

LOBBYING E LOBBIES IN EU, ITALY AND IN SOME ITALIAN REGIONS

Maria Cristina Antonucci – IRPPS - Consiglio Nazionale delle Ricerche

The presence of special interest groups (SIGs) within contemporary democracies has assumed a systemic connotation, so that some scholars speak about “lobbyocracy” (Hoederman, 2006, 2010, Holmes, 2013) and “endogenous lobby” (Felli, Blackbird, 2006; Ho, 2007). The relationship between the representation of special interests, related to economic and social sub-systems, and the objective of pursuing the general interest, relevant to the political sub-system, arises therefore as a central theme both for an inclusive and plural democracy and for the enhancement of public economic policies, based on SIGs participation and transparency.

The consequence of this new presence of pressure groups in democratic systems influences the content and purpose of public policies in many circumstances and sectors. This has an economic and social cost (Posner, 1975) for the public policy system and the influence of SIGs on policies determines risks of rent seeking and regulatory capture by lobbyists, rather than the fulfillment of Einaudi recommendation that collective decision-makers had to “know - *all the interest part of the question, Editor’s Note* - to deliberate”.

In this sense, all political systems (national, supra-national and sub-national) do not differ from each other for the presence of lobbies in the decision-making process, but diverge for the adoption of different regulation models for SIGs relations with political and institutional subjects. The choice of a lobby regulation model differs for the European, Italian and for the Italian Regions level: it lies in the political and institutional culture and in the nature of the economic environment where pressure groups are formed and organized and it deals with the universal and inevitable application of the principle of subsidiarity (Peterson, 1994).

The combined analysis of the political culture and the economic model of a political system results as the best empirical method to support and integrate the usual tools of SWOT analysis (Felli and Merlo, 2006; Redoano, 2010) concerning the number and incidence of special interests groups into a political system and in the determination of economic policies.

According to this framework, European lobbying is connoted by plural, formalized types of SIGs, with common internal relational links (between pressure groups) and external connections (with the decision makers), based on a technocratic culture of the EU institutions, a political comitology practice (Wessel, 1998; Steunenburger and Schmidtchen, 2000) and an economic trend towards free internal market (Gabel, 1998). The consequence of this EU political and economic framework is bureaucratic and administrative *governance* managed by the Commission, in a non-ideological approach to social and economic problems by EU institutions. The format of SIGs derived from this asset leads to a limited pluralism of industrial associations and umbrella organizations (Kohler Koch, 1994), the most suitable instruments for a successful lobbying towards EU institutions. Until the mid 90s, this was a common model, but now is no longer an exclusive one, given the activism of non-governmental organizations, regional and local governments institutional groups, religious groups, research institutes, think tank and consulting firms in Brussels. The current participation of these new subjects of special interest representation to the European decision making process pushed the model of industrial and umbrella association towards a stronger subject pluralism in European lobbying.

In the Italian republican political system, political culture and economic models are affected by the abnormal permeability of the Italian institutions by special interest groups (Pasquino, 1987) and by the approach of patronage and kinship (La Palombara, 1967): this caused a mutual influence and a con-fusion between institutions, politics, economic and social groups. Thus the persistence of complex interconnections between business and politics, among other negative effects, led to the deliberate absence of any regulatory framework for the phenomenon of lobbying. A national industrial structure consisting predominantly of SMEs and districts generated an interest group representation model deterministically oriented to large association grouped on the

ground of business sectors and territories. These large associative bodies, such as Confindustria and Confcommercio, expressed an autonomous vision of their role in public policy, which sometimes differed from the associated needs for representation. The role of such SIGs was relevant in the Italian policymaking process until the end of 90s, when Europeanization and globalization of the national economic system started to require adequate representation of different interests groups and the lobbying sector included subjects such as: MNEs operating in Italy, national large enterprise expanding globally, lobbying consultancies. But the pressure group activity in Italy still remains characterized by the presence of traditional players, organizations involved in a corporative interest representation, such as trade unions, NGOs, professional associations, institutional interest groups (Giavazzi, 2005).

The combined effect of the absence of a minimal set of lobbying regulation, the heterogeneity of pressure groups, the special nature of relationship between policy makers and SIGs representative - often marked by revolving doors strategies - produced a substantial ability to veto playing (Tsebelis, 2005) of the Italian interest groups (even minor ones) against any political attempt to systemic reform and innovation (privatization, liberalization, dismantling of professional associations role). The most impressive example of this SIGs veto power is the substantial block to any effort to deliberate a legislative framework for lobbying activities (including the Letta government bill proposed on June 2013 and still unreleased publicly).

Nevertheless, even in this context, some changes are occurring. The need to break the deadlock on national lobbying regulation was met by some regional legislative disciplines, issued by Tuscany (Regional Law n. 5/2002), Molise (R. L. 24/2004) and Abruzzo (R. L. 61/2010), while other Regions like Veneto (2008, 2010), Emilia Romagna (2009), Calabria (2009) and Friuli Venezia Giulia (2012) started similar regional law-making processes.

Far from arguing that these regional laws may constitute an adequate answer to the problem of the rules for lobbying in the Italian policy making, it is important to consider how the principle of subsidiarity (Endo, 1994) inevitably connects the European political system with the Regions who regulated the role of SIGs. If the road for a unique national legislative framework seems way forward, the regional regulation experience shows that, at least the context of political culture is now ready for a transparent participation of interest groups to the collective decision-making process.