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POLSKI LOBBING
GOSPODARCZY
W UNII
EUROPEJSKIEJ
2004–2010

PERSPEKTYWA
NEOINSTYTUCJONALNA

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Summary

POLISH ECONOMIC LOBBYING IN THE EUROPEAN UNION

In the multi-level, complicated system of decision-making in the European Union the exercising of informal influence by particular institutional actors is a natural complement to their formal competences. In the EU context, lobbying is a fully legitimate element of the process of democratic decision-making, while for European institutions, a dialogue with interest groups is a fundamental source of legitimisation for their actions. Lobbying is but one of the forms of representation of interests and relations with the decision-makers based on the premise of a significant autonomy held by the elites. It is not narrowly understood as a commercial activity on behalf of third parties, as defined under the Act passed in Poland in 2005. The analysis presented here is thus concerned with the essence of this socio-political phenomenon rather than with its formal and legal definition. The approach applied by the European Commission, which delineates a wide spectrum of entities which carry out lobbying activities, is therefore more useful.

An analysis of the mechanisms for decision-making and the representation of economic interests in the Union leads to a question in respect of the role and position of the Central and East European countries which joined the EU in 2004–2007. Does Poland, the largest of the Central European member countries, perform a role adequate to her ambitions and potential?

Are Polish economic interests taken into account in the process of making the Union's laws? Are their representatives recognised and is their voice heard in Brussels? A thesis is being posited that, in the first years of Poland's membership ((2004–2010), Polish decision-makers were of little efficacy in forcing through their economic preferences in the EU, while the presence of the representatives of economic interests was weak, their effectiveness was negligible and they were over-committed to the national channels for exerting influence.

This study is of both a theoretical and practical nature. An attempt to explain the limited effectiveness of Polish lobbying in the EU was undertaken on the basis of a neo-institutional analysis. The low level of mobilisation on the part of the representatives of Polish economic interests on the European forum, the low level of activity and low efficacy do not result from a relatively short presence in the Union game and of the learning process necessary for full participation. One of the most important causes of such situation is the incompatibility of the institutions operating in the domestic and EU environments, which is to say, the lack of fit between the domestic elements of political, economic and legal culture and the established practices of the democratic institutions of the West. The book aims to explain this incompatibility in the context of the legacy of the political and economic transformation from real socialism to a liberal democracy and market economy, as well as to sketch out the prospects of change in the process of Europeanisation. The classification of the logic of ruling and representation of interests on the domestic and Union level in terms of *government* and *governance* provided will be useful.

Historical and sociological neo-institutionalism can explain the differences between the levels of interaction as well as both the survival of certain old strategies and behavioural patterns and the difficulties in adaptation to the new, Union environment. This approach cannot, however, explain, the evolution and changes experienced by rational actors who use the chances offered to them in the process of Europeanisation. To what degree are the level of mobilisation, resources, strategies and actions undertaken in the Union influenced by socialisation in a hybrid domestic system? To what degree have the informal institutions ruling over the exerting of influence prior to 1989 and during the period of transformation survived until today

and to what degree do they slow down the development of lobbying as the primary form of relations between the worlds of business and politics? Do they influence the lobbying strategies adopted by the Polish entities on the Union forum and if so, then how? There is also a question regarding feedback: to what degree, and under what conditions, may membership of the EU, including the undertaking of lobbying at the Union level, influence changes in the domestic system of representation of interests. Both the level of consolidation of the democratic political and legal culture and the economic culture of the market as consequences of the transformation and Europeanisation processes is also of a subject of interest, in particular as regards the patterns of lobbying on the part of the business milieu.

The key element of the reflection on Polish lobbying in the EU is an attempt to make an indirect assessment of the evolution of the effectiveness of lobbying on the part of the Polish entities representing business interests on the Union forum, by reference to criteria such as organisation and budget, networking, reputation, actions launched and the entities' preference relationship with regard to the final result of the game within the decision-making process. The resources and structure of the Polish groups are presented against the background of other business interest organisations operating in Brussels. The adequacy of the resources, structures and operating strategies in respect of the rules of the game existing on the European lobbying arena are analysed on the basis of three case studies. The cases in question pertain to legislative decisions taken between 2006 and 2008 and of key significance from the point of view of Polish economic interests, namely, the Services Directive, the 3rd Postal Directive and the Spirit Drinks Regulation. An attempt at describing the parameters of influence exerted by Polish lobbying operations, both in their public and private dimensions, is undertaken. The results are then related to propositions on the differences of the rules of the game and the socialisation cross-pressures originating at the domestic and European levels.

Scenarios of the progress of Europeanisation and, thus, of the process of learning and accumulating experience in respect of the lobbying activities on the part of Polish business interests on both the European and domestic levels, are sketched out. Questions are posed concerning, in particular, the previously effected and potential changes in the strategies for exerting

influence, as well as those occurring in the attitudes and conduct of the entrepreneurs, decision-makers and public opinion on the domestic level as a result of the socialising impact of the European level, and including those which came about in the context of the preparations for, and the exercising of, the Presidency of the EU Council.

The time frame of the analysis encompasses the first years of Poland's membership of the European Union, which is to say, the period covering 2004–2010. The empirical material making it possible to perform an empirical analysis of the resources of, and the actions of a lobbying nature undertaken by Polish business interests on the EU forum in this period consists of a series of in-depth interviews conducted in Brussels and Warsaw from March 2007 to August 2009.