

THEORETICAL APPROACHES TO LOBBYING

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Abstract

The formation and active promotion of different economic, social, and other positions and interests accompany the formation of civil society and the development of democratic institutions. Differences in the focus of interests and competition in defending these interests inevitably lead to such a phenomenon as lobbying. This article explores the theoretical aspects of lobbying, its essence, and its particularities.

Keywords: lobby, civil society, interest group

1 INTRODUCTION

Lobbying is one of the most important mechanisms of the relationship between society and the state. The ultimate basis for the emergence of lobbying is the presence of several interest groups in the structure of civil society. These groups formulate demands for other civil society participants to consider or implement.

The nature of the competition for influence over power structures among interest groups, which most often takes place in an institutionalised form, in turn significantly determines how these interests are represented. At the same time, electoral competition among interest groups is only one of these ways. An effective way of representing interests is to gradually achieve their functional representation, primarily through the structures of executive power. Lobbying is one of the mechanisms of functional representation of interests and legal influence on the authorities. In the Republic of Moldova, we also need novel approaches to the development of relations between society, business and government. We believe that the development of the state depends on the approach to this issue by various representatives of civil society. In turn, the authorities should communicate clearly and explicitly with all citizens, and the lobbyist assumes the role of a representative of the interests or demands that the authorities/decision-makers must take into account.

Based on this, we believe it is relevant to define what lobbying is and highlight how it relates to changes in the evolution of civil society.

2 METHODOLOGY

The research used the comparative approach, analysis, and synthesis. Official documents of the European Union, international data, publications from specialized editions in the Republic of Moldova and other countries were used as informational support.

3 RESULTS AND DISCUSSION

There are different views on the concept of lobbying.

The definition developed by the American League of Lobbyists is indicative: lobbyists are primarily experts on issues of public administration - its structure, programmes, policy, and legislative process. Lobbyists provide information, advocate policy stances and economic, social and special 'philosophies'. In addition, by liaising with policy makers, they are organically included in the planning and implementation of appropriate strategies to achieve policy objectives. [1] In another view of American lawyers, lobbyists are people who do business (therefore, lobbying is a type of business) and persuade legislators to pass laws that are desirable and to reject those that are contrary to interests. Such people act in their own interests or in the interests of their clients. [2, p.282]

British expert K. Coombs believes that two definitions of lobbying are often used in Western literature. First, lobbying is the realisation of every citizen's right to petition their government. Second, lobbying is the professional activity of either employees or special consultants employed by companies, business or professional associations, trade unions and other groups to represent the interests of these organisations in the process of shaping public policy.

The French economic and financial dictionary states that lobbying is a strategy promoted by an interest, pressure or influence group belonging to the same sector of professional activity, with the intention of promoting its own interests vis-à-vis political decision-makers.

Lobbyists rely on good knowledge of the decision-making circuits and build vast networks to exert pressure and influence on decision-makers. They aim to enforce laws, regulations, and economic rules to their advantage. Lobbying takes place in close collaboration with the media and public authorities, and requires knowledge of decision-making processes and stages. Among the various forms of lobbying are providing information to decision-makers, contributing to expertise, participating in study groups, organising conferences, visits, drafting amendments to a law, public consultations, etc. [3].

Multinationals often seek to capture the attention of political leaders in order to present their interests and get them to at least support, if not propose, measures favourable to their activities. *L'Observatoire des multinationales*, a website run by the Alter-media association, has published the CAC 40 True Annual Report, which puts a figure on the lobbying expenditure made in 2018 by the largest French companies. In total, the 40 groups that make up the CAC 40 index spent €65.88 million in 2018 to represent their interests in Paris, Brussels and Washington.

Nationally, TotalEnergies SE has the highest lobbying expenditure. "This position reflects the key role of the French state in regulating and supporting the energy sector, as well as the diversity of activities in which the oil group is engaged in France," the report states. Lobbying in the banking sector, which is highly dependent on national regulation and exposed to the consequences of Brexit, is also important. At the same time, many decisions are taken at European level.

French multinationals with a strong presence in the North American market are also lobbying in Washington. This is the case for the pharmaceutical group Sanofi, which wants to avoid drug price regulation. Airbus is in head-to-head competition with the US aircraft manufacturer Boeing.

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Companies like Vivendi and Pernod Ricard are more concerned about intellectual property and brand protection. [4]

In a broad sense, the term 'lobbying' is used when talking about creating a groundswell of opinion supportive of change. In a narrow sense, however, lobbying is defined as the totality of actions carried out by interest groups or their representatives through legal and legitimate methods, with the aim of influencing policy formulation and decision-making in public institutions. [5]

In the United States, the principles of lobbying are defined by law. Similar legal and moral regulations exist in the UK. In Europe, lobbying is currently unregulated in only 7 out of the 27 EU countries: Estonia, Greece, Hungary, Luxembourg, Malta, Portugal and Slovakia. Ten EU countries have not adopted any legislative regulation of lobbyists, but have developed self-regulation: for example, in Sweden, all companies involved in lobbying are members of the Association of Public Relations Consultancies (PRECIS), which issues binding recommendations to all its members. The European Commission is required to publish details of all meetings of its officials with lobbyists. [6]

Since the European Commission presented a proposal for a new inter-institutional agreement on a binding transparency register including the European Parliament, the Council of the European Union, and the European Commission on 28 September 2016, it considers that lobbying provides valuable information to decision-makers and ensures that the sectors concerned have access to the decision-making process and the implementation of public policies. However, it emphasises that unregulated lobbying can also lead to misconduct such as corruption, influence peddling, unfair competition and the adoption and enforcement of legislation to the detriment of the public interest and the effectiveness of public policies.

The document states that the interaction between public authorities and businesses, associations, non-governmental organisations, trade and professional organisations, trade unions and think-tanks is a legitimate and necessary component of representative democracy, as it reflects views, public opinions, perspectives on a given issue and is therefore essential for policy-making. Thus, it is considered that there is a significant public interest in ensuring transparency and integrity in lobbying activities, as well as diversity and fairness in terms of participation and input into decision-making processes relating to public affairs. [7. p.5/8]

EU institutions interact with a wide variety of groups and organisations representing specific interests and carrying out lobbying activities. This is a legitimate and necessary part of the decision-making process, ensuring that EU policies reflect the actual needs of citizens. The European Parliament is committed to promoting transparency and ethics in lobbying. Together with the Council of the European Union and the European Commission, the Parliament uses a common transparency register to oversee the activities of lobbyists. Members of the European Parliament also publish information about their contacts with lobby groups. [8]

Lobbying is also addressed by researchers in the Republic of Moldova. Thus, in Pavel Troşin's view, practically any action or inaction, which is related to a particular will or interest and which has as its final goal obtaining an advantage or satisfying a need of personal interest, is called "lobbying". [9, p.6]

It is now recognised as indisputable that interest groups are an integral part of a free democracy, as there are vastly different interests and opinions in every society. Interest groups offer an

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alternative form of political participation, other than voting or belonging to a political party; they address particular problems of society. People who come together in interest groups become better able to defend their needs. Interest groups also contribute to building civic and democratic skills, respect for values such as discussion, compromise, and tolerance of others' opinions. The optimal interpretation of interest groups constitutes a pluralist model. However, it should be noted that in real lobbying practice there is always a symbiosis between pluralist and corporate interest groups.

Thus, the main distinguishing features of lobbying are advocacy, influence, and strategic focus.

The first stage of lobbying is gathering information and making recommendations on a particular issue. Work in this area is carried out by teams of experts. The second stage is actual advocacy. At this stage, the main purpose of lobbying is to pass on their recommendations to policy-makers. To this end, lobbyists use their connections as well as persuasion methods. In addition, working with the public certainly plays no small part in the lobbyists' arsenal. Influencing opinions is an important tool for promoting interests. The media and other influencers are used for this. Personal relationships and informal contacts also play a significant role. Each specific case requires an individual approach.

Lobbying can be of several types: according to the subject of influence - ethnic, corporate, and individual; according to the object of influence - with reference to domestic or foreign policy; according to the methods used - direct and indirect.

Economic and financial globalisation and the consequent emergence of international lobby groups create a new situation, which is characterised by a number of peculiarities:

- Transnational corporations whose potential often exceeds the capacities of states are consolidating their positions in the system of international relations.
- The activities of international lobbying structures cannot be regulated by a country's legislation, as this requires the creation of an international legal framework.

In this context, the activity of transnational corporations lobbies in favour of the interests of home states, and the success of the corporation corresponds to the strengthening of the positions of the state concerned.

4 CONCLUSIONS

With the formation of civil society, we need novel approaches to building relationships among civil society, business, government.

When looking at lobbying activities, in our opinion, some typical characteristics can be identified. There are subject and object of influence. Various companies, groups, associations can appear as lobbying subjects. The object of influence is usually legislative authorities, executive authorities, civil servants, employees of the policy-making apparatus, etc. Lobbyists function as intermediaries between influential interest groups, financial corporations, commercial organisations, political parties, public associations (blocs), citizens, on the one hand, and government bodies (legislative and executive authorities) on the other hand.

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Lobbying offers the possibility to defend the interests of individuals, groups of citizens, organisations, and associations. At the same time, some citizens, their groups or organisations (associations) may have both common and entirely opposing interests, both their own and the interests they represent. Lobbying gives individual citizens and citizens' groups the opportunity to participate, albeit indirectly, in the shaping of legal and political decisions, and this is particularly important as most of these groups may not have representatives to defend their interests in parliament and/or executive power. Thus, lobbying makes it possible to express various interests that might otherwise go unheard.

Lobbying in developed countries is a tool for cooperation and communication that leads to progressive decisions that benefit both business and society.

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