

PROCESS COMPETENCE

On the relevance of process competence compared to content competence within the framework of political formation of will and decision-making processes in the EU¹⁾

The European Union of the 27 member states constitutes a dynamic multi-level governance system that has become more and more complex due to intermediate levels like the European Economic and Monetary Union and other forms of intensified cooperation²⁾. Supranational (European), national and regional levels also participate in the political decision-making processes. In this context, the players of the respective levels do not act in isolation from each other. Rather, cooperation and the willingness to compromise are required if a player wants to achieve his targets that are in each case defined by constitutional and political competences, opportunities to influence and interests. This again leads to an overlapping of European, national and regional tools and procedures. However, the procedures to establish standards and make decisions on the European level themselves are marked by a complex, dynamic balance between the individual institutions of the EU (in particular Commission, Parliament and Council). Decisions at all times also require a procedural cooperation of these institutions with the national, and, in part, also with the regional levels. Simultaneously with the continuing European integration and, therefore, the rise of the interdependency among the levels and the interaction of the players, the complexity of the European political process is continuously increasing. Apart from that, there is the growing importance of mostly independent agencies (European Banking Authority, European Securities and Markets Authority etc.) that also exercise their delegated responsibilities in a complex process of negotiations.

Against this background, the political formation of will and decision-making processes in the EU diverge more and more from the spheres of personal awareness. Parallel to this, political decisions have become less and less comprehensible. In part they cannot be explained by individual contentual considerations and rather appear to be the result of sophisticated and complex procedures.

Prof Dr Klemens Joos perceived a measurable connection between the complexity of political and economic decision-making processes and the relevance of individual contentual aspects in the practice of political lobbying and used the theory he developed from this critical observation as the basis of EUTOP's service Model:

“There exists a negative correlation (statistical connection) between the complexity of a decision-making process and the relevance of individual contentual considerations for its results. The more complex the situation, the more the content-related logic subordinates to the process-related logic at the end of the decision-making process.”

IN OTHER WORDS

- **The simpler a decision-making process is structured** – small number of decision-making levels, simple procedural rules, few decision makers – **the higher the relevance of individual contents and arguments for a concrete decision is**. In such a system, a decision is accordingly mainly based on contentual aspects. The structure of the decision-making process is transparent; it does not influence its outcome or only influence it to small degree.
- **The more complex a decision making process is structured** – numerous decision-making levels, complex procedural rules, numerous decision makers, numerous and mostly diverging interests – **the higher the relevance of the decision-making structures and processes for a concrete decision is**. Contents and arguments continue to be relevant; however, their individual relevance for the result of a decision-making process tends to decrease according to its growing complexity. In such a system, a decision is consequently more strongly based on procedural aspects; Contentual aspects are at risk of being unnoted in the decision-making process for procedural reasons. According to the phase of the political process, the weight of the contents in the set of arguments changes because the different players also have different contentual preferences and in the course of finding a compromise weaken or abandon positions in order to achieve other targets.

If one uses this theory as a basis for a highly complex political system like the European Union and the decision-making processes appropriate to it, this means for the practice of lobbying that:

“Process competence is at least as important as content competence”

Only through process competence can content competence unfold in the right and decisive place. Without a doubt, contents and arguments are also necessary in complex political processes. Ultimately, it is contents which are negotiated. Sufficient for their inclusion and assertion, however, is only their communication to the right recipients at the right time and in the right place, as well as, the knowledge of objectives, interests and mentalities of the decision makers and of the informal and formal decision-making rules. An argument that is not introduced during a certain step in the decision-making process runs the risk of not being taken into consideration anymore.

Clearly, this idea is also applicable to other areas of society, as well as other decision-making environments – for example, decision-making processes in various management disciplines are, as regards their structure and patterns, not unlike complex executive and legislative decision-making processes.

By the end of the 1980s, Prof Dr Klemens Joos had already recognised the principle of a European, process-oriented approach and the importance of process competency in lobbying, and realised this in 1990 by founding

EUTOP International GmbH. He put his thesis on a sound theoretical basis for the first time in 1997 in his dissertation published in that year (“Representing in the Interests of German Companies vis-à-vis the Institutions of the European Union”, at the Faculty of Business Administration of Ludwig-Maximilians-University Munich). It has been empirically demonstrated as correct, and successfully applied for lobbying in three decades since the foundation of EUTOP International GmbH. In February 2022 Prof. Dr. Klemens Joos was awarded an honorary professor for “Business Administration – Political Stakeholder Management” by the Technical University of Munich (TUM). He has already been a visiting lecturer at the TUM School of Management since April 2021. From 2013 to 2021, he was a visiting lecturer at the Faculty of Business Administration of the Ludwig-Maximilians-University Munich (LMU).

The processual approach to lobbying is the subject of further scholarly examination in his book “Convincing Political Stakeholders” (published in 2015; revised and extended in 2023).

¹⁾ Initial version June 2012

²⁾ Only the European Commission and the European Court of Justice as „guardians of the treaties“ are exclusively committed to the European perspective. However, the dimension and definition of the “European interest” are also subject of a process of negotiations and consultations.