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## Original Article

# Interest groups and policymaking: Evidence from Chile, 2006–2014

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**Abstract** This article focuses on two research questions: Which interest groups (IGs) participate in the Chilean legislative process? How successful are the different types of IGs in getting what they want from legislative decisions? On the basis of the main findings of academic research on IGs, we identified three hypotheses about their participation and success in the decision making process. In order to test them, we created a database consisting of 571 bills that had passed through the Chilean parliament between 2006 and 2014, which contains information regarding the content and type of bills and the IGs that participated in the discussion of those bills. We found that Chilean business IGs are the most active of any type of IG. Second, as expected, in the Chilean case the participation of business interest groups is more intense in legislative bills dealing with economic issues. In this context, we found that their participation diminished and/or fell into line with that of other group types when the issue areas under scrutiny were not economic. Third, our preference attainment study on 30 law-making processes shows, contrary to our expectation, that the policy success of business IGs is lower than that achieved by other groups. *Interest Groups & Advocacy* advance online publication, 12 April 2016; doi:10.1057/iga.2016.4

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## Introduction

In academia, just as in politics, few doubt that interest groups (IGs) play a central role in the political system (Baumgartner and Leech, 1998). Their presence allows the recognition of different forms of representation, as well as the participation of non-



party social actors in shaping public policies. For this reason, IGs have interested political scientists for decades, generating an extensive literature that touches on aspects such as their origin, characteristics, organizational features and capacity to influence the decision-making process.

Given the importance of this last aspect for the functioning of contemporary democracies, the present work analyzes the participation of IGs in the legislative process, taking Chile as a case study. Lobbies have become a crucial dimension of lawmaking. Studying them helps us understand how the political system works, and why its actors come to adopt decisions in the way that they do. Specifically, we seek to contribute with this analysis to the comparative study of IGs in two ways. First, we can test the main hypotheses formulated by political scientists by applying them to a specific case – the participation of IGs in the Chilean legislative process. Second, we throw some light on the role played by IGs in Chile, a topic to which the specialized literature has devoted little attention. Moreover, our analytical and methodological focus reflects the major literature on the subject, which has been largely absent from discussions of the Chilean case.

Chile's recent history makes it a highly pertinent and useful case for this type of research. The country has had a stable democratic system since 1990. Six governments have succeeded one another after clean and fair electoral processes. The political system includes an institutionalized party system, and rules that allow for ample participation of different political actors. In this context, the decision-making system has worked in a reasonable fashion. In fact, since 1990, this institutionalized process has led to the enactment of more than 1930 laws.

International rankings reflect Chile's political development. It rates 25th out of 113 in the Global Democracy Ranking ([www.democracyranking.org](http://www.democracyranking.org)), and exhibits relatively high indices of governability ([www.govindicators.org](http://www.govindicators.org)), similar to those of the new European democracies. Moreover, according to Transparency International, levels of corruption are low and similar to those of European countries, placing Chile among the most transparent countries of Latin America ([www.transparency.org](http://www.transparency.org)). All together, Chile now has a consolidated democratic system, making it a compelling case study and a source of new evidence for comparative research.

The research on which this work rests springs from two questions. Which IGs participate in the Chilean legislative process? Which have most influence in decision-making (DMP)? For theoretical and methodological purposes, we took into account the most relevant comparative research on the topic. A review of the literature allowed us to identify and test hypotheses about which IGs participate and which engage most successfully in the legislative process.

To carry out the study, we created a database of 571 bills that had passed through the legislature between 2006 and 2014. The database contains general information about the process followed by each bill, as well as about the participation of different IGs during its passage. In order to analyze the influence of the various IGs during the legislative process, we use the 'preference attainment' method, based on information collected about the general and specific contents of a (randomly selected) sample of 30 bills.



The evidence we collected in the Chilean case suggests that business organizations are the type of IG that participates most in the decision-making process, a finding similar to studies of other cases. Second, Chile also follows other comparative case findings in that, while business groups are more inclined than other IGs to take part in discussions on economic issues, their level of participation declines in relation to other IGs when other issues are on the table. Finally, we find that consonance between the preferences of business-oriented IGs and the content of laws – that is, the influence of business IGs – is no greater than that of their counterpart IGs.

The article divides into five sections. The first discusses the general lines of relevant academic research, including the most important literature on the Chilean case. We outline also the hypotheses that guide our analysis. In the second, we explain the main characteristics of the legislative process in Chile, and the ways that IGs can participate in it. The third presents and explains the main features of the methodological strategy and data used in the study. In the fourth, we present and discuss the results. Finally, we draw our conclusions.

## **Participation and Influence of IGs in the Decision-making Process**

Baumgartner and Leech (1998) have done an extensive analysis of the advances made in North American academic research into IGs. Although it is a thorough study and recognizes the wide scope of this research, it also shows clearly that the advances have been uneven. The literature that deals with ‘elucidating the various processes of group mobilization’ (Baumgartner and Leech, 1998, p. 7) has exhibited the clearest advances. In particular, research about the biases of the system of groups (Olson, 1965; Caramani, 2004); that which analyzes the ‘motivations for individual participation’ in the IGs and the impact this participation in other political activities has on people (Verba *et al*, 1995); and that dealing with the biases of the system of representation, have received the greatest attention.

Regarding the two specific issues addressed in the present work, academic research has made considerable progress in the study of IGs’ lobbying activities, those intended ‘to affect policy outcomes’ (Baumgartner and Leech, 1998, p. 9). As the authors indicate, extensive literature exists on the activities of IGs to promote their interests, vis-a-vis not only the executive branch but also other state institutions such as the Congress, courts and autonomous regulatory agencies. Within this context, authors have explored other related themes such as the various strategies that IGs pursue to gain traction for their views (Kollman, 1998; Binderkrantz, 2005; Furlong and Kerwin, 2005), the structure of relations between IGs and the authorities, or the generation of ‘policy subsystems’ in areas of public policy. This advance is apparent not only in the United States, but also in the European Union and specific European countries in particular – research abounds exploring which organized interests in these



countries participate in the decision-making process, and what determines this participation (Klüver, 2012; Baroni *et al*, 2014; Bernhagen *et al*, 2014).

Rather less has been achieved, however, in understanding the influence of IGs on public decisions. Although authors broadly agree that IGs exert considerable influence (Lewis, 2013), the difficulty of measuring such a multi-dimensional phenomenon has resulted in the production of only 'mixed or weak results' until now (Lowery, 2013, p. 1; see also Lewis, 2013, pp. 206–207). Despite this, as we shall explain shortly, methodological strategies to overcome this problem have yielded some interesting results. We structure our hypotheses based on these strategies.

In the case of Chile, much of the work on IGs has centered on describing and characterizing experiences by sector; studies of IGs' relationship with the decision-making process remain scarce. A wide range of authors (Gómez and Echeñique, 1986; Larraín and Sáez, 1989; Jarvis *et al*, 1993; Kay, 1998; Scapini, 2006) have studied how business IGs are organized. Others have focused on business strategies to gain access to the political system (Campero, 1984, 2003; Silva, 1996, 2002; Montero, 1997; Arriagada, 2004), as well as their participation in the definition of specific policies, such as foreign trade (Porras, 2003; Bull, 2008; Gamboa, 2008). Likewise, authors like De la Maza (1999), Valenzuela (1986) and Zapata (1986) have studied the impact of labor reforms and changes of the productive structure on trade unions. Moreover, there is currently growing academic interest in student organizations (Garretón *et al*, 2011), a topic previously researched by Garretón and Martínez (1985); the study of emerging environmental and indigenous organizations and local social protest movements is another growing field (Ulianova and Estenssoro, 2012; Fernández, 2013).

Despite the contribution of these studies, no one has systematically addressed questions about who participates in the decision-making process and what organizations are most successful in their lobbying activities. This gap in our information affects our understanding of an important dimension underlying representation and the functioning of the political system. In turn, it makes it impossible to compare Chile with other international experiences. Our study tries to fill this gap.

### **Who participates? IGs' participation in the decision-making process**

As we have said, on these issues there is abundant research, mainly concentrating on the cases of the USA, the European Union and some specific European countries. By identifying those who participate, the existing studies give account of a wide range of groupings, which they classify by the issues they are concerned with, and/or their organizational structure and number of members (for a discussion of the concept, see Baroni *et al*, 2014).

At the decision-making level, there are different ways of measuring the participation of IGs. Some measures are based on information from general registers of

**Table 1:** IG participation in DMP. Main findings

<i>Author/year</i>	<i>Focus of analysis</i>	<i>Years included</i>	<i>% business</i>	<i>% trade unions</i>	<i>% citizen groups</i>	<i>Other</i>
Baumgartner and Leech, 2001	Lobbying community/Registered IGs in USA Congress	1996	59	1	9	31
Baumgartner and Leech, 2001	% of reports presented to Congress by any type of IG	1996	63	2	8	27
Baumgartner <i>et al.</i> , 2009	Active Lobby Organizations in US Congress	1999–2002	35	6	26	33
Yackee and Yackee, 2006	Participation in 30 administrative rule-making processes, USA	1994–2001	57	n/a	22	21
Klüver, 2012	Consultation Process European Commission. 70 proposals covering 56 policy areas	2000–2008	24	—	—	76
Binderkrantz <i>et al.</i> , 2014	Consultation Process (205), Danish Parliament.	2009–2010	41	20	8	31

*Source:* Authors' own construction.

lobbyists (in the countries where these exist) identifying the type of group that formally declares itself and is inscribed as a lobby (Baumgartner *et al.*, 2009). However, in other studies the authors select a specific sample of decision-making processes (for example a group of administrative resolutions) and then calculate how many IGs participated in their discussion (for example, Yackee and Yackee, 2006). Furthermore, the analyses differ about the level at which to measure participation: some authors consider only congressional lobbies, while others measure participation at other levels, such as regulatory agencies or judicial authorities.

In general terms, business IGs surpass the other groups – such as trade unions or citizens' organizations – in the intensity of their lobbying activities. This is so despite variations in the figures for specific percentages and differences in measurement techniques (Dür and Mateo, 2012). On the other hand, analysis of the distribution of this participation shows that business groups concentrate more on economic issues than on other types of issue. Thus, when non-economic matters are under discussion, there is greater balance in the representation of interests. In this sense, for example, Binderkrantz *et al.* (2014) examined the distribution of lobby activity according to the type of group and policy area, and they conclude that business IGs participate more in procedures that involve business regulation. When general regulation is involved, on the other hand, the participation is more balanced (Binderkrantz *et al.*, 2014, p. 889). Table 1 summarizes the comparative findings on this matter.



## Who gets what they want? IGs' Influence in the decision-making process

Despite efforts by various scholars, there have been significantly fewer advances in measuring influence (Baumgartner and Leech, 1998). This is explicable in various ways, starting with the initial difficulty that there is no consensus about the meaning of the concept (Helboe, 2013). As Lowery points out, this is partly due to the different dimensions influence has, such that 'what is substantively meaningful influence will always remain unobservable', and by extension very difficult to measure (2013, p. 8). In his analysis of this point, Dür identifies three main difficulties: first, the fact that influence can operate through various channels (Dür 2008, p. 561). Second, there is a counter-active lobby in any decision-making process that may conceal the advantage certain actors enjoy. Third, influence can be exerted at different levels, such as in defining the agenda, in the taking of decisions, or in their implementation (Dür, 2008; for an extensive discussion, see Lowery, 2013).

Despite these difficulties, research has continued to advance, and has developed three principal methods for measuring influence (Dür, 2008; Helboe, 2013). The first is process tracing, which consists of the in-depth study of given decision-making processes, with an aim to 'uncover the steps by which causes affect outcomes' (Dür, 2008, p. 561). The second is attributed influence, which depends basically on using surveys either to consult different groups about their own capacity to influence (self-evaluation) or a panel of persons (generally specialists) about the influence they believe one or several specific IGs have. The third is preference attainment, in which 'the outcomes of political processes are compared with the ideal points of actors' (Dür, 2008, p. 566). One important advantage of the preference attainment method is that it enables us to study a large number of cases (as in the present study), allowing us to generalize from the findings (for a discussion about the strengths and weaknesses of each technique, see Dür, 2008). Preference attainment is the method we will use in this work.

Various studies, concentrating particularly on the United States and the European Union, have used this method (Golden, 1998; Yackee and Yackee, 2006; Mahoney, 2007; Klüver, 2013). There are also studies of specific countries or federal states (Lewis, 2013; Binderkrantz *et al*, 2014). On this point, three limitations require noting. First, although all of the studies use the same general strategy, they differ on the decision-making levels they address, which range from US regulatory agencies (Golden, 1998; Yackee and Yackee, 2006); the European Commission (Klüver, 2013), to the national or federal legislative level (Lewis, 2013; Binderkrantz *et al*, 2014). Second, the specific technique used to measure the influence of the IGs on normative decisions also varies. The most commonly used alternative (among others, by Yackee and Yackee, 2006; Klüver, 2013; Binderkrantz *et al*, 2014) consists of determining how much an initial proposal (generally elaborated by one authority or another) changes during the review process in response to IG activity (Lowery, 2013, p. 5).



Third, and most important, academic research has produced no conclusive evidence about which IGs are the most influential (Furlong and Kerwin, 2005; Lowery, 2013). On the one hand, Yackee and Yackee, who analyze decisions by regulatory agencies, conclude that ‘agencies appear to alter final rules to suit the expressed desires of business commenters, but do not appear to alter rules to match the expressed preferences of other kinds of interests’ (2006, p. 135). However, other authors reach a more nuanced conclusion. For example, Binderkrantz *et al* conclude that although business interests are more influential on issues related to ‘business regulation’, this is not the case in other areas of public policy, where there is greater balance (2014, p. 893). Equally, from her comparative study of the United States and the European Union, Mahoney concludes that the United States ‘appears biased in its responsiveness and that bias is pro-business. The EU on the other hand, from this data, exhibits a greater capacity to fuse competing interests into policy compromises that allow everyone to see at least some of their goals realized’ (2007, p. 57). Finally, in a study of 98 policy issues in the United States, Hojnacki *et al* (2015) show that the success of IGs depends on the type of opposition they face from other groups.

Following the procedure adopted in these studies, we measure influence by the coincidence between the preferences of an IG and the final content of a law. Thus, we consider an IG (or a particular type of IG such as a labor organization) more influential the more the content of legislative decisions reflects their preferences. We define influence, then, as the ability of groups either to change norms they are against *or* to keep norms they agree with. Accordingly, for measuring influence, we opt for a strategy that partly replicates studies like those of Yackee and Yackee (2006), Hojnacki *et al* (2015) and Binderkrantz *et al* (2014).

### **Why do business groups participate more in the decision-making process and eventually have greater influence?**

The empirical evidence presented above shows that business IGs generally participate in the DMP more than other groups. While the evidence is not entirely conclusive, it suggests that overall they exert an important influence on public decisions. Why is this?

The academic discussion on this issue is extensive (Mahoney, 2007; Michalowitz, 2007; Dür, 2008; Lewis, 2013) and therefore impossible to reproduce here. Even so, we would highlight two points. First, as Mahoney (2007) indicates, the factors that determine the influence capacity of IGs vary in nature from institutional ones to those linked to the characteristics of the IGs, the issue under discussion, or the positioning of the different groups in relation to that issue. For this reason, one type of group does not necessarily enjoy an obviously privileged position in the DMP. Second, it is evident from the literature that lobbying activities depend on capacities for



mobilization and organization that business groups normally possess in greater measure than others do (Olson, 1965), and on the deployment of a wide range of resources (money, information and any others needed for politicians to take a decision). The distribution of these resources in the political system is probably unequal and favors business groups.

For this reason, our hypotheses suppose that business groups have greater participation and influence in the Chilean political system. This is consistent also with the findings in the literature (especially in the case of the United States), as discussed.

### **Working hypotheses**

As we have argued above, the comparative research generally concludes that business organizations outnumber other IGs in their participation in the decision-making process. At the same time, however, there is evidence that this imbalance diminishes when non-economic issues are under discussion. We test two working hypotheses related to participation that are relevant to these conclusions.

The first is that, generally speaking, business groups participate in the legislative process more than other groups. If so, we would expect that in the Chilean case, as occurs in other political systems, business groups would have more presence in the legislative debate than trade unions, citizen organizations or others. The second hypothesis is that the predominance of business groups diminishes when legislative bills deal with non-economic matters. In this case, we would expect there to be greater balance in the representation of interests in bills on matters like education, civil regulations or criminal laws, for example.

As we saw, the results of comparative research are still inconclusive about the influence of IGs on public decisions. Nevertheless, most of the studies start from the hypothesis that the business lobby is the most influential. Indeed, research has shown that business groups command greater resources and capacity for participation as well as for mobilization and organization, more material assets, and access to knowledge, than others. Consequently, our working hypothesis is that business IGs will have more influence in the legislative process than the other groups. Concretely, we would expect the contents of laws to coincide more closely with the positions of business IGs than they do with the preferences of other IGs.

### **The Context: Rules Governing the Chilean Legislative Process and the Participation of IGs**

In Chile, as in other countries, most policy decisions are enshrined in laws. The principal actors in the formation of law are Congress and the president. The president





may not unilaterally dictate norms with the status of law. In this sense, congressional participation in the main policy decisions is obligatory.

The Chilean Congress is composed of two chambers, the Senate and the Chamber of Deputies (CD). The president shares lawmaking initiatives with legislators, even though the president exclusively initiates a large number of legislative matters (art. 65 of the Chilean Constitution). Whether initiated by the president or by parliament, all legislative bills (except the budget) follow the same procedure. Its main stages are as follows:

- (a) Once tabled in Congress and declared admissible by the respective chamber (known as the *chamber of origin*), a bill passes for discussion by one of the specialized committees that exist in the chamber in question (there are 17 in the Senate and 19 in the CD). At the conclusion of this discussion, the committee (or committees) charged with studying the bill issues a report with the opinion of the committee's majority about the bill. This report is then discussed on the floor of the chamber in question. The chamber may reject it outright (in which case the bill is withdrawn), approve it definitively and completely (in which case the bill passes to the second chamber), or approve it in general. In the latter case, the chamber agrees on the need to legislate on the matter in question, but without approving specific provisions. If this happens, the bill returns for discussion by one or more committees. Later, the committee or committees issue a new report that the plenary discusses and votes on. Bills require different quorums for their approval depending on the type of law it is (there are four types in Chile).
- (b) If a bill is approved in the first chamber it passes to the other (known as the review chamber), where the same procedure applies (unless it is rejected immediately). If this second chamber approves a bill that is the same as that approved in the first chamber, the bill passes to the president. However, if the bill approved is different, the first chamber must vote on it, and if this approves it, the bill passes to the president. If it does not approve it, a joint committee is formed (consisting of representatives from both chambers), which must propose a way of resolving the differences between the chambers (this generally involves agreeing a new text). Each chamber votes on the proposal of the joint committee, and if both approve it, the bill passes to the president.
- (c) Having received the bill approved in Congress, the president may approve it and sign it into law, or veto it (formulate amendments to the bill). If this happens, each of the chambers votes on the president's proposals (vetoes). If they approve them, the bill is ready for enactment. If they reject them, and 2/3 of the members of both chambers insist on the bill they originally approved, the president must sign it into law. If they reject them but without the required 2/3 majority, there is no law on the part covered by the veto.



For the purposes of this research, two points need emphasis. First, there is no time limit on the discussion of a bill. In practice, a bill can be under discussion in a committee for a long time without any decision (or simply remain in committee without discussion). Thus, what usually occurs with bills that have a slim chance of approval is that Congress sets them aside without analysis rather than formally rejecting them. In any case, given that there is no definite decision about them (and that eventually they may even pass) they do not count as rejected. This explains why 98 per cent of the bills in our sample are approved.

Second, the major legislative decisions occur in committee. This is the stage at which IGs have an opportunity to participate by giving their opinion about bills. The rules of the chambers regulate this participation and give ample space for anyone who wants to express their opinion about a bill to do so. In this sense, the political system offers every interested group a possibility to argue for or against draft bills that are under debate in Congress. Moreover, IGs may informally propose amendments to bills at this stage, although neither parliamentarians nor the executive are under any obligation to consider them, as only they – and exclusively the executive in some cases, as we have noted – have powers to propose legislation. Thus, any IG that wants to influence legislative decisions must necessarily participate in the parliamentary discussion, where it can directly advocate for its position to the actors who are decisive on the issue. Even so, as is obvious, IGs need not exhaust all their ammunition at this stage. They can combine parliamentary intervention with other actions, such as contacting the authorities directly, or organizing public campaigns or street demonstrations. In this context, Chile is a suitable case for measuring influence and participation in the DMP, as there is a system of open democratic participation that is governed by comprehensive and clearly established rules.

## Research Design and Data

As we have stated, our purpose in this study is to measure the participation and influence of IGs in legislative decisions in Chile. To carry it out we designed a research strategy whose central aspects we describe in what follows.

### Sampling bill proposals

We included in the analysis only bills that Congress had approved or rejected, as this was the only way to evaluate the influence of the groups in the final decision. We began by identifying all draft bills first submitted to Congress after 11 March 2006<sup>1</sup> and fully completed before 11 March 2014. This allowed our sample to include two full legislative cycles, as the selected dates coincide with the presidencies of Michelle Bachelet (2006–2010) and Sebastián Piñera (2010–2014), who headed



administrations comprising opposing coalitions. During this period, 5112 legislative bills entered Congress, of which only 571, equivalent to 11.2 per cent of the total, fulfill the two conditions just mentioned<sup>2</sup>.

We collected information on each of the 571 draft bills<sup>3</sup> that included its general content; dates of submission and completion; the legislative committee(s) in which it was discussed; the chamber of origin; its sponsors (president or parliamentarians), and a list of all IGs who expressed a view on the project. This information is available for every approved law in an official document known as *History of the Law*. Produced by the Library of the National Congress, it contains details of the legislative process followed by each of the draft bills that enter discussion, including the participation of IGs in the discussion, as well as all the interventions of parliamentarians in all the legislative procedures.<sup>4</sup> Thus, we base our analysis on official information produced by the relevant body, the best available data for this kind of study since during the period of study there was no legal regulation of lobbying activities (recently, in September 2014, the first Chilean law on the matter entered force). Table A1, in the appendix, presents the descriptive statistics of the bills we considered.

## Measuring IGs' participation

As we mentioned above, for each bill considered we registered the names of all the groups and organizations that had volunteered opinions in one of the committees that discussed it. Using information freely available on the Internet and in registers of groups and organizations, we placed each group into one of the following categories: Business, Unions, Professional Associations, Citizen Groups and Public Institutions. To do so, we used the definitions given below, which follow the classification used by Baumgartner *et al* (2009).

'Business groups' included all those companies or business associations that participated in the discussions. This category comprises all those organizations or groups that represent the interests of owners of capital, whether big or small. In the 'Unions' category, we included both unions of specific companies and union associations of specific branches of the productive and multi-union sectors. In general, these groups represented the interests of workers. 'Professional associations' included diverse organizations like Think Tanks and organizations of professionals. In general, these typically represented interests tied to a professional activity or that justify their activity based on their professional expertise. 'Citizen groups' were defined as all those groups created by citizens for the defense and promotion of interests tied to specific themes (for example, debtors' or student associations, or environmental NGOs). Finally, we defined 'public institutions' as those that represent public interests tied to some aspect of public administration, but which are not formally part of the executive or legislative branch. This category would include, for example, local governments or associations of regional councilors.



## Measuring influence

Finally, to test our third hypothesis we took a random sample of 30 legislative processes in which two or more IGs participated (if we wish to evaluate influence, we need to consider issues in which a range of IGs took part). We identified the core goal and specific contents of each draft bill, including specification of the exact legislative changes it proposed or would require. According to Chilean regulations (the Organic Law of Congress and House and Senate rules), every bill project must explicitly indicate its core ideas (*ideas matrices* in Spanish). Therefore, we based our codification process of bills on the description of their main goals and specific objectives contained in the text of the draft.

These 30 draft bills contain 136 specific contents, about which the groups can express their opinion. The unit of analysis in this study, then, is each opinion expressed by each group participating in discussion of each of the main contents of the 30 bills used. In total we registered 688 comments (out of 1335 possible comments), which indicates that the groups expressed opinions about some aspects of the bills but not on all the possible issues. We coded these comments for analysis. When the group's comment favored the proposal in the bill, we coded it as one. When the comment opposed the proposal, we coded it as zero. We conducted an intercoder reliability test of 268 comments, resulting in a Cohen's Kappa of 0.804.

We also took into account the final content of the bill, as found in the approved text. When the content remained the same as the original draft, we coded it as zero (without change). When the content was different, we coded it as one (altered from the original proposal). In those cases in which the final content of the law was different from the original proposal, we evaluated the level of agreement between the ideas expressed by the IGs and the final content of the law, using the coding procedure already described. In other words, we evaluated whether the changes in the content of the law followed the groups' preferences or not.

Finally, we define influence –our dependent variable– as the agreement between the position maintained by the groups and the final content of the law. This is a dummy variable that indicates the agreement between the group's position and the final content of the law (one = agreement, zero = disagreement). In other words, influence is defined here as the ability of groups to either change norms they were against *or* to keep norms they agreed with; that is, whether the groups obtain or do not obtain what they wanted from the legislative process. As we pointed out above, while understanding that there is much discussion about how to define influence, by using this procedure we have followed a criterion that has been widely used in the relevant literature.

## Independent variables

The independent variables used were the type of group (using the above classification), and the theme of the bill. In order to judge whether the participation and

influence of business groups is greater than those of other groups (Binderkrantz *et al.*, 2014), we differentiated between two types of bill. All draft bills that passed through the following committees were classed as ‘economically oriented’: Agriculture, Economy, Finance (*Hacienda*), Fisheries, Mining, Public Works, Labor and Transport. We classified all the others as ‘not economically oriented’.

We also included as independent variables the number of groups that participated in each bill discussion and the percentage of the participating groups that expressed an opinion on each of the specific issues. In order to measure the amount of opposition faced by the groups (Hojnacki *et al.*, 2015), we included a measure of the relative position of each group on each issue on which it gave an opinion. The group was in a majority (coded 1) if more than half the participating groups gave a similar opinion. For example, if a group indicated that it opposed a bill, and most of the other groups were against it, we coded it as belonging to the majority. If, on the other hand, the group indicated its opposition to the bill, but more than half the groups favored it, we considered it to belong to the minority (coded as 0).

Finally, we included a control variable that measures the duration of the legislative process in days, as a way of evaluating whether more time dedicated to the debate and the legislation gives groups more chance of success. See the appendix for descriptive statistics.

## Results

### IG participation in the decision-making process

Our first hypothesis was that business groups participate more than other IGs in the legislative process. Table 2 sets out the evidence from Chile on this point. It is

**Table 2:** Participation of IGs

Group type	Number of discrete groups intervening						No. of interventions	
	<i>N</i>	%	<i>Mean</i>	<i>SD</i>	<i>Min</i>	<i>Max</i>	<i>N</i>	%
Business	383	41.5	1.79	2.085	1	18	691	38.9
Unions	160	17.3	1.78	2.055	1	16	286	16.1
Professional associations	123	13.3	3.30	8.809	1	71	412	23.2
Citizen groups	154	16.7	1.42	1.125	1	10	217	12.2
Public institutions	77	8.3	1.83	4.118	1	28	141	7.9
Without information	26	2.8	1.08	0.392	1	3	30	1.7
Total	923	100	1.91	3.839	1	71	1777	100

*Source:* Authors’ own construction, using data obtained from [www.congreso.cl](http://www.congreso.cl).



interesting that IG intervention in parliamentary debate occurred in only 296 (51.8 per cent) of the 571 draft bills analyzed. IGs simply showed no interest in the proceedings of a high percentage of bills. A second point of note is that 923 groups expressed an opinion regarding at least one of those 296 bills. If we consider multiple interventions by the same group – defined as participation in debate of more than one bill – the total number of interventions rises to 1777.

Third, statistics on participation tend to support our first hypothesis no matter which units of data are used. If we consider only the total number of discrete groups – that is the total number of distinct IGs participating across the 296 projects, ignoring the issue of multiple interventions – we see that of those 923 IGs 41.5 per cent are business organizations; 17.3 per cent, unions; 13.3 per cent, professional associations; 16.7 per cent, citizen groups; and 8.3 per cent are public institutions. If we instead consider the 1777 total interventions – factoring in, this time, multiple interventions by some groups – we find that 38.9 per cent of interventions were from business groups; 16.1 per cent, unions; 23.2 per cent, professional associations; 12.2 per cent, citizen groups; and 7.9 per cent, from public institutions. In other words, both analyses find business groups to be the most active in Chilean legislative lobbying.

The fact that the differences between the two sets of figures are most pronounced in the case of professional associations can be largely attributed to the intensity of participation by this type of group. Professional associations each participate on average in 3.3 bills, up to a maximum of 71, as can be seen in Table 2. Two think tanks, which fall into the category of professional associations, are particularly active in legislative debates. By contrast, business groups, labor associations and public institutions each participate in only 1.8 bills on average. The average number of bills citizen groups intervened in is even lower, at 1.4.

Our second hypothesis holds that the predominance of business groups diminishes when legislative bills deal with non-economic matters. Our results also support this hypothesis, as can be seen from the data set out in Table 2.

In effect, 50.8 per cent of 977 participations in bills classified as *economic oriented* were made by business groups. Professional groups were responsible for only 19 per cent of those participations, and unions, 17.3 per cent. Citizen groups and public institutions each supplied fewer than 10 per cent of the relevant interventions.

However, if we consider IG participation only in bills classified as *not economic oriented*, business groups predominate less and IG participation is more evenly distributed (Table 3). Of 800 registered IG interventions, 28.2 per cent were made by professional associations and 24.4 per cent by business groups – representing an almost 50 per cent reduction when compared to the intervention rate of the same groups in economic matters. Citizen groups were responsible for 17.8 per cent of interventions in non-economic bills; workers, 14.6 per cent; and public institutions, 13.4 per cent. These figures are of interest not only because of the lower intensity of

**Table 3:** Participation of IGs by issue type (percentages)

	<i>Economic</i>	<i>Non-economic</i>	<i>Total</i>
Business	50.8	24.4	38.9
Unions	17.3	14.6	16.1
Professional associations	19.0	28.2	23.2
Citizen groups	7.7	17.8	12.2
Public institutions	3.5	13.4	7.9
Without information	1.7	1.6	1.7
Number of observations	977	800	1777

Source: Authors' own construction, using data obtained from [www.congreso.cl](http://www.congreso.cl).

business interest participation that they portray, but also because they show a notable increase in the participation of citizens' and professional associations when non-economic issues are under debate.

The data accordingly confirm our hypothesis that business participation will predominate when economic questions are under debate. This predominance is nonetheless considerably less for non-economic bills, to the extent that, at least in our study, business groups are no longer the most active lobby group where those bills are concerned.

### IGs influence in the decision-making process

Our third hypothesis held that business IGs would demonstrate a greater degree of influence than other groups. We therefore expected the Chilean case study to show more consonance between the positions of business groups and the final content of laws, than between these laws and the positions of other groups.

Our data set contained 688 relevant observations for this sample of 30 bills. Before we analyze the results concerning the comments made by the groups, we note that a substantial proportion of proposed legislative changes (51.5 per cent), independently of their subject matter, attract no intervention from any type of group. That is, groups keep silent or do not express a preference about specific proposed changes within each bill. An initial major finding therefore is that IGs who do attend parliamentary committees are quite selective about the issues they choose to address.

Business groups made more than one half (54.9 per cent) of the 688 comments recorded. Professional groups follow them in importance with 18.7 per cent of the interventions, citizens groups with 15.9 per cent, unions with 6.0 per cent, and public institutions with 4.6 per cent of the interventions. These data confirm what was stated previously about the greater participation of business groups in the congressional decision-making process.

Considering now only those issues on which the groups express an opinion, Table 4 shows the percentage of agreement between groups' expressed positions and the initial contents of each draft bill. It also compares the level of agreement observed

**Table 4:** Agreement between IG positions and initial draft bills (in percentages)

	<i>All draft bills</i>			<i>Economic projects only</i>			<i>Non-economic projects only</i>		
	<i>Business groups</i>	<i>Other groups</i>	<i>Total</i>	<i>Business groups</i>	<i>Other groups</i>	<i>Total</i>	<i>Business groups</i>	<i>Other groups</i>	<i>Total</i>
Group in agreement with draft bill (%)	55.5	76.5	65.1	55.8	67.3	60.0	54.9	84.5	72.6
Group in disagreement with draft bill (%)	44.5	23.5	34.9	44.2	32.7	40.0	45.1	15.5	27.4
Total <i>N</i>	373	315	688	260	147	407	113	168	281
$\chi^2$	33.193***	—	—	5.243*	—	—	29.869***	—	—
Cramer's <i>V</i>	0.220***	—	—	0.113*	—	—	0.326***	—	—

\*\*\*  $P < 0.000$ ; \*  $P < 0.05$ .

Source: Estimations based on data collected by the authors.

**Table 5:** Agreement between IG positions and final content of new laws (in percentages)

	<i>All draft bills</i>			<i>Economic projects only</i>			<i>Non-economic projects only</i>		
	<i>Business groups</i>	<i>Other groups</i>	<i>Total</i>	<i>Business groups</i>	<i>Other groups</i>	<i>Total</i>	<i>Business groups</i>	<i>Other groups</i>	<i>Total</i>
Group in agreement with law (%)	59.2	72.1	65.1	58.5	66.0	61.2	61.1	77.4	70.8
Group in disagreement with law (%)	40.8	27.9	34.9	41.5	34.0	38.8	38.9	22.6	29.2
Total <i>N</i>	373	315	688	260	147	407	113	168	281
$\chi^2$	12.345***	—	—	2.239	—	—	8.706**	—	—
Cramer's <i>V</i>	0.134***	—	—	0.074	—	—	0.176**	—	—

\*\*\*  $P < 0.000$ ; \*\*  $P < 0.01$ .

Source: Estimations based on data collected by the authors.

in economic as opposed to non-economic projects. Table 5 then shows the consonance between group stances and the final contents of each of the 30 approved laws.

The data present us with extremely interesting findings regarding the influence of IGs in the Chilean legislative system, not least since they run definitively counter to our initial hypothesis.

First, business groups who do take part in legislative processes tend to demonstrate higher levels of dissatisfaction with the bills they choose to engage with than do other IGs (44.5 and 23.5 per cent, respectively). While further research would be required to seek a convincing explanation of this, one interpretation could be that IGs choose to engage with legislative processes with one of two diametrically opposed motivations: to





manifest their opposition (this more often seen among business groups) or to demonstrate support (more often seen among non-business groups). When, and under what conditions, particular groups decide to employ one or other of these strategies is a promising line for future research that lies beyond the scope of the present study.

Second, and despite the fact that only 13.7 per cent of our bills showed substantive change in the final content of the law when compared to the initial draft proposal, business IGs were partially favored by the changes. In general, the content of final approved versions of laws moved them in the direction of closer agreement with the expressed preferences of IGs when compared to their initial draft versions. For example, the percentage of agreement between business groups and initial draft bills was 55.5 per cent overall, while the agreement with final approved versions was 59.2 per cent. For the other IGs, taken together, the corresponding change was from 76.5 to 72.1 per cent. None of these changes, however, is statistically significant, indicating that the level of agreement in the legislative process remains the same.

The difference in the levels of agreement between the business groups and the rest, on the other hand, is statistically significant and notably large. Thus, for example, the level of agreement of the business groups with the bills is 55.5 per cent (Table 4), and of the other groups is 76.5 per cent, a difference of 20 percentage points ( $t = -5.76$ ,  $P < 0.000$ ). These differences hold good when we compare the level of agreement with the final content of the law. As can be seen from Table 5, the business groups are in agreement with the final content in 59.2 per cent of the observations, while the other groups show a level of agreement of 72.1 per cent, a statistically significant difference that again provides evidence of the differential success of the different types of group ( $t = -3.54$ ;  $P < 0.000$ ). In other words, these data would indicate greater legislative influence in groups other than business groups.

In an effort to offer a more precise explanation for these differences between groups in their levels of policy success, we carried out a logistic regression analysis, whose results we present in Table 6. Here, the dependent variable is the level of concordance between a group's position and the final content of a law. As detailed in the methodology section, the independent variables included in the model were: type of group (business or other), issue type (economic or other), proportion of participating groups, a dummy that indicates if the group is in the majority, and the duration of the bill's passage, measured in days.

Table 6 shows that in the Chilean case the probability of influence is higher when, controlling for other factors, the intervening IG is not a business group; the issue is not an economic one; the group is in the majority position, and a larger number of groups intervene. No other variables reach a statistically significant coefficient level.

These results confirm the evidence previously presented that business groups exert weaker influence in the legislative process than other groups that participate in this process. Even though they participate more in parliamentary discussion and present more comments on legislative bills, their level of influence is less than that of other groups.

**Table 6:** Multivariate analysis of IG's influence in the legislative process (logistic regression)

	<i>Influence (agreement between group position and law)</i>	
	<i>B</i>	<i>Robust SE</i>
Constant	-1.658***	0.425
Business groups	-0.487*	0.192
Economic issues	-0.339 <sup>+</sup>	0.191
Duration of bill passage	0.000	0.000
Proportion of participating groups	0.013***	0.004
Group is in the majority	2.379***	0.242
<i>N</i>	688	—
$\chi^2$	106.11***	—
Pseudo <i>R</i> <sup>2</sup>	0.179	—

\*\*\*  $P < 0.000$ ; \*  $P < 0.05$ ; <sup>+</sup> $P < 0.10$ .

Source: Authors' own construction, using data obtained from [www.congreso.cl](http://www.congreso.cl).

It is also important to stress that, controlling for other factors, the influence of the groups in the legislative process is greater when the opinion expressed is in the majority, and when there is a larger number of groups participating. In other words, having many allies in the discussion who express opinions similar to those of the group increases its possibility of success, whether in conserving a norm it considers positive, or changing a norm that it rejects.

Overall, these at least partially counterintuitive results tend to disprove the starting hypothesis for this aspect of the study. The results suggest that the influence of IGs that represent business interests is lower than that enjoyed by other groups, even though business groups participate more frequently in debates.

## Comparative remarks

We will present in this section a brief comparison of our results with those on the United States, the European Union and some European countries that we have referred to previously. At the outset we stress that this is not intended to be a comparative study but one in which we test whether three hypotheses concerning the participation and influence of IGs in the DMP are applicable to the Chilean case.

We highlight three main points:

First, the level of participation of business IGs in the debate on the set of legislative bills coincides with the tendencies observed both in the United States and the European Union, where business IGs are the actors that generally participate most in the decision-making processes analyzed in the different studies. Second, our evidence also coincides with the cases of other political systems where studies have found that business organizations comprise much of IG participation when economic decisions are under discussion. By contrast, when non-economic topics are the subject



of debate, frequency of participation is more level, and other types of organization may even predominate. Thus, on the question of participation in the DMP, the Chilean evidence generally coincides with that from Europe and the United States.

Third, as we have said, in terms of influence the evidence is inconclusive. In the United States, research has found business groups to have greater capacity of influence vis-a-vis the others than in Europe, where influence is more balanced. To this, we must add that measurements of preference attainment differ considerably from one another, as opposed to participation, whose measurement is easier and subject to more or less standard criteria. For this reason, our results are probably not directly comparable with those from other cases. Even so, our evidence indicates that the influence of business IGs is no greater than that observed for other groups. In this sense, the Chilean case appears in principle to be more like Europe in that there is greater balance between IGs in the power they exert.

## Conclusions

This article studies IG participation in the decision-making process in the Chilean political system, and by this analysis it seeks to contribute to the academic research on IGs. As we have said above, a high proportion of existing work on IGs in Chile has focused on describing certain sectorial experiences, and it has not compared levels of participation of distinct types of group or related this to their eventual influence on actual legislative decisions. In this sense, this research offers, first, an empirically grounded panorama of the range of IGs that actually take part in legislative debate and, second, an account of the outcomes of their interventions. Third, the results of this study lend themselves for comparison to other cases, such as the United States and the European Union, thereby increasing our knowledge on the issue of group representation and influence in contemporary democracies.

The article formulated and tested three hypotheses generated by the academic research. The first two, regarding participation, found support in the available Chilean data. When we observed the evolution of a set of bills discussed between 2006 and 2014, we saw that business IGs were the most active of any IG type. At the same time, we observed that their participation was uneven across policy areas, with activity more intense in bills dealing with economic issues. However, their participation diminished and/or approximated that of other group types when the issue areas under scrutiny were not economic ones. The participation of citizens' associations was particularly notable on non-economic issues, reminiscent of results obtaining in Europe and the United States.

Our findings regarding influence challenged our third working hypothesis. There is a low level of agreement between the expressed opinions of business IGs and the content of approved legislation, and this is true for economic as well as for non-economic policy areas. Overall, the influence of business groups is lower than that of



other IGs. According to the data, business groups get less than they want from the legislative process. In comparative terms, and following Mahoney (2007), Chile is closer to the situation of the EU than that of the United States.

More research is required, however, in order to explain how and why business groups are no more legislatively successful than other groups in a country where there is broad consensus about the enormous levels of influence that business exerts over decision making in the public sphere. At least three lines of argument present themselves as ripe for future exploration on this point. First, if we take into account the generally low levels of discord between the content of bills and business group opinions, it may be that initial draft bills satisfy a significant proportion of business groups' preferences. This would point to the existence of an added dimension of influence that the present study does not capture. In other words, there may be lobbying activity that takes place *before* the legislative process begins, is accordingly not registered, and that present measures do not capture.

A second line of explanation lies in the fact that not all of the specific legislative modifications that a single draft bill comprises are of interest to IGs in equal measure (indeed, as we have seen, IGs only pronounce on around half of these). It may be the case, then, that in many instances where business groups appear to have had little success in changing the content of specific legislation, that they simply did not consider this content relevant. If this were the case, we would not be facing a genuine instance of policy failure by business IGs. Third, we must take into consideration that in this work we consider all business groups as belonging to a single category, without distinguishing between them. Whether IGs that represent the most powerful business interests have more influence than medium-sized and small businesses is a topic worthy of further study.

## Acknowledgements

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## Notes

- 1 This date marks the beginning of the new legislative period. Every legislative period lasts 4 years.
- 2 The list of all bills debated in the Chilean Congress is available at <http://www.senado.cl/appsenedo/templates/tramitacion/index.php>.
- 3 The information and datasets created for this project are available to researchers by request.
- 4 These documents are available on the website of Congress ([www.congreso.cl](http://www.congreso.cl)).

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# Appendix

## Descriptive statistics

**Table A1:** Bill proposals. Descriptive statistics

		<i>All bill proposals (N = 571)</i>				<i>Bill proposals with groups (N = 296)</i>				<i>Bill proposals in the preference attainment study (N = 30)</i>			
		<i>N</i>	<i>%</i>	<i>Mean</i>	<i>SD</i>	<i>N</i>	<i>%</i>	<i>Mean</i>	<i>SD</i>	<i>N</i>	<i>%</i>	<i>Mean</i>	<i>SD</i>
Type of issue	Economic issues (1)	231	40.5	0.41	0.491	154	52.0	0.52	0.500	21	70.0	0.70	0.466
	Non-economic issues (0)	340	59.5	—	—	142	48.0	—	—	9	30.0	—	—
Chamber of origin	Deputies (1)	452	79.2	1.21	0.407	233	78.7	1.21	0.410	20	66.7	1.33	0.479
	Senate (2)	119	20.8	—	—	63	21.3	—	—	10	33.3	—	—
Origin of bill	President (1)	429	75.1	1.25	0.433	236	79.7	1.20	0.403	20	66.7	1.33	0.479
	Congress (2)	142	24.9	—	—	60	20.3	—	—	10	33.3	—	—
Final outcome	Approved (1)	560	98.1	1.02	0.138	290	98.0	1.02	0.141	30	100.0	1.00	0.00
	Rejected (2)	11	1.9	—	—	6	2.0	—	—	0	0.0	—	—
Number of groups	0	275	48.2	3.13	6.914	0	0.0	6.05	8.642	0	0.0	7.10	4.029
	1–5	193	33.9	—	—	193	65.2	—	—	12	40.0	—	—
	6–10	61	10.8	—	—	61	20.7	—	—	13	43.3	—	—
	11 or more	42	7.1	—	—	42	14.1	—	—	5	16.7	—	—
Length of legislative process (in days)		—	—	393.44	403.249	—	—	456.29	455.889	—	—	573.77	503.432
Total		571	100	—	—	296	100	—	—	30	100	—	—

*Source:* Authors' own construction, using data obtained from [www.congreso.cl](http://www.congreso.cl).

**Table A2:** Preference attainment study. Descriptive statistics

	<i>N</i>	<i>Mean</i>	<i>SD</i>	<i>Min.</i>	<i>Max.</i>
Agreement between group's position and law (1 = agree; 0 = disagree)	688	0.651	0.477	0	1
Economic issues (1 = economic issues; 0 = non-economic issues)	688	0.592	0.492	0	1
Length of legislative process (in days)	688	596.578	544.959	36	1934
Proportion of groups participating in discussion	688	73.591	24.933	7.7	100
Group position is in the majority (1 = majority; 0 = minority)	688	0.788	0.409	0	1
Business groups (1 = business groups; 0 = other groups)	688	0.542	0.498	0	1

*Source:* Authors' own construction, using data obtained from [www.congreso.cl](http://www.congreso.cl).