

# We will get nowhere in the lobbying debate while it is conceived as a clash between evil corporations who lobby and well-meaning interest groups who do not

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*In order to create an appropriate regulatory framework for 'the lobbying industry' we need first to take seriously the size and scope of the industry, argues **Phil Parvin**. Safeguards to ensure economic power does not simply translate into political power are important but we also need to accept that lobbying is a fundamental aspect of democratic decision-making.*



As the 'Transparency of Lobbying, Non-party Campaigning and Trade Union Administration' Bill stands in a holding pattern within Westminster pending a fundamental re-think, it is worth reflecting on what the Bill is supposed to do and who it is supposed to cover.

The Bill is the government's attempt to head off what David Cameron in 2010 called 'the next big scandal waiting to happen' to British politics. Cameron was referring to the fact that political decisions are often influenced by unelected organisations which use their wealth and status to dominate the policy agenda. Publicity about this fact, he implied, would be the last straw for a jaded British public whose faith in politics and politicians is at all time low.

The Lobbying Bill is an attempt by the government to restore public faith in the political system by ensuring transparency. It aims to curb the increasing power of lobbying organisations and ensure that the policy agenda is not unduly manipulated by corporate interests. It proposes a statutory register of lobbyists, for example, as well as changes to the funding of electoral candidates and trade unions.

The problem with the Bill, and the reason for the abrupt halt in its passage through the Lords, is that it is very difficult to come up with a system of regulation which covers all groups fairly. This is especially problematic when many of the people involved in lobbying do not see themselves as appropriate targets of such regulation. Lobbying is seen by many as something that is primarily practised by corporations trying to get out of paying their fair share of tax, or to overturn legislation aimed at improving working conditions for their employees, all in order to benefit their shareholders. But this is too simplistic. Lobbying, understood as the practice of exerting pressure on elected representatives in order to influence their decisions, is also practised by environmental groups, human rights organisations, animal rights organisations, health charities, think tanks, trade associations, and countless other (often formidably resourced) organisations which seek changes which will benefit their members at the expense of others. And it is discussions among these groups, not among citizens, which actually drive the policy-making process.

How did we get to a situation in which policy making became dominated by elite-level deliberations among professional political actors, and distanced from the people? Lobbying is by no means new. Trade unions, industry associations, and other 'expert' bodies have long been able to gain access to policy makers and influence political decisions in Britain despite having never been elected. And this is a good thing. In a representative democratic system it is the right of all citizens to raise their concerns, either individually or collectively, to those whom they elected to govern on their behalf. Free speech and free association – protected together – result in people getting together in order to voice their concerns to those in power.

But the Lobbying Bill isn't aimed at quashing the kind of grassroots campaigning that has traditionally been seen as the hallmark of a vibrant democratic culture, which is why the government, under pressure from charities and public interest groups, has decided to delay it. The Bill is aimed instead at regulating those professional lobby organisations which exert pressure on elite level actors in a policy-making community perceived to be far removed

from the everyday lives of citizens: insider groups which seem to inhabit a shadowy world of power politics divorced from the people.

The government is right to reconsider the effects that the Bill would have on the ability of interest groups to campaign on their core issues, or call upon their activist members to voice their concerns in the political system. The trouble is, due to wider changes in the democratic culture of established liberal democratic states like the UK, it is becoming harder and harder to draw a meaningful distinction between professional lobby organisations, which are the targets of the Bill, and grassroots campaign groups, which are not. Increasingly, the regulation of professional lobby organisations and the regulation of citizen activism amounts to one and the same thing.

There are many complex reasons for this. One worth mentioning is the profound and continuing change in the way citizens of established democracies like the US and the UK participate in the democratic system. Overwhelming evidence gathered by social and political scientists over the past half-century shows that more and more citizens of established liberal democratic states like the UK have become disengaged from political issues and unwilling to participate in political life, and that as a result grassroots associations and interest groups have found themselves increasingly unable to call upon their members to engage in the kinds of activities that are necessary in order for them to shape the political agenda and represent their members' interests. Hence, organisations which used to depend upon grassroots activism among their members to express sectional interests (like, for example, political parties and trade unions) have declined in power and significance, and lost many of their members. The combined membership of Labour and the Conservatives currently totals less than 400,000 – a fall of over 2.5 million since the 1950s. Trade union membership currently totals 6.5 million, half of what it was in 1979.

To remain influential, therefore, organisations had to change. It has become virtually impossible to rely upon the active support of grassroots memberships and policy discussions have been professionalised to the point where they are dominated by experts with specialist knowledge in rights, legal processes, and so on. As a result, a wide range of interest groups, campaign organisations, NGOs and others have reconfigured themselves as centrally-managed, professionally run lobbying organisations which employ expert policy, legal, and campaigning teams to influence discussions among elite political actors. Direct action and grassroots protest are increasingly sidelined as a campaign strategy by many large interest groups like Greenpeace, Friends of the Earth, and Amnesty International in favour of a more professionalised and coordinated approach to influencing the political agenda through media campaigns, legal challenges, and public affairs initiatives.

The vacuum created by declining levels of political engagement among citizens has thus prompted a recalibration of the public sphere: a concentration of decision-making power among *elite* state and non-state actors. Political influence is no longer simply about who can claim to have the largest membership or the most active supporters, but rather who is best placed to effectively communicate their constituents' concerns to decision-makers.

This is important, and speaks directly to the problems the government is currently facing in getting its Lobbying Bill through parliament. If we are to produce an appropriate regulatory framework for 'the lobbying industry' we need first to take seriously the size and scope of this industry, who is in the business of lobbying, and how they go about it. And this is a sticking point. As global and domestic politics changes, and as policy decisions are increasingly taken by a community of elite insider groups capable of persuasively communicating certain forms of expert knowledge, the more important it is that we drop the assumption that there is something inherently wrong with lobbying and lobbyists. We will get nowhere in this debate while it is conceived as a clash between evil corporations who lobby and well-meaning interest groups who do not; between 'lobby' groups representing big business who seek to exert as much pressure on politicians as they can to agree to their demands and those 'campaign' organisations representing animals, cancer patients, and victims of human rights abuses who do not.

Lobbying does not exist at the fringes of British democracy. It is not a niche or uncommon activity. Neither is it peripheral to the structure and activities of supranational institutions, or merely the preserve of big business or corporations. It is an integral and fundamental aspect of democratic decision making in Britain, the USA, Europe, and politics at the wider international/global level. It is practised by a wide range of organisations in the public and

private sectors, including NGOs, think tanks, trades unions, campaign organisations, and trade associations. Taken together, hundreds of billions of dollars a year are spent by organisations of various kinds on influencing policy, gaining access to decision-makers, and raising awareness of issues among legislators, the media, and 'stakeholder groups'. And many of them do it on behalf of citizens, with the support of money provided by citizens through membership subscriptions or donations.

Is lobbying the 'next big scandal waiting to happen' in British politics? Certainly, we need to establish safeguards capable of ensuring that economic power does not simply translate into political power, and we need to ensure that the activities of lobbyists – *all* lobbyists, not just those in the private sector – are open and subject to scrutiny. The Lobbying Bill, for all its problems, goes some way in doing this.

But the idea that the British public would or should be shocked to discover that lobbyists are influential in the shaping of public policy says more about the need to educate the public about the realities of politics, and about the consequences of their own political decisions, than it does about lobbying. The less the public chooses to get involved in politics the more it must fall to paid professionals to do it on their behalf. And the less the public *knows* about how the political system works, the easier it is for paid professionals to fill the vacuum. And the more important it is that they do so.

*Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the London School of Economics. Please read our [comments policy](#) before posting.*

### **About the Author**

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