

# Our lobbyists don't always advocate for what we want them to.



*Americans often express concern about the lobbying profession, and they should, but not necessarily for the reasons most think. The majority of people are represented by lobbyists, though they do not always realize it. The problem is that lobbyists may not always be lobbying in the best interests of the people they represent. In new research which examines lobbying on bills in the US Congress, [Thomas T. Holyoke](#) finds that in 15 percent of cases lobbyists apparently lobbied against the interests of those they represent.*

Most of us have a lobbyist representing us. If you are in the United States, the chance of joining at least one interest group is 62 percent, though there is a good chance we don't realize that some of the organizations we support are interest groups that employ lobbyists (like the American Automobile Association). By 2019 there were 9,882 identifiable interest groups lobbying Washington, DC, and in 2020 there were 20,389 lobbying in the fifty states, ranging from 121 in Wyoming to 1,080 in California. Thousands of us are members of labor unions, and thousands more are members of trade and professional associations, with still many others joining (or at least providing some financial support to) public interest advocacy organizations and social movement organizations. Pretty much all of these employ professional lobbyists to advocate for member interests.

## Are our lobbyists representing us?

It may be disconcerting to realize that there may be lobbyists we don't know of out there advocating in our names. Even if we do know about them, it's doubtful we really know what they are lobbying for. Who can look over their lobbyist's shoulder even if they wanted to? It means, however, that we have no idea if we are being fairly and accurately represented in the policymaking process and our lobbyists are getting a pretty free hand in how they advocate, what they portray us, and what positions they take on important legislation. The problem is that we have little choice but to depend on our lobbyists to tell us what they are saying and doing, a problem referred to as information asymmetry.

Still, whether or not we know what they are doing, why can't we just assume these well paid professional advocates are representing our wants and desires with pinpoint accuracy? What incentive do they have to do anything else? After all, in the United States lobbying is only legally protected under the First Amendment's petitioning of government clause, meaning lobbyists are just agents acting on behalf of others, when they only advocate for their employers' interests, not their own.

## Lobbying is about relationships

The easiest way to approach the question is to think about how people become lobbyists. They no longer come up through an organization's ranks or start out as committed activists leading street protests. Instead, most lobbyists in the United States start their careers in the government itself, often in Congress. Sometimes they were members of Congress themselves, though more often they were congressional staff. Having worked for a few years on Capitol Hill, learning the political and lawmaking processes and building networks of connections with powerful and potentially powerful people, these individuals are attracted to the lobbying business in Washington, DC where a great deal of money can be made for such connections and networks.

Because a lobbyist's value is largely determined by the quality of these relationships, preserving them is of the utmost importance to any lobbyist. Perhaps more than carefully advocating for what interest group members and business executives want, especially when a lack of knowledge among their client potentially gives lobbyists a little (or a lot) of flexibility on what position they actually take. If a powerful member of Congress, with whom a lobbyist enjoys a long and fruitful relationship, really needs key voting constituencies or influential business groups to support (or oppose) legislation, the lobbyist may feel pressured to do so because refusing to support the lawmaker's goals undermines their relationship. Congress works on compromise, and often everyone are pressured to compromise, and this includes interest groups, businesses, and their lobbyists. While 180-degree position switches are unlikely, lobbyists may well feel free enough to modifying the positions of the people they represent and then sell those changes to their employing interest groups and businesses.



*"K is for lobbyist" (CC BY-NC-SA 2.0) by sniggie*

## How lobbyists end up lobbying their own clients

Does this actually happen? Yes, but recent research I conducted on lobbying in Washington, DC finds that it only happens about 15 percent of the time. I used data originally compiled by the MapLight organization, a US good-government advocacy group, on whether lobbyists for 16,372 interest groups, businesses, and other organizations supported or opposed 8,340 bills in the US Congress from 2007 to 2016. Combining data on these organizations, as well as data on the bills in question, I created a measure of the extent to which the people a lobbyist represents would support the bill, and then compared that to the actual choice the lobbyist made to support or oppose that bill.

In about 11 percent of cases, lobbyists supported bills they should have opposed, and in 4 percent of cases opposed bills they should have supported if they were faithful advocates for their organizations' interests. These "modifications" tend to happen when bills are in stages of the lawmaking process when legislation is most susceptible to change, which is to say during committee debate and debate on the floors of the House of Representatives and the Senate. That is, lobbyists are most likely to oppose a bill their members' or employers' might want, or support a bill their employers likely do not want, at times when lawmakers may most need consensus and compromise to get their priority bills passed.

Again, it appears that 85 percent of the time lobbyists are faithful to their employers, so this faithless-agent problem is not widespread, but the idea that it does happen is deeply troubling. Lobbyists are professional agents acting on behalf of others in the political process; they are providing a representational service and representation means clearly advocating for the policy positions of others, not acting to promote and defend their own professional or personal interests.

What might be done about unfaithful lobbyists? One method is to use laws and regulations to require lobbyists to always report to their employers exactly what positions they are advocating for at any given time on a bill, and engage in dialogue if there is a need to change. Another approach is to create a strong canon of professional ethics for lobbyists similar to what exists for lawyers and medical professionals (which I have written about in my book *The Ethical Lobbyist*). No widely accepted set of professional ethics currently exists for lobbyists. More disclosure and more ethics should arguably reduce this problem, though no fix will entirely end the problem. Until then, watch your lobbyist!

- *This article is based on the paper, "Strategic Lobbying and the Pressure to Compromise Member Interests" in [Political Research Quarterly](#), on [Interest Groups and Lobbying: Pursuing Political Interests in America](#), and on ["Strategic Lobbying to Support or Oppose Legislation in the US Congress"](#) in the *Journal of Legislative Studies*.*

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*Note: This article gives the views of the author, and not the position of USAPP– American Politics and Policy, nor of the London School of Economics.*

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