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– how lobbyists are communicating and negotiating their roles and identities in Brussels (Best paper award)

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I'm a lobbyist and I'm proud – how lobbyists are communicating and negotiating their roles and identities in Brussels

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Introduction

“I'm a lobbyist and I'm proud”, said the young man in a meeting with other young lobbyists in Brussels. He suggested they should print this statement on badges and wear them as a provocation during their work to show that they are not comfortable with the present situation. From their discussion I could hear that they meet pejorative prejudices in their daily work but they were and wanted to be proud of their work. Who doesn't? This was at the end of my period shadowing and the young man and his colleagues were boiling of the feeling that I was surprised to have met so often in Brussels. Under the surface of acceptance and business as usual there seemed to be ambivalent feelings and frustrations, both with politicians and lobbyists.

Lobbying in Brussels is an ambivalent activity. It is undertaken by about 20 000 people on a daily basis communicating with the about 15 000 politicians and employees of the EU-institutions (Coen 2007). On the one hand the lobbyists are portrayed as wanted and needed in the arena. Previous research tells about the lobbyists as the interaction mechanism (Jaatinen 1999) providing resources to an understaffed EU-administration. Pieczka also points to that the lobbyists are providing the politicians with knowledge: “... the key resource – political influence – consisting of knowledge of the political processes and personalities as well as an ability to read the prevailing political climate, policy initiatives, and the ebb and flow of power through political networks”

(Piecarka 2006: 325). Lobbying is widely considered a mature practice. Several interviewees in the author's phd-project said on open interviews that lobbying is a natural part of everyday life. One even said that it is "not as stigmatized as you might think." (Nothhaft, forthcoming).

On the other hand, the lobbyists' legitimacy is under a continuous discussion regarding ominosity, unfair play and even bribing to achieve wished outcomes of the legislative work (see for example Moloney 2006). Since a few years lobbyists in Brussels need, in theory it is voluntary, to register and account for their lobbying budgets and thereby also sign up for following a code of conduct.

The intent with the EU-register and the connected code of conduct is to enhance transparency regarding who is influencing but also that the information is correct. The code states that lobbyists shall "identify themselves by name, organisation and which interest(s) they represent." The rest of the bulletpoints in the code aiming at enhancing transparency addresses the information provided and that it should be correct, complete and not misleading (http://europa.eu/transparency-register/about-register/code-of-conduct/index_en.htm).

Even if we look beyond the question whether the lobbyists are wanted or not we can see that there is no discussion in the previous literature about the role of the lobbyist and its activities in the interaction with the politicians. It is taken for granted that as long as the lobbyist has presented him or herself with name and organisation (and customer if they are a consultant) politicians are always aware how and when lobbying takes place.

This paper pulls lobbying research theoretically and methodologically into the tradition within Media and Communication studies with ethnographic studies on practices and mechanisms steering these practices (for example Gaye Tuchman 1978). Through especially the research in the last decennium we know a lot about lobbying in general (see for example McGrath 2005 & 2009, Michalowitz 2007, Harris & Fleisher 2005). On microlevel, however, we still know very few of how the practice works and is undertaken. Except for the large quantitative studies (for example Eising 2007) the studies that exist have relied on questionnaires or interviews, though elaborate and fruitful for what they wanted to research (Naurin 2004, Jaatinen 1999, Mahoney 2007, see also collected studies in Beyers et al. 2010) or retrospective studies on specific cases (Melin 2000, Jutterström 2004) but there will always be a

draped between the actual practice and the discourse about a practice unless you study the practice firsthand on place.

Through material gathered by participatory observation I will show that even if the lobbyists are “identify /-ing/ themselves by name, organisation and which interest(s) they represent” it is not crystal-clear they are “the lobbyist.” All lobbyists are not undertaking such direct and straightforward roles as the “I’m a lobbyist and I’m proud”-man at least claims he wants to do. I will show that in fact there are examples when they are sliding in the roles in different ways to appear not as strict and straightforward as a lobbyist and sometimes not even as lobbyists at all. The author has previously showed that transparency in the lobbying process looks simple on the paper but the daily practice undertaken by both lobbyists and politicians encourages meeting forms that make transparency more difficult to achieve (Berggren 2009). In this paper the argumentation will be taken a step further and we’ll look into how the lobbyists are presenting themselves and how they work with their roles within the interactions with the politicians and how this obscures *the lobbyist*.

An ethnomethodological approach to studying lobbying

The reader has already noticed the narrative style in this paper. It is part of the research approach I have adopted to research this issue. I am strongly influenced by an ethnomethodological approach (Ten Have 2004) to the practice of lobbying. As such, the interactions in themselves have been in focus rather than the persons who conduct the interactions (Goffman 1967).

Lobbying is here viewed as a social practice from a neoinstitutional perspective (Grape, et. al. 2006). I acknowledge that the lobbyist cannot lobby alone or context free and that there are “cognitive, normative, and regulative structures and activities that provide stability and meaning” (Ihlen 2009:70 quoting Scott 1995:33). Lobbyists always lobby someone somewhere, i.e. in a concrete moment in time and space. The other interactant will be as much agent and part of the interaction as the lobbyist; together they will negotiate the meaning of the encounter. The enacting of the practice lobbying will therefore be dependent on expectations the lobbyist have on the encounter, what he or she expect that the interactions expectations are, the situation and other contextual factors. Lobbying is viewed as any other social practice: ”Politics is

about choices, voting procedures and rules, strategic action, resources, influence, and pressure. But it is also a social sphere – a social field in which culture, traditions, cognitive frameworks, norms, and ideas play an important role.” (Nylander 2000:183).

Consequently, the method applied was participatory observation (Spradley 1980, Hammersley 2008, Agar 1996) and more specific shadowing (compare Nothhaft 2011) of lobbyists and politicians. Seven lobbyists and MEP:s (4 + 3) have been shadowed for one week per person. Additional time was spent for interviewing involved actors. The author shadowed the persons the whole workdays and took part in all kinds of activities: meetings, lunches, hearings, officework, afterwork-beer, etc. with the notebook as a steady companion. The shadowed persons plus persons they worked with and persons they had meetings with were interviewed, some short unstructured interviewes and other longer more structured interviews. In total 39 persons were interviewed for on average about one hour each. This excludes all the mini-interviews that occurred spontaneously during shadowing where the persons shadowed explained what they do or think about something, for example small talk while walking to a meeting. In the interviews and in the scribblings made during observation I tried to be as open-minded as possible even though I had the readings from previous research as a backdrop for analysis and to get some pre-understanding what is going on. Spradleys nine major dimensions of social situations were of good help while observing the situations: space, actor, activity, object, act, event, goal, feeling (Spradley 1980:78). I was searching for norms, rules, expectations, patterns and everything that could help me understand what lobbying is and how it works. In this work Agar’s concept of *rich points* (Agar 1996) was of good help. The whole result of my study will be published in my dissertation (Nothhaft, forthcoming).

Manifestations of a social order

On the surface there is a clear social order that I have observed that the lobbyists are trying to wiggle by. The social order is manifested in different ways and on the surface the structure, relations and roledivision between the lobbyist and the politician looks straightforward and simple. There are habits and behaviours that signals status and interaction order.

In the EP, the politician has the formal power to make, or at least contribute with his or her vote to, the decisions of the parliament. The lobbyist represents a special interest and tries to make the MEP vote in a certain way or have impact on some of all these small decisions that are made on the proposals way through the EP and are manifested in a report and suggestions for amendments, excluding all the work and decisions made for a proposal to reach the EP, which lies on the Commission. The MEP is a formal part of the system in the meaning that she is elected by the people and thus shall represent the people and is paid by EU to do her job. The lobbyist is an informal part (c. f. Öberg 1999) in the meaning that she theoretically can come and leave as she pleases and, again in theory, contribute with as much or as few as she want. She represents a special interest or at least a certain organisation, let it be with a clear defined interest or not.

Physically, all the MEPs, their assistants and the administrative staff of the EP have their offices gathered in one and the same building, the EP, and the lobbyists are having their offices spread out in Brussels or elsewhere. There is a tough security check to get into the EP with screenings similar to the security at airports and registering of computer batteries (a procedure that took up to half an hour). When you get into the building, the MEPs have blue carpets leading the way through certain security points (they can bring someone with them through here if they want) while the rest of the EP-staff and the visitors have other more simple looking entries. In all entries you have to show your badge that gives you the right to enter the EP. If you're not a MEP or an employee of any of the EU-institutions you can get a badge as an accredited lobbyist, or you have to get registered for a visitor's one-day badge, which you can get on a direct invitation from a MEP. In the latter case you also have to be fetched at the entrance by the MEP or an assistant.

Inside the EP is a large front-stage area with open mingle spaces, meeting rooms, cafés, restaurants, etc. where everyone with permission to enter the EP has access (except for certain rush hours in the restaurant, which are reserved for MEPs and EP-staff). The backstage consists of long corridors with the MEP-offices, and other offices, where the lobbyists need an invitation from a MEP to visit¹.

¹ When the EP opened in 1979 the corridors were open for lobbyists as they pleased but later they were closed off because of too much people.

In the plenum where the votings takes place are naturally the front places reserved for the MEP:s. They are equipped with a voting panel where the MEP can login. The same structure was applied in other meeting rooms as well. Some had only a round table, might be small or very large, and others where seminars, hearings and other meetings took place had a stage with desks and the rest of the seats ordered in half-circles around. The MEP:s sat in the very front and behind them their assistants. From what I could see when I learned to know and recognize people from different MEP-offices, different institutions and lobbyists I could see that the rest of the administrative staff, other institutions and lobbyist spread out rather evenly on the other seats.

There was one type of meeting between lobbyists and politicians that I understood as the archetypical lobbymeeting, especially for persons that didn't know each other beforehand. These meetings took place on the office of the MEP, two-three lobbyists from one and the same organisation visited for 30 minutes sharp and the MEPs were strictly the part that were allowed to ask the questions and the lobbyists were informing.

The ambivalence enacted – from staging to badgeshifting

Underneath, or parallell to, the surface order is another order where the roles are not at all as clear. I did observe lobbyists who met the politician, or an assistant, in a pre-booked meeting, told what they wanted to tell in a certain issue, gave a position-paper and left. We could call this straightforward lobbying. From my observations, however, these cases represented more the exception than the normality counting all the interactions between lobbyists and politicians that I observed.

More often the roles were blurred and not as clear and distinct. Even though EU-documents and literature clearly states lobbyists as a clear category of people in Brussels the lobbyists in practice sometimes denies being lobbyists at all or tries to blur the role so they are not clearly identified as lobbyists. It seems to be important for the lobbyists to re-assure politicians that they are not plainly and simply lobbied. It is a curious fact that being seen and acting as a lobbyist does not seem to be a basis to do the job in Brussels. On the contrary, it seems part and parcel of the European lobbyist's job to assure a conversation partner that one is, in fact, not a 'lobbyist' – not a lobbyist 'like all the other' lobbyists, at least.

A situation towards the end of my shadowing-time in Brussels further convinced me of the importance of this notion. This was the situation that was mentioned in the introduction of this paper. I was happy to have been invited to a meeting with about 25 young lobbyists in Brussels. They discussed their work and there seemed to be a consensus regarding the ambivalent atmosphere they are working in, either they were in-house lobbyists or consultants. Towards the end of this meeting one of the guys sighed and then he made his interesting remark: he suggested they should start to wear buttons with “I’m a lobbyist and I’m proud” on them. There was quite an excited atmosphere. The people thought it was a brilliant idea. Whether these young lobbyists will make a difference and change the practice is a matter of further study but what we can conclude here is that these young people had noticed something they didn’t feel comfortable with and I’ll show here what I saw of that.

First of all, there are lobbyists who act to avoid being thought of as a lobbyist. One of the clearest examples of an avoiding strategy is a lobbyist I choose to give the codename Pelle. Pelle was the head of an organisation in Brussels who just moved to a new office. They invited all the Swedish political groups in the EP for a housewarming lunch and I took part in one of these. I could observe a lunch staged thoroughly in the aura of downplaying the fact that these people who hosted the meeting were lobbyists. I can’t explain Pelles engagement in hairsplitting in any other way.

First of all, in the meeting Pelle explicitly denies being a lobbyist. His organization has lobbyists, he can’t fully deny that even though he’d prefer to while he adds: “if we are going to talk in those terms”, /the lobbyists are/ “home in Stockholm”. He and his colleagues’ task, according to Pelle, were to “gather information and understand what is going on”. When he talks about the people that are supposed to be the lobbyists at home he doesn’t even define them as lobbyists while he talks about them as the ones with “specific knowledge” that the generalists in Brussels, they, are calling after when needed. Pelle thereby avoid talking about the organisation having an issue or agenda of their own that they want to argue for in Brussels. Pelle enforces this message by the whole setup of the meeting: The MEP:s were asked beforehand which issue they’d like to discuss and be provided experts, flown in from Sweden, on. Already in the introduction of the meeting he effectively withdraws himself from being the author of messages from his organisation by referring to the members reducing his role to the role

of the animator (Goffman 1981) of the member's opinions when he rhetorically asks: "do you want to know what our members think". By using the word "think" Pelle also effectively avoids implying intent to influence. He could have said "propose", "wish" or even "want" but with the humble "think", Pelle frames his organisation as non-strategical, authentic and legitimate: just providing scraps of evidence from real life, real people that the politicians need in their work. In addition, the fact that the members "thoughts" are brought to Brussels by two jurists, experts, couches the whole situation in a setting of factuality, and therefore also legitimacy: it's not only about the wishes of the members, it's also about what is legal and what is their legal right.

It does not make sense, I argue, to enter into a debate whether Pelle is a lobbyist or not. He is a lobbyist, of course. And he is not only a lobbyist according to my personal definition, as proposed in this thesis. He is also a lobbyist according to his very own organisation's homepage. On the organisation's homepage it clearly and unequivocally says: "the main duty at the Brussels office is to transmit information that makes it possible to influence the EU political decision process as early as possible" (author's translation).

There was another case with a lobbyist who explicitly defined himself as something else than a lobbyist even though he clearly was a lobbyist. This observation was also during one of the weeks in the EP. The setting was an evening dinner in one of the EP-dinner-rooms. The MEP I shadowed was a bit reluctant to visit the dinner at all but felt obliged because of the MEP who invited him and who hosted the dinner together with the lobbyists' organisation. "My" MEP was a rapporteur on a Commission-proposal and the lobbyist who arranged the dinner wanted to argue in favour of a certain aspect of the proposal. We were about 30 persons there. Except for the MEP there are people from the Commission that had worked with the proposal and people from different NGOs and organisations I couldn't get information on. The dinner starts with a long mingle, maybe 30 minutes, while we are waiting for the MEP who is hosting the dinner. She arrives and holds an introductory speech and welcomes us all. She leaves and the lobbyist starts his presentation. Already in the beginning he does the statement: "I'm not a lobbyist. I am a researcher and an idealist, that's true. I ask you kindly to differentiate between the good and the bad," during saying this he shoots of a large smile. The lobbyist gets into technical details on what he thinks should define standard in the proposal "my" MEP is

working on at the moment. Rather soon in the dinner we are intervened by another MEP, from the same country as the host-MEP and the lobbyist. He pops in to the room and interrupts the lobbyists' speech. The MEP apologizes that he can't take part in the dinner but holds a little speech on what he thinks is most important in the issue that are on the table during this dinner. He talks in favour of the lobbyist. The audience who is invited has no active part in the dinner. However, the C'ion are there to signal their support for the proposal from the man and their presence could also be seen as a favour to the rapporteur: if he has questions on the proposal they could answer him. The NGO:s and the other organisations provide the perfect context that embeds the whole meeting in the idealistic atmosphere the lobbyist is pledging for in his introduction.

What we see here is a coordinated performance, what I call "a staging", by the lobbyist, two MEPs and the audience to downplay the lobbyist's role as a lobbyist and portray him as a man perfect in the taste of the rapporteur. What all three actors, the lobbyist and the two MEPs, namely for sure are aware of is that the MEP who is the rapporteur is a man of reasoning and a strong belief in science for a better world. He is also a man that has a strong drive for justice and environment and is famous for putting these values higher than party politics. In a small talk at his office a day before he also comments on another MEP who he thinks is far too ideology-bound instead of realising that they are working with technical issues.

Even though my intent is not to evaluate whether the practices I observed are successful or not it is interesting for the reader to know that the rapporteur who was quite suspicious and told me before the meeting that he didn't believe in the technique that the lobbyist would present but that he would go to the meeting because he felt obliged to by the hosting MEP, was now convinced about the issue at stake.

A third example of denying being a lobbyist is a case that borders to fraud and is a full change of functional role rather than discursively telling about a role-change. It was a young woman who was in the panel in a hearing in the EP as a researcher. She was presented as a researcher, and only as a researcher, and she presented her research regarding the hearing's topic. When the hearing was over I had the opportunity to have a small talk with the same woman and she told me, in a slightly embarrassed way, that she was in fact working as a campaigner for one of the organisations that was co-organizing the hearing, a NGO. Half

mumbling she told me that she used to be connected to a certain university, and as far as I could understand she did her masterstudies there. The woman presented herself to the politicians and other listeners as something she didn't was.

Similar to this case with the researcher is a lobbyist who did consultancy for a Swedish authority. I met him during one of the shadowingweeks at another lobbyist and one day I had the opportunity to sit down with him for an open interview about his work and what he is doing. Except for working at his organisation as a lobbyist he also represented the authority at different meetings and occasions in Brussels. He had two badges, one for each identity. I asked him when he used the one or the other and he answered that he puts on the badge he thinks would be most efficient for the situation.

Technically neither the female researcher/lobbyist nor the authority representative/lobbyist are lying. The authority representative is even a lobbyist in this role too². The woman had done research that she was presenting. But both avoided mentioning their identities as lobbyists for private organisations (the NGO respectively a private firm) in their performances³.

I call this activity *badgeshifting*. It was also an everyday activity for the people who are engaged in trade associations. I met a few of these people, one of them were in one of the offices I shadowed for a week. The principle was to engage in a trade association and take a top position. The person could then choose to emphasize, or not, when he or she represented the association in meetings, that he or she was actually in Brussels on behalf of a private firm. The person was still a lobbyist with the trade-association badge but with an expanded possibility of footing (Goffman 1959/1990) depending on the situation, in some cases it could be better to represent one firm and in other situations to represent a larger group.

Badges in general were a prominent part of Brussels life and especially in the institutions where the badge gave you the entrance, for

² In another study it would be interesting to see whether a person in the same situation, who can change badges, also adopt a different posture and interactional style or whether he or she stays on being exact the same person.

³ Note that I just have second hand information regarding the public authority-person. It could be that he orally tells about his "real" work at the private firm too when he meets people and wear the authority badge. The important thing here though is that he is shifting badge after the specific occasion.

example to the EP-building. A lobbyist who wanted access to the EP-building without having to ask a MEP for help to get in everytime could apply for accreditation to the EP, as told before. He or she would then be registered and get a personal brown badge to wear while entering and being in the EP. Funnily enough I could often see how especially young lobbyists pursued different ways of hiding the badge when they were in the EP: put it in the breastpocket of the shirt or hiding it neatly under a generous shawl. I asked people during the MEP-weeks if this was a coincidence or a regular pattern by lobbyists in the EP and they confirmed my suspicion. The “brown-badges” typically didn’t like to show that they are lobbyists; at least that was the notion of the MEP-assistants.

Another track in the complexity of the lobbyist’s identity is the need to show that you are not only a lobbyist: you have been on the inside, in the meaning the political circle of MEP:s and their civil servants. The most common was in a side remark in a conversation with a politician to mention that you have done some time as an assistant in the EP or in another European institution, that you have been studying European politics at a prestigious university (several times during my observations I was told that that is the university in Liege, but that is only a very informal observation). A variant of this was the person who in a network meeting, organised by a MEP and gathering lobbyists from private organisations and NGOs within a certain field, presented himself as a lobbyist from firm X, “but with all certainty soon a MEP” while he was the number one candidate from his home county in the next election. A further variant which I didn’t observe but heard about was the habit of organisations to provide an MEP with an extra assistant if the MEP was working on a certain proposal as a rapporteur and needed extra work force for a limited period of time. In the examples I was told by other MEP-assistants were the persons elected by the organisations and offered to the MEPs as extra work force and to work inhouse in the office of the MEP. In the first case it is unclear what the lobbyist wants to achieve more than a general status-improvement and maybe just to get listened to more, in the latter case we can only speculate about that it would not be easy for the MEP and the other assistant to view the new assistant as a lobbyist and not as a colleague as the others, who at least theoretically are there to listen to all interests who wants to communicate and be heard on a certain issue.

The complexity of the lobbyist’s role is also pushed actively by the MEPs. I saw MEPs taking initiative and introduce themselves to

lobbyists they happened to for example share an elevator with, I heard MEPs ask lobbyists for good stories they could use in their EP-work or asking lobbyist to influence other political parties in a certain issue.

In other cases I could see how the lobbyist asked the MEP to do the lobbyists job, similar to when Pelle asked the invited MEPs to choose issue to discuss. I observed that lobbyists asked MEPs to do something together (most often that meant a seminar in the EP which formally needed to be hosted by a MEP) but the question on what was not certain. In the meetings I took part when this issue was raised the parties discussed but did not reach a decision on what, only that they'd keep in touch on the issue. The lobbyist would of course not work for something that is without their area of interest, at least I couldn't see such work (one exception, which is discussed in Nothhaft, forthcoming), but what they were doing in these situations was to create a feeling with the MEP that he or she is setting the agenda for what the lobbyist should and would discuss.

Conclusions

The examples show that there is a need among lobbyists not to be the *lobbyist* who straight and unashamed tells the politicians what their organization want and need. There is clearly a need to re-legitimize that the specific doings are legitimate. I have given examples from changing badge to directing a whole performance that downplayed the lobbyist character of an interaction.

The *reason* for this behaviour is not a topic in this paper while the provided empirical material only makes *speculation* possible. The important issue here is that lobbying does come in different *ways*, *shapes* and, as I have shown in an earlier paper *settings* (Berggren 2009). While we can't define reasons we can neither put blame on either person in the interactions for these roleshiftings.

What we can conclude are the roles they took on instead of the straightforward lobbyist from a certain organisation: information gatherer, researcher, idealist, insider-friend, authority-representative, trade association representative and even to become an MEP-assistant. The lobbyists had support in their role enactments by the settings and also the audience.

Further research needs to be done to clear out if these roleshifting has consequences and if so, on what and how?

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