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Framing “the Public Interest”: Comparing Public Lobbying Campaigns in Four European States

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Abstract

How do lobbyists get their way and what is the consequence for democracy of their strategies? It is frequently asserted that lobbyists appeal to the public interest to strengthen their proposals. This paper empirically corroborates this claim through four case studies cutting across different European cultural clusters and political systems. The paper unpacks *how* businesses communicatively construct a link between their private interest and the public interest. The findings illustrate the flexibility of the public interest argument and hence also the potential problem. If everything can be made out to be in the public interest, the concept becomes empty and easy to capture for special interests. At the same time, unpacking the communicative construction helps in critically evaluating lobbyists' claims of working in the public interest.

Introduction

Research has pointed out that lobbyists often claim to work for the public interest (Baumgartner, Berry, Hojnacki, Kimball, & Leech, 2009; Culpepper, 2011; Rommetvedt, 2011). In the political sphere, organized interests will seek to build legitimacy by “aligning the self-interested socio-political claims of the organization with a view of the public interest held by at least some influential segments of society” (Oberman, 2017, p. 484). Practical advice to lobbyists is that, “*Issues should be framed to show how the public benefits from your side of the argument. Don’t go public with a narrow, self-serving issue*” [emphasis in original] (Mack, 1997, as cited in

**Please send correspondences about this article to Øyvind Ihlen, Department of Media and Communication, University of Oslo. E-mail: oyvind.ihlen@media.uio.no. Copyright Ihlen 2018. This work is licensed under the Creative Commons Attribution-Non Commercial 3.0 United States License. To view a copy of this license, visit <http://creativecommons.org/licenses/by-nc/3.0/us/> or send a letter to Creative Commons, PO Box 1866, Mountain View, CA 94042, USA.*

McGrath, 2007, p. 271). However, political amateurs are often unable to distinguish between their private interest and the public interest. The job of the professional lobbyist is to make business actors “dressed for politics” and “develop their arguments with consideration of the perspectives and preferences of others” (Naurin, 2007, p. 117). In general, non-elected political actors are likely to seek legitimacy arguing that their interests match the broader interests of society. This is particularly important when the lobbying is conducted in public, that is, when the campaign willingly or unwillingly attracts media attention.

One particular organization type—business—faces a communication challenge when attempting to construct arguments based on the public interest. Since business is premised on pursuit of a private interest, profit, the motives of business are easily questioned. An accusation then is that the pursuit of private interests is undertaken in the *guise* of pursuing the public interest.

Indeed, the very notion of the public interest has been debated for a long time, and accusations of conceptual incoherence have been issued. Some also have claimed that “there can be no public interest because there is no public or community other than the aggregation of individuals and special interest groups which they form” (Cochran, 1974, p. 328). Others have maintained that the concept is undemocratic because it “can result in the otherwise valid preferences of individuals being subjected to those of falsely constructed majority communities” (Anthony, 2013, p. 127). Finally, since the concept is rarely defined but rather *invoked*, some see it as “an empty vessel, waiting to be filled with whatever values the user wishes. This lack of definition renders the concept vulnerable to capture by interest groups” (Feintuck, 2004, p. 2). Hence, there is a need to understand how political actors construct a link between their own interest and what they claim to be a public interest. Thus, in this paper, we pose the following research questions: *What role is played by the notion of the public interest when business conduct public lobbying campaigns? How is the public interest framed in such campaigns?*

To provide answers, we rely on a convenience sample of private businesses and public campaigns in the United Kingdom (UK), Italy, Norway, and Switzerland. In the next section we define lobbying as well as discuss the public interest notion and the use of framing in lobbying research. Then follows a section on methodology before we present the analysis and our conclusions.

Literature review

In this study, lobbying is understood as any attempt to influence political decision makers as well as bureaucrats regarding a particular policy issue (Baumgartner et al., 2009). The ultimate aim of lobbying is either to change or maintain policies through direct and indirect actions that influence the policy community. Lobbying is “essentially a form of persuasive communication in the political arena” (McGrath, 2007, p. 269).

Research has demonstrated how lobbyists frequently work the back channels of politics

attempting to steer issues away from the public eye and keep them in the domain of *quiet politics* (Culpepper, 2011). Direct forms of lobbying include cultivating positive government relations. In contrast, indirect forms of lobbying are through media coverage or grassroots initiatives in which organizations aim at reaching the general public and involve people in advocating their cause to political decision makers (Trapp & Laursen, 2017). The goal of such indirect public lobbying campaigns is to present a particular take on an issue and/or to put pressure on politicians. Here, lobbyists obviously have to be prepared to meet counterarguments or attempts to use the public interest argument for opposing solutions. A prominent feature of democracy is exactly this, as advocated by Dewey, to bring “conflicts out into the open where their special claims can be seen as appraised, where they can be discussed and judged in the light of more inclusive interests that are represented by either of them separately” (Dewey, 1935/2000, p. 81). Again, of course this raises the question, what really is the public interest?

The public interest

As mentioned in the introduction, the public interest concept is problematic. Lippmann (1955) suggests that the public interest is “what men would choose if they saw clearly, thought rationally, acted disinterestedly and benevolently” (p. 50). In the same vein, Douglass (1980) suggested that the public interest is “what is really good for the whole people as interpreted by the people” (p. 114). Bozeman (2007) argues that an ideal public interest “refers to those outcomes best serving the long-run survival and well-being of a social collective construed as a ‘public’” (p. 17). The history of commentary on the concept illustrates that the public interest is a rather ambiguous concept that raises a host of epistemic issues. How precisely is the public interest to be known? Can *the people* be mistaken about its interest? And how should we decide what is really *good for the people*?

The public interest is a slippery notion that for some political theorists suffers from conceptual incoherence (Cochran, 1974). However, Bozeman (2007) resists efforts to abolish the idea arguing that in fact the “procedural” approach may present a useful compromise for those who would “not accept a normative view of public interest but [are] not ready to altogether abandon the concept” (p. 93). Central to the procedural approach is the idea that a key role of government is about “reconciling interests through deliberation and debate and about having procedures that can yield agreed—or certainly acceptable—policies and outcomes” (Anthony, 2013, p. 127). Simm (2011) notes the idea of attempting to accommodate various societal interests while at the same time upholding certain fundamental values has been advocated as a resolution of the question of the public interest by philosophers from Hobbes and Hume to Rawls. It could be argued that the public interest is the product of political and legal processes, and, as Anthony (2013) points out, its strength is that a “procedural approach recognises that individuals necessarily interact with one another within the framework of broader society. On this view, the public interest is what emerges from deliberative processes that occur within democratically legitimated institutions” (p. 128).

However, at the same time, it must be recognized that contemporary society is constructed from conflicting values and divergent interests, and therefore the public interest is always contingent in the sense that no one definition of the public interest can ever be viewed as final. There is no unitary fundamental idea, or as Simm (2011) puts it, there is “no one correct public interest independent of time and space; . . . it only comes into existence and is consequently defined when we voice and debate our concerns and views” (p. 560).

Thus, the public interest seems to be a flexible concept. This flexibility can be seen negatively as an example of conceptual stretching (Sartori, 1970) which, to use Feintuck’s (2004) term, renders the idea “an empty vessel” (p. 2). Or one may agree with Simm (2011) that this versatility is an advantage since “perhaps it is this openness to reinterpretation that has secured the concept its longevity and continued usefulness for thousands of years” (p. 555).

Ultimately, Johnston (2016) concludes that the public interest “is best considered within specific social, legal, cultural and time contexts” (p. 1). In political battles, there is rarely any consensus on how the public interest should be understood and defined. Thus, in most lobbying campaigns there will be competing claims to how the public interest should be evaluated (Johnston, 2016). Indeed, lobbying could be seen as the weapon in this competition or the public interest could be seen as “the democratic game itself” (Bitonti, 2017, p. 161). Also, corporations try to frame the public interest in ways that link it to the corporate interest and that regulatory mechanisms can be captured by special interests (Johnston, 2016). Hence, a central problem this paper addresses is how *framing theory* can illuminate the process.

Framing and lobbying

Framing theory has been applied previously in research on lobbying (e.g., Boräng, Eising, Klüver, Mahoney, Naurin, Rasch, & Rozbicka, 2014; Daviter, 2007; Klüver, Mahoney, & Opper, 2015; McGrath, 2007), but not with emphasis on the link to the public interest. *Framing* denotes the activity of highlighting “*some aspects of a perceived reality and [making] them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation* for the item described” (Entman, 1993, p. 52, [emphasis in original]). Framing thus concerns contextualization and providing a direction for interpretation, quite often to the benefit of the perspective of the framer (Hallahan, 2011).

Baumgartner et al. (2009), however, concluded that huge policy change was seldom the result of the efforts of the lobbyists. Similarly, they maintained that change was rarely brought about by the introduction of an entirely new frame. These findings, nonetheless, seem to confirm an important insight from framing research, namely the importance frames have when they are embedded in social culture. Strong frames make up a cultural stock of ways of thinking about issues that directs interpretation—an issue cannot be understood in any other way (Van Gorp, 2007). Thus, frames are important for analysis of power and the treatment of political issues (Carragee & Roefs, 2004; Vliegthart & van Zoonen, 2011). Frames are employed in political

contests concerning the scope of issues, as well as regarding who is responsible, who is affected and which enduring values are relevant (Pan & Kosicki, 2001). Transferred to lobbying, lobbyists are likely to attempt to construct frames showing how their proposal addresses a problem that has certain roots and thus has to be addressed in a particular way to serve society and the public interest best.

Still, it has been argued that “we know remarkably little about how interest groups choose their frames” (Klüver et al., 2015, p. 481). This and other lobbying studies using framing theory have stopped short of looking at the communicative construction of the frames. Instead, studies typically perceive frames as more or less discrete, stable entities that you choose from, for instance, whether or not an issue is framed individually or collectively, creating an individual or a collective frame (e.g., Baumgartner & Mahoney, 2008). This study will delve deeper into and demonstrate the particular communicative construction of frames by looking at what elements are used.

Methodology

To balance depth and breadth in answering the research question, the research team chose a multi-case study approach and comparative design representing four different cultural clusters: the UK: Anglo Cultures; Italy: Latin Europe; Norway: Nordic Europe; and Switzerland: Germanic Europe (Gupta, Hanges, & Dorfman, 2002). The countries also are rated differently in the analysis of democracy types conducted by Lijphart (1999). The UK is clearly a majoritarian democracy, scoring low on the executive-parties dimension (e.g., low values indicate single party dominance in cabinets, majoritarian electoral systems), as well as the federal-unitary dimension (e.g., low values indicate centralized government, flexible constitutions). Switzerland is on the diametrical opposite side on both these dimensions, while Norway and Italy score high on the first, but low on the second. In terms of interest group pluralism, however, there is huge difference between the two latter countries. Italy scores high, although not as high as the UK. Norway scores lowest of all, with Switzerland in tow, indicating more corporatist traditions in these two countries. Thus, with this design, lobbying in Western-style democracies is explored and compared.

Within each country a relatively recent campaign (from the period 2014–2016) was chosen, based on the criterion that it had received media coverage and that the lobbyists had argued their case publicly (see next section for short descriptions of contexts and goals of the campaigns). Each case narrative describing the organizations (history, mission, vision, and values), the campaigns, and the activities was compiled using official information published on the organizations’ main websites supported by news coverage. Furthermore, press releases and reports about each campaign were analyzed (UK: n=7; IT: n=11; NO: n=1; CH (Switzerland): n=5). Media coverage of the cases was gathered using national media archives (subscription based) of the main newspapers in each country (UK: n=10; IT: n=9; NO: n=8), or, in the

Swiss case, of all three language regions (n=17). Searches were built around a string involving the name of the business in question, as well as keywords for the issue the lobby campaigns centered on. The texts include both news coverage as well as op-ed articles. After sorting the hits manually, a total of 120 newspaper articles were included for analysis (UK: n=29; IT: n=47; NO: n=27; CH: n=17). In this part of the study, the goal was not to study how the issues were covered in the news, but rather to highlight the frames and the frame elements the actors attempted to put forward to argue their case.

For all the cases, apart from the Italian one, semi structured interviews were conducted with representatives who had been deeply involved in the campaign. In Norway, the communication manager of the corporation in question was interviewed because he led the campaign. The interviewee in Britain was a spokesperson for the Rail Delivery Group, the industry body that represents all rail passenger and freight companies in the UK. A total of 3 interviews (UK: n=1; NO: n=1; CH: n=1) were conducted, lasting approximately 1–1.5 hours, which were recorded and transcribed by research assistants. The interviewees read and approved the transcripts (some changes to the transcript were required by the Swiss interviewee). In the Swiss case, representatives were not available for a personal or telephone interview, so questions were emailed and responses were gathered in writing. In the Italian case, the company declined to be interviewed. In the UK case, the respondent agreed to the recording of the interview, but that it be treated as an “off the record” briefing to a journalist as a first stage. An abridged interview guide is included in the Appendix.

The study can be located within the qualitative (rhetorical) approach to framing analysis that is more oriented toward criticism than social-scientific investigation (Kuypers, 2009). Hence, this study builds on a rhetorical, inductive approach to textual analysis and provides rich interpretations of strategies used in the four particular cases. The goal is not to generalize, but to provide deeper insight, which in turn can be used for further research, qualitative or not.

Inspired by grounded-theory research (Glaser & Strauss, 1999), we followed an inductive stepwise approach. We coded the data using the principle that we would search for similar verbal claims and portrayals of the elements singled out in the Entman (1993) framing definition: problem definition, causal interpretation, moral evaluation, and treatment recommendation concerning an issue. However, “moral evaluation” was replaced with “evaluation of the public interest” since the assumption is this focus on the public interest is what the actors will try to invoke to have policy makers look favorably on their cause. The other frame elements help in the construction of this concept. By conducting comparisons between the relevant passages in the texts and interview transcripts, and by going back and forth between the research literature and the data, the observations presented in the subsequent analysis section were generated.

Short case descriptions

The UK case

In the early 1990s, the UK national rail system was broken into regional segments that were franchised out to private companies. The wisdom of this policy has been debated ever since, usually prompted by a private company’s failing to provide the timetable it promised, overcrowded trains, and so forth, and various political and interest group campaigners have called for renationalization of the rail network. The issue has attracted a lot of media attention and the argument for renationalizing has gained support among opposition political parties that have been joined in a broad-based alliance by unhappy commuter groups, trade unions, and various environmental groups. Investigated in this case is the public lobbying campaign against renationalization of the railway system of and in favor of retaining the status quo, conducted by the key business actor, the Rail Development Group (RDG), an umbrella organization for the business groups of rail franchises.

The Italian case

This case is about a lobbying campaign conducted by Ferrero Group against banning palm oil in the food industry. Ferrero is an Italian multinational company most known for brands such as Nutella, Ferrero Rocher, Kinder chocolate, and Tic-Tac. In recent years, Ferrero, like many other multinational companies in the food industry, has faced charges about the damages that palm oil causes to the environment and to the health of consumers. In September 2016, Ferrero launched a public lobbying campaign to address consumer concerns in which it promotes use of sustainable palm oil. Ferrero created a specific television commercial on the use, organized press conferences, and promoted its position through diverse media relations activities. It also sought expert opinions and made available scientific documents and reports on the use of palm oil.

The Norwegian case

Travel Retail Norway (TRN) is the largest private alcohol seller in Norway and runs duty-free shops at the largest Norwegian airports, which in turn are operated by the publicly owned company Avinor. The challenge for the Heinemann-owned company was a proposal in 2014 that it would not get its contract renewed. The duty-free arrangement could be abolished altogether or the publicly owned Vinmonopolet could run the shops instead. The situation attracted media attention and this case focuses on the lobbying conducted by TRN to maintain status quo for duty-free alcohol sale at Norwegian airports.

The Swiss case

In 2014, Greenpeace Switzerland asked for publication of the emission data from the Kernkraftwerk Leibstadt (KKL) nuclear power plant in Leibstadt. Such data are regularly reported to the Swiss Federal Nuclear Safety Inspectorate, which deletes them after one month. Greenpeace asked for renewed reporting and publication of deleted emission data. KKL refused to republish the data. Greenpeace subsequently sued but lost the case in the federal administrative court. The verdict then was appealed to the supreme court, which sided with Greenpeace. This case focuses on the lobbying campaign by the power plant against release of the emission data.

Frames in the campaigns

Following the theoretical and methodological approach described in the previous sections, the frames used by the different actors in the case studies all involve a certain public interest evaluation. The actors promote a certain problem definition, which implies causality, implicitly or explicitly, and see the public interest as something that is at stake. Hence, a particular course of action should be taken. In Table 1, the communicative strategy is broken down according to these elements to show how the organizations create alignment between their business interest and the public interest through particular communicative efforts.

Table 1. Frames in lobbying campaigns

	RAIL, RDG – UK	PALM OIL, FERRERO – ITALY	DUTY FREE, TRN – NORWAY	NUCLEAR POWER, KKL – SWITZERLAND
<i>Problem</i>	Operational rail problems.	Consumers could be deprived of excellent products.	Small airports might be closed down.	Releasing emission data could cause public confusion.
<i>Causality</i>	The privatization has caused a rising demand, but too much regulation hampers businesses' ability to improve services.	False health and environmental accusations ignore that it all depends on companies' practices.	The airport owners depend on the huge surplus provided by TRN to subsidize smaller airports.	The complex data are not self-explanatory and could be misused by environmentalists.

<i>Public Interest Evaluation</i>	Efficient profitable transport and return revenue to national exchequer.	Consumers deserve the best possible products and corporations that take responsibility.	Preserving jobs and a good cross-national public transportation system.	The public should be able to feel secure and not be worried about spurious safety claims.
<i>Treatment</i>	Private rail franchises should be retained; greater operational freedom granted.	Sustainable palm oil cultivation and extraction should be promoted.	TRN should still run the duty-free shops.	KKL should not be asked to resubmit data.

Problem definition

The basic goal of each framing process is first to pick the battlefield, that is, define what the problem is and whether or not changes are needed. The importance of owning a problem, or being able to describe it using one’s own terms, has been pointed out repeatedly (Baumgartner & Jones, 2015; Rochefort & Cobb, 1994; Schiappa, 2003).

In the UK case, RDG would agree to the existence of operational problems, but this would be second to the real problem of too much government regulation. Hence, the company provided an alternative discourse of not denying problems in service delivery but asserting that the real story was the industry’s recent success. This positioning is summarized in the following quote: “Over the last decade, Britain’s railway has been transformed into Europe’s most improved, thanks to an industry structure which brings together private sector innovation and government policy to serve its customers and the wider economy (Rail Delivery Group, 2014, p. 14).

Ultimately then, RDG is less concerned with defining the problem in the current UK rail industry than attacking the problem definition of their enemies. RDG is clearly concerned with the growing pressure for renationalization of rail services in the UK and state that “there are those who believe that the way forward is to go backward, to the structures and systems of the past (as cited in Burchell, 2017). Thus, much of RDG’s communicative effort is expended on warning about the danger of returning to old practices that RDG claims would result in the loss of good, reliable services for rail customers.

In the Italian case, Ferrero implicitly denied that its use of palm oil contributes to deforestation and causes health issues for its consumers. As the company states, “No food is good or bad. And palm oil is no exception. Experts confirm, scientific studies deny its harmfulness” (translated) (Ferrero, 2017c, para 1). In response to the accusations, Ferrero affirms:

The risk factor is not related to the food itself, but rather to the processes of industrial transformation. How to solve it? Simply squeeze fresh fruit, implement a series of measures that control the formation of precursors or mitigate the formation of contaminants,

mitigating the final content, and work the product at controlled temperatures to minimize the danger of contaminants. (translated) (Ferrero, 2017c, para 4)

The question of banning palm oil from its products was reframed to center on consumers’ potentially being deprived of excellent products if palm oil were banned: “Making Nutella without palm oil would produce an inferior substitute for the real product, it would be a step backward,” Ferrero’s purchasing manager Vincenzo Tapella told Reuters (as cited in Chapman, 2017).

In the Swiss case, as Axpo’s spokesperson from the mother company of KLL argued, the problem was that publishing this emission data “would probably create confusion rather than being a measure of transparency” (Axpo communication manager, personal communication, July 14, 2017). Besides, the company argued, all legal and administrative obligations were already met, so safety was not the real issue.

In the Norwegian case, the company worked from the realization that “if [the politicians] do not like you, it does not matter what you have to say. . . . But you have to provide a solution for the politicians” (TRN, communication manager, personal communication, March 30, 2016), TRN pointed to a problem that was not necessarily evident from the outset, namely that small airports across the country would be in danger of getting shut down if the duty-free business were abolished or given to other actors. When the interview was conducted, the communication manager declared that “previously, the debate was about alcohol. Now it is about financing Avinor [the state-owned company that runs most Norwegian airports]. And this debate, most people are interested in because they see the benefit and importance of their airport in their everyday life” (TRN, communication manager, personal communication, March 30, 2016). As with the other problem statements referred to above, this restatement of what constituted the real problems would hinge on the causal explanation of the problem as defined by the lobbyists.

Causality

In the UK case, according to rail group, the difficulties of the British railway system were caused by the *success* of the entrepreneurial franchises that are running the rail transport system. Overall profitability is rising and the current problems (reliability, overcrowding, timetabling chaos, etc.) are actually symptoms of the constraints placed upon franchises under the current operating conditions of rail privatization. The problem is one of rising demand and RDG’s members “cannot meet the challenge of delivering more and better services while bringing down costs without making some significant changes to how we work” (Rail Delivery Group, 2014). RDG argues that expansion of services to enable more passenger journeys cannot be developed without major upgrades to tracks, signaling, and trains, and if rail services do not modernize their economic contribution will be reduced. Ultimately, there is the strong implication running through the company’s message that the cause of the problems in the British rail system is too much central government control (i.e., interference) and that responsibility for the maintenance of track and signaling systems is not within RDG’s control.

To sustain its main position on continuing using palm oil, Ferrero argued that a) there is not enough scientific evidence that saturated palm oil fats harm health, and b) the environmental impact related to palm oil production depends a lot on companies’ practices. Product safety is communicatively constructed by comparing the quality of different types of oils used in the food industry. According to the Ferrero president, “Today, most of palm oil that arrives in Europe is certified. Rapeseed, sunflower and soy oils are not instead” [translated] (ac cited in La Repubblica, 2017). As this statement shows, palm oil is told to be qualitatively more secure than other oils. Communicatively, Ferrero sought to decrease the magnitude of the problem through references to the scientific community and experts who noted the inconclusive evidence of health issues related to the consumption of palm oil. At the same time, it increased attention to its environmental sustainability efforts and the production of sustainable and high-quality palm oil. The concepts of quality, naturalness, freshness, sustainability, and uniqueness are mentioned continuously in the campaign material under the slogan, “There is oil and oil. Ours is Ferrero palm oil” (translated) (Ferrero, 2017a, para 1).

The causal relations pointed out by the Norwegian duty-free company was that the company paid a revenue-based rent to the state-owned company Avinor. Avinor runs 46 Norwegian airports and some of these are not profitable, and hence Avinor is subsidizing them. TRN had a consultancy firm produce a report that concluded that Avinor would lose 900 million NOK (Norwegian Krone, the currency of Norway) each year, which in turn, it was argued, was needed to keep smaller, non-profitable airports alive (Oslo-Economics, 2015). Even before the report was released, in December 2014, the Avinor CEO was quoted in the news saying that the income from duty free kept the smaller airports alive (Klassekampen, 2014). The communication manager of TRN declared, “If there is an airport, we are going to visit the mayors in the nearest towns” (TRN, communication manager, personal communication, March 30, 2016),

Finally, in the Swiss case, the nuclear power plant operator KKL argued that a republication would confuse rather than inform the public. And as the communication manager of Axpo put it, “It is not about covering something up” (Axpo communication manager, personal communication, July 14, 2017). KKL argued that a public interest is not given if one organization (Greenpeace) asks for disclosure (Federal Administrative Court, 2016). And the company feared that these data could be misused by Greenpeace to damage KKL’s reputation: “The counterparty has proven what it does with such data and which position it has toward us” [authors’ translation] (Axpo communication manager, personal communication, July 14, 2017).

Public interest evaluation

As indicated above, all the actors in question picked problem definitions relating to a wider audience’s needs and values and then constructed their arguments around this. For instance, in the UK, RDG framed the current system as serving the public interest through the claim that the private sector delivers higher levels of productivity and the more nebulous claim of the ownership of modernity, in comparison with state-run services. But, explicit claims that this

benefit derives directly from the profit motive were not made. The public interest benefits are delivered through an exchange mechanism whereby corporations that hold rail franchises are put under pressure by the state to keep down running costs, and they respond by making service and productivity innovations that attract more passengers, which generates new income. This scenario, the industry body claims, benefits the public interest because as the previous RDG Chairman argued: “The vast majority of this extra income is returned by operators to government for reinvesting in the railway” (Griffiths, 2015).

There are attempts to counter trade union strikes and campaigns—which draw on public interest safety frames—by positioning these as what the current RDG Chair refers to as “old ways of working” (Burchell, 2017) in contrast to the corporate driven modernity of the train companies. The privatized system is described by RDG as a public-private partnership that it claims has expanded a public service during a period of economic difficulties and reduced government spending. A key argument from RDG is that the public interest is not served by government priority setting “top down target setting and strict command and control. . . [that] can skew performance, stifle innovation, and reduce the system’s agility to address real people’s needs” (Burchell, 2017, p.8).

In the Italian case, Ferrero primarily reminded consumers about the quality of their products but also pointed to the public interest of having companies behave in a responsible and sustainable way. “We are able to produce our products with palm oil because our oil is better than those used by competitors from the point of view of environmental sustainability,” says Alessandro d’Este, president and CEO of Ferrero Italia (translated) (as cited in Griseri, 2016b, para 2). Ferrero argued that it is committed to high sustainable principles, and their corporate social responsibility strategy “goes from caring for the people who have made and continue to make the history of the Group, the support of local communities, the promotion of active lifestyles among youths and their families, all the way to its strong commitment to sustainable farming practices and safeguarding and protecting the environment” (Ferrero, 2017b, para 3).

To bolster the link to sustainability and corporate social responsibility, Ferrero focused on two key storylines: a) Ferrero works with local suppliers so that the production and extraction are both sustainable and of high quality, and b) Ferrero works with NGOs to prevent deforestation. To gain support for its position, Ferrero used fact-based discourses supported by evidence of corporate actions that include diverse CSR initiatives, including sustainable production activities endorsed by Greenpeace and WWF (Griseri, 2016a).

The public interest is represented through references of quality and production standards. As the company states:

The principle of freshness does not guide us only in the choice during the purchase phase but also when the oil arrives at our factories. Here, after a strict quality control, we rework it to make sure it is as neutral as possible in terms of smell and taste, and then use it in our products in a short time. This is why Ferrero palm oil is a safe palm oil just like any quality vegetable oil. (translated) (Ferrero, 2016, para 4)

To gain support for their cause in Norway, TRN identified the issue of regional infrastructure as something of public interest. Traditionally, the idea of persevering local communities has been very strong in Norway and a pillar in Norwegian politics (Rokkan & Valen, 1964). Hence, fusing the goal of the company with this goal could help the company forge an alliance with local and regional politicians who would find it hard to face their constituencies and tell them that their airport would be closed:

The debate we wanted, was the one that concerned most people. . . Our [loss of] revenues are not relevant for anyone. But airports have relevance for many. . . People have to understand what the societal costs would be [of losing revenue for AVINOR]. (TRN, communication manager, personal communication, March 30, 2016)

In the Swiss case, KKL redefined the public interest to not be about transparency, but about avoiding a public scare. Indeed, the company attacked Greenpeace and tried to shift the blame by accusing Greenpeace of having an instrumental agenda under the cover of the public interest argument, as “the counterparty has proven what it does with such data and which position it has toward us” (Axpo, communication manager, personal communication, July 14, 2017). This might be explained by the issue of nuclear power and plant emission data, as these data bear significant importance for public health and the environment in the case of an incident (Federal Supreme Court of Switzerland, 2017). Furthermore, in a semi-direct democracy, a public interest might also be implied if only a small number of people show interest in an issue, because in such a political climate, citizens are used to having their arguments heard and having a say in an issue that concerns their communities. Importantly, then, the company argued that the interest of one person or one organization does not constitute the public interest. All in all, releasing old emission data is not in the public interest, since the public does not understand them.

Treatment

The treatment recommended by all the involved businesses were for *status quo* to be maintained, and in the case of RDG in the UK, the lifting of remaining regulations. This stance provides the businesses with an advantage since the unknown involves uncertainty (Baumgartner & Leech, 1998). A change could possibly have negative consequences, something lobbyists can play up as well. In the Norwegian case, shutting down small airports would be something to avoid and thus something to highlight for the TRN. The company pictured four possible scenarios: “1) Status quo in one form or the other, 2) Vinmonopolet would take over. . . 3) abolishing the tax-free arrangement, 4) A big change, for instance, Vinmonopolet would take over and also take over tobacco sales. . . We are preparing for a wild card solution” (TRN, communication manager, personal communication, March 30, 2016). The former solution was obviously the one preferred by TRN, which felt that the company could outperform its potential competitors because “their purchasing prices are 45% higher than ours” (TRN, communication manager, personal communication, March 30, 2016).

In the Swiss case, it was argued for status quo as a change of policy, releasing emission

data, would cause public confusion. Thus, rather than linking its argument to a broader public issue, KKL denied public access and again, the implicit and explicit suggested course of action is to stay on course. Arguing for status quo could also be done in a more positive way, going on the offensive. In a keynote speech, RDG chairman reaffirmed the need to more efficiently organize the complex web of partnerships and interrelationships that make up the privatized UK rail system. There is a carefully couched yearning to break from democratic control and leverage the corporate power and capacity that the franchising system has fostered:

I believe that 20 years on from the end of [publicly owned] British Rail it is time for a more mature relationship between industry and government to take us forward, together. Not parent-child, but adult-adult. (as cited in Burchell, 2017, p.7)

The implication of this quote is that business should be enjoying higher levels of operational freedom while running an essential public service in line with the logic of markets and customer responsiveness. The problem solutions are essentially technical refinements to the existing system. Where the system might be reformed is through the private sector’s earning greater degrees of operational freedom and independence from public accountability. Vital in this battle to frame the future of the rail system is the ownership of modernization, with any reassertion of public ownership being deliberately portrayed as a step back in time.

Ferrero also sought to elevate its suggested treatment of the problem and link this to the wider industry and its own assumed leadership position here:

The Greenpeace *Palm Oil Scorecard 2016* identified us as one of the two leading companies and among top 14 global companies in the food industry, the only one capable of tracing the plantation origin of almost 100% of its palm oil. (translated) (Ferrero, 2017a, para 7).

Journalists reported that independent organizations such as Greenpeace corroborated the company’s commitment to the public interest calling Ferrero “one of the more progressive consumer-facing companies” (Kroger/Greenpeace International News, 2015). Thus, the company seemed to be able to put a positive spin on the issue.

Discussion and conclusion

Unsurprisingly, the studied businesses all laid claim to be working for something that would be in the public interest. This is very much in line with the expectations stemming from the literature review (Baumgartner et al., 2009; Culpepper, 2011; Rommetvedt, 2011). The public interest argument is broadly used similarly in cases stemming from four countries representing different cultural clusters and political systems. Hence, this pattern corroborates the claim that arguing for the public interest is a staple lobbying strategy in Western-style democracies. The cases also illustrate different ways of constructing the public interest, be it in the form of reliable transport (RDG), excellent consumer goods (Ferrero), public infrastructure to preserve local communities (TRN), or public security (KKL). It links the private interests of the

companies to something grander, something that is of interest to everyone.

As pointed out, the public interest is a contested concept. Thus, public deliberation is necessary to decide what the public interest is and how it should be interpreted (Johnston, 2016). Bozemann (2007) argues that Dewey’s idea of an open deliberative democracy could “expose private interests masquerading as public ones, and through this process of debate and deliberation the community could test alternatives, ascertain social consequences, and identify the most widely shared good among citizens” (p. 105).

However, as these case studies show, most lobbying campaigns are not conducted in a perfect public sphere. For businesses, the public interest works in mysterious ways and they can muster the resources and the creativity that is needed to make credible claims of working in the public interest. This problem is amplified by the number of studies indicating that the interest group system can be a threat to good government because of the biases it allows (Baumgartner & Leech, 1998). Unlike democracy where one person has one vote, the interest group universe is on whole unrepresentative where only the loudest and most powerful voices are heard (Gilens & Page, 2014). The bias toward business interests is strongest in the European Union and the United States, but the trend is also evident in other political systems (Binderkrantz, Christiansen, & Pedersen, 2014; Drutman, 2015; Lindsey & Teles, 2017; Mahoney, 2008). That this bias is accompanied by vivid claims of working in the public interest poses a grave challenge for the media and the politicians who are supposed to be the countervailing forces. Consequently, unpacking and critically examining the public interest frames of businesses is important from a democratic perspective.

How the different actors understand and articulate the public interest more generally determines how they both frame the problems and the solution to these problems. RDG starts from the position that having services like transportation provided by the private sector is economically better for society. This neo-liberal market ideology has been extended in British political discourse since Margaret Thatcher’s premiership in the 1980s and is seen as bringing efficiencies and higher productivity to service industries. By many on the political right, the public interest is seen in narrow economic terms and that rail privatization delivered income back to government coffers in the form of taxes and surpluses is seen as justification that privatization is successful. However, arguably RDG has toned down talk of markets and freedom. The talk is there buried in the subtexts, but RDG does not foreground this argument. There is more emphasis on public-private partnership, but with the balance of responsibility and leadership beginning to shift toward private dominance. This is clearly strategic given the recent period has been one of high profile service failures, so perhaps this can be viewed as a *bridging* frame—until various contingent factors become more favorable and RDG can push for its main objective of freeing itself from all government control. Ultimately, however, privatization for the RDG is not seen to have gone far enough and their solution is framed around freeing the rail franchises from the current elements of central government control and letting the open market benefit customers.

On the same line of strategy, Ferrero started from continuing using palm oil is socially better

for society since the company use guarantees its involvement in investing in and promoting sustainable practices in the food industry and in partnering with environmental organizations to help reducing deforestation. Indirectly, Ferrero is telling its consumers that abandoning the use of palm oil as other food manufacturers have done does not contribute to the public interest.

TRN was the one business actor that faced the most direct threat of losing business. That is, TRN’s case was the most tied to a private interest, which in turn created a communicative challenge as the profit motive tempers the ability to lay claim to be working for the public interest. The suggested solution by the business actor in this case was transparency: “We are totally open about this” (TRN, communication manager, personal communication, March 30, 2016). The public interest claim also was bolstered by arguing for the best choice in the circumstances. Since people are buying these goods anyway, the best thing would be to buy them in Norway.

Strategic actors will have a vested interest in how issues are framed and how their frame holds up against competing frames that suggest other definitions, interpretations, evaluations and recommendations. This study has given support to the literature’s suggestion that lobbyists use appeals to the public interest (Baumgartner et al., 2009; Rommetvedt, 2011). This tendency might be expected given the choice of cases here. If the campaigns were designed to be media friendly and attention grabbing public efforts, a framing around this motive would be the obvious solution. Political actors today *have* to make some kind of reference to what is considered the public interest, at least if the media are involved.

Still, an important conclusion from the Baumgartner et al. study (2009) is also that lobbyists in general do not have the power to determine the structure or the focus of the debate single-handedly. The public interest argument might be a necessity, but it is certainly not a panacea for lobbying campaigns. This is evident in the studied cases as well, although RDG and Ferrero have been successful in maintaining the status quo. Ferrero’s efforts resulted in success. In spring 2017, the European Parliament approved a resolution, which Ferrero supported, recognizing sustainable palm oil (European Parliament, 2017).

In the Swiss case, however, KKL managed to advocate for public safety, but this claim to the public interest was eventually not as strong as its opponent’s appeal to environment and health threats. Thus, if more than one actor calls on the public interest, it is not a winning ticket any longer.

The potential democratic problem of manipulatively exploiting the public interest argument might be lessened as a result of public scrutiny. The potential for such scrutiny is, nonetheless, obviously threatened as news media’s economic viability is under constant pressure and there is strong favorable bias toward businesses in the interest group system.

Limitations

The paper is based on four cases studies and hence strong claims about generalizability cannot be made. Further research is needed to validate the findings. Such research could investigate if the

incorporation of the public interest argument has been a staple of public lobbying campaigns or whether it is a result of an on-going professionalization process whereby non-elected political actors get more adept. Importantly, however, any claims about linkage between the use of the argument and the success of the campaign have not been made. Future research should investigate the possible effect of the argument and its success/lack of success. The cases are mixed: TRN is ongoing, the Swiss case is finally decided by the supreme court, and the other two businesses have been successful, at least so far.

What the study has demonstrated though is *how* four organizations establish the argument. The profit motive creates more challenges; transparency is needed. Future research also could increase the comparative dimension by building more systematically on the variables presenting different cultural clusters, types of democracy, and interest group pluralism. Here, these variables have been useful to select nations to include and to indicate that framing a policy goal as being in the public interest is a phenomenon found in different cultural and political contexts.

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Appendix

Abridged interview guide

Name: Background:

Lobbyism in general

- What do you understand by the term lobbying?
- What role do you believe lobbyists play in society?

Strategy and tactics in lobbying

- In this specific case, which scenarios did you envision?
- What did you wish to achieve? What specific goals have you had?
- What challenges did you face?
- Who were the most important actors/competitors? Why?
- How did you work in relation to these actors?
- How important was media coverage? What was your goal here?

Communication

- In this specific campaign, what was the most important argument to win support for your cause?
- Did you use different arguments towards different actors?
- Why do you mean X is a good argument? In what way?
- Your proposal is based on self-interest, how do you handle this when you communicate?
- What are the counter arguments to yours? What are their strengths/weaknesses?
- How have you tried to meet these?
- In general: what are good arguments in a lobby context?
- Have you been inspired by other campaigns?