

# **How the transparency of the policy-making process shapes interest groups' relational strategies and makes lobbying harder for some than for others**

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**Abstract:** Public policy is a key factor in the creation or reduction of inequality and social justice. Thus it matters whose interests are taken into account when governments make that policy. I argue that one previously unexamined institutional variable in the interest group literature is the transparency of the policy-making process, which plays an important role in shaping groups' chances for lobbying success. Specifically, low transparency creates uncertainty, which requires groups to pursue "insurance" strategies even though they entail greater costs. Through interviews with forestry groups in France and Sweden, I show that groups under low transparency (France) must institutionalize their relational strategies as insurance against the dangers of surprises and exclusion, while groups under high transparency (Sweden) do not. Critically, I find that these strategic requirements put French environmental groups at a distinct lobbying disadvantage compared to professional forestry organizations, as well as compared to their Swedish counterparts.

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## Introduction

Interest groups provide information to policy makers as a key part of their lobbying activities. This information is provided to sway and persuade policy makers, as well as to give supportive policy makers talking points with which to influence debates in the policy process. However, what is more often neglected in the lobbying story is that interest groups also *need* information about the policy process itself — actionable information — in order to lobby effectively.

In this paper, I demonstrate the importance of policy-making transparency for interest groups, by showing its impact on cooperative lobbying behaviors.<sup>1</sup> Through interviews with forestry interest groups in France and Sweden,<sup>2</sup> I show that where there is low transparency (and therefore uncertainty about the policy-making process), groups institutionalize their cooperative lobbying behaviors over the long term, as a form of “insurance” against surprises and exclusion; conversely, where there is high transparency (and therefore greater certainty), groups pursue cooperative lobbying behaviors on a case-by-case basis, rather than institutionalizing insurance strategies. Sweden provides a case of the latter political context, while France provides a case for the former.

The Swedish policy-making process releases policy-making information early and reliably to groups, due in part to formal requirements; since forestry groups can anticipate government actions, they pay the transaction costs of negotiating joint lobbying actions on a case-by-case basis. In contrast, the French policy-making process provides policy-making

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<sup>1</sup> As defined in greater length below, “cooperative lobbying behavior” indicates cooperation *between groups* in order to lobby together, such as through coalitions.

<sup>2</sup> Due to IRB/UCSD Human Research Protections Program specifications, the interviewees were guaranteed confidentiality; under these conditions, all information from these interviews will be cited in-text as “a representative of a [type of] organization” or cited in parentheses by an anonymous interview code, as agreed to by the interviewees.

information late and unreliably, as much provision of information is at the discretion of the government, particularly at the agenda-setting, elaboration, and implementation stages; Since French forestry groups cannot be certain that they know what is going on in the policy process, they institutionalize relations amongst themselves, which reduces the transaction costs of negotiating cooperative lobbying actions when confronted by last-minute policy surprises. In other words, they institutionalize their strategies as a form of “insurance” against the vagaries of a non-transparent (and hence, uncertain) policy-making process.

### **Interest Groups’ Relational Strategies**

In this paper, I focus on the impact of transparency on a single aspect of interest group behavior, namely, groups’ *relational strategies*. I define relational strategies as the range of lobbying actions that are carried out through cooperation between groups. More specifically, these are strategies to pursue lobbying through joint or coordinated actions by two or more groups; they include formal coalitions, both ad hoc and long term, but also coordinated lobbying actions without the formality of a coalition. These strategies are inherently relational because they require interactions and negotiations between groups in order to pursue them.

I focus on relational strategies because their various forms have been identified among most groups in many places. For example, studies suggest that there are no types of groups that always join coalitions or always abstain from them (Mahoney and Baumgartner 2004), though there may be some variation in which groups will join coalitions more often (Hula 1995; Hojnacki 1997); and they have been found across policy areas and across

countries (Hula 1999; Mahoney 2008). Since relational strategies are universally observed but are not universally uniform, looking to variation in the form of relational strategies can provide some traction on the impact of various contextual factors.<sup>3</sup>

In particular, I look at the *institutionalization* of relational strategies. A relational strategy is institutionalized when joint actions are *formalized* and *recurring* across policy issues among a set of interest groups. On the other hand, groups' relational strategies are *not* institutionalized if joint actions are chosen and negotiated in an ad-hoc manner on a case-by-case basis. As I argue in the next section, the certainty or uncertainty of the policy-process, created by the level of transparency of that policy-making process, should affect the institutionalization of relational strategies among interest groups.

### **How Transparency Affects Institutionalization of Relational Strategies**

Groups can implement their relational strategies through a wide variety of joint actions. The key characteristic is simply that at least two groups are taking part in a particular lobbying action. Thus, lobbying on common issues or platforms through a formal coalition of interest groups is one clear way that a group can implement a relational strategy. But a group could also choose to pursue any lobbying tactic jointly. Thus, groups can jointly send letters, hold rallies, put out press releases, or meet with policy makers. In short, relational strategies can include any type of joint actions. But the question asked

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<sup>3</sup> The work of Carpenter, Esterling, and Lazer (2003) also suggests that it is reasonable to look to the ties between interest groups when studying the impact of informational availability. In a study of information transmission through interest-group networks, they found that informational uncertainty (about technical and political information) led groups to form strong ties with closer allies, rather than weak ties with more groups that were different from themselves. The study found this to be an outcome of uncertainty even when information might have been more effectively and fruitfully passed among groups who were loosely connected by weak ties. So, their work implies that a good place to look for the impact of transparency on lobbying strategies is in the relationships between groups.

here is *how will groups implement these joint actions across policy issues?* A group's relational strategy can be seen in their *pattern* of joint actions over time. Thus, it might be that one group's relational strategy is only to send letters with other groups, but to do nothing else jointly. Another's relational strategy might be to create permanent formal coalitions that tie several groups together across all issues over time. *The critical variation in relational strategies is whether groups choose to institutionalize (i.e. formalize or regularize) their joint actions, or whether they choose to implement them on a case-by-case basis.*

Groups choose to lobby jointly with other groups for a variety of reasons. At its core, they are likely to choose joint-lobbying actions when they think it will increase their chances of successfully influencing policy (Hojnacki 1997; 1998; Mahoney 2007; 2008; Mahoney and Baumgartner 2004). For instance, lobbying with other groups increases the strength of the group's message and makes it harder for policy-makers to ignore it, especially if there are many different interests competing for policy-makers' attention (Loomis 1986: 259; Hula 1995; Browne 1988). In other words, joining with other groups can increase the chances of lobbying success, by strengthening the persuasive power of the joint message. Joint lobbying also has the potential for reducing the lobbying costs for each group by pooling together resources for a particular action (Bosso 1987: 249; Berry 1997: 188).

On the other hand, there are also potential costs to joint lobbying. As Hula (1999: 95) argues, "the desire to develop and maintain a strong reputation" increases the incentives for lobbying alone; a group's reputation creates political capital, especially if that reputation differentiates the group from others. This political capital is important for

distinguishing the group as a critical player in a particular policy area, affecting the chances that policy makers will see it as an important stakeholder; but it also is important if a group must compete with other groups for its membership and finances.<sup>4</sup> Problematically, lobbying with other groups dilutes the credit for successful actions, and is therefore less effective for maintaining a group's particular reputation or brand. Another cost is simply that the group will probably have to compromise on its preferred policy positions. Since common lobbying actions generally mean presenting a single, coherent, lobbying message, no one group is likely to get all of its favored policy positions.<sup>5</sup> So, before deciding to pursue a joint action, a group will need to decide if the potential costs to its ideal points and reputation will be outweighed by the potential benefits of reduced resource expenditures and greater chances of lobbying success.

However, once groups decide they *do* want to pursue a relational strategy, for whatever combination of reasons, they still face additional hurdles. The first complication is figuring out which other groups to work with, a task that might require gathering information about potential allies and opponents (Hula 1995: 51). Though any groups who lobby fairly frequently in a small policy area (like forestry policy) may have a reasonably good sense of which groups are likely allies, they will not necessarily know all groups' exact positions on all issues; thus, even if they know each other, groups may still need to expend time and resources figuring out whether it is even possible to work with another group on

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<sup>4</sup> A group that depends on its reputation for attracting members and donations, for example, will need to be more conscious of the drawbacks to lobbying with others. It will have more difficulty selecting a relational strategy that permanently binds it to other groups, or permanently impacts on the group's particular "brand".

<sup>5</sup> Indeed, joint actions such as coalitions are commonly seen as the "preference aggregators" of societal interests (Costain and Costain 1981).

a joint lobbying action. Once this task is complete, however, and a group has chosen its partners for a joint action, it will still need to work out the details of that action.

It is this second set of hurdles that is particularly important for theorizing the impact of policy-making transparency on interest groups' relational strategies. To negotiate a joint action takes considerable transaction costs: groups need to decide what position they will jointly pursue (including what issues they will not touch), and what actions they will actually take. It can be difficult to negotiate a joint position if groups need to give things up — like their ideal preferences over policy — in order to reach a compromise. For joint action against a government proposal (i.e. seeking to get a policy proposal vetoed) groups should be better able to reach this agreement quickly: they are all in favor of stopping the bill. But to propose a new alternative or to articulate exactly what should be placed on the policy-making agenda, the groups will need to negotiate amongst themselves to find where they can stand together. All of this will take the basic transaction costs: resources, effort, and time.<sup>6</sup> And, of course, it is also possible that groups will incur these transaction costs and still fail to reach an agreement amongst themselves, either on policy or specific actions.

These potential difficulties in choosing a particular relational strategy will be compounded by any uncertainty about the policy-making process. Broadly, the policy process proceeds in steps, from agenda setting through alternative specification to decision making and, finally, implementation (Kingdon 1984). And, if a group needs to precisely tailor its message so that it is concise, relevant, and timely to the needs of policy makers at

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<sup>6</sup> Transaction costs are the “costs of doing business” (Shepsle 2010: 358), which include the costs of negotiating and reaching an agreement, as well as the costs of maintaining or carrying out that agreement (Williamson 1985).

a given point in the process (Bradley 1980; Sabatier and Whiteman 1985), then *groups must have at least some lead time to negotiate their joint action before a particular stage passes*. In other words, the policy-making process is a temporal process that may not wait for groups to get their acts together. Successfully negotiating a joint action for a particular policy moment requires that groups have the resources and time to effectively negotiate their joint approach. This means that groups *need* information about the policy process *early*, so that they have *time* to respond to the policy process, whether it is catching an open window for proposing new policy ideas for the political agenda, or providing timely information about a potential policy alternative while the alternatives are being debated.

Assuming that groups are strategic actors who are able to respond and adapt to their environments, at least in the long run, I argue that groups will adapt their relational strategies to the levels of transparency that they habitually face in their policy-making environment. Under ideal conditions of full transparency, groups would know what issues are being considered for the policy-making agenda, and what potential policy alternatives are being considered, as well as when and by whom these will be considered. When groups have this information early, they can more effectively work through the negotiations for joint actions with their potential allies. Groups have the time to expend transaction costs on negotiating all the details of a joint action: which groups to work with, and which joint positions and actions to take. In other words, with no uncertainty about the policy process, groups know that they will probably not be taken by surprise by the policy process, and that they can get their act together in time to affect any policy decisions. In this situation, groups would have the incentive to use a relational strategy based on an ad-hoc selection of joint lobbying actions, choosing the best approach for the group on the spot, for each policy



issue as it comes up. In other words, groups facing policy-making contexts where surprises are unlikely can take their time tailoring their joint actions to accurately match the requirements of each policy issue, with little fear that last-minute problems will arise (which would necessitate last-minute negotiations between groups). Thus, their strategic approach to inter-group relations can be ad hoc, setting up joint-lobbying actions on a case-by-case basis.

On the other hand, under conditions of low transparency, where policy-making information is not revealed with any certainty, groups face a different incentive structure for their relational strategies. Since groups might not find out until the last minute, if at all, about what is going on at a particular stage of the policy-making process, groups need to be more ready to act at any moment if they hope to lobby effectively on issues that concern them. This has implications for relational strategies that require longer-term negotiated compromises; if time and resources are needed to reach compromises, then groups must find ways to streamline their joint-action negotiations when they regularly have uncertainty about the policy process. In other words, groups need to formulate strategies that can act as insurance against the potentially damaging effects of low information. Uncertain policy-making environments increase the chances that groups will be surprised at the last minute, and increase the potential damage caused by being excluded from the policy process. Thus, groups facing low transparency will need to pursue insurance strategies that increase the chances that their joint-lobbying actions will be successful, even under adverse circumstances.

I hypothesize that one way groups will streamline their relational strategies under uncertainty is by *institutionalizing* them. Creating regular, institutionalized, processes for

making decisions and for lobbying together will reduce the transactions costs associated with joint lobbying. At its core, institutionalization means setting up regular procedures or a division or specialization of labor (Shepsle 2010: Ch. 11). This is because a recurring event — in this case, needing to respond quickly to surprises or late information about the policy process — is not likely to be efficiently dealt with in an ad-hoc manner; instead, institutionalization, or “develop[ing] routines, [i.e.] standard ways of doing things,” is the most appropriate way to respond to “recurring consequential problems” (Shepsle 2010: 355). In other words, groups will find *institutionalized solutions* to the difficulties of negotiating joint actions over time.

A relational strategy that institutionalizes the means of implementing joint lobbying will ultimately provide groups with a baseline for action that can speed up the decision process when needed. When there is plenty of time to respond to a policy change, then the baseline action does not need to be used, but it is there as a springboard when necessary. For groups in policy-making environments that make obtaining actionable information difficult and uncertain, institutionalized relational strategies will maintain their ability to lobby effectively.<sup>7</sup>

*Hypothesis:* Under conditions of high transparency, groups *will not* institutionalize their relational strategies, choosing instead to implement joint-lobbying actions on a case-by-case basis. Conversely, under conditions of low transparency, groups *will* institutionalize their relational strategies, setting up long-term structures that provide a baseline for future joint-lobbying actions.

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<sup>7</sup> One might ask why groups wouldn't *always* institutionalize their relational strategies, whether they face uncertainty or not. The response to this is that institutionalizing locks in relationships over time, and can make it more difficult to do things differently if it is needed or desired in the future. In other words, there are costs that will discourage institutionalization when it is not needed. All else equal, there are strong incentives for groups to select their lobbying behaviors on a case-by-case basis, since even a fully transparent policy process is not likely a perfectly predictable one.

## **A Note on the Selection of Cases and the Policy Domain**

In this paper, I focus specifically on interest groups active in forestry policy in France (with a low-transparency policy process) and Sweden (a high-transparency policy process). For this study, I limit myself to the domain of forestry for two reasons. First, the conflict structures within forestry are relatively simple: producer groups vs. environmental groups (Hellström and Ryttilä 1998). This generally limits the types of alliances that might be expected within the domain. Second, by focusing on forestry policy in two European countries, it is possible to distinguish better between the effects of national and EU politics; forestry falls under the subsidiarity principle, meaning that the specifics of forestry policy battles fall under the authority of national governments (Bauer et al. 2004: 12; European Commission, Agriculture and Rural Development, 2008).

I also focus specifically on France and Sweden for two reasons. First, the two are reasonably similar on forestry issues, meaning that the types of interests and conflicts can be controlled for (Hellström and Ryttilä 1998; see also Arnould et al. 1997, for a general comparison of forestry in each country). Second, the two countries are very different on the variable of interest: policy-making transparency.<sup>8</sup> Thus, I test my hypothesis by comparing the relational strategies of forestry interest groups in France and Sweden.

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<sup>8</sup> This will be particularly clear from the country-specific discussions below.

## Transparency and Forestry Group Relational Strategies in France

In Fall 2007 and February 2010, I conducted interviews with several representatives of French forestry interest groups.<sup>9</sup> The statements by these interviewees show that they perceive the French policy-making process as a low-transparency environment. Though groups do get information about policy making, it is usually provided at the discretion of policy makers. In addition, the groups' representatives described many instances where they were surprised by the policy process or were excluded from receiving policy-making information about an issue on the table. In other words, these groups are very aware that the French policy-making process does not provide them with all of the information they need in a timely manner, and they must frequently deal with the consequences of policy-making uncertainty.

As the discussion below shows, French groups also describe institutionalized relational strategies. While not all of their joint actions are conducted through these institutionalized channels, they nevertheless have recurring structures or patterns of action that hold across policy issues. In particular, both producer and environmental groups describe two basic patterns of institutionalization (though they implement them slightly differently). The first type involves permanent coalitional or contractual structures that *formally* link groups together in pursuit of common goals over time. The second type involves a long-term division or specialization of tactical labor across lobbying actions. In

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<sup>9</sup> All interviews were carried out in Paris. Of the nine interviews I conducted, four were with producer groups and five were with environmental groups. Six interviews were carried out in Fall 2007 (F.PF.1, F.PF.2, F.PF.3, F.A.1, F.E.1, and F.E.2), and three were carried out in February 2010 (F.E.3, F.E.4, and F.E.5). Eight interviews were conducted in person, and one was conducted over the phone (F.E.4). As the interviews were all carried out in French, all quotes are my own translations of the interviewee's statements.

both types, these institutionalized structures and patterns provide a concrete starting point from which to implement joint lobbying actions; while the groups can prolong negotiations when they have plenty of time and forewarning, these structures also make it possible to respond more quickly and efficiently to more immediate lobbying imperatives.

### *How French Forestry Groups Perceive Policy-Making Transparency*

French groups perceive the French policy-making process as fairly non-transparent. While the policy process is not completely opaque — groups *do* get information about policy making — there are few standardized and regularized ways of getting information about the policy process in a timely manner. Instead, groups generally get most of their information at the discretion of policy makers. In addition, many of the representatives I interviewed freely detailed instances when they were surprised by or excluded from policy-making, in ways that caused them real problems.

Currently, the Minister of Agriculture, with some help from the Minister of Ecology, controls the core of national forestry legislation and regulations. A few of the other ministries can get involved for specific issues, such as the Ministry of the Interior for forest fire prevention, or the Minister of Industry for heavy wood industries (Guyon 2005). While there are some jurisdictional conflicts between the Ministers of Ecology and Agriculture over certain issue areas, the forestry administration is formally controlled by the latter (Hellström and Ryttilä 1998). Overall, the distribution of competencies is relatively stable and institutionalized. As I found in my interviews, forestry interest groups were very clear on which government actors were relevant to their interests, and those representatives who had been active in politics the longest even explained many of their lobbying actions in

reference to the institutional structures of the policy-making process (F.E.2 2007; F.PF.1 2007; F.PF.2 2007).

These institutional structures suggest that forestry policy-making in France is quite centralized. I emphasize the structure of the ministries for forestry policy because the balance of power is strongly in their hands in the overall policy process, which is critical if they also control policy-making information.<sup>10</sup> The government — the Prime Minister plus the cabinet ministers — sets the policy agenda and proposes the text of the majority of legislation (Knapp and Wright 2006, 145). Thus, while the Assembly must vote on laws, the proposed laws and their content are more often the work of the ministers. And the forestry interest groups confirm this balance of power. Some environmental groups don't even bother with lobbying legislators, as they find it to be a waste of resources and time (F.E.2 2007). The producer groups do lobby the legislators, but they most often do so with the tacit consent of the Minister of Agriculture; in other words, they rally support among legislators to give the minister a good reason to include group preferences in policy, but they often do so at the suggestion of the minister. One group described an occasion when it lobbied the legislature to fight a ministerial decision, and even then the goal was to get the minister to change the policy, not to convince the legislators to do so (F.PF.2 2007). Nevertheless, groups do pay attention to legislators, particularly in order to lobby for amendments to bills (S.E.5 2010; F.PF.2 2007). As with French policy making in general (Keeler 1993), the balance of normal policy-making power in forestry is very much in the hands of the ministers and the government. Since they control their own information closely, this is deeply relevant to groups who need information about the policy process.

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<sup>10</sup> Other political actors beyond interest groups, such as members of parliament, are also at a severe informational disadvantage vis a vis the executive branch (Le Men 1984).

Government also dominates the final stage of the policy-making process. The ministries have a monopoly in the implementation of bills, which gives them decision-making power over the regulatory content and practical aspects of how legislation will be put into practice. The government also has post-hoc powers to delay or distort original legislation since laws cannot come into effect unless the government passes an implementation decree (Knapp and Wright 2006, 144). Thus, for understanding policy outcomes in French forestry politics, it is important to note that the ministries have a near monopoly on most of the stages identified by Kingdon (1984). They set the agenda, work-up most of the policy alternatives, and implement the decisions; and they even have formal strong-arm tactics for the decision stage. Since the number of ministries involved in most forestry policy is very small, power over forestry policy making in France is relatively highly centralized.<sup>11</sup>

With a tight control over information and centralized policy-making processes, groups are very much dependent on the government for information. Within this context, the groups *can* get policy-making information in a variety of ways, but they can never be certain at any one time that they have the information they need; in other words, uncertainty does not require a complete information blackout. Rather, groups in France can sometimes get information and sometimes not, and they will not be sure which situation they are in. The key is that this information release is very much at the discretion of policy makers. So it really matters whether a group is lucky enough to be a regular receiver of information from a particular set of policy makers. So, one group can say that

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<sup>11</sup> However, this does not necessarily mean that a key minister — here, Agriculture or Environment — is always privy to the policy work being done in other ministries (Hayward and Wright 2002). See Matthews Luxon (2011: Ch. 5) for a discussion of ministry balkanization in France.

they are “usually sent texts of bills, with the question ‘what do you think?’” from the forestry bureaucracy, and that they are fairly often involved in consultations about bills or regulations (F.PF.3 2007). But, no group is free of the danger of surprises or exclusion. One representative laid out this exact tension between how nicely things work for the groups when they are included and given early information, but also how disastrous it can be when they are not given information on bills under consideration:

On the last forestry bill, in 2001, we were associated with the elaboration of the bill well in advance — it’s true that that administration was a bit different from the one we have now, it was much more open and it understood our positions — So, on that bill, our point of view was taken largely into account. I would even say that the final version kept almost exactly the architecture we proposed for the bill. So that happened under practically ideal conditions. It was really impeccable ... [But] that law was specialized [in forestry]. So there, the government naturally turned to us and we were able to bring our point of view ... I think that the fact that we were brought in very early in the process, and we were thus able to freely and correctly, with all the authors of the bill, express our point of view, that was really something very good. But this is where it gets complicated. That bill was strictly a forestry bill; so obviously you bring in the foresters. But there were two other laws that followed this one, and well, they really made us gnash our teeth. Because, first, we weren’t associated with any part of it, and second we were basically just put in front of a *fait accompli* ... Why? Because the forestry aspects in these laws were secondary to the main goals of the law, so the policy makers didn’t think to turn towards the foresters ... So we really had to jump to try and get our needs met. The only problem is that by the time we are brought up to speed about what is going on, well, in general, the carrots are cooked, the text is deposited. That’s how we know it exists, and then we have a problem to fix it. Fine, we can lobby in parliament to fix these types of things, but not every time. And then there are conceptual frames [in the bills], that are really important to us, that we can’t get fixed at that point, even if the ministers involved are willing to help us in the end (F.PF.2 2007).

So, when government policy-makers think that a particular group may be helpful in making a new policy, they directly contact that group for input. In that case, the group will likely get information reasonably early about the policy and will have a good chance of lobbying for their preferences. However, when a group is not approached by government, they may



not find out about a government bill until it is essentially done; at that point, even if they can get changes made to the bill in parliament, there may be many aspects of the bill that are beyond the reach of lobbying.

The problem is even worse if the groups aren't natural allies with particular ministers. So, forestry producer groups may be more likely to get information if a bill is going through the Ministry of Agriculture, while environmental groups are more likely to get information through the Ministry of Ecology:

Another reason [why we don't get information early] is for laws that are not from the Ministry of Agriculture, but directly concern the forest, like those that are written by the Minister of Ecology. There our relations with the Minister of Ecology are a bit — how can I describe it? — it's a bit tense. That doesn't mean we don't get along, just that there is always a bit of wariness on their part about foresters, and thus it's mutual (F.PF.2 2007).

Thus, groups are less likely to get early information from policy makers who they are less closely aligned with.

In addition, groups also need to be careful about another problem that occurs when information is distributed at the discretion of government actors: groups can be more easily excluded from the process. Some groups may not even be considered by the government, if, for whatever reason, they are not thought to be useful partners. Indeed, groups who are not considered reasonable partners by the government are effectively excluded from everything; to change their access, they need government actors to start seeing them as useful and constructive. For instance, one environmental group noted “it [used to be] impossible to meet with the Minister of Ecology, impossible to meet with many deciders” in government, because the group wasn't considered necessary for making policy. However, once the group had been included once — in the Government's broad environmental concertation, the *Grenelle de l'Environnement* — they found that their access

improved greatly. After that point, “we have much better access to the Minister of the Ecology or to the cabinet, than we had before. So we are less in mode of confrontation than before, because we have an interlocutor in government” (F.E.3 2007). Thus, groups’ fortunes can change at the discretion of policy makers, who decide whether they are in or out, when it comes to policy making and information about the policy process.

It is also possible that groups who are usually granted access to information may suddenly be cut off. One group had been involved in policy discussions over a particular forestry issue, but had been unhappy with the direction the proposal had taken; they put out a press release noting their unhappiness, to put some pressure on the government, and:

All of a sudden, there the government just folded in on itself. They refused to associate us with the law, or the regulations to implement it. We asked, and we asked, and we asked...to give our point of view, to give commentary on the proposals. It was a total black box. They wouldn’t give us anything. For six months we saw nothing, and then all of a sudden the regulation came out. It was even worse that what we had been unhappy with in the beginning! (F.E.2 2007)

Thus, by upsetting government actors, who were otherwise willing to share information about the policy process, groups can find themselves at a severe information disadvantage compared to groups who are not excluded.

The groups even have problems of access when they technically guaranteed *some* information through legally mandated advisory committees, where the groups can consult and give opinions on some new legislation. A good number of the producer and environmental groups actually have permanent seats on these committees. One such committee:

The *Conseil supérieur de la forêt*, brings together all of the actors in forestry: public forests, private forests, industrialists, etc.; all those who are concerned about the forest. This committee is tasked with giving its opinion to the Minister, on forestry matters; that is what is set up by the law. The

committee doesn't meet very often, but it is the means, usually, for the forestry professionals in France to give their opinions, and to ask their questions directly to the government (F.A.1 2007).

The problem is that there is no clearly defined pattern for when or how the government will provide these committees with the texts of their bills, or even its agenda. For instance, an environmental group was taken aback to find that a particular bill they cared about would be formally presented and discussed in the Council of Ministers (i.e. the full cabinet meeting), mere hours before the *Conseil supérieur d'orientation agricole* (CSO) was supposed to vote on it; this effectively meant that the bill had already been written and finalized, and the chances that the CSO would have any real ability to change it seemed low. Another representative detailed a similar event that occurred during the creation of the Natura 2000 network; the Minister of Ecology presented an already complete bill, that was already essentially finalized by the time it was given to the *Conseil national de la protection de la nature* (F.PF.2 2007).<sup>12</sup> In other words, in both cases, these committees were to be given the bills to read over at the *very end* of the elaboration process, just before the bills were deposited in Parliament. Even worse for the groups, these committees are often run by majority rule, which means that a group that is particularly poorly served by a new bill may have no recourse to amend it in the consultation committee. If the committee meeting was the first that the group had heard of the bill, they would have very little time in which to mount a lobbying campaign to influence the bill. Thus, even though the government is legally required to give these committees some consultative rights over bills, they are used in such a manner that the groups may still not have any information about the bills until the

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<sup>12</sup> See Matthews Luxon (2011: Ch. 8) for a detailed discussion of the Natura 2000 process in France.

very last minute. Again, groups *may* get information from these mandated committees, but they cannot rely on them for timely information.

Groups may also get information from ad-hoc consultation committees set up by the ministries. For instance, in the context of President Sarkozy's broad conference on the environment in 2007, the *Grenelle de l'environnement*, many groups were invited to discuss broad directions and specific proposals for forestry, along with a host of other environmental concerns. Within the context of this broad conference, the Minister of Agriculture also hosted an *Assises de la Forêt* conference, which was set up to elaborate on the forestry project that came out of the *Grenelle* discussions. In this context, the groups were able to give their views and ideas for forestry policy (F.PF.3 2007).

However, one representative pointed out that there is no clear procedure for the government to use the findings of such panels and committees. For instance, groups have no way of knowing whether the time and effort they put in to government-created commissions will have any impact at all. It could be dangerous to refuse to take part if it *does* actually lead to something, but it could be a terrible waste of resources if nothing comes out of it (resources that could have been used to pursue a more fruitful lobbying approach). In other words, groups may make serious mistakes in allocating their lobbying resources, since they have little clear information from government about how the ad-hoc commission results will be used. For example:

There was a national group put together to study tropical forests, that was supposed to bring together all the actors: governmental, non governmental, scientific, businesses, etc. The goal was to put together a white paper on tropical forests, in other words a recommendation report or synthesis on what we think should be done in France, and what each of the actors should do. In other words, it was to put together a big collective goal for everyone. We put in two years to write this white paper, with all sorts of meetings on protected sites, on financing, on social aspects, on management plans, on

plantations, etc. It was a huge investment [for us], because the government folks, they have their salaries, but us, it's a huge investment of time, effort, etc. And the white paper is really really good. It came out, but [then nothing] ... I mean, if there had been a minimum of 'ok, so on your white paper, we [the government] are going to consider these priorities, and we will put together an investigation on how to implement these priorities that we have chosen.' But we didn't even get that for the white paper ... Nothing. Nothing is happening. It's dead ... It's really disappointing. Well, what we hoped is that there would be at least some exchanges, some back and forth, that they would tell us, even if the white paper wasn't taken into account, so we could at least know what France's policy would be. Because we told them what we would like to do collectively, but they don't tell us what they're doing (F.E.2 2007).

In other words, this group put in two years of work and had absolutely no information at the end of it about whether or when the government would even pick up the output of the commission. In hindsight, this group made a real error in taking part and that led to wasted resources, since it would have been better off not investing time and effort into a fruitless commission. However, they would not have been able to anticipate that outcome from the beginning. In short, an ad-hoc consultative committee might indicate that the French government is serious about working on a particular topic; but it is neither a clear nor certain signal that the government is actually considering alternatives or putting an issue on the policy agenda.

In addition, the groups also have to deal with potential misinformation by government ministries. Some of the forestry groups have found this to be a problem when dealing with issues that overlap with EU directives (such as with biodiversity or agriculture issues). In some cases, "the government gives us national positions [on forestry issues] and they tell us that there is no choice about it because it comes from Brussels," but if the group checks with forestry interests who are actually active at the EU level, they find that it's not

as closed off to discussion as the French government suggests (F.PF.3 2007). Another echoed this lack of clarity:

The ministers often play this game, because they say: “we can’t do anything; it’s Europe; it’s Europe’s fault. So you see, it’s finished. The directive said it; we can’t do anything about it.” And then on the other side, the European Level says to us: “No, not at all. It’s all done during transposition [of the directive into national law]; we didn’t ask [your government] for anything.” What are we supposed to do in response to that? This happens to us pretty often between the levels. There’s a little game of sending back the elevator, which is very useful for both sides (F.PF.1 2007).

So, groups can also be given incorrect information about potential agendas and alternatives that may cause them to miss opportunities for lobbying and influencing policy outcomes.

Finally, even in the decisional stage that is the most transparent — within parliament — information can still be unreliable and uncertain. One representative noted that the officially published information was not to be trusted, and that the lack of information about the legislative schedule caused groups a good deal of angst:

I regularly call [administrators] to get [legislative] calendar information, on the date that texts will be examined and on the administrators’ availability [for meetings]. So, calling is one method of getting details...[the ease of getting information] depends on the administrators. Some are more available than others...[but to get information] you already have to know which text you want information on. Because, in fact, on the internet there is an agenda, but that agenda is not necessarily complete; and it can be revised at the last minute, and the administrators definitely have other information. For us, the calendar is always very important, to anticipate the best we can which date a text will be examined [in committee or on the floor]. It’s even more important [when we need to coordinate between groups], so we really need to have our concertation done well before the text is examined. We need to anticipate the date that the text will be examined so that we can be ready early enough to propose our amendments and meet with the rapporteurs [in charge of reviewing amendments]. This is really an essential point. It’s true that the calendar is often deferred, changed, etc., so I’m always afraid of bad surprises at the last minute, that the government’s bill will be discussed on a day that was not planned or announced. So it’s true that I often call to get more information about this...Yes, bad surprises, yes, yes, that happens to us...[for example] on a government bill we think “ok, it’s going to be examined a long time from now, and finally, the government bill

was actually going to be examined in three weeks!!!” So, we have to be attentive!! ... We really have to take the time for our concertation, take the time for modifying our amendments, and take the time to meet with the rapporteurs [of the committees]. So, we really need to get it ahead of time, in fact. (S.E.5 2010).

While a three week head start may sound like plenty of time, this representative explained why it is a nasty shock to find out you only have a three-week head start for lobbying parliament:

The night before a bill is examined, it’s absolutely not possible [to propose alternatives]. You really have to be ready a minimum of 15 days ahead of the bill’s examination in committee...And if you want to do really serious lobbying, you have to get started a long time in advance. You can’t call MPs three days before a text is examined in committees, because there is already a delay in when MPs can propose amendments for you in commission, which is 5 days ahead of time, and then they also need time to work on them and think about them (S.E.5 2010).

In other words, finding out about a bill’s examination date only three weeks ahead of time means that the group has only about a week to figure out what they don’t like about a particular bill, to come to agreement on common language with their allied groups, and to actually do the lobbying work of contacting MPs and committee members to introduce their amendments. In fact, the representative really pinpointed some of the critical uncertainties that the lack of systematic information about the legislative process caused the group. Though there is a semblance of systematic information release — through the legislative agenda — the group’s experience is that relying on that public agenda is not a good idea. Instead, they need to get their information from formal actors in the legislative process, who may or may not be equally informed; and they need to know what to ask about in order to get information from them. Then, while they may be able to get discretionary information, it doesn’t always mean that they are well informed. Instead, the group finds itself reacting to last minute legislative actions that are really difficult to

respond to effectively. In other words, even the legislative stage of the policy process can be fairly opaque for groups, and can give them nasty surprises about policies under consideration.

In short, groups get policy-making information largely at the discretion of policy makers. When a ministry seeks technical and political information from groups, it will contact them to ask for it (F.PF.1 2007; F.PF.2 2007; F.E.2 2007), and the groups will get information about the policy process as a side effect. But this means that the groups have to hope that the government thinks of them as an interested party who is likely to have useful information for a particular issue. It also means that certain types of interests may be more likely to find out about some issues rather than others; groups on both sides of the environment-producer divide find that they get more information, and better information, from more sympathetic ministries. The Minister of Ecology is more likely to call the environmental groups, and the Minister of Agriculture is more likely to call the producer groups (F.E.1 2007; F.E.2 2007; F.PF.2 2007); though, again, this is not always the case. What all of this means, then, is that groups have to be generally active across a wide range of activities, such as professional panels or debates, conferences, general meetings, and the like, so that they keep themselves in the government's view as active and important actors within the sector (F.PF.3 2007). To stay in the loop, groups need to be extra vigilant and make sure that government actors think they are indispensable enough to be kept in the loop (F.PF.3 2007).

The key to transparency in French forestry policy making is that there is information, but that it is very uncertain. Since there are few systematic ways to get information about what the government may be considering for policy and regulations, or



when these items will be decided, groups can never be 100% certain that they actually have all the information. They are in danger of being shut out of discussions with no means of knowing what sorts of technical or political information would be most relevant and timely in order to influence the process. And they are in danger of being completely taken by surprise by a government proposal; if a government ministry does not decide to divulge information to groups, those groups will not find out about what is being planned or decided until the formal law is proposed on the agenda and docket of the legislature; at that point, it might be too late for groups to have much influence over it without some sort of dramatic action.

#### *French Forestry Groups' Strategic Responses to Policy-Making Transparency*

What this discussion suggests is that groups in France have some discretionary channels for acquiring information, but that this type of information does not necessarily increase the groups' overall certainty about the policy process. Groups know that they will find out about some issues with enough time to respond appropriately, but it is always possible that the government is considering something important and relevant to the group that they will not hear about until it is almost too late. According to the argument presented above, we should expect French interest groups to institutionalize their relational strategies; we should see permanent and regularized processes to streamline joint cooperative lobbying actions by reducing the transaction costs of last-minute negotiations.

My interviews with French forestry groups show that groups are institutionalizing their relational strategies in several ways that reduce their transaction costs for

cooperative lobbying. The representatives of both producer and environmental groups pointed to two distinct ways that they structure their joint actions with other groups. The first is through the creation of permanent formal structures that moderate joint actions between groups, such as long-term coalitions or contracts. The second form of institutionalization is through informal tactical specialization, where groups who frequently lobby together consistently specialize in particular tactical approaches. The two forms of institutionalization are not mutually exclusive, though they are not always carried out by all groups in the same way.

The first type of institutionalized relational strategy is the creation of formal structures, tying groups together and providing clear rules governing their interactions. For example, the forestry producer groups in France have a set of formalized institutions to help them organize the various interests in the forestry sector. The stated purpose of these institutions is to increase the scope and weight of the foresters' decisions, but it also provides regularized channels of interaction, as well as basic ground rules for negotiations. Rather than simply maintaining informal contacts and meetings, they have institutionalized their cooperation into several formal and permanent coalitions. In addition, these formal coalitions are *nested* so that smaller coalitions of more closely aligned interests take part in broader coalitions that bring together a wider set of forestry interests.

At the narrowest level, several interest groups representing private small-scale forest producers have joined together as the *Forêt Privée Française*. At the next level up, a coalition brings together private forest producers (including the groups of the *Forêt Privée Française*) with public forest owners and producers (such as groups representing municipal forest owners); this grouping forms the organization, *France-Forêt*, with the goal

of harmonizing their common ideas and demands, and their preferred steps for achieving them. Within this structure, they attempt to create a unified and coherent position for wood producers in the national policy arena. This organization, *France-Forêt*, then nests within a broader organization called *France-Bois-Forêt* that brings together the producers (from *France-Forêt*) with the wood industries (i.e. paper and pulp mills); this is a broad interprofessional organization that brings together the entire timber/wood sector.<sup>13</sup>

This complex set of nested coalitions streamlines groups' negotiations over joint lobbying positions and actions. Rather than seeking out common ground with all potential allies at once, the groups use their formal institutions to negotiate common positions first with their closest potential allies, and then move up from there. For instance, once the private foresters come to agreement at the lowest level, they come together with the public foresters at the next level; then, if all the producers have harmonized their own ideas at those first two levels, they bring their ideas to the higher-level organization to try and pull together a clear common message with the industries (F.PF.2 2007; F.PF.3 2007). For example, the whole sector used these formal structures to reach a common position and present a unified set of propositions for the *Assises de la Forêt*, a conference held by the government to lay out potential directions for future forestry policy (F.PF.3 2007).

Importantly, this set of associations was constructed to provide a clear structure to help the various groups actually reach a common plan and message that they can pass along to policy makers (F.PF.3 2007). In other words, these groups have created permanent institutions for reaching their negotiated common message. Rather than build

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<sup>13</sup> Just for clarity: *Forêt Privée Française* is nested inside *France-Forêt* which is in turn nested inside *France-Bois-Forêt*. Each level up increases the number and types of forestry-producer groups involved in the organization.

the connections and compromises from scratch each time a relevant issue comes up, these groups have institutionalized their means and methods for reaching the compromises on joint actions. They still have to negotiate their approach, but they have streamlined the process by creating institutionalized steps for achieving agreement.

Note that this does not mean that the forestry groups always work together or that they always reach agreement. But it does mean that they don't need to waste time trying to negotiate common positions with other groups who are more distant from them, if they cannot first reach agreement with those who are most likely to agree with them. Of course, as might be expected, when the producers cannot reach a common message on shared interests, then the various groups are likely to lobby alone. However, having the institutionalized structures means that where common ground exists, there is a structure for finding it more effectively.

In addition, the potential expansiveness of this coalition structure suggests that the French producer groups have found a way to increase their ability to put together lobbying actions that policy makers cannot easily ignore, particularly in the face of nasty surprises. A formalized and streamlined structure increases the likelihood that groups can react more quickly than they might if they kept all their interactions informal and ad hoc.

My interviews with environmental groups indicate that they too use long-term and formalized institutions to structure their joint lobbying actions. One representative described the particular form of long-term joint action employed by her group (S.E.5 2010). This representative's group and three others have a very formal structure for jointly lobbying parliament. The four groups created a legal agreement to help them harmonize

and increase the impact of their lobbying efforts.<sup>14</sup> This agreement specifies that the groups jointly pay for at least one person whose sole job is to deal with legislative lobbying, implementing the joint positions that the groups take. In addition, there is a permanent steering committee that governs the agreement between the groups, and in which discussions can take place about the exact lobbying approach that they take. The four groups are still independent, however. For each issue that arises, they discuss and negotiate the precise content of the amendments and proposals that will be presented to members of parliament. Though it does not happen often, it is agreed that “if the four groups are not able to come to a consensus on a particular amendment, we will pull that amendment from the common position, and the association that wants it can present it to parliament on its own” (S.E.5 2010). Thus, the groups have a formal structure that coordinates their joint lobbying actions, but does not supersede the independent reputations and goals of each.

By having a formal structure, the groups’ ensure that they can effectively lobby, even when the legislative agenda is uncertain. To actually implement their joint lobbying strategy, the common employee of the four groups monitors bills and proposals as they make their way through parliament, drafts amendments to proposed legislation, and coordinates contacts with important parliamentary actors to get those amendments considered across the various legislative stages (S.E.5 2010). However, the groups need to have enough time to agree on their joint positions and still do all of the technical parts of legislative lobbying (as mentioned above, having only three weeks to organize a legislative

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<sup>14</sup> The motivation for this agreement, the representative explained, is that “the groups are much more credible to parliamentarians when we present our ideas together, with common positions; if we were apart, and each of us deposed our own proposals on our own, we would have much less chance of success than when we’re together” (S.E.5 2010).

lobbying action is reason for the groups to panic). Thus, with a formal agreement on how they will organize their decision-making and negotiations, the groups have institutionalized their negotiation process, making it easier to respond more quickly to surprises at the legislative stage.

It is worth noting, however, that this particular agreement of environmental groups is not trumpeted in public. While policy makers who are lobbied by the coalition know that the four groups are presenting common positions, and the groups do publish joint letters and statements, their long-term formal connection is not acknowledged in their online information. While the groups are not particularly trying to keep this agreement secret, they nevertheless do not advertise it as a key aspect of their organizations; this is very different from the producer groups who have many official pronouncements about their coalitions. It is likely that this is due to the organizational imperatives of the environmental groups. By not heralding their agreement in public, the groups can maintain their public independent reputations, while simultaneously increasing their legislative successes.<sup>15</sup>

The second type of institutionalized relational strategy described by French groups exists both within and outside these formalized coalitional structures. Representatives of both environmental groups and producer groups indicated that their organizations specialized in their lobbying techniques, and consequently in their “official” reputations, in order to pursue joint policy goals with other groups. As one respondent explained, French

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<sup>15</sup> Another environmental representative gave an example of an institutionalized relational strategy that they had *stopped* using, precisely because it was potentially damaging their organization: “There was a point in the past when we systematically released all of our press releases on tropical forests with several other environmental groups. And then, in the end, our internal communications division told us that we were in the process of drowning our own image, getting assimilated into the others, and losing our own notoriety vis a vis the general public, and thus we were in danger of losing our influence, our members” (F.E.2 2007).

environmental groups divide into two types: “those who propose and those who denounce” (F.E.2 2007):

What is interesting in the [group] landscape in France — and perhaps it functions like this similarly in other countries, I don’t know — is that there is a strong complementarity between [groups] that, let’s say, focus more on denunciations, and then other [groups, like us] that focus more on solutions, as they say ‘solution oriented’, and one doesn’t function, doesn’t work without the other. In other words, we come with the our propositions, saying ‘This is what should be done, we have the reports, we have the [proof], etc.’ And then, since sometimes it’s not enough [to tell them our solutions], we also need to hit them hard [to make them pay attention].<sup>16</sup> But what is clear is that it has not been possible to hit hard and to work together in a partnership [with government] or to be seen as constructive. So the landscape is divided strongly between those who denounce and those who propose. Even if I think sometimes that the lines of force might change, because [denouncer] groups can sometimes have proposals, and [proposer groups like us] can be firm too, but globally it works like that, and so we have gained a lot this way. We would not have been able to get them alone; we got them with the coordination and help of other groups who have the same goals, but with methods that frighten more than ours do (F.E.2 2007).

Thus groups who denounce specialize in forcing potential issues and problems to the attention of policy makers: in forestry, this is usually the Minister of Agriculture or the Minister of Ecology. These “denouncers” make the demands for change, and try to push their interests onto the agenda, by emphasizing to policy makers that there is a problem and that it needs fixing. In other words, the denouncers are the ones who “hit hard” to get their issues paid attention to (F.E.2 2007). Once the issue is in the spotlight, the “proposers” give the details for getting it done. They bring forward their proposals for how exactly to deal with the problem their complementary denouncers have identified. The proposers will have the documents and evidence and the concrete details of potential “new” policy

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<sup>16</sup> The same respondent also noted that the division in tactics can also work in the opposite order: the denouncers can go first, pointing out that the government needs to do something; and then the proposers are ready with all of the documentation and argumentation that give concrete solutions to the problems identified by the denouncers (F.E.2 2007).

options. They present these directly to the policy makers as feasible and credible policy alternatives (F.E.2. 2007; F.PF.1 2007).

Thus, the denouncers push a policy idea onto the agenda, and the proposers provide the concrete and practical solutions that will be discussed by policy makers. The group representatives made it clear that this division of labor is a critical factor in lobbying for policy change. One environmental group's representative stated that these "complementary forces" were an important part of the group "landscape" in France and that "one [type] doesn't work without the other" (F.E.2 2007). Another representative, from a producer group, explained that this clear distinction in the "modes of action" of French groups was like using "multiple cannons at the angles of a fortress" to get things moving (F.PF.1. 2007). This form of tactical specialization, then, is an important part of forestry-group strategies in France, and it takes the form of cooperation between groups to push for common policy goals.<sup>17</sup>

This tactical specialization or division of labor is an *institutionalized relational strategy* because it is a pattern of cooperative lobbying that lasts across any individual lobbying action. While groups sometimes act out of character (F.E.1 2007; F.E.2 2007; F.PF. 2 2007), these specialized modes of action clearly delineate which group will usually do what in a joint lobbying action. In other words, when there is little or no time to negotiate what a joint action should be, these groups have a clear institutionalized baseline from which to act; this reduces transaction costs for groups to jointly lobby when they must act quickly.

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<sup>17</sup> But again, the environmental groups are still concerned that such coordination, if made public, might have a negative impact on their reputations and cause the general public or government to be less persuaded by their messages and actions.



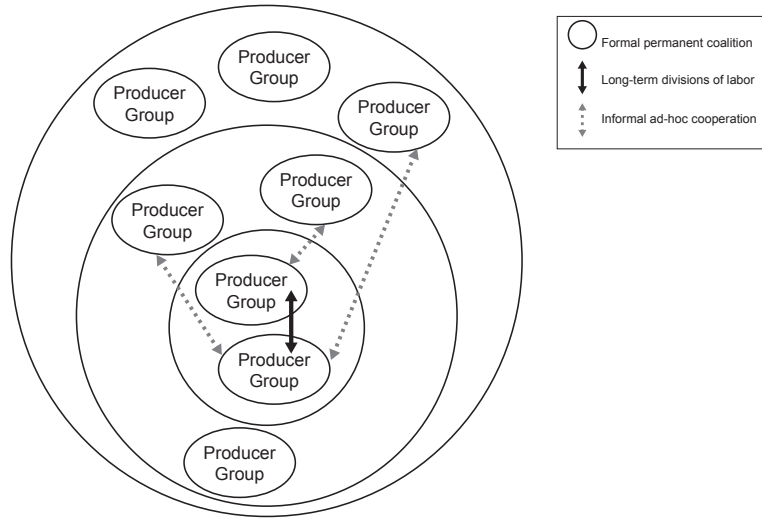
In addition, tactical specialization may have another advantage in the low-transparency French policy-making environment. As Matthews Luxon (2011) argues, groups who rely strongly on the goodwill of policy makers in dispensing discretionary information may need to guard against upsetting those same policy makers. Thus, a group who takes lobbying actions that anger or embarrass policy makers might find itself cut off from information about the policy process. However, if allied groups divvy up the task of “hitting hard” and proposing politely, they can increase the chances that at least some of the allies maintain their access to policy-making information for a given policy-making moment.

It is important to emphasize here that this institutionalized distinction between denouncers and proposers is not the same as a characterization of insider vs. outsider tactics. Insider lobbying is direct contact with policy makers while outsider lobbying focuses instead on indirect pressure through the grassroots, media campaigns or street protests (Kollman 1998; Grossman and Saurugger 2006: 82-92). However, this is not the relevant division for the denouncer/proposer split singled out by the French forestry groups. An environmental group identified as a denouncer brought its issues to the agenda by using outsider tactics; however, a producer group identified as a denouncer focused almost exclusively on insider tactics. What the groups have institutionalized are the divisions in tactics brought to bear during joint lobbying actions. While the groups do deviate from this division when the need arises, there is a clear pattern of behavior that provides a coordination point for groups to fall back on when they have less time to respond to government actions. If they do not get information about what is being considered by government until the last minute, these groups have an institutionalized set

of behaviors that should reduce the transaction costs for deciding how they will complete a joint lobbying action.

In addition to these examples of institutionalized relational strategies, the groups also indicated that they also make ad-hoc decisions on joint lobbying actions at least some of the time (F.E.1 2007; F.E.2 2007; F.E.3 2010; F.E.4 2010; F.E.5 2010; F.A.1 2007; F.PF.1 2007; F.PF.2 2007; F.PF.3 2007). This illuminates one of the key strengths of institutionalizing relational strategies: it is an *additional* approach, rather than a restrictive one. The groups, when they have reasonably early information, can still make joint lobbying decisions for a particular policy moment; they can take the time and resources to find reasonable lobbying partners, and they can incur the transaction costs of negotiating a common position. However, when the need arises they have their institutionalized relational strategies that allow them to set up joint lobbying actions much more quickly. Institutionalized structures do not completely remove the need for discussion and compromise, but they create a clearer starting point for negotiating their joint actions.

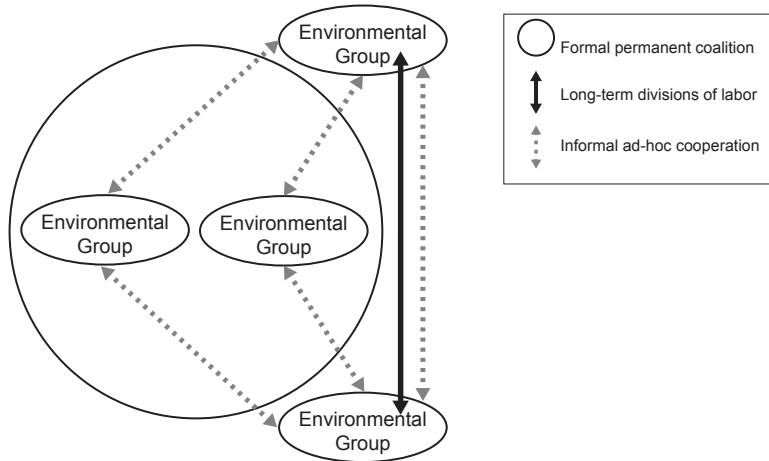
In sum, these interviews indicate that groups in France have institutionalized relational strategies to deal with negotiating joint actions. First, forestry producer groups have institutionalized a set of nesting coalitions to help them reach a compromise on common lobbying positions in a clear and orderly way; environmental groups also have their own forms of long-term coalitional agreements (See Figures 6.1 and 6.2). This streamlines the process for the groups in their pursuit of common ground.



**Figure 6.1: Cooperative Ties between French Forestry Producer Groups<sup>18</sup>**

Second, both producer and environmental groups have institutionalized a division of labor that helps them determine how their common positions will be presented to policy makers (see Figures 6.1 and 6.2). The groups do not need to sit down and renegotiate who will do which task for each lobbying action; instead, they have a "status quo" for their tactical approaches. This means that they can negotiate a different approach if they have the time and resources to do so, but that they can avoid these transaction costs if an immediate response is required. While the groups retain their independence of action outside of these structures, they expand the strategies available for lobbying effectively.

<sup>18</sup> French forestry producer groups construct their relational strategies through institutionalized long-term divisions of labor and formal permanent coalitions, as well as through informal ad-hoc cooperation.



**Figure 6.2: Cooperative Ties between French Forestry Environmental Groups<sup>19</sup>**

Thus, this confirms what I hypothesized we should find under the low levels of transparency in France. Groups can never be completely easy that they know about government policies or proposals that might affect their interests. Instead, it is always possible that they will be caught off guard and will need to quickly pull their lobbying strategies together if they hope to influence policy. Within this context, groups have institutionalized several relational strategies, putting regularized processes into place to make it easier to reach common agreements on positions and actions. Rather than working up their decision process from scratch, depending on the issue, these institutionalized relational strategies provide a baseline status quo for action when it is needed.

<sup>19</sup> French forestry environmental groups construct their relational strategies through institutionalized long-term divisions of labor and formal permanent coalitions, as well as through informal ad-hoc cooperation.

## **Transparency and Forestry-Group Relational Strategies in Sweden**

In September 2008, I conducted in-person interviews with several representatives of Swedish forestry interest groups.<sup>20</sup> The perceptions these interviewees have of their policy process confirms the characterization of Sweden as a high-transparency policy-making environment; the groups have high confidence that they get access to the information they need about the policy process, and that they have little fear of surprises or missing information.

As the discussion below shows, the groups also described their relational strategies as very ad hoc. They do pursue relational strategies with other groups, but they do so on a case-by-case basis, even if negotiating these relations takes time or occasionally results in failure. While the Swedish forestry groups maintain regularized channels of communication between groups, they show no indication that they have institutionalized any of their relational lobbying strategies.

### *How Swedish Forestry Groups Perceive the Policy-Making Process*

In Sweden, groups perceive their policy-making environment as fairly transparent and open with information. In other words, they generally feel that they get information about the policy process before they need it, and they feel that have time to respond appropriately. This is as expected, since much information about policy making is automatically and directly available to groups very early in the policy-making process, namely at the agenda-setting and elaboration stages. While executives are usually much

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<sup>20</sup> The interviews took place in Stockholm over a two-week period. Of the six interviews I conducted, five were with forestry producer groups and one was with an environmental group. All interviews were carried out in English, thus all quotes are in the interviewee's own words (with some cleaning up of filler "ums" and of sentence structure, if needed to clarify what was said).

less transparent than legislatures, the Swedish policy-making process provides the exception to the rule; even though the cabinet does dominate parliament in the proposal of new bills (Bergman and Bolin 2011), the Swedish government is constitutionally prompted to include a variety of societal interests in the early policy elaboration stages, and it does so in part by releasing information about the policy making process early and often.

The representatives I interviewed indicated that they received information about the early stages of the policy process in three major ways: through Commission procedures, through the *remiss* process, and through direct communication with policy makers. Sweden often uses Commissions of Inquiry to investigate and elaborate potential policy proposals, and often include a variety of government actors, civil society actors and experts on the policy issue (Ruin 1996: 67; Heclo and Madsen 1987: 13; Bergman 2004: 214). These Commissions are announced and formed publicly, so groups have a clear heads-up about the political agenda. Indeed, since commissions take place *before* a Ministry drafts the government's official proposals, groups have time to prepare their own arguments and strategies for influencing government actors, whether or not the groups are formally included in the commission process.

Forestry groups report that they often have the opportunity to serve on or at least consult with these Commissions. They may be directly asked to take part, but if not, they can request a seat on their own behalf. When asked whether they had ever been invited to serve on a commission, the representative of one group said pointedly, that "they call us, or we make sure that we are called" (S.PF.1 2008). The likelihood of such requests being granted, however, may depend on the type of group. The representative of one forestry organization noted that when they asked to be included in such meetings they were

occasionally denied (S.PF.4 2008). Nevertheless, not being included in the commission does not mean that groups have no access to information (as elaborated below).

When forestry interest groups *are* included in the Commission process, they find it to be fruitful. One group's representative emphasized that "there are always, before bills, big bills, there is some governmental inquiry, and we have the possibility to have an expert in that inquiry. And of course, the inquiry is the baseline for the bill" (S.PF.2 2008). This means that group representatives "participate in meetings, and then read the texts as they are being produced, adding comments" (S.PF.2 2008). The process can still be fruitful even if a group does not have explicit membership on the committee. For example, a forestry producer group was invited to take part in a reference group set up by a Commission rapporteur to discuss proposals for improvements to the Forestry Act, in 2008. Their representatives found themselves at the table with representatives from other groups such as "different heavy stakeholders" in the forest industry and "nature conservation societies." The comments of all of the groups were included in the formal report to the government; and the representative felt that there had been some good possibilities to influence the findings of the report (S.PF.1 2008). Another group's representative noted that they tried to influence Commission reports when their outcome was likely to impact the group's interests (S.PF.3 2008). Thus, even when groups are not officially included in the Commission report, they still have some informal access to the process.

While taking part in the commission process, either formally or informally, gives groups early access to information about the policy process at this earliest elaboration stage, even those groups who are not involved get important information. For example, the very fact that groups are able to request to take part in these commissions clearly indicates

that groups know ahead of time that they will take place on a particular issue. In addition, groups have forewarning about the likely timelines for the commissions. One representative, who was interested in the output of a commission report on a topic important to his organization, noted that he thought the report was likely to be released in the upcoming month (S.PF.5 2008). In other words, the group representative knew that the recommendations of the commission in question would be publicly released, even *before* the government started writing their formal proposal.

The second way that Swedish forestry interest groups get early information about policy making is through the *remiss* process. During this process, interest groups, members of government, party representatives, and other stakeholders<sup>21</sup> are given the opportunity to read and provide comments on several aspects of the policy process: proposals for creating the commissions, the directives for the commissions, and the finished commission reports, as well as the proposals produced by the Ministries and executive agencies (Heclø and Madsen 1987: 13; Bergman 2004: 214). The comments, then, are used by the government to draft their final policy proposals (Ruin 1996: 67), though if most of the comments are critical or negative, it might convince the government to create a new commission to revise the proposal (Heclø and Madsen 1987: 13). In other words, the *remiss* process provides early information about the *content* of policy proposals.

It is important to note that this Swedish process is not the same as a simple "notice and comment." The reports are not just published or announced together with all of the other issues the government is dealing with, for groups to find if they have the resources to

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<sup>21</sup> It is worth noting, that the definition of stakeholders identified for *remiss* comments is very broad, indeed. In forestry, not only are economic and private producer interests included, but also a range of NGOs with environmental concerns. All are directly sent proposals for comment (S.E.1 2008; S.PF.1 2008; S.PF.2 2008; S.PF.4 2008; S.PF.5 2008).



keep an eye on the official record; instead, it is *directly* sent to all those organizations that have been identified as stakeholders (S.PF.2 2008).<sup>22</sup> Though Heclo and Madsen (1987, 15) suggest that this sometimes seems to be simply a ritualistic, pro forma, consultation of stakeholders, it nonetheless provides reliable actionable information about the government's agenda and proposed policy alternatives. The groups themselves note that it "is a fairly normal procedure when it comes to this type of evaluations of policies" (S.PF.1 2008) and that "it is very common" (S.PF.5 2008). Pro forma or not, the clear, and often direct, provision of information to organizations *even before government proposals are drafted* reinforces the transparency of the early stages of the Swedish policy-making process.

In addition, this actionable information is provided to a very wide range of interest groups. The lists of official stakeholders are usually very inclusive. All of my interviewees indicated that they had taken part in the *remiss* process. For instance, the representative of an environmental group noted that "everyone is allowed to comment" and invitations to comment are sent to NGOs, as well as other organizations and authorities (S.E.1 2008). In addition, as with the commissions, groups who are not included on the official list at first have the option to request that they be included. One group's representative noted that: "Mostly we are [included in the *remiss* process], and then sometimes they forget to send [it] to us and then we call [to say]: 'We want to give an opinion on this as well, so please include us in the list of official [stakeholders], those on the list that are supposed to leave comments'" (S.PF.4 2008). Another added that "they call us or we make sure that we are

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<sup>22</sup> In other words, groups do not necessarily have to constantly monitor government activity in order to take part in the *remiss* process. If the government considers them a relevant stakeholder, they are directly contacted to take part.

called...You actually invite yourself and say that 'We think we can contribute'" (S.PF.1 2008). Again, the fact that groups are easily able to "invite themselves" indicates that the request for comments itself is done reasonably publicly; groups still find out about it, even if they are not formally invited at first.

Groups are even included in the *remiss* process to comment on proposals that they originally helped to draft through the commission process (S.E.1 2008). For example, during the 2008 Forestry Act revisions mentioned above, the group that had taken part in the commission meetings was also directly sent the government's proposal (distilled from the commission report) for comment. Even though the representative had taken part in creating the initial commission report, this *remiss* step was seen as an important opportunity to go through it again and evaluate this iteration and provide new comments (S.PF.1 2008).

And the *remiss* process is not simply an occasional procedure. The groups I interviewed noted that they received requests for comments very often, on a whole range of government proposals and activities. One group representative said, "there are always small changes or proposals that we have the possibility to comment on. We get sent one or two papers a week that we are supposed to comment on," which come out of the commissions of inquiry, or are "suggestions from the Forest Agency to the Minister or from the Ministry to the Forest Agency" (S.PF.2 2008).

Broadly, the groups found the *remiss* process to be very useful and effective. Two representatives noted that their comments were often taken into account, though they emphasized that they were not always followed (S.PF.1 2008; S.PF.2 2008). Indeed, one representative stressed that it was quite "an advantage" that they often had the chance to

evaluate the proposals informally before they were fully written, and then again once the government had a more finalized draft, before the final proposal is sent to Parliament (S.PF. 1 2008).

In short, both the commission and the *remiss* processes provide systematic releases of information very early in the policy process. The announcement of commissions makes it clear what issues are on the government's agenda. Both the commissions and the *remiss* process give groups a very clear sense of the decision timelines for elaborating policy options on a particular policy issue. Finally, the fact that report and proposal drafts are publicly and directly released to interest groups for comment, even before cabinet ministries draft their formal bills, means that groups also have direct and incontrovertible information about the actual *content* of policy proposals on the table. While it is possible that some information falls through the cracks, these two institutions of the Swedish policy making process create very high transparency *early* in the policy-making process for a wide range of interest groups.<sup>23</sup>

Even though there is early systematic information released through these more formal institutions, groups also have many informal avenues for gathering even more information about the policy process and government activity (i.e. discretionary information). For instance, group representatives identified using direct contacts and talking with policy makers as a key component of much of their lobbying work (S.E.1 2008; S.PF.5 2008). Many of these direct contacts are with executive branch actors at the agenda setting and elaboration stages of policy making.

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<sup>23</sup> It is worth noting, here, that both commissions and *remiss* are also used during the creation and implementation of regulations. In other words, groups also get early information about the regulatory stage of the process, just as they do about the law creation process.

Groups reported having various informal meetings with ministers. These can take the form of informal dialogues among many members of the forestry sector (S.PF.4 2008), but can also be smaller subsets of groups; either way, the groups find these meetings to be useful for presenting the groups actions and needs to government (S.PF.5 2008). For example, the Minister of the Environment has occasional meetings devoted to a specific topic, where one or two members of several groups are invited to discuss their points of view directly; this is set up so that the groups are able to share their technical and political information directly with the minister and government on an issue that the minister finds important. As the Minister sets the agenda, groups can know what the government considers important, though the groups don't really have much room to bring in topics or issues that are not on the Minister's agenda (S.E.1 2008). The frequency of this type of meeting, however, depends on the minister (S.PF.2 2008). Nevertheless, the easy access suggests that groups have access to discretionary information in addition to the systematic information that is released early in the process.

In general, the groups found ministers and their staff to be reasonably accessible. One group representative felt that it didn't seem difficult to meet with ministers and their colleagues if the group wanted to (S.PF.2 2008). Still, speaking with a Minister is not an everyday tactic; one representative pointed out that he was sure that his organization could get an appointment with the minister if it asked for one, but that it isn't a good tactical choice to speak with the minister for every issue of "lesser importance" (S.PF.5 2008). In other words, it is not difficult to get an audience with a minister, but it is better to save it for when the group, or the minister, really cares about a particular issue. For less important matters, the minister's staff is a better choice (S.PF.5 2008).

All of these types of elaboration-stage information releases (both formal and informal) are mirrored at the implementation stage. There are commissions, the *remiss* process, and informal meetings with policy makers in the executive agencies. Groups are often invited to meetings and hearings in the Forestry Agency about potential methods of implementation. Formal interactions usually take place in writing, but the informal interactions tend to be face-to-face (S.PF.4 2008). And if groups hear about agencies doing something that will affect them without having been invited, they usually demand, and are granted a consultation on the subject (Olsen 1982, 203). For example, an environmental group was invited by the Forest Agency to discuss a method of conserving forests that had originally been tried in Finland; the environmental group preferred a Nature Conservation Agreement that was already in place in Sweden, however, as the group felt it would protect more forests in the longer term. The group was able to present this argument directly to the Forest Agency in a consultative meeting (S.E.1 2008).

Swedish forestry groups also find parliament to be an important place for lobbying, though perhaps less important for gathering information. All groups — both environmental and producer groups — speak relatively frequently with members of parliament (S.E.1 2008; S.PF.1 2008; S.PF.2 2008).<sup>24</sup> Parliament's is seen as important because it decides on policy, even if the government writes the text of bills and implements them (S.PF.5 2008). However, when the groups lobby MPs it is not generally aimed at influencing their votes:

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<sup>24</sup> Groups, however, do not particularly talk with party leaders; instead, they focus on MPs who are members of committees relevant to forestry issues; however, those committees are fairly non-transparent, so it can be difficult for the groups to know exactly how the policy information the groups give to the committees is actually used in the legislative amendment and revision process (S.PF.2 2008).

Most of the time they [MPs] are voting according to if they are Social Democrats or other parties. But they don't have that much possibility to vote against their party. So, it's more if we had thought that something in the bill was very very bad, you would tell that to as many as possible in the Parliament and hope that they would convince the Minister to change a specific wording or something like that (S.PF.2 2008).

In other words, much of the discussion with MPs is aimed at given them the information and arguments needed to put pressure on government and its ministers. Thus, when the groups ask MPs to present questions and interpellations to cabinet ministers, or to present their own amendments and policy proposals, the ultimate target is usually to change the ministers' opinions (S.E.1 2008).

There are a number of parliamentary seminars and working groups held on a variety of subjects where interest groups can meet with parliamentarians to present them with information about forestry issues. For forestry groups, there is a group in the Riksdag for "anyone who is interested in forests and forest industry issues"; members of this group "get e-mail and invitations to meetings and we have meetings actually four times a year with this group and they are from all political parties" (S.PF.2 2008).<sup>25</sup> However, these are often relatively formal, where groups are allowed to give fairly brief presentations on a particular subject (S.PF.4 2008). The groups can also set up their own meetings with MPs. For example, environmental NGOs invite MPs to attend meetings about forestry conservation, though the representative I spoke to suggested that often only MPs from sympathetic parties (i.e. usually the Greens or the Left) show up (S.E.1 2008). The representative of one forestry group added that they also have very informal meetings with MPs from all parties, such as over dinner, where they "get to know each other and have the opportunity to lift issues of interest for us, and inform them about our standpoint and what

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<sup>25</sup> Groups can invite themselves to these meetings, as well (S.PF.4 2008).

we expect from them” (S.PF.5 2008). These various meetings provide an opportunity for groups to provide their own lobbying messages to MPs, though they also provide some opportunity for gathering information from parliament.

Finally, while groups did not explicitly bring up Sweden’s Freedom of Information (FOI) laws, one environmental group did suggest that it was able to expand the usefulness of its right to certain types of official documents through targeted lobbying demands. For example, when individuals or companies want to cut down trees for commercial sale, they need to provide a logging management plan to the Forest Agency (*Skogsstyrelsen*), which then has six weeks to approve the plan and grant a logging permit. In the past, this information was only available to the public *if* an individual could ask for the specific logging plan number; if you *knew* the number, you could get the proposed plan, but the numbers were not easily obtainable. This system made it very difficult for environmental NGOs to monitor the conservation value of proposed logging areas and ensure that they were consistent with sustainable certification standards. However, environmental groups lobbied to have this information made publicly available (even without knowing the plan number), and now the Forest Agency lists the logging plans openly on their web page. This makes it possible for NGOs to look up, at will, all the proposed logging locations and to object if the proposed plans touch on high conservation-value areas with high biodiversity or environmental value (S.E.1 2008). This change, through lobbying actions on the part of environmental NGOs, demonstrates that Sweden has a system in place that allows for the expansion of information available in the public sector, and but also that information is not necessarily automatically or easily accessible under FOI laws (i.e. if you don’t know what to

ask for, you can't get it, even if it is technically "free"). Instead, the information that groups use to lobby, in Sweden, tends to come from the policy process itself.

In short, groups feel fairly confident that they know what is going on in the policy process, and they are comfortable with the idea that they get information when they need it. One representative articulated this explicitly, saying that they felt that they had a pretty good sense of what Ministries and the Forest Agency were thinking about doing, and that there were many ways to get information about it, if needed (S.PF.4). In addition, groups are in contact with a fairly wide range of policy makers: they speak with civil servants in government departments — particularly in agriculture and environment, but also in other ministries — as well as with politicians in each of the branches (S.E.1 2008; S.PF.2 2008). Of these, groups suggested that their meetings with executive-branch actors were most useful for influencing the elaboration and implementation of policy, but that legislative-branch actors were also important in policy making (particularly decision making).

These interviews with forestry-group representatives show that Swedish forestry groups do avail themselves of the early information available about the policy process. Indeed, Swedish groups immediately identified several formal institutions that structured their access to information about the policy process. Though, they did indicate that much of their *lobbying* took place through direct meetings, their comments showed that their *information* about the policy process came through systematic releases as much as through policy-maker discretion. Forestry groups in Sweden not only have many opportunities to discover and gather actionable information about the policy-making process on their own, but they are also given information directly and fairly automatically from very early in the policy process. The groups seemed confident that they received good information at many



points in the process, and well in advance of important decisions, such as those made by the executive branch.<sup>26</sup> In addition, these perceptions were fairly uniform for *all types of groups*: both producer and environmental groups described similar levels of transparency at all steps in the process. Thus all groups perceive the policy process as open and reasonably predictable, and they have little reason to fear that they will be surprised by the policy process.

### *Swedish Forestry Groups' Strategic Responses to Policy-Making Transparency*

Since Swedish groups lobby in a high-transparency environment, my hypothesis predicts that they will *not* institutionalize their relational strategies. Instead, their relational strategies should be ad hoc, focusing on informal interactions and the negotiation of joint lobbying actions on a case-by-case basis. My interviews with Swedish forestry groups show that this is, in fact, what we find: forestry groups in Sweden *have not* institutionalized their relational lobbying strategies.

Swedish forestry groups approach their own cooperative lobbying in an informal manner, planning for joint actions on a case-by-case basis. This pattern holds for both forestry producer groups and environmental groups. This is not to say that groups do not pursue relational strategies, as there are many ways that groups lobby together. For instance, groups often coordinate informally on their participation in commissions and the *remiss* process (S.PF.1 2008; S.E.2 2008). They also work to align their lobbying messages for more informal meetings with policy makers (S.PF.2 2008). However, the Swedish groups choose to pursue such joint actions when they think it is important for a *particular*

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<sup>26</sup> i.e. finalized government proposals ready to be deposited with parliament.

issue. One representative noted that “you can find different types of alliances in different issues, depending on what it is” (S.PF.1 2008). Another stated that “we try to build the alliances that is necessary for a certain issue” (S.PF.5 2008). In other words, these groups take an ad-hoc approach, depending on the particular situation they face.

The groups often seek out joint actions because they think it will help them lobby more effectively on a specific policy issue. For instance, one representative noted that they usually do quite a bit of lobbying on their own, but they turn to other groups “if we feel we need a stronger alliance, and that it would promote our intentions if we make an alliance with [other groups]. So it depends on what it is and how urgent it is to get them involved” (S.PF.5 2008). The key reason for choosing a relational strategy is that putting together a common message and approach makes it more difficult for policy makers to ignore. Thus, one representative noted that “we try to talk together before we meet with the Minister, because the Minister meets us, then the [other groups] on the same day. And we think that it’s very important to at least try to have the same message. And if we can agree on one message, then it’s a stronger message” (S.PF.2 2008). The groups generally acknowledge that joint actions are a useful way to increase the impact of their lobbying messages.

When they choose to go that route, the process for pursuing joint lobbying actions with other groups is actually fairly drawn out. One group’s representative noted that this process begins with an evaluation of the current situation:

Usually we have an internal discussion first, here [at our organization]...to see what [the director] thinks is the best way to do it: if we should do it by ourselves or if we should do it together with someone else. And it depends on where we think we can influence the most, I guess; if it’s better to do it by ourselves, or it’s better to be 2 or 3 [groups] on it; so it differs from each situation (S.E.1 2008).

The actual negotiation process with other organizations then works out the common positions and the actions to take. One pointed out that they have “meetings with [other groups] all together, as well, to see where we can cooperate” (S.E.1 2008). This kind of approach means that the groups can determine whether it is really in their interests to lobby together. For one representative, it really did depend on whether there was common ground or goals: “So, in some questions, we go along and we do things together, and we write things together, and in some questions, we have totally different views and then we do something separately” (S.PF.4 2008). To be successful, this process requires that the various groups “send a lot of e-mails, sending documents forth and back and everybody makes alterations and suggestions, and then we, eventually, get something that everybody agrees on, and then we send it” (S.PF.4 2008). In other words, the groups take their time, with a fairly lengthy process of internal discussion of the best approach to take, followed by discussions with other groups to find out whether they can agree on this particular issue, and finally they negotiate the lobbying messages and actions.

Several of the group representatives also indicated that some attempts at constructing joint lobbying strategies ended in failure. For instance, the representative of an environmental group noted that efforts to lobby together can fall apart and cause tensions between groups. The representative’s group had been working with another environmental organization to investigate and file a complaint about forestry code violations. But the other group suddenly filed the complaint on their own and did not include the representative’s group, which felt that the other had tried to take all credit for the action by themselves and left out the representative’s own group’s part in it. Even though the exclusion might have been unintentional, several members of the slighted group

wanted to do the next action alone to take full credit and explicitly exclude the group that had originally slighted them (S.E.1 2008). Other failures to coordinate are less tense. More than one representative noted that sometimes you try to negotiate a compromise between various groups, to come up with a joint lobbying strategy, but the negotiations simply fail because an agreement just can't be reached (S.PF.2 2008; S.PF.5 2008).

The potential for failure illuminates the tension in taking joint lobbying actions. Part of the reason why the Swedish forestry groups prefer to think about each lobbying action *de novo*, is that there are frequently competing incentives for working alone vs. working with others. One representative agreed that writing a common article or proposal for a minister together with other organizations can result in a stronger message that is harder for policy makers to ignore; *but* the representative added: "Sometimes, I think, it's always easier when you are alone, because you can decide everything; it's easier [to be alone] because you have to compromise when you are several signers" (S.PF.2 2008). And it is not just the need to compromise on their own preferences that might discourage relational strategies; groups are also very conscious that *the credit* for a particular action is diluted when more than one group is involved in lobbying. Another group's representative pointed out that:

Maybe it would be more highlighted if we were two organizations on that than just being [alone]. But, of course, sometimes maybe it feels better if you get the credit for doing something if they have not been around...I know that [other organizations] have been thinking like that as well: that it's better to do it [alone], because it's their thing and then it's better if they do it; then they get the credit for it, and not [us] because we have not really been involved in it (S.E.1 2008).

In other words, there are real drawbacks to taking joint actions and negotiating them with other organizations: the groups have to make compromises on their interests and goals, and they may have to share the benefits of taking an action.

Broadly, while these groups do have things to say about their relational strategies, they gave little evidence pointing to the institutionalization of their joint lobbying actions. The groups do “have regular meetings and talk about everything that’s on the table, and coming issues and so forth” (S.PF.2 2008). But they leave the actual planning of joint actions for when it is needed; and the representatives did not identify any instances of pre-planning of their relational strategies for future actions.

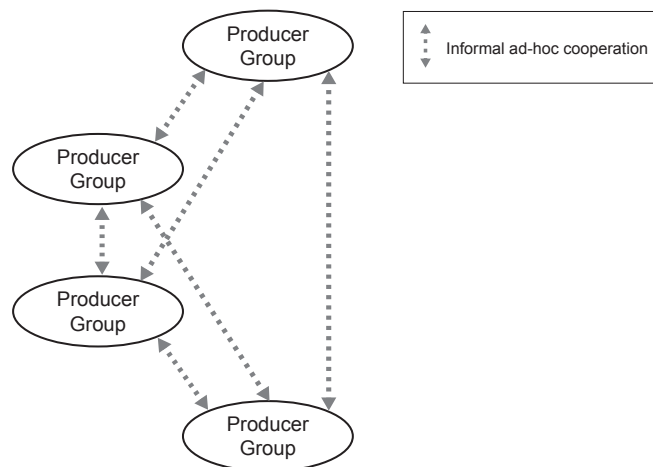
For instance, the comments from group representatives indicated that they had no identifiable long term specialization in the roles they played during their joint actions. One representative identified his organization as having “a rather pragmatic approach” to lobbying with other groups, stating that:

Sometimes we do things together...sometimes we agree that both should work with this issue but maybe through different platforms and so and so. At least, my impression is that this organization I work for is relatively good at, how should we say it, finding a solution from moment to moment (S.PF.1 2008).

That representative added that “when it comes to giving this type of comments to the government, for instance, sometimes we agree that we should answer a little bit different...we can agree upon the end product, but maybe we want it for a little bit different reasons” (S.PF.1 2008). The representative of an environmental group mirrored these sentiments, noting that one of the topics covered when negotiating joint actions was “how to partition the different tasks” (S.E.1 2008). In other words, when groups do decide to

divvy up different parts of lobbying actions, they make these decisions on a case-by-case basis, depending on the particular issue at hand.

In short, these interviews indicate that forestry groups in Sweden pursue their relational strategies through informal, ad-hoc, cooperation. Among the forestry producer groups, there is a great deal of communication and discussion of the various policy issues on the table, as well as potential issues that the groups would like to see on the agenda in the future. But the groups do not have institutionalized means of implementing their relational strategies (see Figure 6.3). Instead, they wait until the need arises, and then they decide to negotiate the full details of a particular joint-lobbying action.



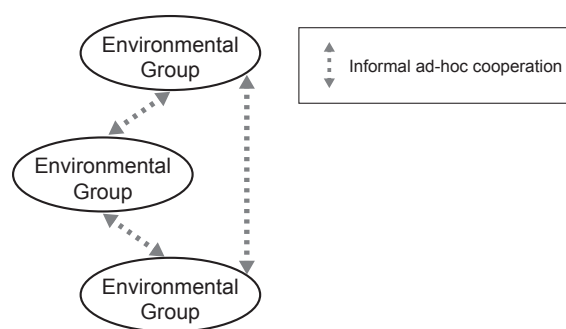
**Figure 6.3: Cooperative Ties between Swedish Forestry Producer Groups<sup>27</sup>**

The environmental groups active in forestry issues follow essentially the same pattern as the producer groups. They too pursue informal, ad-hoc, cooperation with each other (see Figure 6.4). They negotiate their joint actions on the spot, if they think it will

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<sup>27</sup> Swedish forestry producer groups construct their relational strategies through informal ad-hoc cooperation.

help them pursue their goals. However, it is worth noting that the environmental representative I spoke to was the only one who explicitly mentioned the concern of losing “credit” when taking joint actions. This is likely due to the particular position of the environmental groups in the public eye; unlike the producer groups, environmental groups are much more dependent on voluntary membership and contributions. Nevertheless, it is instructive to note that even with this difference in organizational imperatives, there is little to distinguish between the relational strategies of the environmental and producer groups in Swedish forestry politics.



**Figure 6.4: Cooperative Ties between Swedish Forestry Environmental Groups<sup>28</sup>**

Thus, what we find in the Swedish case is a policy-making process that makes information regularly and *directly* available to groups at early stages of the process. This means that there is a high level of certainty surrounding the policy process, as groups have a pretty good idea of what is being considered at the various stages. The hypothesis presented above is supported by Swedish forestry groups’ relational strategies. The groups are not institutionalizing their relational strategies, and instead are leaving their

<sup>28</sup> Swedish forestry environmental groups construct their relational strategies through informal ad-hoc cooperation.

joint lobbying actions to on-the-spot negotiations when they seem to be the best option for successful lobbying. So, in Sweden, we see a forestry policy-making process that is characterized by high transparency, with information availability and high certainty, and we find forestry interest groups negotiating their cooperative lobbying strategies on a case-by-case basis.

### **Environmental Groups at a Disadvantage?**

The evidence shows clearly that forestry groups in France and Sweden pursue different patterns of relational strategies: the French groups set up “insurance” strategies, while the Swedish groups do not. However, the interviews also indicate that environmental groups in France are at a disadvantage compared to the producer groups they face, while the Swedish environmental groups are on a much more even playing field with their producer-group counterparts. This difference lies in the very nature of environmental vs. producer groups.

In this section, I will first lay out why environmental groups may be structurally less able to respond to the strategic incentives required by low transparency (i.e. why they may be less well equipped to pursue insurance strategies). Then I will present concrete evidence from my interviews that show the potential difficulties French environmental groups face, when compared to their Swedish brethren.

#### *A Note on Forestry Interest Groups*

As noted, there are two different types of interest groups active in forestry policy: producer groups and environmental groups. The producer groups focus on the interests of



those active in the economic sectors of forestry, including logging and wood industries. Environmental groups, on the other hand, are focused on conserving forests, and particularly the biodiversity that forests can contain; in general, this means they support the interests of a broader public that is not likely directly involved in forestry.<sup>29</sup> The nature of these different constituencies has real implications for the kinds of institutionalization that each type of group can most easily pursue.

The producer groups generally represent forest owners or professional foresters, who are members of the organizations for many different reasons. The members do care about national policy decisions about property rights or regulations about how forestry should be done, and they expect the producer organizations to lobby and protect their interests in the policy arena. But these members also tend to receive non-political goods from producer organizations, such as technical assistance on the best new logging techniques, research about new drought resistant tree varieties, or best practices for managing forests for the long term. For the most part, each of the producer groups has a narrowly defined set of members (i.e. private individual small-forest owners; private cooperative forest owners; municipal forest owners; large industrial loggers, etc.); thus the groups do not particularly need to compete for members.

Broadly, this means that producer groups may find it easier to undertake regular joint lobbying actions with other groups; a permanent political alliance between two such groups is unlikely to damage the “brand” of either of them, since this “brand” is maintained more directly through the groups’ other services (as long as the permanent alliance does not require either group to forsake the political interests of its specific constituents). While

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<sup>29</sup> For instance, urban dwellers who enjoy activities in forests, but who do not personally own them or make a living from them.

joint lobbying will require the groups to make compromises on common messages, the groups in a permanent alliance can decide not to lobby together if their immediate interests are not adequately aligned. Thus, even if producer groups may occasionally worry about angering their constituents, they don't particularly need to worry about losing them to a competitor if they do need to compromise with other groups to increase their chances of lobbying success. Nor do they have to worry about their reputational "brand" being reduced by taking part in joint actions.

The environmental groups, on the other hand, tend to have members who join voluntarily because they care about environmental issues and policies. While each group has a slightly different focus or approach, they are essentially competing for the same set of environmentally-aware supporters. This means that environmental interest groups face potentially strong disincentives for pursuing joint actions, in a way the producer groups may not. The environmental groups benefit if they can show that their own specific policy focus and lobbying approach (i.e. their reputation or brand) leads directly to the outcomes its members seek.<sup>30</sup> Thus, while it is very possible that they increase their chances of lobbying success if they lobby with other groups and present united support for particular policies, there are also potential drawbacks to lobbying together. In particular, taking joint actions with a differently branded environmental group might weaken a group's own brand or reputation in the eyes of its own supporters. In addition, lobbying together dilutes the credit for achieving a policy victory. Thus, if the group lobbies alone, it can

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<sup>30</sup> While the environmental groups can provide small "services" to attract members, these are usually equally well provided by each of the environmental groups. For instance, all of the groups can fairly equally provide t-shirts, tote bags, or cute stuffed animals depicting endangered species; they also all provide a similar warm fuzzy feeling that a member's donation is going to a good cause. In other words, groups that are in competition for membership and resources may have little else to recommend themselves than a clear and independent identity; maintaining this "identity" thus becomes critical to a group's survival (Gray and Lowery 1996).

claim full credit, but it may be less likely to succeed; on the other hand, if the group lobbies jointly with another group, it loses full credit, but it may increase its chances of success. In other words, environmental groups will need worry that they need lobbying successes to maintain member support, but that getting those successes by diluting credit or brand identity may open them to member defection.

Simply put, producer groups have more freedom to permanently and publicly ally themselves. Environmental groups, however, need to be much more careful that their relational strategies do not cause them to lose members to competing organizations in the long term. Thus, if environmental groups *do* institutionalize joint actions with each other, they may need to do so in a far less obvious and public way than the producer groups. In other words, while groups under low transparency should pursue institutionalized relational strategies, the exact nature of that institutionalization may not necessarily be exactly the same across all types of groups in that low-transparency system.

### *The Dilemma for French Environmental Groups*

The need for a clear brand or reputation makes it much more difficult for environmental groups to institutionalize their relational strategies. For environmental groups in Sweden, this is not much of a handicap. Since the Swedish political process is so transparent, environmental groups do not need to pursue insurance strategies, and so they are not put at a disadvantage vis-a-vis their producer-group competitors. As noted above, a Swedish environmental group explicitly brought up the need for “credit” as a critical component of their strategic decision making (something that the representatives of Swedish producer groups did not address). For this environmental group, however, the

decision about whether to select a strategy that maximized credit-taking or a strategy that maximized success via strength-in-numbers could be made on a case-by-case basis, with little fear of surprises or informational exclusion.

In contrast, however, French environmental groups may be at quite a disadvantage: the low transparency makes “insurance” strategies — and thus the institutionalization of relational strategies — very important for countering the potential costs of surprises and exclusion. However, such institutionalization stands in opposition to the reputational incentives that environmental groups face. Thus, French environmental groups must confront a thorny dilemma: how to reconcile these competing incentives for reputation vs. insurance.

This difficulty faced by French environmental groups can be seen in several ways. The interviews indicate that French groups publicize their formal agreements in very different ways. The French producer groups are very open and transparent about their own formal agreements; they have joint websites and public announcements about their common activities. French environmental groups with formal agreements, however, are not as public. They do publish their joint letters and press releases, but they do not advertise their formal contractual ties in any public way; while it is not strictly a secret, it is not easy to find out about their agreements without speaking directly with group representatives. Thus, the behavior of French environmental groups around these formal agreements is very different from the French producer groups.

A similar contrast arises with the division of labor that both types of groups use in France. While the producer groups were very open about their use of this institutionalized strategy for divvying up tactics, an environmental group’s representative noted that they

did not like to openly acknowledge their use of this same strategy, for fear that it would damage their reputations in the eyes of both the public and government actors. In other words, while both types of groups in France do use both forms of institutionalized relational strategies, the environmental groups implemented them in ways that were sensitive to the potential damage they might cause; producer groups, on the other hand, show little concern that such strategies might harm them, and instead are very open and clear about their use of institutionalization.

Perhaps most telling is that one environmental group pointed out that their organization had explicitly and consciously stopped an institutionalized relational strategy in order to avoid the potential harm it might cause to their reputation. As this representative said:

There was a point in the past when we systematically released all of our press releases on tropical forests with several other environmental groups. And then, in the end, our internal communications division told us that we were in the process of drowning our own image, getting assimilated into the others, and losing our own notoriety vis a vis the general public, and thus we were in danger of losing our influence, our members (F.E.2 2007).

This is an explicit statement of the potential harm that can be caused when environmental organizations pursue institutionalized relational strategies.

While the transparency of the policy-making process provides strong incentives for French groups to institutionalize their relational strategies as insurance against surprises and exclusion, the imperatives of organizational survival that environmental groups face puts them at a particular disadvantage. This strongly suggests that environmental groups will be less able to cope effectively with low transparency, and may thus have more

difficulty achieving lobbying success when compared to environmental groups who face high-transparency policy processes.

## **Conclusion**

In this investigation, low transparency is correlated with the institutionalization of relational strategies, while high transparency is associated with relational strategies selected on a case-by-case basis. I found that forestry groups in Sweden do not institutionalize their joint-lobbying actions; instead they cooperate on an ad-hoc basis. As Swedish interest groups face a policy process that provides clear and direct policy-making information, they have the luxury of considering the costs and benefits of each action as each policy issue arises. For French interest groups, who face a policy process with uncertain policy-making information, waiting until an issue arises to begin constructing a joint-lobbying action could be disastrous. Instead, French forestry groups institutionalize their relational strategies as insurance against the potentially negative consequences of their low-transparency environment; they have created permanent structures that give them a baseline for action when the alternative — starting from scratch — might mean lobbying failure. In particular, French forestry groups have created formal and contractual coalitions to help streamline the process of reaching a common lobbying position; and French forestry producer and environmental groups have also created specialized tactical reputations among allies, which provide an automatic division of labor for joint lobbying actions. Again, the French groups do not necessarily use these structures for every lobbying action, but they remain in place to be used when needed. However, the organizational imperatives of environmental groups for membership and reputation,

means that French environmental groups are less able to fully implement these insurance strategies, and thus they may be at a strategic disadvantage compared to French producer groups.

Broadly, these findings support the idea that transparency is important for interest groups as they navigate the policy process. They need it for successful lobbying, but not all policy processes automatically provide the information groups require. While groups faced with high-transparency policy processes can approach lobbying in an ad-hoc manner, groups under low transparency need to adapt their relational strategies to deal with recurring surprises in the policy process. The strategic approach of these low-transparency groups helps them mitigate the potentially negative consequences of lobbying without enough information to be sure that they are making the right decisions.

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