

POLITICAL EXPERT CULTURE IN POLAND AND GERMANY. POLITICIANS, CONSULTANTS AND LOBBYISTS IN COMPARISON

1. *Artur Kopka, Dorota Piontek*

Preface

2. *Artur Kopka, Dorota Piontek*

Introduction - Political Advisory and Lobbyism in German-Polish Comparison.

The introductory chapter outlines the background of the research project that forms the basis for its implementation. The authors define the research questions, describe the assumptions and theoretical concepts and the methodology used. The chapter presents the structure of the book and individual articles relating to various aspects of political consulting and lobbying, as well as presents the main conclusions reached in the analysis.

Keywords: political advisory, lobbying, Poland, Germany.

3. *Martin Thunert*

Legitimization of expert activity in the framework of political advisory and lobbying processes.

The legitimacy of policy advice is considered as one of the central problems regarding the interaction between politics and science. Scientists and experts legitimize themselves solely through their usually highly specialized expertise; they thus have epistemic legitimacy, but their democratic legitimacy is weak to non-existent. This article presents and discusses different approaches and strategies for legitimizing consulting activities in the tension between expert-supported policy consulting and democratic legitimacy.

Keywords: political advisory, lobbying, legitimacy, political decision-making.

4. *Agnieszka Vetulani-Cęgiel, Artur Kopka*

Institutional and legal framework of political advisory and lobbying processes in Poland and Germany in a comparative perspective.

Legal and institutional frames of political advisory and lobbying are extremely important from the point of view of the rule of law and the quality of political processes as they set the rules for interaction between external parties (stakeholders, experts) and decision-makers and determine the degree of transparency of these processes. The aim

of this article is to present and compare the legal solutions functioning in Poland and Germany in the field of advisory, law making, and lobbying provisions (including the period before and after the introduction of the German Lobbying Act of 2022). We also include in the analysis the origins and criticism of these regulations and the role of non-governmental organisations in the transparency of legislative, advisory and lobbying processes in Poland and Germany. The article is complemented by a comparative analysis of the Polish and German Lobbying Acts, which juxtaposes the current legal solutions in both countries and shows the implications of the adopted regulations in the field of lobbying.

Keywords: political advisory, regulations, lobbying, lobbying law, register of lobbyists, Germany, Poland.

5. *Artur Kopka, Agnieszka Vetulani-Cęgiel*

Polish and German regulation of political advisory and lobbying processes in the eyes of politicians and experts. Empirical analysis.

This article aims to present how players participating in political processes in Poland and Germany perceive the functioning of advisory and lobbying in the current legislative practice in both countries, and how they evaluate the existing regulations in this respect. Based on data obtained in the course of in-depth interviews conducted among parliamentarians and experts from Poland and Germany, who are involved in current political processes, we also look at their opinions on the quality of advisory and lobbying processes in Poland and Germany, and on the perceived changes in this area in both countries over the last years.

Keywords: political advisory, regulations, lobbying, lobbying law, perception, Germany, Poland.

6. *Bartłomiej Biskup, Agnieszka Vetulani-Cęgiel*

Dimensions of the institutionalization of the lobbying and political consulting market in Poland and Germany in the opinion of experts and parliamentarians.

The purpose of this article is to determine the dimensions of institutionalisation of the lobbying and political consulting markets in Poland and Germany. Based on the opinions of experts involved in current political processes in both countries, determine the categories of actors active on the consulting and lobbying markets in Poland and Germany, as well as the characteristics of these markets and the institutional mechanisms that condition their functioning. We take into account the degree of professionalization

of the actors involved and the formalization of the advisory and lobbying processes. We base the comparative analysis on data obtained in the course of in-depth interviews conducted in 2017-2018 with parliamentarians and in 2020-2021 with experts from Poland and Germany.

Keywords: Political consulting, lobbying, market, institutionalization.

7. *Agnieszka Cianciara, Agnieszka Vetulani-Cęgiel*

Advisors or lobbyists? On the roles, forms and effectiveness of political advisory and lobbying from the perspective of Polish and German experts

Who, and how, is influencing the political decision-making process in Poland and Germany: advisors or lobbyists? Answering this question requires an analysis of three key elements. The first one is experts' perception of their own role in the decision-making process. The second element is linked to the understanding and evaluation of how advising and lobbying – understood as forms and strategies dominant in the national context – function in Poland and Germany. The third element concerns the experts' views on opportunities and ways to effectively influence political decisions. In order to answer the research question, we conducted a comparative analysis of the Polish and German systems based on in-depth interviews conducted in 2020–2021 with experts from both countries. Results of the qualitative research were contrasted with similar research from 2017–2018, which was also based on in-depth interviews, but with Polish and German parliamentarians. Such a procedure provides a comprehensive picture of the advisory/lobbying relationship, both from the perspective of experts (senders of influence) and politicians (recipients of influence).

Keywords: advisor, lobbyist, political consultancy, lobbying, decision-making process.

8. *Dorota Stasiak, Martin Thunert*

Experts and Politics in Germany and Poland. Perception of access channels and the degree of formalization of advisory processes by experts in Germany and Poland

Starting from the discussion of the concepts of formality and informality, the paper first examines and analyzes empirical findings from a survey of German and Polish political advisors, lobbyists and experts on their perceptions of the access channels of experts to politics and of politics to experts in Germany and Poland. Which access channels are chosen and why, how open are they, and what imbalances exist in access to experts and experts' access to politics? A second section looks at the degree of

formalization of advisory processes and access channels in both countries. In a third section, the focus is on interpretations of perceptions of access channels and degree of formalization and their implications for policy advice Germany and Poland. The Polish sub-study finds a considerable gap between the perceptions of policy experts and lobbyists. While the former group enjoys a relatively high reputation in Poland, the reputation of lobbyists is much worse according to the respondents. In the German sample, the sharpness of the distinction between the reputation of lobbyists/interest representatives on the one hand and expert advisers on the other is less visible than in the Polish survey. The chapter concludes that political expert cultures in Poland and Germany are not congruent with regard to the perception of access channels and the play with formality and informality, but nevertheless show fundamental similarities - above all the fundamentally positive assessment of access channels to expertise. But below some very general similarities, the different perceptions of expert cultures begin to emerge. In both countries, a technocratic culture of expert advice is held in high esteem, but in Germany the assessment of interest-driven expert advice is perceived less negative than in Poland.

Keywords: political advisory, lobbying, access channels, formalization, Poland, Germany.

9. Jarosław Jańczak, Artur Kopka

The Border between Political Consulting and Lobbying in the Opinion of Polish and German Experts. Interpretation of Empirical Research.

The article is a continuation of the empirical research, the results of which were presented in the publication: „*The border between political consulting and lobbying in the political decision-making process. Interpretation of empirical research*“ (Jańczak and Kopka, 2018). The analysis is based on the conceptual apparatus and model of demarcation of political consulting and lobbying presented in the text „*The concept of boundary in the context of differences between political consulting and lobbying in political decision-making*“ (Jańczak, 2018), which was used to study their perception by Polish and German parliamentarians. This time, the analytical instruments were applied to the interpretation of empirical material collected in the form of interviews with expert knowledge providers (experts) from Poland and Germany. The results of the analysis were compared with the perspective previously presented by politicians.

Keywords: political advisory, lobbying, boundary, experts, decision-making process, Poland, Germany.

10. *Bartłomiej Biskup, Marlena Piotrowska, Dariusz Skrzypiński*

Advisory functions of parliamentary offices in Polish-German comparison

The parliamentary office is a place that can be the subject of multidimensional analysis - both institute-organisational, decision-making, and comparative. The staff of these offices, Employees of these offices provide consulting services, although the scope of tasks and the role of the offices are different in Poland and Germany. The aim of this chapter is therefore to examine the functioning of parliamentary offices as consulting staff to politicians based on empirical data from interviews conducted with employees of parliamentary offices from Poland and Germany. It examines the perception of political advice and lobbying, the objectives of the use of advice by politicians as perceived by the staff, and the extent and dimension of the use of expertise. The instrumentalization of advisors' activities by politicians from the perspective of their colleagues was also analysed.

Keywords: parliamentary offices, functions, political advisory process, Poland, Germany.

11. *Dariusz Skrzypiński, Helena Wyligata*

Lobbying and policy advice in parliamentary practice in a German-Polish comparative perspective

Interest advocacy is an important part of any democratic system, and it aims to secure opportunities for various social groups to include their substantive opinion in the political decision-making process. The text analyses the activity of representatives of interest groups, including lobbyists, in the Polish Sejm and the German Bundestag in 2019–2021. The aim of the research was to identify the specificities and differences in the implementation of lobbying and political consulting in the two parliamentary chambers. Based on the background of the cultural, legal and systemic complexity of the environment of the studied legislatures, a quantitative method was used to analyse foundational data on the presence of interest group representatives in the parliaments of Poland and Germany, and the instruments they use, such as registers, chamber entries, participation in parliamentary committee meetings, public hearings and petitions. Although Germany and Poland, as parliamentary democracies, use the same mechanisms, the analysed instruments embedded in different political consultative cultures and legal contexts are oriented towards different standards in parliamentary practice. The varying scopes and scale of detail of public statistics make a comparative approach challenging. However, publicly available compilations do not capture the scale of the lobbying and advisory phenomenon, as only formalised professional activity is registered, while informal contacts remain 'unrecorded'. This study confirms that the scale of public

influence on decision-making in the Sejm and the Bundestag is highly different, despite the similarity of consultation and advisory instruments. In Germany, both the number of registered lobbying entities, their active participation in meetings, and their varied forms of activity, access to parliament, the number of public hearings, and petitions are significantly higher than in Poland. This leads to the recognition of German political culture as more developed based on mechanisms of public participation in decision-making processes and the openness of political institutions to expertise.

Keywords: lobbying, lobbyist, political advisory, policy adviser, interest group, Sejm, Bundestag, parliament, parliamentary committee, petition, public hearing, Poland, Germany.

12. Artur Kopka, Dorota Piontek

The concept of "political expert culture" as an analytical model in comparative studies of political consultative processes.

According to the project's assumptions, the manner and extent of the use of expertise within the political decision-making process is a derivative of the broader phenomenon of "political expert culture" (pek). Therefore, one of the main tasks of the research project was to identify the factors shaping certain types of pek based on an analysis of how parliamentarians perceive the functioning of political advice, and to create an analytical model to compare them in different political systems. The research carried out in the second part of the project relating to the perception of political advisory processes by the experts taking part in them made it possible to obtain a broader picture of the system of norms, procedures and instruments governing their relations with political decision-makers, which made it possible to refine the criteria adopted earlier for distinguishing between different types of pek. The article presents variables for more precise assignment of the studied countries to a given type of pek expanded as a result of data collection obtained through interviews with experts from Poland and Germany.

Keywords: lobbying, political advisory, experts, interest groups, political expert culture, Poland, Germany.

13. Szymon Ossowski, Dorota Piontek

Political consulting and lobbying in a media context.

The article discusses the relationship between experts, both lobbyists and political consultants, and the media and journalists. The answers given by Polish and German experts were compared. The multidimensionality and relevance of this issue was pointed

out, setting the analysis in the context of the mediatization and politicization of expert knowledge. The conclusions of the study illustrate significant differences between the construction of these relationships in Poland and Germany. The analysis shows clearly that there is no lobbying and political consulting without media and journalists - both groups form two sides of a specific barricade, which is and will continue to be based on the symbiosis between them.

Keywords: mediatization, experts, media relations, politicization of media

14. Dorota Piontek, Szymon Ossowski

The Representation of Experts in Public Television News Broadcasts and Their Influence on Government Policy in the Context of the Covid-19 Crisis in a German-Polish Comparison.

The logic of the news media assumes that they use the knowledge of experts in order to legitimize the presented events and their interpretation. In the conditions of publishing routine, experts' statements are one of the elements of a standard news structure. In the case of unusual situations, the media should provide information responsibly, using expert knowledge more intensively than usual. The ability to find the right sources of credible and reliable information, which are undoubtedly experts with recognized achievements, is one of the basic elements of journalistic workshop. As part of the research project, the authors undertook to examine whether, and if so, how the German and Polish media used the knowledge of experts when reporting on the events related to the first wave of the Covid-19 epidemic. When designing the study, we narrowed down the media whose coverage was examined to public televisions in Germany and Poland, for three reasons: (1) both Poland and Germany have television stations whose status as public is based on statutory regulations; (2) as public, the listed stations should perform tasks resulting directly or indirectly from their status, related to informing and educating the public; (3) given the differences in the media systems of the two countries, only public service television broadcasters could meet the criteria for comparison. The subject of the research, the assumptions, and findings of which are the essence of the presented article, is the representation of experts in the main news programs of public television in Poland ("Wiadomości" TVP1) and Germany ("Tagesschau" ARD). The study adopted a content analysis method, combining a quantitative and qualitative approach. The material was collected during the so-called the first wave of the pandemic, which started around the same time in Poland and Germany, i.e. in March 2020.

Keywords: experts, media, news programs, covid-19, Poland, Germany

15. *Marlena Piotrowska, Helena Wyligata*

The “Revolving Door Effect” in German and Polish political practice

Contemporary democracies are still struggling with problems in the area of political culture that remain largely unrecognised and raise ethical questions. One of these is the so-called 'revolving door effect', defined as the 'exchange of personnel between the public and private sectors' (Coen & Vannoni, 2016), occurring when a politician is switched into a lobbyist and vice versa, which can lead to pathologies in public life - conflicts of interest, corruption, etc. This text aims to explore the multidimensionality of the revolving door phenomenon in German and Polish politics in recent years on the basis of empirical data from interviews with political advisers from Poland and Germany. The research provides answers to questions about the potential consequences of the revolving door effect on the political culture in both countries and the ways in which they can respond to it. The exploration of qualitative and quantitative data against the institutional-legal background made it possible to conclude that the vast majority of advisors from both countries have encountered the phenomenon of the revolving door effect. The analysis and interpretation of the content of the interviews indicated the ways in which the phenomenon is perceived in Poland and Germany, as well as allowed to formulate conclusions on the positive and negative effects of the revolving door, including ways to counteract the unethical practices related to it and to limit its negative impact on public life by introducing a cooling-off period. The research shows that the assessment of the revolving door effect is inconclusive, while politicians and advisors are aware of the difficulties of implementing effective regulatory practices in this area.

Keywords: revolving door effect, cooling-off period, German, Poland, German-Polish relations, political culture, lobbying, conflict of interest, political advisory

16. *Daniel Oppold, Dorota Stasiak*

The advisory voice of the public: Citizens' panels in Germany and Poland

Classical approaches to policy advice envisage a clear division of roles between its providers and recipients, i.e. experts and politicians. However, this dualistic scheme is beginning to erode. In the concept of policy-oriented public advice, which this chapter takes as its starting point, an additional, distinct role is assigned to citizens. Using the heuristic of Römmele and Schober (2011), as well as examples from Germany and Poland, we argue that - under some conditions - ordinary citizens can help develop solutions to complex and ambiguous socio-political challenges. Citizen assemblies offer a methodology that can allow for articulation of citizens' consultative voice, based on the principle of random selection of participants. The chapter includes a discussion of the

characteristics of this format, presents their functions and the boundary conditions that should be met for the use of citizen assemblies to be purposeful and effective. Similarities and differences in the functioning of citizens' assemblies in Poland and Germany are also presented, particularly regarding the advisory mandate of these bodies.

Keywords: policy advice, policy-oriented citizen advice, citizens' assemblies, deliberative mini-publics

17. *Artur Kopka, Dorota Piontek*

"Political Expert Culture" in Germany and Poland: Research Findings and Recommendations.

The purpose of this article is to summarize the research conducted within the framework of the implemented project. The authors present the conclusions resulting from the analysis of the empirical material obtained through interviews with experts involved in political consultative processes. The study was conducted using the adopted theoretical concepts and aimed to verify the findings made earlier based on interviews with Polish and German parliamentarians. The conclusions formulated confirm a number of differences in the way political consulting and lobbying function in Poland and Germany, and build a set of theses and assumptions that can form the basis for further research in this area in a broader comparative perspective.

Keywords: lobbying, political consulting, experts, interest groups, political expert culture, Poland, Germany.