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**Bachelor Thesis in European Public Administration  
(B.A. / B.Sc.)**

**Lobbyism in the EU - biased towards the influence of  
industrial interest groups?**

A case study on the 2009 regulation on binding CO<sub>2</sub> emission standards  
for cars

**Author:**

Kai Kellner (s1499033 / 383 955)

Double Degree Programme: Public Administration (special emphasis: European Studies)

**Supervisors:**

1. Dr. Andreas Warntjen, Assistant Professor of Political Science, University of Twente
2. Johanna Kuhlmann, M.A., Scientific Assistant, Westfälische Wilhelms-Universität Münster

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## 1. Introduction

Interest groups are an inherent part of the European Union<sup>1</sup> as they influence its institutions during the policy-making and formulating process. Especially since the 1980s the interest group population on EU level has constantly increased. While approximately 500 European interest groups have been active by the mid-1980s and 2000 by 2006 (Hix & Hoyland 2011: p. 162), the number has already grown to 5703 in 2013 (Dür, Bernhagen & Marshall 2013: p. 1). This positive trend can be explained due to a mutual dependency between interest groups and the policy-making organs of the EU. On the one hand economic globalization and political Europeanization have driven private and public interests more towards the European level where they try to implement their interests in European politics, on the other hand there is also a supply of access because the policy-making bodies of the EU have a steady need for expertise and information on the vast variety of policy fields. Therefore EU institutions are providing interest groups with access to the policy-making process in an exchange for expertise and information.

The vast amount of interests can be categorized into two main groups consisting of business, industrial, economic or specific interests on the one side and public, citizen, social or diffuse interests on the other side. There is an obvious contrast between these categories so that one can guess that competitions and conflicts over the exertion of influence on the policy-making process are the results.

It will be the object of this paper to do research on this competition of interest group influence, in more detail, to examine a potential bias towards the influence of specific interest groups. To conduct research on this issue, the field of European environmental politics offers good opportunities as controversies between industrial or business interests<sup>2</sup> on the one side and environmental, social or public interests<sup>3</sup> on the other side naturally come along with it. This is emphasized by Coen who states that “the greatest cluster of lobbying in the Commission occurs around the Enterprise and Environment domains” (2007: p. 336).

The 2009 regulation on binding CO<sub>2</sub> emission performance standards for cars was a particular policy within the field of European environmental politics which attracted the attention of lobbying groups as it was the first EU legislation with the aim to restrict CO<sub>2</sub>

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<sup>1</sup> In the following referred to as “EU”

<sup>2</sup> In the following industrial and business will be referred to as “industrial” interest groups

<sup>3</sup> In the following environmental, social and public will be referred to as „environmental“ interest groups

emissions in favour of climate protection. The thesis will take this policy to examine the different interest group influence under the following research question:

*“How much influence do industrial and environmental interest groups have on EU legislation?”*

The theoretical background which motivates this study is the concept of elite pluralism as a form of pluralist interest theory. The assumption of this form of pluralism is that, in this case, industrial interests generally have a greater impact on the outcomes of a policy-making process than environmental interests. The objective of this work is to test the theory in order to establish further evidence to affirm or reject the concept of elite pluralism. Such research is relevant and interesting as scholars do not fully agree on this issue yet.

The theory testing is carried out with the help of a case study which will examine the 2009 regulation of the EU on binding emission performance standards for cars in depth. In this small-N research design two hypotheses are tested empirically by the qualitative research method of “gauging the degree of preference attainment” (Dür 2008: p. 559) in which the different influences of the two opposing categories of interest groups are analysed and interpreted.

The results of this research emphasize the high degree to which industrial interest groups were able to influence the outcome of the final regulation in contrast to environmental interest groups which only managed to exert some influence on the Commission’s legislative proposal for legislation. Especially car manufacturers’ interests were considered and implemented throughout the text of the regulation. Hence this case study reveals a clear elite pluralist relationship between industrial interest groups and the European institutions in the policy-making process.

There is a range of previous studies this research can be related to and to which it can contribute. Lelieveldt and Princen (2011) highlight the different channels and strategies interest groups are using to influence the policy making process, Hix and Hoyland (2011) outline the different kinds of interest groups and emphasize the competition between business and public interests and Joos (2011) shows with the help of a case study how the lobbying process might go on in practice. These works provide some introductions of interest group politics on the European level in general and show where this research can be located. This thesis can contribute to the state of the literature as relatively “few attempts at evaluating interest group influence or power in the EU have been undertaken” (Beyers, Eising & Maloney 2010: p. 110). There is nevertheless some previous research which indeed

dealt with the topic. The relevant authors studied the different influences of interest groups on the policy-making process and the lobbying successes according to the type of interest. The potential lobbying success of business interest groups and the bias which can originate from it is the topic of Dür's, Bernhagen's and Marshall's (2013) and Dür's and De Bièvre's study (2007) as well as of Schneider's and Baltz' research (2003) and Klüver's work (2012). Dür and De Bièvre and Schneider and Baltz found that specific and business interests have an advantage over diffuse and public interests when exerting influence on the decision making process of the EU because of their ability to organize better and their higher supply of resources and expertise. Coen (2007), Coen and Richardson (2009) and Coen and Katsaitis (2013) in their works stress the influence of business interests along the European policy process, referring to it as an elite pluralist relationship. However, Klüver as well as Dür, Bernhagen and Marshall oppose this suggestion by saying that lobbying success does not necessarily depend on interest group types but that diffuse and public interests in fact are able to influence the EU policy-making process to the same extent as business interests or even more.

Thus the research which will be conducted in this work can contribute to this debate by giving further evidence whether or not there is a bias in influencing EU policies between industrial and environmental interests. Klüver (2009) analyzed different positions of interest groups within the framework of the same EU legislation as dealt with here. However, she limits her study to using quantitative text analysis approaches by simply extracting the positions of pro- and anti-environmental interests. This study on the other hand approaches the legislation by a qualitative research, particularly focusing on the development of the different positions of industrial versus environmental interests during the policy-making process of the legislation.

## **2. Theoretical Framework**

### **2.1 Pluralism and Corporatism**

The theoretical framework this research bases on contains pluralist theory in general and elite pluralist theory in particular. This work builds on the pluralist model because it is one of the main models of interest group politics next to corporatism. The corporatist model claims that representatives from business and labour unions act as social partners and together with state officials develop new legislation and policies or voluntarily agreements so that the outcome of those tripartite meetings ideally represents a social consensus (Hix & Hoyland 2011: p. 160 f.). Pluralist theories view the policy-making process as an open access to all kind of organized interest groups as well as to private citizens or other stakeholders. Through this variety of interests, checks and balances against autonomous policy-making of state officials or supranational institutions are developed. The input of different interests is

therefore supposed to lead to the best policy outcome possible because compromises between different interest groups and the institutions have to be made. A central requirement for this model is that in fact equal access to the political process is supposed to be given to all representatives of all opposing interests while the institutional decision makers act as neutral actors (ibid.: p. 159 f.).

## **2.2 Elite Pluralism**

However, the assumption that opposing groups have equal access to the decision-making process does not necessarily apply to the daily bargaining and negotiating routines within the EU where especially the European Commission<sup>4</sup> but also the European Parliament<sup>5</sup>, the European Council<sup>6</sup>, the Committee of the Regions and the Economic and Social Committee or National Permanent Representations are the focus of lobbying activities in the EU (Charrad 2009: p. 65 ff.). Already in 1997 David Coen picked up the partial condition of inequality of interest group access and influence in the EU when he conducted a research on the access of large European firms to the policy-making process of the EC in which he referred to interest intermediation as a form of “elite pluralism” stating that “not all interest groups have equal access to the negotiating table” (Coen 1997: p. 105) so that there is an “élite pluralist arrangement between institutions and policy actors” (ibid.: 106). In a later study Coen widened his theory of elite pluralism to business interests in general whose access to the EC is biased when being compared to public interests because business interest groups have a comparative advantage concerning organizational capacity, financial resources, expertise and information (Coen 2007: p. 335). By providing the policy-making institutions of the EU with continuous consultation and conciliatory actions they manage to “influence the formulation of EU directives“ (ibid.: 338) which leads to the conclusion that a bias in interest group access towards business interests eventually results in a bias in influence as well. Eising (2007) tested the elite pluralist theory in a study which consisted of data from a range of business interest associations and large firms, finding that there is no such evidence for elite pluralism. However, he limited the study to comparing the access of large firms and national associations to EU institutions but neglected to examine potential differences in access between business and public interests (Eising 2007: p. 399). Similarly Bouwen (2002) found out, by using a theory of demand and supply of access goods, that large individual

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<sup>4</sup> In the following referred to as “EC“

<sup>5</sup> In the following referred to as “EP“

<sup>6</sup> In the following referred to as “the Council“

business firms and European associations have a high degree of access to the EC when compared with national associations, but he also did not do research on the access of public interest groups (Bouwen 2002: p. 383). Critics on elite pluralist theory can be found in more recent studies in which scholars found out the contrary about interest group influence in the EU. Not only Klüver (2012) and Dür et al. (2013) in their studies came to the conclusion that influence is not always biased towards business and industrial interests and that environmental interest groups are indeed able to exert significant influence. In another research Klüver analysed that lobbying success depends not so much on individual group characteristics but on “the strength of a coalition of interest groups that is fighting for the same policy goal” (2011: p. 502) which means that also environmental groups, when forming a strong coalition, are able to succeed in lobbying. Baumgartner et al. (2009) went even further when they conducted an extensive study in which they concluded that correlations between financial assets and lobbying success are very weak and that no linkage between resourceful lobbying organisations and policy outcomes could be found (p. 281) which would implicate the opposite to elite pluralism.

This discussion of the elite pluralist model among different scholars nevertheless shows that elite pluralist theory is an accepted advancement of classic pluralist theory in order to describe the behaviour of interest groups and thus can be applied to this empirical study as the theoretical framework. The aim here is to test this theoretical assumption by examining whether or not industrial interest groups indeed have influenced the policy-making process to a higher degree than environmental ones.

In order to test this two hypotheses have been developed. The first one directly bases on elite pluralist suggestions that business and industry knows how to successfully lobby the institutions of the EU.

*H1: The influence of interest groups on a legislative proposal of the European Commission is biased towards industrial interest groups.*

This first hypothesis suggests that there is an elite pluralist relationship between industrial interest groups and the Commission as industry can exert more influence on the policy-making process than environmental groups. The focus lies on the first part of the decision-making process when the EC introduces a legislative proposal after having undergone an extensive consultation process.

The second hypothesis bases on elite pluralist theory as well because it suggests that industrial groups have an advantage in influencing EU legislation in general. However, it goes a bit further by hypothesizing that industrial interest groups' influence is even increasing

during the later stage of the decision-making process of the EU where the different Committees and the national Parliaments have the chances to issue their opinions on the proposal and the EP and the Council can amend it before it becomes a final legislation (EC 2012: p. 1 ff.). This hypothesis bears in mind a particular finding of a study conducted by Dür and De Bièvre (2007) in which they concluded that business interests were more effective in exerting influence during the later phase of the policy-making process (p. 97). They only focused on the field of trade policy which makes it interesting to find out whether or not the same would apply to the fields of climate and transport policy as dealt with in this research. This is also a suitable case to test such a hypothesis since the issue has attracted sufficient industrial and business interest groups whose lobbying behaviour can be analysed. To specify the scope to which this hypothesis applies, the later stage of the process is defined as the decision-making procedure between the adoption of the EC proposal and the final legislation.

*H2: The influence of industrial interest groups on a final legislation intensifies during the second phase of a policy-making process, after the legislative proposal has been forwarded.*

Both hypotheses together test the elite pluralist theory by covering the interest group influence during the entire policy-making process of the EU.

### **2.3 Units of analysis**

The units of analysis here are interest groups in general and the positions of the opposing interest groups in specific. In this paper interest groups are referred to as defined by Beyers et al. (2008), namely organizations which have specific political interests and pursue their goals through informal and formal interactions with politicians. "Organization" defines the nature of the group and excludes for example temporary public movements or aggregated public opinions but includes companies and large firms. "Political interests" relate to the interest groups' attempts to exert influence on policy outcomes and "informality" points out that the lobbying is carried out mostly by informal interactions with politicians (Beyers et al. 2008: p. 1106 f.). However, the interactions can also be formal to a certain degree because "important facets of state-group relations [...] can be heavily institutionalized" (ibid.: p. 1107). As an example for this institutionalization serve the EC's public hearings and consultations of interest groups where stakeholders interested in the issue are asked to make comments and contributions on the EC's legislative proposal. Crucial for the use of this definition of interest groups is the fact that they have to be European interest groups, that is, they should



operate within the EU. This excludes most national interest groups because including them would extend the scope unnecessarily and deviate from the European view on this issue. Regarding the inclusion of companies and large firms it is important that they also do business on European level and not just in one member state so that one can be sure that the matter of the legislation dealt with is of actual relevance for them.

## **2.4 Causal Relationship**

According to Rohlfing a causal relationship describes that a “certain cause (X) has a causal effect on an outcome (Y)” (Rohlfing 2012: 2) and is connected through causal processes and causal mechanisms. On the basis of elite pluralist theory there is supposed to be a positive causal relationship between industrial interest group influence and policy outcomes. In the first hypothesis this is the expected dependency between interest group influence of industrial interest groups which is reflected by the independent variable (X) and the policy outcome of the legislative proposal of the EC as reflected by the dependent variable (Y). As an alternative independent variable (Y') holds the influence of environmental interest groups on the policy outcome which will simultaneously be controlled. Concerning the second hypothesis the causal relationship supposes that the independent variable (X), the influence of industrial interest groups, shapes the final outcome of the legislation, which would be the effect or dependent variable (Y). An alternative explanation for this phenomenon could be that during the phase of the policy making process between the legislative proposal of the Commission and the adoption of the final legislation environmental interest groups have exerted greater influence or that the influence is balanced. The causal mechanism itself which connects the interest group influence with the outcome of the legislation is not examined here since it would cover what kind of strategies are used by the lobbyists and how particularly they manage to exert influence. This is quite difficult to examine since the lobbying channels are still intransparent and thus uneasy to uncover. That is why this study does not make use of the process-tracing method in order to analyse the influence but of assessing the degree of preference attainment, both introduced by Dür (2008) and discussed below. While process-tracing would analyse the intervening steps which led from the cause to the effect, this study's method will skip this step and compare directly the standpoints of the interest groups with the outcome of the legislation to draw conclusions on the influence of the interest groups.

## **2.5 Caveats and alternative explanations**

One has to be aware that this study only deals with the influence of different, mostly European interest groups, on the policy outcomes of the proposal and the final regulation

which does not, however, exclude the possibility that other stakeholders could have exerted some influence as well. It is quite difficult to observe the direct influence of interest groups on the EU policy-making process because they try to lobby all the institutions which take part in the process, mainly the EC during the agenda setting and formulation phase, the Council while ratifying the policy and the EP committees at the reformulation phase (Coen 2007a: p. 3). Besides, it is possible that not only European interest groups have exerted influence during the policy-making process but also national interest groups, political parties or the public opinion which makes it hard to precisely allocate the influence to the different stakeholders involved.

National interest groups could have tried to influence national ministries who are commenting on the legislative proposal during the first reading of the Council, to consult national members of the EP to argue in their favour during its first reading or to lobby the country's Permanent Representations in Brussels (Charrad 2010: p. 65). Schneider and Baltz conducted a study with regard to the influence of national interest groups on their governments' stance in the Council. This should not be neglected since the national governments are represented in the Council and have the opportunity to exert influence during the Council's first and, if applicable, second reading where a common position on changes to the proposal can be adopted and, respectively, a conciliation committee can be convened (EC 2012: p. 1 ff.). They examined the groups' influence during domestic pre-negotiations on different EC proposals by conducting interviews with domestic stakeholders on their preferences on the different legislative proposals. They found out that especially private and special interest groups managed to influence the domestic pre-negotiations and that in Germany industrial interest groups of the car industry were significantly influential concerning the blockade of an environmentally-friendly directive (Schneider & Baltz 2004: p. 132 ff.). In particular the influence of the German car industry on its government might have had an impact on the ministries' position in the Council regarding this paper's legislation, too. Dür and Mateo (2012) support the argument that national interests play a role in lobbying the EU by stressing the different channels which national associations can use to influence EU legislation. On the one hand they could lobby national politicians who are members of the EP or have access to the meetings of the Council or the EC, on the other hand national interest groups would increasingly lobby EU institutions themselves, depending on their resources (p. 971). They conclude that it is easier for national business interest groups to gain access to national governments and the EC so that they would have an advantage in lobbying during the policy-making process of the EU (ibid.: 983 f.). Mazey and Richardson (2001) add that national officials of the Council are often lobbied by their national interest groups to take on a

certain position in the meetings and furthermore highlight the position of national governments which would be “the main opportunity structure for interest groups” (p. 28) because of their important role in the Council. Hence it is possible that the outcomes of this study’s legislation have been due to the influence of national interest groups to some degree. Similar to Charrad, in their works Mazey and Richardson also mention the Permanent Representations of the member states as a common lobbying target not only for European interest groups but also for national ones. What makes them so attractive for national interest groups is that they can serve as a connection between the member state and the Council where officials of Permanent Representations often participate in working groups and in the preparation of the meetings of the Committee of Permanent Representatives (COREPER) (ibid.: p. 26 f.).

Other channels which should not be underestimated in the exertion of influence are the public opinion concerning European politics and party politics within the EU or the member states. Public opinion can always bear a certain influence on policy makers because if they act in opposition to public opinion they could be punished for this in the next election. Therefore it can always be sensible to take the public opinion into account when making decisions on certain policy matters in the policy-making process (Dür & De Bièvre 2007: p. 7 f.). This particularly applies to national governments which participate in the policy-making process in the Council and to members of the EP which are regularly elected by the European public. Both aim for re-election, national governments in their states and members of the EP in the Parliament so that they depend on citizen support to a certain extent. The EC therefore needs the support of the public when introducing a new legislative proposal in order to let it pass the Council and the EP because they would not be likely to oppose public opinion by not agreeing on it (Klüver 2013: 62 f.). Thus it is also possible that public opinion exerted some influence on the legislation because it dealt with a controversial topic and citizens could have either supported their country’s industrial interests and therefore oppose a legislation or they could have supported environmental standards and were in favour of the legislation.

The controversy of the topic could have been reason for intervention of political parties in the decision-making process of this legislation, too. Considering the role of political parties in the exertion of influence on the EU policy-making process Lindberg, Rasmussen and Warntjen found out that parties “are always present, often active, and sometimes influential” (2008: p. 1121). Especially national parties seem to be influential regarding the selection of the members of the EC, the Council or the EP with the effect that the selected politicians might refer to their party lines during the policy-making process. In the EP the distribution of

rappoteurships and memberships in the committees happens along transnational, that is European, party lines which points at some influence of transnational parties, too because the rapporteurs and committees of the EP play an important role in the policy-making process. They conclude that both national and transnational parties play some role in influencing EU legislation, however, it is hard to determine the degree of every single party influence (ibid.). Other studies support these views by adding that especially the EP is the target of party influence of both national and European parties (Rasmussen 2008: p. 1179), it is often due to party politics that a certain rapporteur is chosen who together with the largest parties of the EP can be responsible for the EP's position in the decision-making process (Lindberg 2008: p. 1200) and that in the Council "ideological affiliations [of parties] influence coalition formation" (Hagemann & Hoyland 2008: p. 1217).

Some minor influence of national interest groups, parties or the public opinion could have also been exerted on the national parliaments which are sent the legislative proposal to be able to express their opinion on it or even contest it or on the Committee of the Regions and the Economic and Social Committee which contain representatives of regional and local bodies and are able to give their opinions on the EC proposal as well (EC 2012: p. 1 ff.).

Although there seem to be a lot of alternative actors who could have exerted influence on the legislation, the influence of European interest groups can still be considered as significant because of their similar channels for lobbying activities. Firstly European interest groups have the opportunity to lobby the EC by means of the consultation processes and informal channels in order to influence the legislative proposal. After the proposal is sent to the European institutions interest groups can exert influence on the Members of the EP for amendments to the text, especially on the rapporteurs and the committees preparing the response to the proposal. Lobbying of the Council is possible by exerting influence on the national representations in Brussels, the different working groups or the national governments by having national partners or subsidiaries which can take over the lobbying for them (Michalowitz 2004: p. 60 ff.).

This research hence assumes that the influence of European interest groups can be interpreted within the proposal and the regulation as it makes use of the position papers of the interest groups in the consultation process and it is likely that those interest groups took part in such a consultation process which had the greatest interest in the issue and therefore would keep on lobbying the different institutions during the entire policy-making process. It can furthermore be assumed that the positions of the European interest groups already include those of national ones because they mostly represent a range of national organisations or companies as shown by the composition of the European interest groups

whose positions were examined for this research and which are listed in the table below. As a consequence, lobbying of national interest groups would not implicate great deviations from European interest groups' positions.

How this study will be conducted in general and in detail, how the hypotheses are tested, which research design is used or how the different variables are measured is dealt with in the following methodology section.

### **3. Methodology**

In order to test the hypotheses this research will use a small-N research design, namely a single case study design in which the case of the 2009 EU legislation on binding emission targets for cars is examined. The method for analyzing the data of the empirical observations within the selected case will be of qualitative nature as it comprises interpretations of the different influences of the stakeholders on the EU regulation which is conducted by analyzing the contents of positions papers of interest groups, documents and other written records.

#### **3.1 Case Study**

The single case study research design is chosen for this study because the primary goal here is to test the theory of elite pluralism by adding empirical evidence of a case to which elite pluralist thinking could have applied or not. A single case study provides a sensible way of doing so since it seeks to study the case at hand in depth so that it can produce findings which are built on a thorough examination of the matter of interest. Those findings can then be compared to the elite pluralist model in order to be confirmed or rejected. Johnson and Reynolds state that case studies are often used to answer "how" or "why" questions as a matter of an explanatory purpose (Johnson & Reynolds 2012: 196) which qualifies this study's research question to be suitable to explain the influence of the interest groups within the selected case as it asks "how" much influence the interest groups have on EU legislation.

#### **3.2 Case selection**

When turning towards the case selection, Seawright and Gerring state that "random sampling is not typically a viable approach when the total number of cases to be selected is small" (Seawright & Gerring 2008: p. 294) which means that case selection is particularly important in small-N designs. The case selected for this study can be considered eligible to examine interest group influence of opposing interest groups because the 2009 EU legislation on binding emission targets for cars incorporates a very sensitive issue with many divergent opinions and standpoints throughout a variety of stakeholders so that interest intermediation is supposedly very persistent. The issue can be described as sensitive due to

the fact that the topic of climate change has caused polarizing debates ever since its appearance on the agenda of European and international politics. The one side calls for radical and fast climate policies in order to delay and fight climate change while the opponents either deny the climate change or do not want to accept policies on the reduction of greenhouse gases fearing that it could harm the profitability of their industries (Kitcher 2010: p. 1230 f.).

It is likely that the EC's initiative for legislation on this topic had mobilized a lot of interest groups originating from a wide spectrum right away because such a policy would have affected many interests. It can hence be expected that the process of interest group influence on the Commission proposal for this legislation is typical for interest intermediation on EU level because neither the industrial lobby nor the environmental one would be likely to eventually give in on their positions so that one can perfectly examine and interpret the pressure the opposing interest groups tried to exert on the Commission.

### **3.3 Concepts**

Some of the concepts used in the hypotheses have to be defined more closely in order to understand their meanings in this context. "Influence" in general, as used in the first hypothesis, means the ability of an actor to shape a decision in line with her or his preferences (Dür 2008: p. 561), in this case the preferences of an interest group and the decisions of the European institutions. When it comes to measuring this influence, different approaches can be found throughout literature. Dür (2008) introduces three types of measuring influence, namely "process-tracing, assessing attributed influence and gauging the degree of preference attainment" (ibid.: p. 559). "Process-tracing" is the most thorough method as it tries to uncover the causal processes and the mechanisms of the actual lobbying activities. Michalowitz (2007) used such method and carried out three case studies to find out about the "degree of conflict, structural conditions of interest exertion and the type of interest pursued" (Michalowitz 2007: p. 132). This method may be problematic because it can be difficult to collect enough evidence of the lobbying procedure itself. "Assessing attributed influence" as in Egdell and Thomson's study (1999) measures influence with the help of surveys which are supposed to ask interest group members about their influence in a particular policy-making process. The disadvantage here is that respondents are likely to exaggerate or play down their influences. Measuring influence by "gauging the degree of preference attainment" can be found in Dür (2008a) who examined the impact of interest groups on the Doha Development Agenda with the same method as he compared the demands of business actors concerning aspects of the EU's positions beforehand with the actual standpoints of the EU at the Agenda.

In this paper the influence is measured by gauging the degree of preference attainment as introduced by Dür (2008: p. 566). This method has the advantage that influence can be observed more easily than with the other two methods because one does not have to study the interactions between interest groups and decision makers itself or has to rely on subjective insights of lobbyists but can detect the influence in the outcome of a legislation by comparing it to the initial standpoints of the interest groups before a legislation was adopted (ibid.: p. 566 f.).

Another concept is the differentiation between industrial or business and public or social interest groups. The terms “industrial” and “business” in this case relate to interest groups which represent the interests of the car manufacturing industry. This does not only include car manufacturers themselves but also suppliers, fuel industry, the transport sector or other complementary sectors. The opposing interests are of public, social or environmental nature and mainly include environmental NGOs, consumer organisations and other groups having contrary interests to industrial and business groups.

The attribute “biased” means the extent to which influence is exerted and is similarly used by Klüver (2012) when she is asking if “lobbying success [is] biased in favour of some powerful interest groups while other [...] interests are constantly losing?” (Klüver 2012: p. 1115). As used in the first hypothesis it regards to whether or not the influence of industrial groups is more significant than the one of opposing groups.

### **3.4 Qualitative research**

Concerning the measurement of the dependent and independent variables of the hypotheses, it will be conducted as follows. The causal relationship between the interest group influence (X) and the outcome of the legislative proposal of the EC (Y) and the interdependency between the influence of industrial interest groups (X) and the final outcome of the legislation (Y) will be measured by qualitatively assessing the degree of preference attainment.

The method to analyze the relevant data is qualitative because the focus lies on a single case which is examined in depth instead of measuring anything in terms of quantity, amount, intensity, or frequency which would be characteristic for quantitative research methods. The difference is that qualitative research wants to achieve particularity by focusing on a single case or few cases while quantitative research seeks generalization (Vromen 2010: p. 255 f.). This particularity is especially achieved by researching single case studies because they provide “qualitative-interpretive, within case ‘observations’ reflecting patterns of interaction,

organizational practices, social relations, routines, actions” (Yanow, Schwartz-Shea & Freitas 2010: p. 110). It can be applied to this study because its aim is to find out about the influence of interest groups by conducting such qualitative-interpretive research in which the interactions within the decision-making process of this Regulation are examined. This means that the influences are not quantitatively measured, for example by counting words representative for a certain position in the position papers and in the legislation.

The results of a single case study research design, however, might involve certain limits, for example with respect to representativeness. Representativeness of case studies is a common concern because it is not always easy to generalize to a larger set of cases from what has proven to be true for one or few examined cases (Gerring 2004: p. 348). Regarding this case study it might not contain a very generalizing character on the policy-making processes of other European regulations or directives in which industrial and environmental interest groups took part. This, however, can be seen as a typical weakness of many case studies as Hönnige argues because when choosing the research design one has often to decide whether to sacrifice more of analytical depth or generalization of the study. The more generalization one seeks to achieve with a study the less analytical depth one can get at the same time (Hönnige 2007: p. 224 f.) which implicates that single case studies are unlikely to provide high representativeness. Gerring describes this relationship by mentioning that the more representative cases are, the worse they serve as subjects for an intensive analysis and vice versa (Gerring 2008: 675). Which comes along with it is that a case study cannot always rule out alternative explanations for the examined phenomenon because it analyses only with regard to the research questions and the hypotheses. For this research it implies that the policy-making process may have been also influenced by national interest groups, parties, the public opinion or national governments as mentioned above but the research question and the hypotheses only focus on the influence of European interest groups. Yin highlights that “case studies are generalizable to theoretical propositions and not to populations” (Yin 2014: p. 21) which means that it is rather the aim to contribute to the advancement of a certain theory than to produce representative results and rule out all alternative explanations. This can also be applied to this case study. The aim is not necessarily to generalize the findings but to help to expand the theory of elite pluralism by giving a further example of a case to which this theory applies.

The different influences are examined by means of interpretation. Before actually analyzing potential influences, the initial plan for binding emission targets for new passenger cars, as firstly expressed by the EC in its impact assessment and the review on the results of the



community strategy, is compared with the legislative proposal. In this step it can be observed which aspects have been changed, added or eliminated over the course of the consultation process with the stakeholders. What comes next is the actual method of assessing the degree of preference attainment. Here the different positions of the stakeholders, expressed during the consultation and public hearing phase, are compared with the content of the proposal. In this connection the modification between the EC's initial plan and the text of the proposal can be ascribed to the lobbying activities of the interest groups, dependent to which degree their ideal points can be found in the proposal. The same is applied to the comparison of the content of the proposal, after it was forwarded to and amended or approved by the EP and the Council, with the final outcome of the legislation. The testing of the second hypothesis therefore brings clarity whether or not the influence of industry has been dominant throughout the entire policy-making process.

This happens in a qualitative way because the positions of the interest groups are rarely displayed obviously in the proposal or the final policy but have to be identified and interpreted.

Both hypotheses are confirmed if the influence on the proposal and the final outcome of the legislation is biased towards industrial interest groups. This would be the case if more positions and standpoints of them are found and interpreted among the legislative papers than of the opposing interest groups. The hypotheses would be hence neglected if a bias towards the influence of environmental interest groups would be examined or if both types of interest groups would have exerted an equal or similar amount of influence.

In order to make the relevant empirical observations, the content of running records rather than of episodic ones is analysed since the sources which are used for the research are mainly produced by organizations and institutions, namely the EU and interest groups, and are easily accessed and available for a long period of time. Especially the public consultation and public hearing platform of the EC concerning this legislation serve as important sources because they provide access to primary data of the single standpoints and opinions of each interest group which then can be evaluated and interpreted.

### **3.5 Internal, measurement and external validity**

When reflecting on the case selection, the research approach and the method of measurement one can identify certain threats to validity.

Internal validity, which describes the consistency of a research, is given when the causal relationship of the variables is "isolated from other plausible explanations" (Pollock 2012: p. 82), and the findings represent the reality, that is if the research has internal consistency

(Punch 2005: p. 254). In this research the internal validity may be threatened by the alternative explanations of how the outcome of the proposal and the final Regulation might have been influenced. As discussed in a prior section, the possibility that next to European interest groups, also national interest groups, governments, European and national parties or the public opinion might have been influential in the policy-making process cannot be ruled out completely. However, it can be argued that the European interest groups probably combined the standpoints and demands of other influencers to a certain degree since the case selection provided with a controversial topic where the general opinions could be assigned to either industrial or environmental interests.

Threats to measurement validity, which is the “extent to which an empirical measure [...] reflects the real meaning of the concept under consideration” (Babbie 2007: p. 146), are supposedly much smaller here. In this case the empirical measure is the assessment of the degree of preference attainment as introduced by Dür (2008) which is supposed to reflect the meaning of the concept of influence here. As already mentioned, this is one of three typical methods to examine interest group influence and the application to this study has brought distinct results with reference to the interpreted influence of the interest groups of the consultation process.

The external validity of a study means that the results of this study can be generalized and thus are valid to other settings and contexts (Punch 2005: p. 255). Regarding this research the question of generalizability has already been discussed above with the conclusion it contains a weak external validity, mainly because it is a single case study, and that the main purpose here is to add to the theoretical propositions of elite pluralism.

#### **4. Analysis of interest group influence**

##### **4.1 Context**

Before turning towards the description and analysis of the data, the procedure of the policy-making process for this legislation has to be recapitulated so that the context of the empirical observations becomes clear.

The impulse for a new legislation on binding emission targets for cars was given by the fact that the contributions from the road transport sector to reducing greenhouse gas emissions did not meet the reduction goals of the Kyoto Protocol and subsequent EU legislation in order to fight climate change with the overall aim to let surface temperatures not rise by more than 2°C. To include road transportation the EC already in 1995 introduced a community strategy in which the car industry voluntarily committed itself to reducing carbon dioxide (CO<sub>2</sub>), which is one of the main components of greenhouse gases. The goal was to reduce CO<sub>2</sub> from an EU average of 186 g/km in 1995 to 140 g/km in 2004 and further to 120 g/km in

2012. However, EU average new car emissions in 2004 accounted for 162 g CO<sub>2</sub>/km, missing the target considerably (COM (2007) 856 final: p. 2 ff.). After having reviewed the community strategy by the beginning of 2007 the EC came to the conclusion that it had failed so that a regulatory framework was the next move in order to still be able to meet the 2012 CO<sub>2</sub> reduction target. This plan was supported by the Council and the EP which called for action regarding this issue in 2006 (COM (2007) 19 final: p. 2). Which also contributed to the plan of introducing a binding legislation was the report of the so called CARS 21 High Level Group, set up by the Enterprise and Industry DG of the EC in January 2005 and which was supposed to “make recommendations for the [...] public policy and regulatory framework for the European automotive industry” (Enterprise and Industry DG 2006: p. 2) in order to sustain progress in environment while staying competitive at the same time. This suggested an integrated approach including all affected stakeholders to further reduce CO<sub>2</sub> emissions from the transport sector (ibid.: p. 5).

In February 2007 the EC proceeded with an impact assessment of different scenarios of potential policies assessing how they would affect environment, economy and social aspects. During a public consultation and hearing between May and July of 2007 all stakeholders interested were asked to give their opinions and consultations on the potential legislation which in general contained the objective of reducing CO<sub>2</sub> emissions to 120 g/km by 2012. This target was supposed to be achieved by a reduction of 130 g CO<sub>2</sub>/km through engine technology and an additional reduction of 10 g CO<sub>2</sub>/km by means of other technological improvements (COM (2007) 19 final: p. 8).

As a next step on 19 December 2007 the EC introduced a legislative proposal for a regulation for setting emission performance standards for new passenger cars as part of an integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles which simultaneously was forwarded to the EP and the Council for the first readings. The proposal was discussed within the Council on two occasions in March and June of 2008, an opinion of the Economic and Social Committee was given during September and the EP amended the proposal in December. After the EC still in December and the Council in April 2009 agreed on the amendments, the changed proposal officially became EU legislation on 23 April 2009 under the Regulation (EC) No 443/2009.

#### **4.2 Interest groups**

This section deals with the presentation of the interest groups whose positions will be the basis for the testing of the hypotheses. For the purpose of recapitulation, the expected relationship between the variables of the hypotheses is that the policy outcome of the first phase of the policy-making-process, the proposal, depends on the influence of industrial

interest groups to a higher degree than on the influence of environmental ones. The second hypothesis deals with the proposed positive causal relationship between intensified influence of industrial interest groups and the final outcome of the regulation. In order to find out about the influence, the positions of the stakeholders involved are studied and subsequently compared to the content of the proposal and the adopted legislation. The following tables are supposed to introduce the most relevant interest groups which took part in the consultations.

<b>Sector</b>	<b>Interest Groups</b>
Automotive Manufacturers	ACEA (European Automotive Manufacturer's Association), GM (General Motors), VDA (Verband der Deutschen Automobilindustrie), KAMA (Korean automobile manufacturers' association), JAMA (Japanese automobile manufacturers' association)
Suppliers / Complement Producers	CLEPA (European Association of Automotive Suppliers), Michelin (Tire manufacturer), ETRMA (European Tyre & Rubber Manufacturer's Association), SMMT (Society of Motor Manufacturers & Traders)
Fuel industry / Alternative fuel industry	EBB (European Biodiesel Board), ENGVA (European Natural & Bio Gas Vehicle Association), AEGPL (European Liquefied Petroleum Gas Association)
Others	SHECCO (Market development company for introduction of climate friendly technology)

*Table 1: Industrial and business interests*

<b>Sector</b>	<b>Interest Groups</b>
Consumer interests	ANEC (The European Consumer Voice in Standardisation), BEUC (European Consumers' Organisation), ETSC (European Transport Safety Council)
Environmental organisations	WWF (World Wide Fund for Nature), T&E (European Federation for Transport and Environment), Greenpeace, Friends of the Earth England, Wales & Northern Ireland (International network of environmental organisations)
Others	ETUC (European Trade Union Confederation)

*Table 2: Public, social and environmental interests*

The tables above list those stakeholders active in the consultation and public hearing process whose requests and demands could be directly related to the contents of the different articles of the proposal or the regulation. This excludes for example interest groups which in fact took part in the consultations but whose contributions did not appear in the proposal or the regulation in any way and thus are irrelevant for this research because even if they indeed exerted some influence it could not be discovered by this study's method of assessing the degree of preference attainment. Furthermore national interest groups which represent marginal interests were not included either, for example the British vehicle rental & leasing association (BVRLA), the royal society of the protection of birds (RSPB) or the Finnish association of nature conservation (FANC), as their interests have been already covered by other European interest groups within the consultation process or did not affect the European scope of the legislation. On the other hand some national organisations have been incorporated, like the German Verband der Deutschen Automobilindustrie (VDA), the British Society of Motor Manufacturers & Traders (SMMT) or the Friends of the Earth section for England, Wales and Northern Ireland because they also operate on the European level, their interests have not been covered by European umbrella organisations or are of special significance for Europe. The latter applies for the VDA which represents a range of German car manufacturers which, however, produce, sell and distribute throughout Europe (VDA 2014). Eventually some international interest groups have been dealt with, too, as long as they were somehow affected by the proposed legislative action and thus decided on taking part in the stakeholder consultation. In detail this comprised the Japanese and Korean automobile manufacturers' associations which highly operate on the European market (JAMA 2007: 1 f.; KAMA 2007: 1).

#### **4.3 Positions of interest groups**

The table below summarizes the different positions of industrial and environmental interest groups and the corresponding components of the articles within the proposal and the final regulation which contain the standpoints of the groups. One can determine to what extent the initial proposal of the EC already included demands and requests of the interest groups and one can compare how the contents of the different articles have changed during the policy-making process between the adoption of the EC proposal and the final regulation.

The different positions of the interest groups were extracted from their position papers provided for the public consultation and from the summary of the public hearing, both held by the EC in 2007.

Position of industrial interest groups	Position of environmental interest groups	Component in EC Proposal	Component in final regulation
<b>ACEA, GM, VDA, KAMA, JAMA, CLEPA:</b> - Lead-time until 2015 is needed - target too ambitious	<b>T&amp;E, WWF, Greenpeace, Friends of the Earth:</b> - target could be more ambitious	Emission reduction target of 130 g CO <sub>2</sub> /km by 2012 (Art. 1)	Phasing-in the requirement for meeting the targets between 2012 and 2015 (Art. 4)
<b>ACEA, GM, VDA, JAMA, KAMA:</b> - apply legislation to passenger cars (M1 vehicles) only	<b>T&amp;E, WWF, Greenpeace:</b> - include light-duty commercial vehicles (N1) into legislation	Inclusion of category M1 motor vehicles and exclusion of category N1 vehicles (Art. 2)	No alteration
<b>ACEA, Michelin, ETRMA, GM, VDA, SMMT, SHECCO, CLEPA:</b> - higher CO <sub>2</sub> reduction potential of additional measures than 10 g/km - greater inclusion of bio fuels	<b>BEUC, WWF, T&amp;E, Greenpeace, Friends of the Earth:</b> - add reduction achieved by additional measures on top of a 120 g CO <sub>2</sub> /km target by means of engine technology	Reduction target by 120 g CO <sub>2</sub> /km of engine technology and 10 g CO <sub>2</sub> /km of additional measures (Art. 1)	Increased use of bio fuels (Art. 6) and savings through eco-innovations (Art. 12) allowed to include into 120 g CO <sub>2</sub> /km reduction target
<b>ACEA, GM, VDA:</b> - calculation of CO <sub>2</sub> targets on basis of vehicle weight	<b>T&amp;E, ETUC, Friends of the Earth, ETSC, BEUC:</b> - calculation on basis of footprint	Calculation of CO <sub>2</sub> targets on basis of vehicle weight (Art. 4)	No alteration
<b>ACEA, GM, VDA, KAMA, JAMA:</b> - derogation rules and other flexibilities for reaching the targets are demanded	<b>WWF, T&amp;E:</b> - exclude any derogation rules from meeting the target	Pooling possibilities (Art. 5) and derogation rules (Art. 9) for car manufacturers	Super-credits for low CO <sub>2</sub> emitting vehicles (Art. 5); further derogations for manufacturers (Art. 11)
No specific positions / comments	<b>WWF, Friends of the Earth, T&amp;E, Greenpeace:</b> - include a penalty system	Penalties for non-compliance with reduction target (Art. 7)	Watering down of the penalty system (Art. 7)
No specific positions / comments	<b>ANEC:</b> - consumer information through improved eco-labelling	Consumer information on difference between emission target and emissions (Art. 11)	Cancellation of the article

Table 3: Positions of interest groups and the contents of the proposal and the final regulation

#### **4.4 Influence on the Commission proposal**

When analysing the influence of industrial and environmental interest groups on the legislative proposal of the EC it becomes apparent that there is a biased influence towards industrial interest groups, however, environmental interest groups' influence could not be denied completely. In the cases of the scope of the proposed regulation, the utility parameter on which basis the specific emission targets are calculated, pooling possibilities among manufacturers and the granting of certain derogation rules, the car industrial interest groups certainly exerted great influence on the EC.

Concerning the scope to which categories of vehicles the legislation would apply, the influence of the industrial interest groups seems to have been crucial because the EC took off category N1 vehicles from its legislative proposal although it explicitly proposed the inclusion of "vehicles designed [...] for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes [N1 vehicles]" (OJ L 263, 09.10.2007, p. 62) into the framework of the additional measures in its review of the community strategy (COM (2007) 19: p. 8). This clearly indicates that due to the opposition of car industrial interests the EC cancelled out this component of the additional measures which would have demanded some extra efforts from automotive industry as it not only would have to modify engine technology of passenger cars but also of light-commercial vehicles. Claims of environmental groups that an inclusion of such vehicles into the scope of the legislation would be helpful to reach the emission targets faster and could be easily implemented by manufacturers (WWF 2007: p. 4; Greenpeace 2007: p. 1; T&E 2007: p. 4) was obviously not considered by the EC.

Similarly the implementation of the utility parameter, which calculates each car's specific emissions on the basis of its mass in kilograms, is an indicator for the influence of industrial interest groups. They argued that this parameter would be transparent and clearly defined, already successfully used on the Asian market and sustain product diversity of the automotive sector because bigger and heavier cars would not be penalized by disproportional CO<sub>2</sub> reduction burdens (ACEA 2007: p. 6, GM 2007: p. 12; VDA 2007: p. 4). Objections of environmental groups were that a footprint indicator as utility parameter would set better incentives for manufacturers to reduce weight and CO<sub>2</sub> emissions at the same time, that heavier cars would cause more damage in accidents and that weight would not be a criterion for consumers (T&E 2007: p. 14 f.; ETUC 2007: p. 2; ETSC 2007: p. 1; Friends of the Earth 2007: p. 2). The EC had not defined a utility parameter in its impact assessment but in its review on the community strategy it had already acknowledged the importance to keep the car industry's diversity and competitiveness within the legislation (COM (2007) 856 final: p. 13 f.). In the proposal it then included the weight-based parameter with the reason

that sufficient data on weight was already available and that it provided “correlation with present emissions and would therefore result in more realistic and competitively neutral targets”. This is a hint that the car industry successfully lobbied the EC because the weight based utility parameter was chosen and environmental groups’ arguments were only considered to the degree that the proposal aimed at reviewing the weight based parameter and collect data on footprint.

The incorporation of pooling possibilities among manufacturers and derogation rules for meeting the emission target are likely to have also been implemented in the favours of industrial interest groups as the ACEA (2007: p. 7), GM (2007: p. 13) and the VDA (2007: p. 13 f.) directly asked for some kind of derogations and flexibilities. Pooling makes it easier for manufacturers to comply with the targets since production costs and technological know-how can be shared and the derogations for small volume manufacturers to meet the emission target under certain conditions are both clear concessions to the automotive sector. This becomes clearer when taking into consideration that the EC in its impact assessment or the review on the community strategy did not mention any such derogations but included them into the proposal anyway.

In those cases listed above the demands of the industrial interest groups could be found within the proposal quite directly while objections of environmental interest groups have not been considered at all. This leads to the strong assumption that the EC implemented those components due to the pressure and successful influence of the industrial interest groups.

With regard to penalties the influence of industrial interest groups cannot be defined so clearly. The excess emission premium system introduced in the proposal would punish manufacturers in the form of extra payments on each gram per kilometre by which each new car of the fleet exceeds its specific emission target. The fee would increase on a yearly basis between 2012 and 2015 from where on it would remain steady (COM (2007) 856 final: p. 21). The disadvantages of the penalty system for the automotive industry would not be as extensive as required by some environmental interest groups so that one can assume that car industry’s interests were considered at least a bit. The implementation of a penalty system, however, can be partly valued as a success of environmental groups because a major point of their position papers was implemented in the proposal. However, it might not have been implemented for sole reasons of lobbying success of environmental groups but also as a will of the EC to compensate for the range of concessions already made to the automotive sector and because in its impact assessment the EC already suggested to involve some kind of compliance system (SEC (2007) 61: p. 4). Although one cannot find any specific positions of industrial interest groups towards penalties it can still be assumed that



they would rather disagree than agree with penalties in general. It can hence be interpreted that some kind of influence might have led to the fact that the penalties were kept relatively marginal compared to the demands of environmental groups so that even in the case of non-compliance, costs for car manufacturers would not grow extensively.

Concerning the emission reduction target of 130 g CO<sub>2</sub>/km and its split into achieving 120 g CO<sub>2</sub>/km by means of engine technology and 10 g CO<sub>2</sub>/km by means of additional measures, at first sight it seems that both industrial and environmental groups could not exert their full influence but if at all the proposal came closer to environmental demands here. Industrial groups required an even higher reduction target through engine technology and likewise a higher contribution from additional measures while environmental interest groups called for a more ambitious target and demanded not to allow automotive sector to achieve reductions of 10 g CO<sub>2</sub>/km through additional measures but instead to add those reductions on top. It could be seen as some kind of compromise between the opposing interests that the EC did not give in on either side but stayed with its initial target. Further demands by industrial interest groups contained a greater inclusion of bio fuels and eco-innovation into the calculation of their specific emissions reduction targets. Therefore it seemed that the persistence of the EC to stick to its initial split of the reduction target would come closer to the positions of environmental than of industrial groups. However, when doing some extra research on the lobbying activities before the EC's impact assessment this image fades away. Corporate Europe Observatory, a research and campaign group which works "to expose and challenge the privileged access and influence" (Corporate Europe, n.d.) of corporations and their lobby groups, examined that it was due to the heavy lobbying of the car industry that the EC already before publishing the impact assessment deviated from its plan to impose the 120 g CO<sub>2</sub>/km emission reduction solely on car manufacturers' engine technology. This means that the split of the reduction target through engine technology and through complementary measures as first mentioned in the impact assessment already bore a concession to the automotive industry leading to the conclusion that industrial interest groups successfully exerted influence even before the official consultation process begun (Corporate Europe 2009: 3 f.). When having this in mind, the influence of environmental groups on this aspect appears much weaker since the EC did not adopt their demands for more ambitious goals in the proposal while the current arrangement of this aspect already based on concessions to car industrial requests. At the most, influence of environmental interest groups could be assigned to the fact that the EC did not water down the emission target any more. At least in this respect the automotive sector had to accept a rejection of their demands for a further amendment in terms of higher emission reduction targets.

When concluding on the influence on the EC proposal, the first hypothesis that the influence of interest groups is biased towards the influence of industrial interest groups can be mainly corroborated. The scope and the utility parameter corresponded directly to industry's demands, the derogation rules and pooling possibilities can be interpreted as a result of more general claims of the automotive sector. The emission target was influenced by the car industry even before the consultation process so that the rejection of further requests for raising the target only at first sight looks like an ineffective exertion of their influence. In the cases of penalties and the emission target environmental interest groups' influence can be rather seen as support of the EC to stick to its previous intentions instead of an independent exertion of influence. Thus influence of industrial groups could always be clearly assigned to them while environmental interest groups' standpoints often went along with the EC's positions so that one could not say for sure if their lobbying activities were crucial or just a supporting element of the Commission's early legislative initiative.

#### **4.5 Influence on the final regulation**

The second hypothesis which proposed that the influence of industrial interest groups on the final legislation of a policy-making process intensifies after the legislative proposal has been forwarded, can definitely be confirmed. This is the result of the analysis of the influence of the different groups on the second phase of the policy-making process. All of the aspects which have been either added to or amended within the regulation bore the interests of industrial groups while environmental interests could not exert their influence.

The lead-time for full compliance with emission targets has been postponed by phasing in the requirement for meeting the target between 2012 and 2015. While the proposal still suggested that manufacturers had to comply with their emission targets by 2012, the final regulation states that by 2012 a manufacturer's average specific CO<sub>2</sub> emissions did not have to cover more than 65 % of a new car fleet. Subsequently this percentage was raised to 75 % by 2013, 80 % by 2014 and, eventually, 100 % by 2015 (OJ L 140, 23.4.2009, p. 6). This obvious deviation to the EC's initial idea in its impact assessment to reduce CO<sub>2</sub> emissions from cars to 120 g/km by 2012 (SEC (2007) 60: p. 8) can only be attributed to the influence of the major industrial interest groups which from the very beginning of the consultation phase lobbied for a bigger time frame to meet the reduction targets. A direct influence can be interpreted here as industrial groups such as the ACEA, GM, VDA, JAMA and KAMA particularly asked for a lead-time until 2015, arguing with production cycles which would be seriously disrupted and would lead to further investments otherwise and the fact that car industry had already other timeframes for new regulatory requirements to stick to. GM even specifically suggested to "phase in certain measures beginning in 2012" (GM 2007: p. 9)

which comes close to the exact wording of the final regulation. How intensive their influence must have been becomes apparent when recalling that the year for compliance, 2012, was a key element of the legislative plan ever since the EC and the Council in 1995 introduced the community strategy. This even stated that the CO<sub>2</sub> emission target of 120 g/km should be reached between 2005 and 2010 the latest (COM (95) 689: p. 15) which was, however, already revised over the time so that in the impact assessment, the position on the CARS 21 High Level Group report as well as in the review on the community strategy the EC always mentioned 2012 to be the year of compliance (SEC (2007) 60: p. 8; COM (2007) 22: p. 10; COM (2007) 19: p. 2). Delaying the entire emission reduction process until 2015 attests to a major concession to car industrial interests, fully neglecting environmental interest groups' objections that a 2012 deadline already "represents an extraordinary 17-year lead time" (T&E 2007: p. 3) compared to the 2005 deadline of the community strategy.

Exceptions of meeting their specific emission targets have been granted to manufacturers under certain conditions by adding articles regarding super-credits, special emissions targets for alternative-fuel vehicles and eco-innovations. Manufacturers are granted a 5 % reduction of their specific emission target until the end of 2015 for each vehicle capable of running on bio fuels (OJ L 140, 23.4.2009, p. 6), they have the permission to include CO<sub>2</sub> savings achieved through innovative technologies into their 130 g CO<sub>2</sub>/km reduction target (ibid.: 9) and super-credits are granted in a way in which very low emitting cars can be produced in order to exclude other cars of a fleet from meeting the target (ibid.: p. 6). These three exemptions give manufacturers loopholes to avoid compliance with their CO<sub>2</sub> reduction target and one can no longer speak about a compromise between the demands of industrial and environmental interest groups in this respect because the policy-making institutions have eventually given in on car industry's calls for further derogations, flexibilities and the option to reach the 120 g CO<sub>2</sub>/km reduction target also through an increased use of alternative fuels and eco-innovations. Thus the pressure from industrial interest groups must have grown during the second phase of the policy-making process to a great extent because even though the WWF and the T&E warned not to include regulatory gaps in the regulation as they would increase the risk of "feet-dragging" (WWF 2007: p. 3) and non-compliance (ibid; T&E 2007: p. 17), the European institutions altered the legislative proposal in the favour of automotive industry which quite directly demanded "credits for certain vehicles [...] and limited derogations" (ACEA 2007: p. 7) in their position papers.

A further concession to the car industry is that the already existing articles of the proposal concerning derogations and the excess emissions premium have been significantly altered in

favour of the automotive industry. The excess emission premium system was modified in a way in which payments for non-compliance with the reduction target would depend on the amount of CO<sub>2</sub> by which the emission target was exceeded instead of paying an equal sum for each exceeding gram of CO<sub>2</sub>/km as in the proposal (OJ L 140, 23.4.2009, p. 7 f.). The new penalty system is of greater benefits to car manufacturers than the previous one because it is comparatively cheaper for them to exceed their targets by one to three g/km so that the threshold for exceeding the emission target by just a few grams per kilometre is quite low.

Similarly the new derogation rules of the final regulation have been modified to the favour of the automotive sector as derogations were expanded to the degree that they could be applied to more manufacturers than just very small independent ones.

Both amendments therefore accommodated the car industry by further watering down the legislative proposal and once again it seems that the policy-making institutions gave in on the pressure of industrial interest groups which in their position papers demanded more flexibilities in achieving the target (ACEA 2007: p. 6; KAMA 2007: p. 4; GM 2007: p. 13; VDA 2007: p. 8). It is hence likely that they insisted on more derogations and exemptions than in the proposal to have more loopholes implemented in the legislation in order to be compensated for the overall losses they obviously feared from the new regulation.

The aspect regarding consumer information which required manufacturers to ensure that information should be given to the consumer on “the extent to which the specific emissions of CO<sub>2</sub> of the passenger car offered for sale differ from the specific emissions target” (COM (2007) 856 final: p. 24) has been cancelled out of the final regulation completely. Although industrial interest groups did not explicitly comment on this issue in their position papers it can nevertheless be expected that especially car manufacturers opposed such an obligation because this would have committed them to publicly admit any failures to meet their targets.

Through the alteration of the legislative proposal of the EC during the further decision-making process it became obvious that the industrial interest groups managed to intensify the exertion of their influence because all components of the proposal which have been modified or renewed happened to be in the favour of the industry so that the second hypothesis can be fully agreed on. While environmental interests have been taken into consideration when adopting the legislative proposal to a small degree, the policy-making process leading to the final regulation did not consider any demands and suggestions of them but even watered down legislative components, which were supported by them in the first place, only to make further concessions to industrial interests.

## 5. Conclusion

As a conclusion the research question “How much influence do industrial and environmental interest groups have on EU legislation?” can be clearly answered with regard to the policy-making process of this Regulation. During the entire decision-making process industrial interest groups, especially those of the automotive sector, managed to incorporate their interests into the regulation while environmental groups’ demands and requests concerning a modification of the legislation in their interest could barely be interpreted at all so that the influence of industrial groups by far exceeded the environmental one. The influence on the legislative proposal of the EC already included some major postulations of the industry, however, environmental groups’ support for some of the initial plans of the EC might have strengthened the EC to stick to the penalty system and to not further water down the emission target in favour of car industry which means that environmental interest groups managed to incorporate their interests at this stage to at least some degree. During the second phase of the policy-making process, after the proposal has been forwarded to the EP and the Council and until it was adopted in its final version, industrial interest groups apparently intensified the pressure with the result that changes of and amendments to the proposal in their favour were conducted in the final outcome of the regulation. In this phase environmental groups’ interests could not be found at all among the legislative additions to the final regulation so that an interpretation that they could not enforce their positions on the legislative text during the later phase of the decision-making process is reasonable. It can rather be claimed that the car industrial interest groups contributed to the EC’s further watering down of those legislative components which have been supported or influenced by environmental interests in the proposal. Eventually, in the majority of the legislative articles the influence of the industry, either to a smaller or to a higher extent, can be found.

The greatest success of the industrial groups was that the lead-time has been changed by phasing in the requirements to meet the targets until 2015 because it granted them more time to step by step adjust to the new emission target which was a major requirement of them in their position papers. In addition further amendments to already existing derogation rules and the penalty system as well as the incorporation of new components like super-credits and special emission reduction targets for bio fuels and innovative technology provided car manufacturers with loopholes to avoid strict compliance with their CO<sub>2</sub> reduction targets which surely was in their interest as well. It can hence be concluded that industrial groups in general and car industrial interest groups in particular were the winners of lobbying activities on this regulation’s decision-making process. On the other side, the role of opposing interests groups, mainly environmental ones, has been very marginal, so that one

can definitely speak of a biased influence towards industrial and business interests in this case.

This case study confirms the theory of elite pluralism by confirming the hypotheses. The first one, which suggested that the influence on the EC proposal would be biased towards industrial interests, because environmental interests were at a disadvantage in the legislative process while specialized interests, in this case industrial ones, were disproportionately influential as also suggested by Schneider and Baltz (2003: p. 6). Furthermore, on the basis of Coen's findings, that access to the EU institutions and lobbying activities are biased towards business interests, that most lobbying occurs in the fields of Enterprise, Environment and Energy and Transport and that the EP and the Council as a result of their institutional upgrading in the policy-making process have become an increased lobbying target (Coen 2007: p. 335 ff.), this study's results can be evidentially related to elite pluralist theory. The second hypothesis proposed that industry's influence would intensify during the later stage of the decision-making procedure. This can definitely be confirmed as industrial interest groups increased their influence on the policy-making process especially after the EC published its legislative proposal. Thus Dür and De Bièvre's outcomes that public and social interest groups like NGOs dominate the agenda-setting phase of the EC while business interests are more effective during the later phases of the policy-making process (Dür and De Bièvre 2007: p. 97) can be partly applied to this research. Although environmental interest groups were still far away from dominating the agenda-setting phase, they nevertheless managed to exert at least some influence here compared to the later phase of the policy cycle.

However, the results miss a generalizing character since they are based on a single case study. This bears the problem that they on the one hand have analytical depth but on the other hand can only speak for the examined case and thus are not very representative for the larger set of cases as stressed by Gerring (2004) or Hönnige (2007). This means that one cannot conclude that industrial interest groups in general exert more influence on the policy-making process than environmental ones only because this was the result in this particular case. The obvious results, for example, may be due to the nature of the case because it incorporated a very sensitive topic for the automobile sector so that one could assume that its lobbying efforts have been significantly high in this case and that in less sensitive matters industrial interest groups would not undergo such efforts to exert their influence to this extent. It can be rather said that this research aims at giving a further example of a case which gives evidence to pluralist theory than generalizing to the population of other policy-making processes where industrial and environmental interest

groups were involved which was mentioned by Yin (2014) to be the main purpose of single case studies.

Another factor which should not be neglected when evaluating the results is the method used to examine the influences of the different interest groups, namely assessing the degree of preference attainment which compared the ideal positions of the stakeholders with the content of the regulations. The biggest disadvantages of this method are that one cannot control for what actually happens in the “black-box [...] of the process through which influence is exercised” (Dür 2008: p. 568) and that it is hard to include alternative factors and other channels of influence in the analysis. That means that one can never tell for sure whether certain outcomes are due to the sole influence of specific interest groups. In this regard Schneider and Baltz (2004), Dür and Mateo (2012) and Mazey and Richardson (2001) found out that national interest groups often exert influence on national governments in the Council or politicians of the EP while Dür and De Bièvre (2007) and Klüver (2013) highlight the possibility that public opinion might have influenced the decision-making process to some degree and Lindberg, Rasmussen and Warntjen (2008) emphasized the role of national and European party politics on the behaviour of especially members of the EP during policy-making. In this respect the study reveals its limits because it only takes the influence of European, and few national, interests groups into account. With respect to the regulation of this study it is for example possible that national governments of countries where the automotive industry is an important sector, like Germany, exerted some influence on the Council in the interest of the car industry. On the other hand it might be the case that some interest groups’ influences could not be examined properly because they did not actively lobby themselves during the policy making process but rather allied with other more important interest groups to channel their interests. In this case it could have happened to some of the groups representing suppliers or the fuel industry because their interests were not interpreted within the legislation as frequently as the car manufacturers’ ones which could have marginally distorted the results. Those factors thus limit the value of this study to some extent as one cannot be completely sure if the method of measuring and interpreting the influence has uncovered the real influences which eventually shaped the regulation.

Nevertheless this study presents results which can contribute to the range of studies concerning interest group intermediation in the EU because even though the single case study brings some disadvantages, its biggest advantage certainly is the in depth knowledge and the particularity of the case which gave some valuable insights of the lobbying activities on a single EU policy.

The main implications of this study are that it contributes to the debate whether or not lobbying success is biased towards powerful industrial and business interest groups by giving evidence of a case where influence has been distinctly biased and hence confirms elite pluralist thinking. As a consequence it can make a contribution to questioning the more recent trend of studies which deny such biased influence by figuring that “lobbying success does not vary systematically across interest group type” (Klüver 2012: p. 1) or even arguing that business interests are less successful than social and public groups and only then more successful when opposition from other actors is limited (Dür, Bernhagen and Marshall 2013: p. 28). This case study aims at giving an impulse to keep on dealing critically with interest group intermediation on EU level by not rejecting the elite pluralist argument which highlights the powerful position of industrial and business interest groups and the comparatively powerlessness of social and public interests when it comes to topics which directly interfere with industrial interests.



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