

Lobbying global venues: Sitting in or speaking out?

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Funding information

LISS DTP

Abstract

Understanding interest groups' participation in global policy processes is critical not least because of an increasing shift in policy-making powers to global institutions. This paper contributes to existing research by examining advocacy efforts at the global level and proposing a novel argument linking the degree of policy complexity and the amount of groups' resources to lobbying strategies. Specifically, it argues that interest groups invest in both inside ("sitting in") and outside ("speaking up") lobbying strategies when the policy at stake is complex and they have more resources. This theory is tested using extensive and novel data spanning interest groups' lobbying efforts on global Internet privacy regulation.

1 | INTRODUCTION

Interest groups rely on a variety of strategies to express their views and influence policy outcomes. "Inside" lobbying typically includes direct participation in decision-making processes, whereas "outside" lobbying refers to strategies of influence mobilising a larger audience or the public. There is no paucity of research on the issue of lobbying strategies (e.g., Beyers, 2004, 2008; Binderkrantz, 2005, 2008; Broscheid & Coen, 2003; Chalmers, 2013; Cooper & Boucher, 2019; De Bruycker & Beyers, 2019; Dellmuth & Tallberg, 2017; Junk, 2016; Kriesi et al., 2007; Marshall, 2010; Trapp & Laursen, 2017; Weiler & Brändli, 2015). Scholars have variously assessed the extent to which interest groups use inside and outside strategies (e.g.,

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Binderkrantz, 2005; Dür & Mateo, 2013; Hanegraaff et al., 2016; Kollman, 1998), when and why they do so (e.g., Gais & Walker, 1991; Kollman, 1998), as well as the effectiveness of each strategy (e.g., Baumgartner et al., 2009; Chalmers, 2013; De Bruycker & Beyers, 2019; Rasmussen et al., 2018).

At the same time, global advocacy efforts have received limited attention and scrutiny. The few studies that, to my knowledge, analyze global advocacy efforts tend to focus on 'diffuse' interests like non-governmental organisations (NGOs), and they mostly explain the use of outside lobbying at the global level to pursue organisational maintenance goals (Dellmuth & Tallberg, 2017; Hanegraaff et al., 2015, 2016; Tallberg et al., 2018). While groups are certainly interested in reaching out their members and/or donors, the use of outside strategies for *influence* should not be overlooked, especially for more "concentrated" interests like business. When and why do groups combine different strategies when lobbying global policy venues? To what extent is the combination of different lobbying strategies restricted to groups with superior economic resources? These are important questions of democratic politics. Lobbying strategies speak to the broader issues of the policy-making processes' bias towards powerful interests. If different strategies provide groups with different opportunities to be heard, then increased use and combination of various strategies by concentrated interests may distort the system of representation significantly (Dür & Mateo, 2013; Hanegraaff & Berkhout, 2019; Lowery & Gray, 2004). This issue is even more important as policy-making powers are increasingly shifting to global institutions (Mattli & Woods, 2009; Tallberg et al., 2018), which seek to address transnational issues and operate beyond national borders.

This paper empirically examines the linkage between inside and outside lobbying strategies at the global level. My starting point is the idea that interest groups prioritize one type of strategy, resulting in a substitution effect between the use of inside and outside lobbying. This substitution effect, I argue, is moderated by the degree of policy complexity. Put simply, interest groups engage in both inside and outside lobbying strategies when the policy at stake is complex. While decision-makers are generalists, interest groups are relative experts on the policy issues that are most important to them. Engaging in different strategies can help them appear as such. I add that the effect of complexity on lobbying strategies is mediated by groups' resources. Policy complexity is generally associated with the use of inside lobbying as it makes expert knowledge more easily transmissible (Binderkrantz & Krøyer, 2012; Junk, 2016; Klüver et al., 2015; Mahoney, 2008). The novel theoretical framework laid out in this paper adds to the literature by linking *both* inside *and* outside to the logic of expertise.

To examine lobbying strategies and these possible interaction effects, I focus on one far-reaching and global policy issue: Internet privacy regulation. The rapid proliferation of information and communications technologies has placed the protection of personal data and online privacy at the top of global political agendas (Bennett & Raab, 2020). Most of the rules existing at the global level have been issued by leading Internet regulatory agencies, namely: the Internet Corporation for Assigned Names and Numbers (ICANN), World wide Web Consortium (W3C), Internet Engineering Task Force (IETF), and Institute of Electrical and Electronics Engineers (IEEE). The rules set by these agencies are indispensable for the Internet to perform. They allow multiple systems and electronic devices to operate together, notably preventing an individual or an organisation from being locked into a single dominant (especially commercial) entity. Despite their seemingly technical nature, these rules are far from being apolitical. They can be subject to intense lobbying given their distributional consequences. Corporate interests, for instance, have much to lose if compliance with the new Internet policies requires making considerable changes to existing business practices.

Using web-scraping tools and novel natural language processing techniques, I collect unique data on lobbying strategies used in global venues. I measure inside lobbying using data retrieved from 26 working groups belonging to ICANN, IETF, IEEE and W3C, and outside lobbying using data retrieved from 800 news articles published worldwide. This results in an original dataset spanning interest groups lobbying efforts on global Internet privacy regulation.

The analysis shows a substitution effect between inside and outside lobbying that is significantly weakened by the degree of policy complexity, lending support to my argument. The results also indicate that the effect of policy complexity is more pronounced for groups with superior resources. The findings contribute to the literature by shedding light on advocacy behavior in global settings. Importantly, insights from the current analysis may have implications for other policy areas characterized by powerful global governing authorities, like in finance or trade.

2 | EXPLAINING LOBBYING STRATEGIES

2.1 | Determinants of inside and outside lobbying strategies

In this paper, I adopt a behavioral definition of an interest group (Baroni et al., 2014; Crepez et al., 2022), defining it as any organisation that tries to influence the formulation and implementation of public policy (Baumgartner et al., 2009; Grant, 1989; Wonka et al., 2010). It can thus be a firm or be composed of firms, has professionals as members, or works on behalf of a large number of individuals who can only expect diffuse benefits from the organisation's actions. Influence is generally defined as an actor's ability to shape a decision (e.g., Baumgartner et al., 2009; McFarland, 1987; Michalowitz, 2007). To influence policy-making, interest groups can use inside strategies, which involves sending emails, organizing meetings, participating in expert committees, and/or outside strategies, which involves contacting journalists, issuing press releases, and organising demonstrations. Inside strategies do not receive much public attention and are rarely visible to the public or a larger audience. In contrast, outside strategies aim at making policy positions publicly visible, potentially drawing a broader range of stakeholders into debates and generating pressure on policy-makers. While inside strategies are often presumed as more effective, the literature has not agreed on the inferiority of outside lobbying (Hanegraaff et al., 2016, p. 570). Recent work suggests that the effect of any lobbying strategy is instead conditional on the extent to which additional strategies are adopted (De Bruycker & Beyers, 2019).

Although primarily focused on national or European contexts, the literature sheds valuable light on the determinants of lobbying strategies. Scholars frequently attribute the selection of lobbying strategies to interest groups' permanent characteristics (Binderkrantz, 2008; Dür & Mateo, 2013; Gais & Walker, 1991; Weiler & Brändli, 2015). Research suggests that groups representing the 'public' or diffuse interests (e.g., NGOs, citizens groups) predominantly use outside strategies to signal their advocacy efforts to their members (Binderkrantz, 2008; Dellmuth & Tallberg, 2017; Hanegraaff et al., 2016; McFarland, 1984). Furthermore, diffuse interests are presumed to possess political information, which refers to knowledge about their members "encompassing interests" (Bouwen, 2002) and, thereby, the degree of support of the policy positions defended. Such information can be easily conveyed via outside channels. In contrast, concentrated interests like business associations or firms are said to possess expert and technical information that may be easily transmitted to policy-makers via inside channels (Dür &

Mateo, 2013). There is, however, little evidence to support that concentrated and diffuse groups possess different types of information. In fact, empirical work finds that different groups supply relatively similar forms of information to policy-makers (Chalmers, 2013; De Bruycker, 2016; Yackee and Yackee, 2006).

Institutional demands may explain why different groups largely supply similar information (Beyers, 2004; Chalmers, 2013; De Bruycker, 2016; Eising, 2007), thereby affecting the use of different lobbying strategies. According to Beyers (2004), interest groups use inside strategies when lobbying institutions that seek to gain technical information, and outside strategies when lobbying institutions that are sensitive to political information. In the case of the European Union (EU) for instance, inside strategies are favored for lobbying the European Commission, whereas outside strategies preferred for the European Parliament. In the same vein, Eising (2007) suggests that inside lobbying matches the need of the EU institutions, particularly the EU Commission, for timely and policy relevant information. Institutional factors can also refer to electoral settings and system types, that is, pluralist or corporatist. Scholars suggest that institutional opportunity structures like open consultation processes foster inside lobbying efforts (Mahoney, 2008; Weiler & Brändli, 2015; Woll, 2012). Empirical evidence, however, does not support the argument that such institutional settings determine the use of different lobbying strategies, at least at the EU level (Dür & Mateo, 2016).

Other contextual factors that may explain lobbying strategies relate to the policy issues characteristics (Beyers, 2008; Bunea & Lipcean, 2024; Dür & Mateo, 2016; Junk, 2016; Klüver, 2013; Klüver et al., 2015; Mahoney, 2008; Wonka et al., 2018). In particular, the attention accorded to a given policy issue (i.e., its salience), as well as the degree and type of conflict are seen as important factors that strongly affect lobbying behavior (Junk, 2016; Klüver, 2013; Mahoney, 2008). For instance, Junk (2016) suggests that, when policy issues are highly contentious, NGOs engage more in outside lobbying and less in inside lobbying. As they expect lower policy success, they prefer not to waste their economic resources. When policy issues are complex, on the other hand, inside lobbying is prioritized. While providing rich insights on when and why groups use different strategies, existing theories do not systematically examine how the intensity of inside strategies relates to outside efforts, especially when interest groups lobby global venues. The next section builds on previous research on how issue-context factors determine lobbying behavior and proposes a new argument combining policy complexity and group resources to explain the relationship between different lobbying strategies at the global level.

2.2 | Policy complexity, groups resources and the linkage between lobbying strategies

A central aim of this analysis is to advance a theoretical framework that sheds light on the linkage between inside and outside strategies by interest groups lobbying on global policy issues. I start from the idea that interest groups allocate their lobbying efforts strategically (Coen, 1997; Coen et al., 2021; Dellmuth & Tallberg, 2017; Hanegraaff et al., 2016; Kriesi et al., 2007; Nicoll Victor, 2007; Tallberg et al., 2018). As both inside and outside lobbying are relatively costly (in terms of time, staff or budget) and groups have scarce resources, they cannot systematically engage in multiple strategies, especially at the global level (Tallberg et al., 2018, p. 218). Therefore, increased efforts in one strategy are likely to result in decreased efforts in the other. In other words, the relationship between inside and outside lobbying is negative and

there is a *substitution effect*. This does not mean that the two strategies are mutually exclusive. It rather implies that groups tend to concentrate their efforts on a given strategy (e.g., Chalmers, 2013; Dür & Mateo, 2013, 2016; Hanegraaff et al., 2017; Mahoney, 2008).

However, the relationship between inside and outside lobbying is not that straightforward. My central argument is that the relationship between inside and outside lobbying is moderated by the degree of complexity of the policy at stake. Policy complexity is widely acknowledged to be an important factor in policy-making, shaping lobbying success and mobilisation biases (Bunea, 2017; Klüver, 2013; Klüver et al., 2015; Neshkova, 2014; Pagliari & Young, 2013; Rasmussen & Carroll, 2014; Røed & Wøien Hansen, 2018). Complexity typically refers to the degree to which an issue is difficult to understand (Klüver, 2012; Littoz-Monnet, 2017). A policy issue or area can notably be characterised as complex because of its degree of *technicality*, meaning it requires expert knowledge and skills (Littoz-Monnet, 2017, p. 2).

Many interest groups scholars have demonstrated that, when the policies discussed are complex, lobbyists choose to use inside strategies as they are seen as more efficient for communicating expert and technical information (Bouwen, 2002; De Bruycker, 2016; Dür & Mateo, 2013, 2016; Eising, 2007). It is often in closed settings like expert committees that the technical aspects of a policy proposal can be scrutinized and discussed in detail (Beyers, 2004). Outside lobbying strategies, on the other hand, can increase public awareness and potentially widen the scope of political conflict (Beyers, 2004; Dür & Mateo, 2016).

However, outside lobbying strategies are not irrelevant when the policies at stake are complex. A recent body of research suggests that, rather than exerting pressure on decision-makers, outside strategies can serve “inside goals” (Hall & Reynolds, 2012, p. 889) or help to manage inside lobbying efforts (Trapp & Laursen, 2017). Specifically, interest groups may use outside strategies, in particular media-related activities, to signal their interest and, importantly, expertise on a given policy issue (Aizenberg & Müller, 2021). This argument builds on Beyers' concept of *information politics* (2004: 214). In contrast to *protest politics*, which draws public attention and expands the scope of conflict, information politics is the public presentation of information to a particular elite, for example, key decision-makers. The implication is that, by being present in the news covering a complex issue, groups establish themselves as experts and trustworthy interlocutors of insider channels of participation. This can be reinforced through long-standing patterns of involvement in policymaking (May et al., 2016), but it can also depend on the ability to communicate effectively about technical issues. Decision-makers routinely interact with multiple groups (Lohmann, 1995), and even within businesses, division is more common than unity (Young & Pagliari, 2017). By engaging with the media, groups can enhance the credibility of their reports and positions.

This is not to say that inside lobbying is not as important as the existing literature suggests. Rather, I propose that, while groups continue to use inside strategies to transmit valuable information, they might also engage in (expertise-based) outside strategies. Conversely, if groups predominantly rely on outside lobbying, they may need to incorporate inside strategies as this allows them to provide the detailed information that complex policies demand. This implies that the negative relationship – or substitution effect – between inside and outside lobbying strategies diminishes when policies are more complex. In other words, groups are less inclined to substitute one strategy for the other, leading to a greater combination of both strategies. This theory is thus consistent with the existing literature and the widely held idea that inside lobbying is associated with the provision of expertise. Admittedly, this perspective does not consider *protest politics*. Nevertheless, while protest politics does occur, it remains relatively

limited (Beyers, 2004). Furthermore, one might argue that expertise can be used for pressure politics as well. Taken together, these points lead to my first and central hypothesis:

Hypothesis 1. Policy complexity reduces the extent to which inside and outside lobbying are substituted for one another, leading to a greater combination of both strategies.

At the same time, the extent to which policy complexity affects inside and outside lobbying may depend on an interest group's resources. Indeed, a group's ability to diversify its lobbying tactics increases with the *amount* and *heterogeneity* of its resources (Binderkrantz, 2005; Dür & Mateo, 2016; Mahoney, 2007; McKay, 2012; Thrall, 2006; van der Graaf et al., 2016). Policy complexity is known to generate substantial information asymmetries between different interest groups, increasing the mobilisation costs for those groups lacking time and expertise (Broscheid & Coen, 2007; Pagliari & Young, 2013; Rasmussen & Carroll, 2014). The implication is that when the policies discussed are complex, groups with inferior resources cannot afford to engage in diverse strategies. The costs associated with inside lobbying, in particular, might outweigh the potential policy benefits. Direct participation notably requires articulating detailed position papers, preparing and traveling to meetings, and staying up to date on policy developments. Some outside strategies also require substantial amounts of material resources (e.g., organising public events), though others (e.g., issuing press releases) are relatively inexpensive when compared to inside strategies (Dür & Mateo, 2013). These points lead to the second hypothesis:

Hypothesis 2. The effect of policy complexity on lobbying strategies is mediated by the amount of groups' resources.

3 | RESEARCH DESIGN

3.1 | Data selection and collection

Policy context significantly influences lobbying success and strategies (Atikcan & Chalmers, 2019; Klüver et al., 2015). To hold the policy context constant, I narrow the empirical focus of the analysis to one global issue, that is, Internet privacy. The Internet continues to become further integrated into all aspects of the global culture and economy, making data protection and Internet privacy the most pressing issues of the contemporary era (Bennett & Raab, 2003, 2020; Christou & Rashid, 2021).

I select 29 policies addressing data protection and Internet privacy issues. These policies have been developed by ICANN, IETF, W3C and IEEE. These agencies are not established through international treaties as independent government bodies. They are, however, expert bodies prescribing the quality of given practices and procedures related to the Internet's architecture and online communication (Bygrave & Bing, 2009; Christou et al., 2020). They play a significant role in shaping web regulations, data exchange, and access, often seen as complementing legislative frameworks by addressing practical needs (Bennett & Raab, 2020).¹ While authoritative in their domains, they are not subject to the same direct democratic processes that govern legislative bodies. They may prioritize the interests of concentrated interests over the concerns of the public, and the value placed on expertise may outweigh constituents' representation.

Although Internet privacy can be seen as a transversal principle that is addressed in some way in all policies established by these agencies, I choose to focus on policies that specifically address privacy and data protection issues.² Indeed, they have a potentially large impact on key issues like human rights and business practices and are likely to garner considerable interest from various groups, including technology companies and consumer rights organisations, even though they are formulated in non-legislative venues. A list of the policies selected is found in the Appendix (Supporting Information S1: Table A1).

Most studies on lobbying strategies tend to rely on survey data (e.g., Binderkrantz, 2005; Caldeira et al., 2000; Chalmers, 2013; Dellmuth & Tallberg, 2017; Dür & Mateo, 2013; Hane-graaff et al., 2016; Nicoll Victor, 2007; Weiler & Brändli, 2015). Instead, I rely on quantitative data retrieved from news media coverage, as well as from participation in the working groups responsible for developing the policies selected. By doing so, I seek to identify the intensity of lobbying efforts, without underestimating or overestimating the different strategies employed, that is, a problem that can arise with self-reported data (Beyers, Braun, et al., 2014). Groups might indeed have an incentive to minimise their lobbying activities to deter counter-lobbying (Binderkrantz & Pedersen, 2019), or they might exaggerate their efforts to demonstrate active participation. Furthermore, surveys often fail to capture the policy context in which interest groups operate (Beyers, Dür, et al., 2014; Marchetti, 2015) and may overlook the interplay between different lobbying strategies. Admittedly, using data from news media coverage and working groups' membership is not without limitations, potentially omitting groups that use alternative channels to lobby on the selected policies.

3.2 | Data operationalization

3.2.1 | Inside lobbying

As inside lobbying is commonly conceptualised as a form of direct engagement in policy-making processes (e.g., De Bruycker & Beyers, 2019; Dür & Mateo, 2013; Weiler & Brändli, 2015), looking at interest participation in the agencies' working groups can help to capture inside lobbying efforts. By holding a working group's seat, an interest group can try to shape the content of the rules produced. No invitation is needed to participate in the working groups, leaving the decision of whether to contribute or not in the hands of each interest group. While some may require membership fees, varying by group type and size, non-profit public-interest groups are exempt from these fees.

For each privacy policy selected, I measure *Inside lobbying* using the number of seats that individual interest groups hold within the corresponding working group. As 3 of the 29 policies selected were issued by the same working group, I use data comprised of 26 working groups. Data for this measure of *Inside lobbying* is retrieved from each Internet agency's website (details can be found in Supporting Information S1: Table A2 of the Appendix). Extracting information from the agencies' working groups is far from an easy task. Whereas such information is publicly available for W3C, ICANN, and IEEE, IETF does not have a formal membership, making it difficult to examine who participates in its working groups. Internet Engineering Task Force working groups' mailing archives are, however, available. As most of the IETF work takes place on mailing lists, assessing participation through mailing archives is relevant and makes it comparable to other agencies.³ Extracting IETF's participants requires retrieving the content of more than 121,000 email messages to obtain the participants' email addresses and, thereby, their

TABLE 1 Distribution of working groups seats.

| Internet regulatory agency | Number of working groups | Number of seats |
|----------------------------|--------------------------|-----------------|
| ICANN | 4 | 111 |
| IEEE | 2 | 44 |
| IETF | 12 | 524 |
| W3C | 8 | 243 |

professional affiliations. To do so, I use state-of-the art web scraping techniques (Munzert, 2015). As individuals and groups can join and leave the working group anytime, I decided to keep only interest groups that have sent more than 10 emails. It should also be noted that when private email addresses like Gmail are used, participants are considered as individuals and not representatives of the group for which they work, and therefore, they are excluded from the analysis (i.e., 447 seats are excluded from the analysis). Seats held by representatives of regulatory agencies (e.g., public officials from ICANN) and governmental organisations are also excluded from the analysis (i.e., 50 seats excluded). As a result, 922 working group seats are examined in this study. Table 1 provides a breakdown of the sample by Internet regulatory agencies.

3.2.2 | Outside lobbying

Outside lobbying involves communicating political messages and positions through the public media to engage a broader audience.

To measure *Outside lobbying*, I use the number of times an interest group appears in the news articles covering the Internet privacy policies selected for this study. Such a measure of *Outside lobbying* involves matching interest groups participating in the agencies' working groups and mentioned in news articles by name, as well as carefully searching for different versions of the name as well as organisational abbreviations. Interest groups that were not represented in the working groups but were mentioned in the news articles are also included in the analysis, thus avoiding a focus on the outside strategies of the groups already involved. Relying on the reported actions and opinions in the news certainly simplifies a set of diverse outside strategies and can be biased towards well-resourced groups. Indeed, scholars studying the public visibility of organized interest have found that media coverage tends to be biased toward economic groups possessing greater resources (Andrews & Caren, 2010; Binderkrantz et al., 2015, 2020; Thrall, 2006). Nevertheless, this measure allows us to quantify a group's attempts to voice policy positions on policy issues (Junk, 2016). By issuing press releases, holding press conferences, or contacting journalists, interest groups seek media and attention from a particular audience. While the presence of interest groups in the news may suggest that they managed to draw attention of those who control the media agenda, this visibility remains contingent upon undertaking visible actions (Gheyle & De Ville, 2019; Gromping, 2019).

I collected news articles from Factiva, a database that collects contents from various sources of information. This covers both national and regional distributions and includes major newspapers like The Wall Street Journal, along with more specialized newspapers like the Journal of Engineering. While there is no global media, this approach guarantees a

comprehensive overview of media-related activities conducted across various regions. The Appendix provides further details on the use of Factiva and media sources included (Supporting Information S1: Tables A3 and A4). As data is skewed, *Outside lobbying* is log-transformed to normalise distribution.

3.2.3 | Interest group material resources

Material resources are critical for engaging in policy-making processes, whether it involves preparing and engaging in working group meetings or voicing positions through press releases and interviews. I take the staff size of the interest organisation to express *Resources*. The number of employees is indeed a commonly used indicator of the financial resources of an interest group (Chalmers, 2014; De Bruycker & Beyers, 2019; Klüver, 2012; Mahoney, 2007; Stevens & De Bruycker, 2020). Moreover, a larger staff often reflects a higher level of professionalisation and a broader range of skills and competences. This, in turn impacts the variety of lobbying activities an interest group can undertake (Coen et al., 2021, p. 15). I retrieve this information from each interest organisation's website. As data is skewed, it is log-transformed to normalise distribution.

3.2.4 | Policy complexity

To measure a document's complexity, scholars often rely on the number of words used (Junk, 2016), the Flesch reading ease (FRE) level (Røed & Wøien Hansen, 2018) or Type Token Ratios (TTR) (Aizenberg & Müller, 2021). While the FRE measures how difficult it is to read a given document based on average sentence length and average word length, the TTR measures the complexity of a text by assessing how rich a text is in terms of words used. These measures thus seem to capture 'lexical' complexity in terms of 'read-ability' and 'language diversity'.

Instead, I measure the 'technical' complexity of policy documents by dividing the total number of words by the number of words having fewer than two synonyms, an approach developed by Osnabruegge and Vannoni (2022). The reasoning behind this measure is that the more words with few synonyms there are in the policy document, the more technical the language is (given technical terms generally have very few synonyms). Technical complexity is measured for each policy document, each corresponding to a specific Internet privacy policy under study. Examples of technical words contained in the policy documents include 'encryption', 'authenticated', 'hostname', 'concatenate'.

To avoid reverse causation concerns that the complexity of a policy might be influenced by the type and range of interest groups involved in the policymaking process, I analyze the first published draft rather than the final approved document. The Appendix contains examples of both highly and lowly complex policies as well as further details on the steps required to measure technical complexity (see Supporting Information S1: Table A5). A Pearson correlation found a moderate negative relationship between TTR and technical complexity (see Supporting Information S1: Figure A1), suggesting that documents with more technical terms are less lexically complex. *Policy complexity* ranges from 0 to 1, with higher values indicating higher degrees of policy (technical) complexity.

3.2.5 | Control variables

I include interest group type as a control variable in the analysis to address potential biases in the measure of outside lobbying and account for the impact of non-material resources (such as membership). Consistent with existing studies (e.g., Hanegraaff et al., 2016; van der Graaf et al., 2016), I classify interest groups into the following categories: companies, business associations, NGOs, and research organisations (including think tanks, research institutes and universities). I manually coded the groups using information from their websites. Although research organisations do not claim to have political affiliations, many of them serve as government or corporate sponsored think tanks, which means that they are keen to provide information in support of their sponsors (Hanegraaff et al., 2016).

I also controlled for the salience of the Internet privacy policies, using the number of news articles published (Kastner, 2017; Pagliari, 2013). Interest groups often use outside strategies when lobbying on high-profile policies (Dellmuth & Tallberg, 2017; Dür & Mateo, 2013; Junk, 2016), potentially driving the linkage between inside and outside lobbying. The Appendix provides additional details and summary statistics (Supporting Information S1: Tables A6 and A7).

4 | EMPIRICAL ANALYSIS

The analysis is not primarily centered on examining how given independent variables affect a given dependent variable. Rather, the emphasis is on exploring the overall relationship between inside and outside lobbying. Because of its common association with policy complexity, I choose to use *Inside lobbying* as my main outcome variable.

Table 2 presents the results of the main regression analyses. As the dependent variable, *Inside lobbying*, is a count variable which is over-dispersed (the variance of the dependent variable is about six times greater than the mean), I have opted for negative binomial negative regression analysis (Hilbe, 2011). The analyses include fixed effects to control for variations among Internet regulatory agencies.

In model 1, I examine the effects of *Outside lobbying*, *Policy Complexity* and *Resources*, without any interaction terms. In model 2, I introduce the interaction term *Outside lobbying x Policy complexity* in the regression analysis.

Before looking at my two hypotheses more closely, a few observations can be made. First, the regression analysis suggests that *Inside lobbying* is negatively related to *Outside lobbying* in both models, showing a substitution effect. Clearly, the more an interest organisation speaks up and voices a position on a given policy, the fewer seats it has on the working group dealing with that policy. This result holds when *Outside lobbying* is analyzed as the outcome variable (see Supporting Information S1: Table A8), and in a linear regression with multiple fixed effects (see Supporting Information S1: Table A9). Second, the variable *Resources* is also statistically significant and positive. This suggests that groups with more resources invest more in *Inside lobbying* than groups with fewer resources, a finding which is consistent with existing literature (e.g., Dellmuth & Tallberg, 2017; Dür & Mateo, 2013). Regarding *Organisation-type*, the results indicate that research organisations significantly engage in more *Inside lobbying* than the reference category (i.e., business association). However, the results show no other significant variations across different types of interest groups.

TABLE 2 Lobbying strategies and policy complexity.

| Variables | (1) | (2) |
|--|--|------------------------|
| | Dependent variable: <i>Inside lobbying</i> | |
| Outside lobbying (logged) | -2.709*** (0.247) | -3.653*** (0.438) |
| Policy complexity | -0.0579 (0.269) | 0.0228 (0.0614) |
| Resources (logged) | 0.0370*** (0.00847) | 0.0362*** (0.00847) |
| Interaction | | |
| Outside lobbying x policy complexity | | 1.802** (0.518) |
| Control | 0.0385** | 0.0409** |
| Salience (logged) | (0.0189) | (0.0191) |
| Group-type (ref: business association) | | |
| NGOs | -0.311 (0.217) | -0.327 (0.217) |
| Companies | -0.128 (0.172) | -0.148 (0.172) |
| Research | 0.625*** (0.181) | 0.614*** (0.181) |
| Constant | 0.869*** (0.269) | 0.859*** (0.200) |
| AIC | 3405.212 | 3393.005 |
| BIC | 3445.259 | 3438.057 |
| Observations | 1103 | 1103 |
| Number of agencies | 4 | 4 |

Note: Standard errors in parentheses.

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

Turning now to the analysis of hypothesis 1 in model 2, the results provide evidence for my argument. The regression analysis indicates that the interaction between *Policy complexity* and *Outside lobbying* is statistically significant, with a p -value of <0.01 . The interaction is also positive, but regression results alone are not sufficient for interpreting an interaction effect. Figure 1 helps us interpret these results by plotting the marginal effects of *Outside lobbying* at two different levels of Policy complexity, namely: low and high complexity. The average marginal effect captures how much a one-unit change in the intensity of *Outside lobbying* influences, on average, the predicted intensity of *Inside lobbying*.

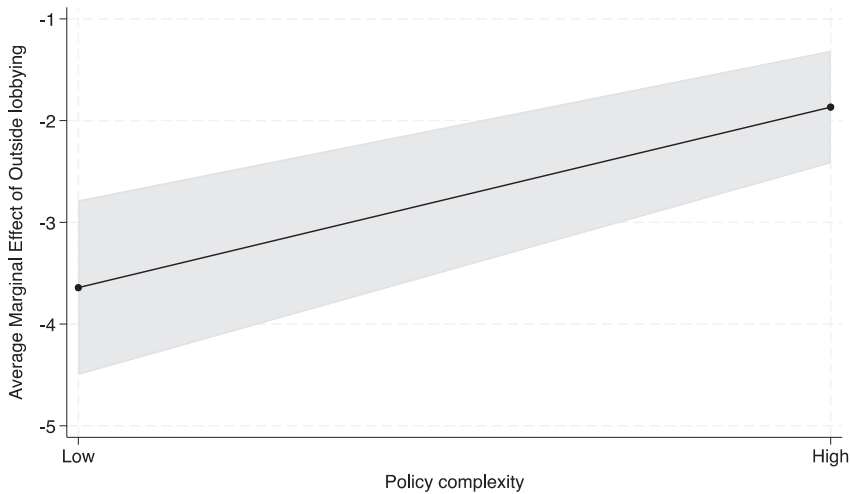


FIGURE 1 Policy Complexity and Lobbying Strategies. Average Marginal Effects of Outside lobbying on Inside lobbying with 95% confidence intervals based on Model 2. Policy complexity is divided into two groups based on its quantiles.

Figure 1 shows that *Policy complexity* moderates the relationship between *Inside* and *Outside lobbying*. Indeed, *Outside lobbying* remains negatively associated with *Inside lobbying*, but as *Policy complexity* moves from low to high, the negative effect of *Outside lobbying* on *Inside lobbying* decreases (moving from is -3.5 to -1).⁴ Additional robustness tests are provided in the Appendix, including binomial negative regression with incident rate ratios (Supporting Information S1: Table A10) and a logistic regression analysis (Supporting Information S1: Table A11).⁵ Supporting Information S1: Figure A3 in the Appendix also presents separate regression model estimates, detailing the impact of *Policy complexity* on the levels of *Inside* and *Outside lobbying*. Consistent with the argument, the results indicate that, at very high levels of policy complexity, groups that are already engaged in one form of lobbying (either inside or outside) are more likely to increase their use of the other strategy.

Next, I test the conditional effect of group resources (i.e., hypothesis 2). To do so, I perform binomial regression analysis while sampling the data set. Table 3 presents results of two models. Again, I use *Inside lobbying* as my outcome variable and include fixed effects at the level of the agency. In model 3, the effect of *Outside lobbying* and *Policy complexity* is tested for interest groups with fewer resources (i.e., groups whose resources are inferior to the mean). In model 4, the effect of *Outside lobbying* and *Policy complexity* is tested on *Inside lobbying* for interest groups with greater resources (i.e., groups whose resources are superior to the mean). Interest groups with superior resources notably include large technology firms like Microsoft, Google and Ericsson, while groups with inferior resources include NGOs like Electronic Frontier Foundation as well as small technology firms. The results indicate that, for groups with more resources, a combination of *Policy complexity* and *Outside lobbying* has a significant effect on *Inside lobbying* with a p -value of <0.01 , whereas it fails to reach statistical significance for those with fewer resources. Figure 2 illustrates this by plotting the marginal effects of *Outside lobbying* at two different levels of *Policy complexity* (i.e., low complexity and high complexity). It shows that *Policy complexity* has a stronger impact on the reduction of substitution effect between lobbying strategies when interest groups have superior resources. An alternative approach would involve including three interaction terms in the regression analysis, but this generally

TABLE 3 Lobbying strategies, Policy Complexity and the Conditional Effect of Resources.

| Variables | (3) | (4) |
|--|--------------------------------|--------------------------------|
| | Groups with inferior resources | Groups with superior resources |
| Dependent variable: <i>Inside lobbying</i> | | |
| Outside lobbying (logged) | -4.264*** (0.968) | -3.388*** (0.500) |
| Policy complexity | 0.117 (0.0866) | -0.0288 (0.0894) |
| Interaction | | |
| Outside lobbying x policy complexity | 1.370 (1.377) | 1.729*** (0.577) |
| Control | | |
| Salience (logged) | 0.0182 (0.0279) | 0.0460* (0.0272) |
| Group-type (ref: business association) | | |
| NGOs | -0.220 (0.210) | -1.707*** (0.625) |
| Companies | -0.0606 (0.164) | -1.457*** (0.489) |
| Research | 0.664*** (0.186) | -0.827* (0.494) |
| Constant | 3.702*** (0.693) | 1.814*** (0.496) |
| AIC | 1335.542 | 1900.401 |
| BIC | 1369.904 | 1935.038 |
| Observations | 542 | 561 |
| Number of agencies | 4 | 4 |

Note: Standard errors in parentheses.

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

requires a larger sample size,⁶ and the results can be more difficult to interpret (Jaccard and Wan, 2003). Such an analysis is, nevertheless, provided in the Appendix (Supporting Information S1: Table A12), and the three-way interaction is found to be statistically significant.

Overall, the results indicate that complexity acts as an important moderator of the relationship between inside and outside lobbying, particularly for well-resourced organisations. These organisations can afford to engage in complementary strategies, thereby increasing their chances of having their preferences reflected in the policies adopted (Baumgartner & Leech, 1998; Beyers, 2004; Kriesi et al., 2007). In contrast, groups with inferior resources cannot

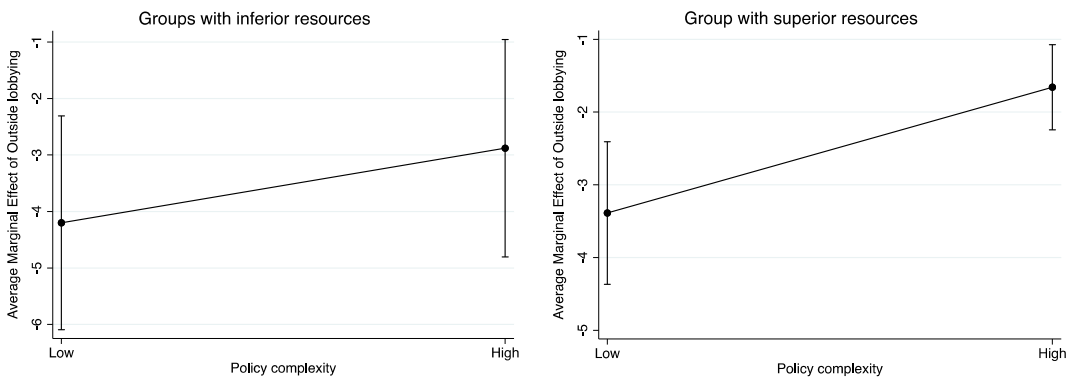


FIGURE 2 Policy Complexity, Group resources, and Lobbying Strategies. Average Marginal Effects of Outside lobbying on Inside lobbying with 95% confidence intervals based on Model 3 and Model 4.

afford to engage in various strategies when lobbying on (technically) complex policies, potentially limiting their ability to influence policy outcomes.

5 | CONCLUSION

This paper has examined global advocacy efforts and proposed a novel argument in which the degree of policy complexity and the amount of group resources moderate the linkage between inside and outside lobbying. To hold the policy context constant, I have narrowed the empirical focus of the analysis to Internet privacy regulation. I have used unique and extensive data on lobbying strategies in the context of global data protection and Internet privacy rules determined by ICANN, IETF, IEEE and W3C.

The findings provide some evidence that the relationship between inside and outside strategies at the global level is a rather sophisticated one. While there is a substitution effect between inside and outside lobbying strategies, policy complexity greatly contributes to decreasing this effect. The importance of inside lobbying for influence was already well-established, but the present findings suggest that outside lobbying entails more than pressuring policy-makers. Outside lobbying can complement inside lobbying to signal specialised knowledge and interest, making it a relevant strategy at the national, supranational and global levels. From a normative perspective, this also means that the reliance on expertise can marginalise broader political considerations and favor wealthier groups, leading to inequalities among advocacy groups in being recognized as credible and authoritative participants in policy debates.

Although the present paper focuses on Internet privacy, we should expect similar findings in other policy areas governed by powerful global authorities, like in trade or finance. It is furthermore important to enhance our knowledge of ICANN, IETF, IEEE and W3C, which hold jurisdiction over the intricate web of global communication, education, and commerce known as the Internet. Such venues play a growing role in governing global issues alongside traditional public actors such as states (Cashore et al., 2021).

One important limitation of the paper is the measure of outside lobbying based on appearance in the news, which simplifies a great deal of outside strategies and might be biased towards groups with superior resources. A complete picture would need to include more data on the outside strategies used by interest groups. It would also include examining the content of

the articles published to shed light on how interest groups signal their expertise in the news. As research suggests, organised interests are able to use different narratives to define a given policy issue and provide relevant information (Baumgartner et al., 2009; West & Loomis, 1999).

The issue of lobbying strategies is underpinned by broader questions of interest group influence. These, however, are not explored in the present analysis. Ultimately, empirical research could assess interest group's influence over global data protection and Internet privacy rules, building on the data set constructed for the present paper. Internet privacy and data protection are not only big business. They also have important implications for societal trust in using online platforms and for digital rights more broadly.

ACKNOWLEDGMENT

LISS DTP awards ESRC-funded postgraduate research studentships.

CONFLICT OF INTEREST STATEMENT

The authors declare no conflict of interest.

DATA AVAILABILITY STATEMENT

The data that support the findings of this study are available from the corresponding author upon reasonable request.

ENDNOTES

- ¹ An example of their work is the Do-Not-Track (DNT), developed by W3C in 2012, designed to allow users to opt-out of tracking across websites.
- ² Most of the policies selected for this analysis are issued by IETF and W3 which are generally more concerned with privacy issues (Christou et al., 2020, pp. 44–45).
- ³ <https://www.ietf.org/how/lists/>
- ⁴ Supporting Information S1: Figure A2 in the Appendix shows the marginal effects at three different levels of *Policy complexity*, that is, low, moderate, and high.
- ⁵ For the logistic regression analysis, I introduced a new outcome variable that equals “1” when a group uses both strategies, and 0 otherwise. This analysis aims to examine directly how the complexity of the policies at stake affects the use of different lobbying strategies by interest groups. The results indicate that as policy complexity increases, interest groups are more likely to combine both lobbying strategies, lending further evidence to my argument.
- ⁶ Large samples sizes are frequently required to detect three-way interactions successfully. This is because the statistical power to detect interaction effects is generally lower than for main effects, and the complexity of three-way interactions further exacerbates this issue. Three-way interactions need sample sizes that are approximately four times bigger than two-way interaction (Heo & Leon, 2010).

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SUPPORTING INFORMATION

Additional supporting information can be found online in the Supporting Information section at the end of this article.

How to cite this article: Antoine, E. (2024). Lobbying global venues: Sitting in or speaking out? *Governance*, 1–20. <https://doi.org/10.1111/gove.12903>