

**Brief**

# Comparing NGO Influence in the EU and the U.S.

**September 2006**

Julian Lee  
Kigali, Rwanda

## **Programme on NGOs & Civil Society**

Centre for Applied Studies in International Negotiations  
Centre d'études pratiques de la négociation internationale

<p>C   A   S   I   N</p>	
<p><b>Centre for Applied Studies in International Negotiations</b>          C.P. 1340          Av. de la Paix 7 bis          1211 Geneva 1          Switzerland</p> <p>T +41 22 730 8675/76          F +41 22 730 8690          ngocasin@casin.ch  <a href="http://www.casin.ch">www.casin.ch</a></p>	<p><b>Julian Lee</b>, Research Associate, prepared this report for the Programme on NGOs and Civil Society of the Centre for Applied Studies in International Negotiation.</p> <p><b>The Programme on NGOs and Civil Society</b>          Worldwide, the role of civil society has been increasing at rapid speed. Non-governmental organizations (NGOs) have become significant and influential players and generate much interest. Created in 1986, the Programme on Non-Governmental Organizations and Civil Society aims at contributing towards a better understanding of NGOs and the solutions of complex and conflictive societal problems involving NGOs.</p> <p>The opinions expressed in this paper reflect only those of the author and not of the institution(s) with which he is or was affiliated.</p> <p>Copyright CASIN © September 2006</p>

## INTRODUCTION

The political systems of the European Union and the United States Government differ in many aspects. As a result, one would expect the relationships between NGOs and the respective governments to vary to a similar degree. This brief attempts to compare the two systems, highlighting parallels and differences in the roles and approaches of NGOs as advocacy organizations.

## NGOS AND THE EUROPEAN UNION

### The EU Context

In order to understand the role NGOs play at the European Union and compare it to that played in the United States, one first needs to understand some of the particularities of the EU. It is important to keep in mind that the EU is a supranational organization, which, by its very nature and resulting governance structure, is more distant from the populace than a national government. In the European Parliament, the representation system is often defined differently from country to country. Moreover, there is a general lack of knowledge about Brussels politics, resulting in a perception of Members of European Parliament as being more removed from their constituents. Adding to the difficulty of reading the EU representative system is the absence of true European parties. All of this combines to make constituencies quite weak.<sup>1</sup> The EU is also in constant flux, as successive enlargements and discussions over whether to expand or reduce Brussels' power have shown. The system is thus difficult to understand and necessitates constant adaptations in lobbying strategy.

Moreover, as Prof. Justin Greenwood of Aberdeen Business School points out, "In the absence of an EU 'government' with an inbuilt majority, every dossier has to find its own majority, meaning that alliances are key." Such alliances do not only include advocacy alliances, but alliances across parties and institutions. In addition, policy-making at the EU tends to be progressively more based on hard evidence and science, giving an advantage to those who are in a position to provide robust facts to underscore their policy position.

Lastly, Europeans tend to be skeptical of lobbying as a legitimate element of the political process and have traditionally used it less. This is changing, however, and there now are some 15,000 lobbyists in Brussels, representing some 2,600 special interest groups. 45% of these groups represent industry, and 11% NGOs, meaning that NGOs often feel smothered by the relative weight industry is able to bring to bear.

### The Relationship between the EU and NGOs

The European Union accepts NGO involvement in policy- and decision-making as not only a necessity, but as a requirement of the democratic system. Suffering from a general democratic deficit due to its indirect forms of representation and political appointment, the EU includes NGOs

in policy processes in order to increase its democratic legitimacy and bring itself closer to its citizens. EU institutions also welcome input from outside institutions such as civil society as a consequence of the insufficient staffing levels and resulting expertise gaps of the European Commission and, to a lesser extent the European Parliament.<sup>ii</sup> In consequence, the EU gives interest groups privileged access at defining moments of the policy-making process. The Commission has formally recognized the contributions NGOs can make through different instruments, such as consultations through Green and White Papers, Communications, advisory committees, business test panels and *ad hoc* consultations.<sup>iii</sup> The generally good relationship between the EU and NGOs and the belief in the utility of NGOs also manifests itself through the Commission's allocation of more than EUR 1 billion annually to NGOs and their projects.<sup>iv</sup>

Yet access is not equal throughout the EU system. NGOs generally enjoy the best relations with Members of the European Parliament, up to a point where NGOs will draft legislation on behalf of a parliamentarian. The Commission is somewhat less open, and the Council is the hardest to access.

## NGO Roles

NGOs monitor developments at EU institutions, and analyze the potential impacts on their members or interests. They inform members and raise their awareness, and engage and consult them on their views, bringing these standpoints back to the EU and challenging policy-makers and other stakeholders to address their concerns.<sup>v</sup>

As a result of the circumstances introduced in the above section, NGOs play a multiplicity of roles. Due to their relatively higher connectedness to constituencies, they function as “an early warning system for political debate,”<sup>vi</sup> and as a “voice” denouncing governance deficits and agenda setter for neglected issues. Their policy input also helps legitimize EU decisions,<sup>vii</sup> due to the representativeness resulting from their member base. Given the weakness of transnational European parties represented in the European Parliament, NGOs also help fill an “advocacy void”<sup>viii</sup> that is normally taken over by political parties. At the same time, NGOs serve as a resource to the EU due to their policy expertise and understanding of complex policy-making processes, filling knowledge gaps and providing valuable input to the policy-making process.<sup>ix</sup> NGOs also often function as service providers in their home countries, making them a crucial partner in developing policy.<sup>x</sup> Simultaneously, EU member states also have an interest in allowing NGOs to monitor EU policy, as this represents a way of indicating which areas are politically significant for important parts of the population.<sup>xi</sup>

## Influencing Policy

A significant portion of European policy has been developed as a result of partnership with NGOs, and in particular with national NGO networks. Due to the EU's structure as a supranational organization, it is very difficult for small NGOs to be part of influential policy circles. In response, they often work as part of national or European federations or associations. Small NGOs can usually only be directly represented if there are particularly knowledgeable or fill a niche role.

Usually, only the large NGOs can afford to maintain a significant presence in Brussels. NGOs face a tradeoff between two operational approaches: Engaging the EU through an umbrella organization, whose connections to the respective constituencies of member NGOs are weaker and whose positions are more likely to have been weakened through compromise with other member organizations; and going it alone, in which case they might fail to ensure the EU perspective on an issue or realize the necessity of engaging Brussels actors.<sup>xii</sup>

NGOs have two avenues at their disposal for influencing EU policy. First, they can use pre-existing networks with their own or third-party national governments in the hopes that the government's envoys to the EU will represent their voices or even adopt them as their own. Second, they can lobby the EU directly, which tends to be more effective as it allows organizations to exert influence at the policy formation stage.<sup>xiii</sup>

NGOs often don't act in isolation when trying to achieve their goals, but often form *ad hoc* policy coalitions. NGOs pioneered the coalition-building approach at the EU in the 1990s. These alliances do not only comprise of NGOs, but can also include national and regional governments, industry, other interest groups (such as trade unions), and Members of the European Parliament and Commission and/or Council members. The roles of these coalition members can change, but each can act as an advocate, a sponsor, a researcher, an input provider etc. The coalitions' primary rationale "is not long-standing common interests based on common value systems", but the policy goal with a win-win situation for all coalition members.<sup>xiv</sup>

As a result of this horizontal coalition-building approach, the distinction between "insider" and "outsider" organizations to the decision-making system may no longer be valid: A lot of NGOs engage in traditional outsider tactics (direct action, legal action and similar, confrontational strategies) while simultaneously adopting insider approaches (consultation, education, scientific research etc.). A survey of a sample of European environmental NGOs concluded that gaining media exposure for a subject, conducting scientific research and engaging in political lobbying were considered the most effective tactics.<sup>xv</sup>

As for patterns of contact and intervention, one sample of NGOs revealed that, due to the relatively high turnover of staff in the Commission, regular contact is necessary. Most groups surveyed claimed to meet the Commission monthly or bi-monthly. Views as to the best timing of their input varied among the NGOs. Some found it most opportune to get involved at the pre-proposal stage, while others preferred to start later in the decision-making process. Those wanting to introduce new policy elements tended to try to influence the Commission early on, preferably before it even drafted a proposal. Those wanting to adjust existing elements were inclined to seek involvement during discussion of the proposal in the Commission or the Council.<sup>xvi</sup>

In general, dialogue between the EU and NGOs tends to work best in areas where there is some structure to the discussion. This is particularly the case in the fields of environment, development and trade.

## NGOS AND THE UNITED STATES GOVERNMENT

### The U.S. Context

Rather than launch into an exhaustive description of the relationship between NGOs and the U.S. government, this section will compare and contrast features of the EU-NGO relationship with that in the U.S.

To begin with, it is important to note that the political environment that NGOs face in Washington is more predictable than that in Brussels, as the U.S. government is not subjected to the comparatively radical upheavals of the EU (enlargement, the constitutional debate etc.). Moreover, the political system in Washington is much more adversarial than in Brussels, meaning that lobbying often becomes more ideologized. The fact that the USA is a democratic country means that members of Congress seeking re-election are particularly attuned to demands from their constituencies, and are thus more easily influenced than Members of European Parliament, who don't have the same connection with their voter base. As a result, constituencies are more powerful in the U.S., enabling small NGOs to affect the relatively local issues that are often at stake. This stands in contrast to the EU, where networks or large NGOs tend to have the most influence.

The U.S. government is also less likely to fund NGOs than the EU government, contributing to the tipping of scales of NGO versus corporate influence in the corporate direction compared to the EU. The phenomenon of “revolving doors”, whereby government officials move from government to lobbying groups (whether corporate or NGOs) is also much more developed in Washington, meaning that access to power can be easier here than in Brussels due to pre-established connections. It is also important to note that the practice of lobbying as a whole is much older, and therefore more established in Washington than in Brussels.<sup>xvii</sup>

### Influencing Policy

Much like in the EU, NGOs can initiate legislation in the U.S, or choose to influence the policy process further down the road. In terms of strategies, developing early, concrete policy proposals to educate policy makers, the media and the public is a favoured approach. Many of the most effective advocacy NGOs, however, do not try to lead public opinion as much as they tailor their lines to public attitudes.<sup>xviii</sup> In the U.S., however, relatively small NGOs can still carry significant weight to influence decision-making. One survey among government officials showed the median budget of the most influential nonprofits to be USD 16 million.<sup>xix</sup> The same survey showed that influential groups are quite heterogeneous, with the only commonality being their permanent presence in Washington. While most of them are membership-based, about a quarter are not, yet they still manage to carry a lot of weight.

A study of effective advocacy NGOs in Washington demonstrated that the keys to achieving lobbying goals in D.C. are to maintain a permanent presence on Capitol Hill, while also maintaining sub-national offices to impact state-level policy and facilitate contact with the

membership base and the coordination of grassroots activities. In addition, it is crucial to court bipartisan support. Much like at the EU, coalitions across traditional organizational lines are important, as is a focus on a few policy priorities and sound knowledge of the legislative process. In contrast to EU-level lobbying, an effective approach is to publicize an approach and then demand a candidate's positions during electoral campaigns; the difference between the two representational systems becomes clear in this approach, which would yield little effect at the EU. Cultivating long-term relationships is equally important, but is easier than in the EU because of the revolving door phenomenon.<sup>xx</sup>

## CONCLUSION

As suspected, there are differences between the lobbying of NGOs in Brussels and in Washington. Despite these differences, it would be wrong to label NGOs as “insiders” or “outsiders” to the political process in either system. Although NGOs seem better integrated and more formally recognized as decision-making partners at the EU, the involvement of NGOs in policy-making in Washington should not be underestimated. With the long history of lobbying in the U.S., NGO leaders in Washington are adept at forming fruitful relationships with lawmakers and administration officials. Nevertheless, many NGOs engage in tactics that are those of “insiders” and “outsiders” in both systems and hence switch between being cooperative and adversarial. One main difference is that effective NGOs in Washington tend to follow public opinion and hence do not have the same agenda-setting role that they have at the EU, unless their member base demands it. In either place, they must be understood as a link between the government and the populace, however. The differing political environments mean that advocacy in Brussels tends to be more science-based and somewhat less ideological than in Washington, and that the influence of constituencies is greater in D.C. than at the EU, implying more operating space to set agendas for advocacy groups in the latter case, but more space for small, local NGOs in the former. As both political systems are federations of sorts, advocacy in both occurs not only at the central, but also at decentralized levels. Despite these differences and similarities, however, the strategies of NGOs in both places are quite similar, focusing on media attention and direct political lobbying.

---

**Endnotes**

<sup>i</sup> *EU and US approaches to lobbying*. EurActiv.com, February 15, 2005. Available at:

[[euractiv.com/en/pa/eu-us-approaches-lobbying/article-135509](http://euractiv.com/en/pa/eu-us-approaches-lobbying/article-135509)]

<sup>ii</sup> *EU and US Approaches to Lobbying*. EurActiv.com; Alex Warleigh: The Hustle: Citizenship Practice, NGOs and 'Policy Coalitions' in the European Union – The Cases of Auto Oil, Drinking Water and Unit Pricing. *Journal of European Public Policy*, Vol. 7, No. 2. June 2000. p. 230.

<sup>iii</sup> See: Commission of the European Communities: *European Governance: A White Paper*. Brussels, 2001. p. 14-15. For a summary of the European Commission's statements on civil society engagement, see: Commission of the European Communities: *Green Paper on the role of Civil Society in Drugs Policy in the European Union*. COM (2006) 316 final. Brussels, June 26, 2006. p. 5-6. "The Commission's line on civil society and other interest groups was officially expressed for the first time in the Communication 'An open and structured dialogue between the Commission and special interest groups' of 1992 where openness and equal access were indicated as the guiding principles for these relations. In recent years the Commission has further developed its policy on participation by civil society organisations and other stakeholders, in particular by adopting the 'White Paper on European Governance' and the 'General Principles and Minimum Standards for the Consultation of Interested Parties'. The commitment to widen opportunities for stakeholders to participate actively in EU policy shaping is one of the Commission's 'Strategic Objectives 2005-2009' with which the Commission launched a 'Partnership for European Renewal.' In this context, the Commission emphasised, in particular, that 'inherent in the idea of partnership is consultation and participation.'"

<sup>iv</sup> Denis Bouget & Lionel Prouteau: National and Supranational Government-NGO Relations: Anti-discrimination policy formation in the European Union. *Public Administration and Development*, Vol. 22. p. 33.

<sup>v</sup> Tamsin Rose: *Lobbying, the Role of NGOs and Communication Strategies*. Presentation, Center for European Programmes, American University in Bulgaria. October 29, 2005.

<sup>vi</sup> Commission of the European Communities: *European Governance: A White Paper*. p. 14.

<sup>vii</sup> Denis Bouget & Lionel Prouteau: National and Supranational Government-NGO Relations. p. 36.

<sup>viii</sup> M. Aspinwall: 'Collective attraction: the new political game in Brussels', in J. Greenwood and M. Aspinwall (eds), *Collective Action in the European Union*. London, Routledge (1998). p. 197.

<sup>ix</sup> Dirk Jarré: *The Roles of NGOs at European Union Level*. Lecture, Collegium Civitas, May 7, 2005. p. 6-7. Available at: [tujejt-praca.pl/wartoprzeczywac/The\_Roles\_of\_NGOs\_at\_European\_Union\_Level.pdf?PHPSESSID=c4e3f709b7e8190206b6fe37ea733355]

<sup>x</sup> Commission of the European Communities. *Green Paper on the role of Civil Society in Drugs Policy in the European Union*. p. 7.

<sup>xi</sup> Alex Warleigh: The Hustle. p. 230.

<sup>xii</sup> Ibid. p. 233.

<sup>xiii</sup> J. P. Richards & J. Heard: European Environmental NGOs: Issues, Resources and Strategies in Marine Campaigns. *Environmental Politics*, Vol. 14, No. 1. February 2005. p. 26.

<sup>xiv</sup> Alex Warleigh: The Hustle. p. 232.

<sup>xv</sup> J. P. Richards & J. Heard: European Environmental NGOs. p. 32.

<sup>xvi</sup> Janet Edgell & Kenneth Thomson: The Influence of UK NGOs on the Common Agricultural Policy. *Journal of Common Market Studies*, Vol. 37, No. 1, March 1999. p. 125.

<sup>xvii</sup> *EU and US Approaches to Lobbying*. EurActiv.com

<sup>xviii</sup> Susan Rees: *Effective Nonprofit Advocacy*. Working Paper. Non-Profit Sector Research Fund, The Aspen Institute, Washington, D.C., 1998. p. 5.

<sup>xix</sup> Ibid. p. 2.

<sup>xx</sup> Ibid. p. 3, 5.