime governance partner of these organisations at EU level.

Averyt based his case on a detailed study of the agricultural sector because of the extensive Common Agricultural Policy, the concentration of executive powers in the Directorate General for Agriculture and the Council of Ministers for Agriculture, as well as the prominent role that the resourceful European association (COPA)<sup>2</sup> played in the agricultural sector in the 1970s. This sector may be considered a 'most likely case' (Eckstein) for the emergence of *clientela* relations among the European bureaucracy and interest organisations. However, for several reasons, Averyt (1975: 964) concluded that such relations were not likely to emerge. First, the most important contacts among the European institutions and interest organisations took place in informal meetings rather than formal committees. Second, even COPA with its comprehensive organisation and vast economic resources was excluded from crucial negotiations regarding the agricultural



prices within the Council of Ministers. Thirdly, the Commission reserved its right to consult a wide range of interest organisations, and given the heterogeneity of COPA members, it also sought direct contacts with national farmers' associations. Hence, the conclusion was that the EC institutions enjoyed substantial autonomy from agricultural groups in the making of the Common Agricultural Policy.

These results anticipate later assessments that it is difficult for interest organisations to enter into *exclusive* formalised exchange relations with the European Commission. In an influential article focusing on EU social policy, Streeck and Schmitter (1991) specified several background conditions for the emergence of neo-corporatism and concluded that no such pattern would emerge at EC level. Given a lack of EC fiscal powers, a multitude of access points in the EC multi-level system, an imbalance among employers and trade unions at the European level due to the focus on market integration, and a wide divergence of national industrial relations systems, they did not envisage the institutionalisation of corporatist concertation. They could not identify a single mechanism that would rationalise the European 'political system, ... establish corporatist monopolies of representation, inter-associational hierarchies or ... a predominant position for the Commission's bureaucracy'. Instead, they expected an 'American-style pattern of "disjointed pluralism" ... characterised by a profound absence of hierarchy and monopoly among a wide variety of players' (Streeck and Schmitter 1991: 159–60).

Later studies supported the expectation that EU patterns of interest intermediation are pluralistic rather than corporatist or statist and not just because the number of interest organisations active in the EU arena is considerably larger than that in each member state. However, the depictions of EU pluralism vary considerably. Note also that these analyses consider EU interest intermediation to be far less fluid and volatile than Streeck and Schmitter suggested. Schmidt (2006: 102–10) characterises EU interest intermediation as semi-pluralistic and finds significant differences when comparing it to the US model. Dividing the political process into the twin phases of policy-making and policy implementation, she suggests that EU policy formulation is more closed and cooperative than in the US, and, like Averyt, she maintains that the EU institutions enjoy some autonomy from 'the pressures of undue influence' (Schmidt 2006: 104). However, she also considers EU interest intermediation to be more biased than in the US with business interests being in the lead, few organisations representing public causes or large social groups, and even fewer groups being able 'to galvanize public opinion' (Schmidt 2006: 106). Moreover, she finds a striking resemblance between the strict and legalistic approaches to policy implementation in both settings.

While it is generally difficult to ascertain whether interest group systems and modes of interest intermediation are biased (Beyers *et al.* 2008), the US interest group system includes a larger share of diffuse groups (see

Baumgartner and Leech 1998) than the EU. Empirical studies of the contacts that Commission officials maintain with different kinds of interest organisations corroborate this finding (Hooghe 2001: 64). Clearly, business interests are in the lead even though the significant increase in the number of groups for diffuse interests has reduced the extent of bias since the mid-1980s. However, the general consultation patterns and the emergence of a number of arenas such as the Transatlantic Business Dialogue in which EU politicians and bureaucrats consult large firms directly have led Coen (1998) and Cowles (2001) to characterise EU interest intermediation as a form of 'elite pluralism' in which business interests and particularly large firms are privileged governance partners of the EU institutions.

It is evident from these studies that the *EU level* patterns of interest intermediation are usually regarded as a variety of pluralism. Within this broad consensus the authors stress different aspects. Streeck and Schmitter (1991) emphasise the unstable, unordered and loose relations among a multitude of different actors within and across different levels in the EU system. Schmidt (2006) highlights significant differences along the phases of the EU policy process and maintains that the EU institutions have some leeway vis-à-vis interest organisations. Coen (1998) underscores the bias in favour of resourceful actors such as big business and large firms. Comparing these results to the concepts of national pluralism, EU institutions are relatively autonomous vis-à-vis interest organisations, the EU interest group system is highly fragmented and groups enjoy great legitimacy, but are for the most part confined to providing policy information. Their co- or self-regulation is subject to important constraints. Given the need for consensus formation in the EU, the dominant mode of governance appears to be negotiations rather than the competition among groups or hierarchical rule-making. While there are important merits in establishing major characteristics of EU interest intermediation, it is obvious that these studies rarely link their findings to the study of democratic stability or economic performance in the EU (with the exception of Schmidt 2002, 2006). For the most part, the latter has been left to the students of civil society and the democratic deficit in the EU (see Finke 2007) while the former has been left to economists and policy analysts.

### *Network Governance and Policy Segmentation*

Akin to the study of national politics, several authors reject the idea that a general mode of interest intermediation is characteristic of European Union politics. They proceed from the assumption that, due to non-trivial variations along sectors, policy areas, and institutional arenas, the EU 'policy process must be disaggregated to be understood' (Peterson 2003: 11; see Falkner 2000). Thus, Mazey and Richardson (1993: 256) assert that '[i]t seems unlikely that decisionmaking ... will shift significantly from the sectorised and segmented approach which has developed so far. EC policy

is, therefore, likely to continue to emerge from sectoral networks of some kind' (see also Greenwood *et al.* 1992). Accordingly, most authors in this tradition take policy areas or sectors as their units of observation.

These variations are traced to EU institutional properties. Since the Maastricht Treaty, EU policy-making is divided across three different pillars. In addition, EU institutions are segmented and internally differentiated, with decision-making procedures varying also across the policy areas and policy issues within these pillars. Moreover, EU politics involve different actors at varying levels in several phases of the policy process (Marks and Hooghe 2001; Pollack 1997). It is common to argue that the institutional characteristics of the EP committees, the specialised Councils, the Commission Directorates General, the committee system and the growing number of regulatory authorities give rise to specialised sub-structures and segmented modes of policy-making. However, while it is certainly right to point out such institutional variations, the precise linkage between the institutional context and the EU mode of interest intermediation in an issue area remains underspecified. Comprehensive cross-sectoral studies point to both commonalities in lobbying patterns across sectors (Eising 2007), and US–EU comparisons also indicate characteristic traits of EU lobbying across issues (Mahoney 2007). Hence, while the specification of some contextual factors may rule out some modes of interest intermediation such as corporatism (see Streeck and Schmitter 1991), it may not be sufficient to account for the emergence of any particular mode of interest intermediation.

On the other hand, a plethora of studies locate the source of such variations in politico-economic modernisation and the functional differentiation processes of advanced capitalist democracies (Mayntz 1992). Accordingly, EU policy-making needs to pay attention to the distinct rationalities of social and economic subsystems. Stressing the multi-levelness of the European polity and considering the divergent rationalities of these sub-systems, some studies have therefore suggested that the EU is generally governed in a network mode of governance (Kohler-Koch and Eising 1999; Ansell 2000). Conceiving of policy networks as a type of interest intermediation, in this mode 'both state and societal organization is vertically and horizontally disaggregated ... but linked together by cooperative exchange ... knowledge and initiative are decentralised and widely distributed'. Horizontal relationships among and within organisations are as important as vertical relationships. 'The logic of governance emphasizes the bringing together of unique configurations of actors around specific projects' that 'crisscross organizational turf and the boundary between public and private' (Ansell 2000: 311). Accordingly, this mode of governance fits into the pluralistic characterisations of EU interest intermediation stressing mostly the regularised character of interactions, the prevalence of negotiations in EU policy formation, and the multi-levelness of the EU policy process.

Many sectoral studies build on either the classic divide among corporatism, pluralism, and statism, or they resort to some form of policy network, policy community, negotiation system or advocacy coalition approach (see Börzel 1997; Falkner 2000). Peterson (2003: 11; emphasis original) is a very strong advocate of the usefulness of the network approach to the European Union: 'Arguably, policy network analysis is never more powerful an analytical tool than when it is deployed at the EU level. ... To try to describe how the EU works *without* the metaphor of a network is a challenge on par with seeking to explain, under the same injunction, how international terrorists operate.' Several authors apply the concept as a metaphor to study networks in EU policy formation or policy implementation. Only rarely has it been used to conduct large-scale empirical studies in specific EU policy areas (Pappi and Henning 1999) or in a range of policy areas (Kriesi *et al.* 2006), or to investigate linkages between national and EU politics (Beyers 2002).

Four examples illustrate the variations in EU interest intermediation. In her study of EU social policy-making, Falkner (1998) identified a *quasi-corporatist* mode of interest intermediation. Social partnership along the lines of national corporatism has been installed as good practice by the EU institutions. European employers' associations as well as the European Trade Union Confederation are given explicit competencies to regulate and implement some EU social policy issues. However, the EU social dialogue is heavily circumscribed in its functional reach when comparing it with the governance of national industrial relations in corporatist countries such as Austria, Denmark or Sweden. Second, a form of *statism* prevails in those policy areas in which the autonomy of EU policy-makers is considered to be crucial to the credibility and the success of a policy (see Majone 1996). For instance, policing the market by means of competition policy is incompatible with a role of the Directorate General for Competition as a referee ratifying the outcomes of a limited and distorted competition in the marketplace, negotiating with the social partners in tripartite concertation, or activating the affected parties in policy networks. In its efforts to create and police the common market, the Competition Directorate General enjoys a high degree of autonomy and wide-ranging legal powers. The formulation of European Monetary Union (EMU) has also been characterised as an instance of statism (Dyson 1999). Nowadays, monetary policy is delegated to the independent European Central Bank enhancing the credibility of an anti-inflationary stance. Finally, Lenschow (1999: 58; emphasis added) characterises the EU environmental policy area as 'a *patchwork of national styles* rather than a coherent whole'. She depicts EU environmental policy as 'a mix of old and new policy philosophies, structures, styles and instruments' (Lenschow 1999: 49). The mix and overlap of different modes of interest intermediation is highly plausible in this cross-sectoral policy area. However, such a mixture of modes is by no means

unique to EU environmental policy, but has been found in other EU policy areas (Scharpf 2000; Tömmel 2007).

A few recent studies take policy issues in the form of EU directives as their point of departure (Mahoney 2007; Schneider *et al.* 2007) because the scope, the salience, and the conflict level of these issues can leave an imprint on EU interest intermediation. Several analyses suggest that the growing scope of EU regulation and the successive enlargements have increased the number of actors in EU policy-making. Clearly, this can place stresses on established patterns of alliance formation and divisions of labour. It also intensifies the struggle for the attention of the EU institutions and increases the uncertainty over the direction of EU policy-making. However, there is mixed evidence regarding these developments. On the one hand, some case studies suggest that more and more *ad hoc* issue coalitions are formed (Pijnenburg 1998; Warleigh 2000). On the other hand, EU patterns of alliance formation seem to be marked by long-standing ideological allegiances (Marks and Steenbergen 2002; Beyers and Kerremans 2004) and also concentrate on cooperation with isomorphic organisations (Eising 2009). When analysing lobbying in a large number of issues, the formation of disparate issue coalitions is a rarer phenomenon than is sometimes suggested (see Mahoney 2007).

In sum, modal studies on interest intermediation have initially built on those concepts that have been developed in the comparative study of interest intermediation but added concepts that seem to fit the multi-level character of the EU. The definition of these modes and the characterisations of the EU policy process increasingly take into account institutional characteristics, the features of policy areas and the properties of policy issues. In recent years, these studies have joined research on European governance. They have become part of the effort to identify the rule systems that govern EU policy-making and state–society relations. A closer exchange among interest group scholars and students of European governance and policy-making might be beneficial in order to arrive at a more precise understanding of EU decision-making because sometimes the latter arrive at quite different variants of European governance. For example, taking into account other dimensions than the interest group scholars, namely the EU policy instruments, actor constellations and policy issues, Wallace (2005) suggests that the European modes of policy-making have evolved and widened over time. She claims that the European Union now displays five different modes of governance in which interest organisations are involved in very different ways: the community method, the regulatory mode, the distributional mode, policy coordination in the open method of coordination, and intensive transgovernmentalism.

To arrive at more general statements about state–society interactions in the EU not only closer communication among these different research areas is needed. But also meta-typologies such as Yee's (2004) effort to link statist, institutional, and interest group studies are helpful in illuminating the

common ground even though his analysis points to 27 potential governance modes that are difficult to handle in empirical analyses. In theoretical terms, the linkages between institutional context and modes of interest intermediation and the interactions among different modes, need better specification. Finally, recent attempts at analysing the patterns of decision-making in a large number of issues and across sectors have improved our ability to generalise about EU interest intermediation.

### *Institutional Structuring and the Politics of Protests*

Recent studies of EU interest intermediation have highlighted two tendencies that, *prima facie*, contradict each other. On the one hand, the involvement of interest groups has become more institutionalised over time (see Broscheid and Coen 2007; Mahoney 2004). On the other hand, political contestation has received greater attention. Not only have these developments widened the scope of modal studies by adding new varieties of political participation in the EU. They also contribute to linking the study of EU interest intermediation more closely with the concern for democratic stability and social cohesion that informed pluralist and corporatist analyses in comparative politics. These developments are different responses to the democratisation pressures on the EU.

As noted earlier, there is broad agreement that the EU institutions form not merely an arena in which to pursue private interests. Rather, they pursue their own policy preferences and structure the representation of interests by setting up consultation forums, delegating policy-making powers to interest groups, granting financial support to them, involving them in policy implementation, and setting standards for appropriate political behaviour (Coen 1998; Pollack 1997). While the EU institutions have always emphasised the importance of interest group representation in EU policy-making (Mazey and Richardson 1993, 2002), in the context of the debate on the EU's democratic deficit they have also come to highlight the virtue of civil society participation (Finke 2007). As a result of the changed discourse on interest groups, they have made various efforts to institutionalise and regularise consultations in order to improve the incorporation of civil society in EU policy-making and the effectiveness of EU policy-making.<sup>3</sup> In 1992, the Commission emphasised that it wanted an open and structured dialogue with interest organisations. In 2002, it adopted general principles and minimum standards for consulting interest groups. In May 2008, it agreed to a voluntary register and a code of conduct for interest groups.

The institutionalisation of policy consultations in the EU committee structure is an important element in these developments. A comprehensive empirical study of the Commission database of experts groups indicates the importance of these committees in European governance (Gornitzka and Sverdrup 2007: 204). They are said to consolidate the 'sectoral differentiation' of EU policy-making and interest intermediation (see Gornitzka and

Sverdrup 2007: 206). In January 2007, there were 1,237 Commission expert groups, 250 Comitology committees, and 162 Council working parties. The number of expert committees has steadily increased during the final quarter of the twentieth century, and has grown by more than 40 per cent since 2000. A large number of these committees do not include interest groups, but a significant portion serves to structure interest group participation as the number of expert groups in EU policy areas is strongly correlated with the number of interest groups in these areas. About half of the expert groups have existed for more than five years and about a quarter of them are based on formal legal acts. While this institutionalisation process is not an indicator of the belated emergence of *clientela* relations, it clearly puts into question the notion of short-term, unordered, uncertain and loose relations among EU institutions and interest organisations that informed early concepts of EU pluralism. The institutionalisation of consultations helps the EU institutions to channel the participation of national interest organisations from 27 member states and other countries as well as that of transnational organisations. It also reduces the uncertainty of these organisations about the evolution of the EU policy process and might increase their status vis-à-vis their constituencies. However, it is important to note that interest organisations appreciate their informal relations with EU policy-makers and bureaucrats more than their presence in the formal channels of interest intermediation (see Eising 2009). This poses research questions about the value of alternative institutional venues and modes of consultation in the EU.

In parallel to these analyses, the study of social movements and political contestation has widened the research agenda of EU interest intermediation. Political protests have historically developed with the nation-state and been targeted at national governments (Della Porta 2007: 189). European politics has occasionally been accompanied by societal protests. However, encompassing protests against the EU are a more recent phenomenon starting with the formulation of the Maastricht treaty. Therefore, empirical research on these topics is limited when compared to the large number of interest group studies. Several studies draw on media analyses to establish the extent of EU-related protest events and arrive at fairly similar conclusions: protests concerning EU affairs are only a small fraction of the full set of political protests in the member states (Reising 1998; Rucht 2002). In their comprehensive study of this topic, Imig and Tarrow (2001) find that only 5 per cent of all protests in the EU-12 member states were related to the European Union in the period between 1984 and 1997. More than four-fifths of the EU-related protests were staged by occupational groups like farmers, fishermen and coal-miners who are heavily affected by EU market regulation (and also have a tradition of political protests on domestic issues). Only some 18 per cent of the protests were organised by non-occupational groups. This pattern differs markedly from national

protests: in the member states, non-occupational groups account for a large portion of contentious action. Moreover, the bulk of the protests against EU institutions and policies were targeted at national audiences to influence EU policy-making. As a result, Rucht (2002: 185) concludes that the Europeanisation of political protests 'is a myth'.

Notwithstanding these similarities, the studies disagree in some respects. Imig and Tarrow (2001) find an increase in EU-related political protests whereas Reising's (1998) study of protest events in Belgium, France, and Germany between 1980 and 1995 suggests that the study of political protests needs to be disaggregated. The number of EU-related protests in each country varies markedly and there is no overarching trend towards an increase in protests across the three countries. It is also evident from his analysis that many protests in France took place during the Maastricht treaty referendum controversy and the Uruguay round of the General Agreement on Tariffs and Trade negotiations concerning the further liberalisation of trade in services, goods, and agriculture.

Thus, empirically, protest studies concur in finding only a very limited number of EU-related protests. There is no clear-cut evidence of a general increase in the number of protests against the EU institutions or policies. The protest events fluctuate, depending on the EU's constitutional development and on policy changes in those sectors and professions that are most prone to political contestation. These protests are mostly based on national-professional interests and not on broad societal concerns so that their potential to democratise the EU seems limited (see also Saurugger 2008).

As in the study of interest group behaviour, the institutional context is said to be an important part of the explanation. The complexity of the EU multi-level setting is not conducive for some social movement activities (Rucht 2002). Political protest is usually targeted at the media and the public whose support is supposed to bring about the desired political change. However, political communication about the EU usually takes place within national borders such that there is still no transnational European public. Public opinion has only an immediate effect on member state politicians who are accountable to their voters (Della Porta 2007). In the EU, this mechanism is underdeveloped because the elections to the European Parliament are 'second order' and the EU executive is not at the disposal of the voters. Hence, there are relatively few protests against the EU and most of them are staged in national arenas and targeted at national audiences. Those groups leaning towards political contestation in the member states rely heavily on their EU interest organisations to channel their political demands to the EU institutions. Accordingly, there is little prospect that the politics of movements will transform the patterns of EU interest intermediation in the short- to mid-term even though the EU



institutions must now pay greater attention to public opinion than during the period when EU policies could be formulated under a broad permissive consensus.

### **Conclusion**

The study of EU interest intermediation has drawn on concepts developed in comparative politics and adapted them to the supranational institutional context. In recent years, it has become increasingly important to identify the characteristics of European governance and policy-making. The debate surrounding the emergence of an EU-wide pattern of interest intermediation or whether the variations across different policy areas are too large for a meaningful system-wide analysis remains controversial. To the extent that scholars identify such cross-sectoral patterns, a tentative consensus has emerged that these are a variety of pluralism even if EU pluralism clearly differs from national brands. Notions of network governance fit this depiction of the EU, emphasising the multi-levelness of the policy process, the importance of negotiations as the central mode of governance in EU policy-making, and the regularisation of interaction patterns. However, several studies that examined in detail specific policy areas found unequivocal deviations from the pluralistic mode and others identified an overlay of different modes.

To some extent, the difficulty to identify modes of interest intermediation is rooted in the typological logic. Some problems stem from different conceptual definitions. Moreover, these concepts do not always co-vary empirically in the way hypothesised. Accordingly, typological analysis masks important variations across cases even within the same type and it might be more useful to focus analyses on specific elements of these types. Finally, confusion arises from the fact that authors have based their characterisations of EU interest intermediation on different periods, levels of analysis, and issues.

To arrive at more general statements about EU decision-making and interest intermediation, closer communication among the literatures on EU interest intermediation, policy-making and governance is needed. Meta-typologies such as Yee's (2004) effort to link statist, institutional, and interest group studies are helpful in illuminating common ground. In theoretical terms, the linkages between institutional context and modes of interest intermediation and the interactions among different governance mechanisms need to be specified more precisely. This development could also bring the study of EU interest intermediation closer to the initial concern of pluralist and corporatist scholars about the relationship between interest intermediation on the one hand, and democratic stability and economic performance on the other. Finally, the recent methodological attempts at analysing the patterns of decision-making in a large number of issues or across sectors increase our ability to generalise about EU interest intermediation.

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## Notes

1. Despite cross-national variations, these analyses tend to find a decline of social trust and cohesion but not necessarily of social and political engagement. They also point out the increasing professionalism of political participation.
2. Comité des Organisations Professionnelles Agricoles de l'UE.
3. I do not discuss the implications for the democratic order of the European Union in detail (see Finke 2007) and limit myself to the consequences for the study of modes of interest intermediation.

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