

Lobbying regulation and ethics: current issues and future prospects

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Abstract: *Beyond the issue of legitimacy, the industry of lobbying has given rise to heated debates on whether regulation is adequate or necessary in the field. Washington has the strictest rules on lobbying worldwide. The first legislation on lobbying was passed there as soon as WWII ended (1946). In UK there are four lobbying self-regulating organisations. There is no legislation to regulate lobbying in Great Britain. Civil servants and politicians in UK must observe a distinct set of rules. Politicians, for instance, are bound to declare all gifts and material benefits in the Register of Members' Interests. British public officers abide by the Civil Service Code; public office is specifically regulated with regard to interaction with lobbyists by the code designed by the Nolan Committee, also known as the "Seven Principles of Public Life", making up a set of rules that all politicians and public officers must abide by in Great Britain. As regards the Brussels level, it reached a compromise between the self-regulating concept governing lobbying in Great Britain and the tendency towards strict regulation manifest in the United States. In November 2010, the Commission and the Parliament issued a "Draft Joint Agreement of the Commission and the European Parliament on a Transparency Register". As for individual European states, the only countries that adopted lobby legislation are countries from Central and Eastern Europe: Georgia (1998), Lithuania (2000), Poland (2005), Hungary (a lobby act was passed in 2006 and then repelled in 2011), Macedonia (2008), and Slovenia (2010). Countries in Western Europe do not have specific lobby legislation. Great Britain is a classical illustration of lobbying self-regulation. The very membership in one of the professional lobbying organisations stands for commitment with the codes of conducts observed by those organisations. In Romania, 1995 saw the establishment of the first lobbying firm, Central*

Europe Consulting Government Relations. Five years later the PNȚCD MP Ulm Spineanu initiated the first draft lobbying act. The legislation was never passed, similar to all later draft legislation tabled until 2012. Draft legislation failed on various grounds: unclear definition of the lobbying profession, highly restrictive criteria on lobbying, unrealistic disclosure requirements on the interests of the clients the lobbyists represent.

However, in our opinion, lobbying needs no special legislation in Romania at the time, because: 1. there already are legislative requirements in Romania that can thoroughly apply to this field, namely: the citizens' constitutional right to submit complaints and related legislation, the constitutional right of freedom of expression, the law on transparency in decision-making, the citizens' right to information; 2. specific legislation may be perceived as overregulation in Romania, where the profession is still underdeveloped, with only few lobbyist firms and a growing number of NGO's that embark on lobbying now on again; 3. that would lead to the perception that lobbyists make up a privileged class of people, unlike ordinary citizens who are denied the right to participate in the design of legislation.

Debates on lobbying regulation in Romania has generally borne poor results, despite various actions aimed at rendering lobbying activities more transparent. Both politicians and lobbyists should be concerned with the identification of functional levers that would build minimum transparency into the lobbying exercise. Abidance by professional ethics is one of the lobbyists' most important objectives. Only professional ethics can do away with any confusion between lobbying and influence peddling.

Keywords: Lobby/Lobbying; Public Affairs; Lobbying legislation; Lobbying codes of conduct; Lobbyists

1. Background

Lobbying can be defined in the plainest and also most comprehensive terms as the art of persuading politicians. It consists of a set of tools and strategies instrumental to a broader concept, otherwise known as *public affairs*. In the preface¹ to his book, *Lobbying. The Art of Political Persuasion*, Lionel Zetter defines the concept of *public affairs* along the following lines: "If, as Jay Leno would say, politics is showbiz for ugly people, then public affairs is the same as PR for grown-ups. It amounts to constant crisis management, which is hugely rewarding in case of success and highly detrimental in case of failure". Cambridge Online dictionary definition of the verb "to lobby" is "to try to persuade a politician, the government or any official group that a particular thing should or should not happen, or that a law should be changed".

1 Lionel Zetter, *Lobbying. The art of political persuasion*, Harriman House, 2008, p. XXIII.

The legitimacy of lobbying is being questioned by some, given that the press has revealed countless corruption cases where lobbyists acted as the main link. On the other hand, there are voices supporting the legitimacy of lobbying, deriving from the role of lobbyists in the legislative process, who can bring the legislation closer to the real needs by providing expertise and informed arguments to Parliaments.

Beyond the issue of legitimacy, the industry of lobbying has given rise to heated debates on whether regulation is adequate or necessary in the field. Since the media is by definition a *watch dog*, it has gained ground accordingly and became more of a lobbying self-regulating influence than a regulator proper. The role of the press most clearly emerged in the lobbyist acceptance of self-regulation as a minimal safety measure that can prevent the image of the industry from tainting.

2. Lobbying regulation

a. American legislation on lobbying

Washington has the strictest rules on lobbying worldwide. The first legislation on lobbying was passed there as soon as WWII ended (1946). Closer to our day, in 1995, the *Lobbying Disclosure Act* was enacted. Despite the strictness of American legislation, a huge lobbying scandal such as the Jack Abramoff case was still possible because the political rules allow for publicity during elections and the system requires the renewal of the members of the United States House of Representatives every two years. The candidates' massive need for funding makes it possible to circumvent the legislation in such rare but notorious cases.

The main demands that lie ahead American lobbyists are the following:

- Persons who lobby by the Congress or the executive power shall be registered as federal lobbyists.
- Lobbyists shall periodically submit reports to the Congress that will regularly revise them.
- Any federal American lobbyist shall comply to "The Honest Leadership and Open Government Act" (2007), a law that requires lobbyists to quarterly report on their donations and political activities. Lobbyists shall comply with the rules regarding gifts, trips and meals.
- Lobbyists shall also give due regard to the internal regulations of the Congress and the Government. These regulations are regularly reviewed by the ethics committees of the Senate and the House of Representatives. In addition to that, there are the Standards of Ethics for the administration, laid down by the Governmental Ethics Commission.
- Bribery is regulated and punishable by the American Department of Justice and so is fallacy; they are both sanctioned under the special legislation regarding fallacy and forgery

- The lobbyists behaviour and ethics during the election campaign are strictly regulated under the federal election campaign act of 1971 and so is any financial contribution during the election campaigns.
- In order to prevent conflict of interest, constraints have been imposed on employing NGO's. In relation to that, former employees of the House of Representatives and former civil servants working in the administration are banned from lobbying by their former employer for one year. In the case of high Senate officers, this restriction applies for two years.
- Organisations as well as foreign principals (a name given to foreign agents in the US) are required to register by the American Department of Justice. The same stands for those who lobby on behalf of a foreign principal.

b. Regulation in Great Britain

There are four lobbying self-regulating organisations in Great Britain: The Chartered Institute of Public Relations (CIPR), The Government Affairs Group (GAG), the Association of Professional Political Consultants (APPC), The Public Relations Consultants' Association (PRCA). There is no legislation to regulate lobbying in Great Britain.

The Chartered Institute of Public Relations was founded in 1957. It has its own code of conduct and its professional practice ethics committee which gives a first opinion on conduct breaches as well as a disciplinary committee that hears more serious cases which cannot be decided upon by the former.

The Government Affairs Group also has its own code of conduct, which all its members embrace. The code underlines aspects such as integrity, transparency, confidentiality, illegal influence and conflict of interest.

The Public Relations Consultants' Association was founded in 1969 and brings together around 150 large British consultancy firms, most of them PR firms. The PRCA code of conduct comprises special chapters for lobbyists, but it brings no element of novelty compared to the codes of the other two organisations presented above.

The Association of Professional Political Consultants is an organisation that emerged in 1994 on the backdrop of Mohamed al Fayed's accusations, published in *The Guardian*, against Ian Greer Associates consultancy firm and a number of MP's and Conservative ministers. The APPC lobbying code of conduct is much stricter compared to the principles included in the codes of conduct of the other three organisations in the sense that APPC members are under the obligation to disclose the identity of all their clients on the website of the organisation. Many were the consultancy experts in the UK who decried the inadequacy of such a requirement among APPC's rules and alleged that that some business or rather lobbying interest of their clients is a sensitive and confidential matter.

Membership in any of the organisations mentioned above is an indicator of acceptance of a set of operating standards safeguarded by the codes of ethics and conduct. The very membership in any of these lobbyist associations may grant some higher rights of access to decision makers compared to unaffiliated lobbyists.

Civil servants and politicians in Great Britain must observe a distinct set of rules. Politicians, for instance, are bound to declare all gifts and material benefits in the *Register of Members' Interests*. They equally abide by the Ministerial Code first published in 1992 when several scandals severely eroded the image of the Major Cabinet at the time. The Code was made even stricter in 2007, with Tony Blair's office, when an additional provision came into force whereby the PM can appoint an independent adviser to conduct investigations on ministerial cases of misdemeanour. British public officers abide by the *Civil Service Code*, which was first introduced in 1996 and then reviewed three years later. Public officers are politically neutral. They are expected not to assist ministers in political or party issues. Public officers are people employed by a minister's cabinet, including the minister's speaker and the minister's personal assistant.

Public office is specifically regulated with regard to interaction with lobbyists by the code designed by the Nolan Committee, also known as the "Seven Principles of Public Life", making up a set of rules that all politicians and public officers must abide by in Great Britain. Other codes of conduct for politicians and public officers actually stem from the principles set out by the Nolan Committee. It was called after an outstanding judge, Lord Nolan, who led the commission officially named the Committee on Standards in Public Life, which was set in 1994.

c. Regulation in Brussels

Brussels reached a compromise between the self-regulating concept governing lobbying in Great Britain and the tendency towards strict regulation manifest in the United States.

Back in 1991, the European Parliament appointed the first committee charged with lobbying regulation. However, a certain detail - regarding the obligation of MEP's to declare their external sources of revenues - most likely made it impossible to reach any agreement either in the European Parliament or the European Commission on the need to regulate community lobbying in any way. The conclusion reached back then was that lobbying does not require any regulation at all.

However, there are several professional lobbyist associations operating in Brussels that should be given due regard: The European Public Affairs Consultancies Association (EPACA), The Society of European Affairs Professionals (SEAP) and The European Association of Political Consultants (EAPC).

The three lobbyist associations mentioned above each contributed with their own code of conduct (working on a voluntary basis) to inspire the European Parliament to lay out lobbying rules of access in 1999 in return for the lobbyists firm commitment

to abiding by baseline principle of ethics. After 2005, the European Parliament, the European Commission and the Council of Ministers decided to review the regulations applying to lobbyist organisations within the long debated European Transparency Initiative introducing the idea of a voluntary lobby register, based on which lobby representatives can gain priority access at consultations. The initiative stemmed from the Estonian European Commissioner in charge of anti-fraud, Siim Kallas. In 2009, both the European Commission and the European Parliament reached an agreement over a lobby register and code of conduct, but they failed to gain the Council's support. The register and code agreed by the two institutions equally addressed NGO's, trade unions, employers' associations, professional associations and *think-tanks*.

In November 2010, the Commission and the Parliament issued a "Draft Joint Agreement of the Commission and the European Parliament on a Transparency Register" to be enforced as of the beginning of 2011.

As for individual European states, the only countries that adopted lobby legislation are countries from Central and Eastern Europe: Georgia (1998), Lithuania (2000), Poland (2005), Hungary (a lobby act was passed in 2006 and then repelled in 2011), Macedonia (2008), and Slovenia (2010). Countries in Western Europe do not have specific lobby legislation. The only requirement is the obligation for lobby representatives to register by their respective Parliaments, at most.

3. Aspects of professional ethics

a. Political funding as a lobby instrument

Funding and donations stand for a special chapter that is linked both to regulation and the ethical sides. Politicians and political parties need money between election campaigns and even the more so during campaigns.

There are specific rules in the British Parliament providing for the cap on expenses incurred by a candidate at local and national level. A candidate MP can spend about £10,000 during an election campaign, but there is no cap on expenses between the campaigns. At the party level, both the Conservative and the Labour Parties spend around £25 million each during the election campaigns, whereas the Liberal Democrats spend around £3.5 million, most of it for media and *outdoor* election publicity. Between elections, parties would cut their expenses by 60%. Membership fees would only cover a small fraction of the needed funds, despite the fact that the two most important British parties each claim to exceed 200,000 in membership. Most of the funding comes from trade unions for the Labour party, the business circles and entrepreneurs for the other parties, respectively. However, a large portion of funding is expected to come from the clients of lobbyist organisations. Such donations are regulated by the Political Parties, Elections and Referendums Act,

of 2000, which also provided for the establishment of an Electoral Commission. At national level, any donation in excess of £5,000 shall be reported to the Electoral Commission. Donations coming from companies registered in Great Britain are deemed legal, which is an element lobbyists take advantage of, on behalf of the clients they represent. Cash donations are distinct from the so-called masked donations, which, however, are not deemed illegal as long as they are linked to legitimate circumstances such as: purchasing stalls in political parties conventions; engagement in political *fund-raising* campaigns; sponsoring reception parties, seminars or round tables; sponsoring various studies or *think-tanks* as such.

The elections in the USA entail much higher expenses than in the UK. That stems from the extent of the campaign as such, but also from the fact that members of the United States Congress must run for office every two years, which puts them under enormous pressure to raise funds weekly for the next election campaign. Members of the Congress have reached a point where they complain that their activity as law enactors has fallen second (time included) to their rush for raising the necessary funds for the campaign. USA citizens are accustomed to making individual cash donations in support of their favourite candidate's campaign. Despite this custom, less than 10% of all US citizens do make a donation during the federal election campaign. Such donations are perceived as a way for the common American citizen to engage with the political process, provided the amounts are not conditioned by political favours, which is seen as a serious offence and punished accordingly by the Criminal Code. In 2008, for instance, the cap on individual donations was set at \$2,300. The amount is discounted every two years with the inflation rate.

With regard to corporate support during the election campaign, it is traditionally associated in the USA to Republican Party, similar to the Conservatory Party in Great Britain, which is deemed to attract corporate funds, or the Liberal Democrat Party in Japan. We should perhaps add at this point that indeed the business environment does not only interfere with political parties in terms of funds, but also in terms of ideology and structure. Germany, for instance is a particular case of such interference between the business environment and the political class. Business associations in Germany act as a mediation interface between business as such and politics.

b. Best practise codes

Thomas Jefferson said that honesty is the first chapter in the book of wisdom. Professional lobby rests on ethical conduct and abidance by the law.

According to one of the CEO's of Springs Industries quoted by the American writer Deanna Gellak² "ethics is not something that exists as much as 90% or 95%, it is something that is either there or not". Ethics underpins professional lobby.

2 Deanna R. Gelak, *Lobbying and Advocacy*, TheCapitol.Net, 2008, p. 33.

Reputation is an immediate outcome of ethics; according to professor Van Schendelen³, it results from an evaluation the others make at a given time, which depends on the norms, the moral attitudes and system of values operating at that time. The lobbyists reputations can be lost, re-assessed, grown, depending on how *stakeholders* they interact with are perceived. It is also lobbying reputation that made organisations such as Friends of the Earth award the worse lobbying prizes each year, unlike professional organisations in the lobbying industry which award annual prizes for excellence in *public affairs*. Reputation can be lost by important, seemingly rock-solid organisations such as Greenpeace that used and disclosed false information in the 90's about the oil storage capacity of Brent Spar buoy, owned by Shell, the world's largest oil company. Information that later was proven false (meaning that there was actually far less oil stored in the buoy than Greenpeace claimed) forced Shell to give in and abandon its plan to dispose of Bret Spar in deep waters, dismantle and recycle its parts instead.

An important chapter of lobbying industry codes of conduct regards information itself: factual, clear, accurate and as concise as possible. The above mentioned qualities of information have proven their effectiveness in Brussels where the lobbyists frequent access to community institutions is facilitated by their very need for factual and clear information. Information thus turns relevant in relation to the EU authorities by its inherent features and enhances the capital of trust the institutions will invest in the lobbyists.

But how can reputation be secured in the lobbying industry? One way is to show openness and transparency in the lobby campaign. However, confidentiality constraints regarding the entities whose interests are represented impose limitations even there. A way to ensure minimum transparency is to disclose such interests. Another way to secure reputation is affiliation to a professional association and the codes of conduct they uphold. Reputation management is nevertheless not infallible, as long as the evaluation of reputation itself is built upon external influence factors.

Lionel Zetter states that if a lobbyist has doubts about the ethical nature of an action, he should resort to the so-called tabloid⁴ test: to imagine details of his actions published in a national tabloid next morning. If he still feels comfortable with the respective press account, then there is no doubt that he did not violate any of the moral norms of professional lobbying.

Great Britain is a classical illustration of lobbying self-regulation. The very membership in one of the professional lobbying organisations – The Chartered Institute of Public Relations (CIPR), The Government Affairs Group (GAG), The Association of Professional Political Consultants (APPC), The Public Relations

3 Rinus Van Schendelen, *More Machiavelli in Brussels. The Art of Lobbying the EU*, Amsterdam University Press, 2010, p. 306.

4 Lionel Zetter, *Lobbying. The art of political persuasion*, Harriman House, 2008, p. 18.

Consultants' Association (PRCA) – stands for commitment with the codes of conducts observed by those organisations. British lobbyists often take advantage of their membership in one of the organisations mentioned before to facilitate their access to high ranking officials. The Association of Professional Political Consultants (APPC) has the strictest lobbying code of conduct of the four British organisations.

Concern with a lobbying code of ethics became apparent in Brussels in the 90's, when a Dutch socialist MEP tabled a proposal to establish a lobby register and code of ethics (the MEP's proposal rested on an impressive number of letters and opinion documents he had received from various stakeholders). Consequently, 1992 saw the first debate on lobby in the European Parliament. Five years later, there will emerge the first ethics norms for EP lobbying.

Currently, lobbying organisations in Brussels, through the code of ethics they embrace, commit themselves to the following rules:

- to declare the interests they represent in relation to the MEP's or the European Commission officials they approach.
- not to attempt at obtaining information through dishonest ways.
- to tell the truth under any circumstances, especially when they present the case of the client they represent; even as little as omissions can be risky and discredit a lobbyist.
- not to employ former MEP's or former employees of MEP's offices unless it is so allowed by norms into force.
- not to forward any information or documents obtained from the EP with the purpose of material gain.

4. Attempts at lobbying regulation in Romania

1995 saw the establishment of the first lobbying firm in Romania, Central Europe Consulting Government Relations. Five years later the PNȚCD MP Ulm Spineanu initiated the first draft lobbying act. The legislation was never passed, similar to all later draft legislation tabled until 2012. Draft legislation failed on various grounds: unclear definition of the lobbying profession, highly restrictive criteria on lobbying, unrealistic *disclosure* requirements on the interests of the clients the lobbyists represent (which would objectively antagonise the confidentiality requirements of stock exchange transactions, for instance).

Early in 2002, representatives of Pro-Democratia Association, The Centre for Legal Resources and the Romanian Transparency Association set up a working group to study the intricacies of lobbying legislation. Representatives of the Ministry of Justice also took part in the debates meant to result in a compared study of legislation. After a few other debates where the representatives of the business environment participated as well, the members of the group were supposed to design a set of principles that the draft law initiated by the Ministry of Justice should have relied on. Civil society organisations were supportive of lobbying regulation that would

have secured transparency in public authorities decisions. On November 29, 2002, the final draft legislation was debated on within the “Romanian Legal framework of Lobby activity – Assessment & Raising Awareness Campaign” component, part of the “Parliamentarians and Citizens” project, run by Pro-Democratia Association and the Centre for Legal Resources. 2002, the year when the debate was held, was also when the Ministry of Justice was working on the draft lobbying legislation mentioned above and a similar bill was on the agenda of the Legal Committee of of the Chamber of Deputies. None of the two bills was ever passed.

Neither did any legislative compromise emerge from the public consultation meeting form February 18, 2003 on the topic of “How can we regulate lobbying in Romania”. Business representatives, NGO’s, the press, political parties representatives, experts of various backgrounds as well as the lobbyist organisation Central Europe Consulting, were all invited to contribute to the consultation by the organisers of the meeting, i.e. the Advocacy Academy, the Pro-Democratia Association and the Centre for Legal Resources. Scores of written materials and speeches were delivered then. They all lead to the conclusion that lobbying – at least in theory – was being perceived as a beneficial activity in modern democracies, part and parcel of its normal operation. Each such debate brought antagonistic voices together: the supporters of the legal regulation and those who did not trust legislation would deter influence peddling.

On February 26, 2007, the author of this study was invited to represent Central Europe Consulting in a debate on whether the time was ripe to have any lobbying legislation. The debate was hosted by the Advocacy Academy and the Pro-Democratia Association at the Palace of the Parliament. The main conclusion was the following: “There are no sensible, major differences between the two stages of public consultations (2003 and 2007) that would make lobbying regulation imperative in Romania”.

On October 3, 2008, at the meeting that the author of this study was honoured to co-chair together with the Romanian Association for the Club of Rome (ARCoR) and the Romanian Banking Institute, participants were invited to reflect on lobbying processes in Romania in general and, more specifically, on how mechanisms to promote and defend national interest within the EU operate. The conference brought together the views of the European Parliament representatives and of the European Public Affairs Consultants Association - EPACA. Conclusions were more or less in line with the outcome of the debates mentioned above.

5. Lobbying legislation vs. self-regulation in Romania

Successful lobbying rests on two pillars: on the one hand, abidance by legislation regarding transparent decision-making, freedom of expression and the right to complain, and best practice codes, on the other hand.

As for the Romanians perception on the need to regulate lobbying, a survey commissioned by the author of this study and conducted by the Romanian Institute for Evaluation and Strategy (IRES) at the end of November 2011 revealed that out of all Romanians who were familiar to the concept of lobbying, 55% deem lobby legislation necessary, 26% consider that no special legislation is needed, whereas as high as 18% have no opinion on the matter. The older they are, the more the respondents who deem lobby legislation necessary; a negative answer accounts for 45% of the respondents between 10 and 35 years old, but only 18% of people 65 and older. The Romanians preference for regulation comes as no surprise, since there is prevailing public discontent over frequent law violations in Romania. The collective mind tends to perceive deregulated fields as hard to control.

However, in our opinion, lobbying needs no special legislation in Romania at the time. The following arguments could however be considered, in support of not having a special lobbying piece of legislation:

- There already are legislative requirements in Romania that can thoroughly apply to this field, namely: the citizens' constitutional right to submit complaints and related legislation, the constitutional right of freedom of expression, the law on transparency in decision-making, the citizens' right to information.
- Specific legislation may be perceived as overregulation in Romania, where the profession is still underdeveloped, with only few lobbyist firms and a growing number of NGO's that embark on lobbying now on again. As a direct result, practices to circumvent artificial barriers would corrupt the professional mind-set and would abnormally proliferate.
- Specific legislation granting lobbyists higher rights of access to state authorities would be met with the same harsh criticism manifest during the last ten years within the civil society, on grounds that the rights of the lobbyists would exceed the rights of ordinary citizens. That would lead to the perception that lobbyists make up a privileged class of people, unlike ordinary citizens who are denied the right to participate in the design of legislation.
- Debates on lobbying often brought up "influence peddling"; that is why attempts at regulating lobbying were often perceived as a manoeuvre aimed at including such an offence in a comfortable area of political and legislative acceptance. The influence peddling myth, which is opposite to lobbying, can only be dismantled through rigorous explanation of the fundamental gap between the two notions and not thorough regulation. Professional lobbying is not about promoting the interest of a certain party on the mere grounds of exclusive access to some decision-makers, but it is about professional lobbying skills and abilities. This is one of the key differentiation features that separate influence peddling (a criminal offence) and legitimate and transparent

lobbying or interest representation. Another important distinction lies in the way professional lobbying operates. Compared to the simple equation of influence peddling that involves a person who would ask for money in exchange of some form of influence by a decision maker that he or she claims to know, professional lobbying relies on a set of specific instruments: from legislative monitoring and warning to a structured set of meetings designed to effectively submit opinion or argumentative documents.

In our opinion, Romania would not benefit so much from lobbying legislation as from a lobbying code of conduct that various lobbyist categories should adopt and commit to: lobbying consultants, *public affairs managers* or *government managers*, NGO's, trade union confederations and employers' associations, business or sector associations. It would be an ideal situation, but it would be difficult to put into practice for lack of an umbrella organisation to cover all the stakeholders mentioned before. It would be more realistic for each category or sector mentioned before to take ownership of their own code of conduct. Lobby consultants have already taken this big step forward by setting up the Romanian Lobby Register Association in 2011, an organisation that adopted its own baseline but vital Code of Conduct. It secures the fundamentals of professional ethics and relies on the following components: transparency, integrity, accuracy, confidentiality, conflict of interest prevention, relationship with public institutions.

A step forward, which can only be taken with enhanced transparency in lobbying activities in Romania and with the general commitment to best practice codes, is to set up lobby registers/registration procedures by each of the state power institutions, i.e. the Parliament, the Government and the Presidential Office.

6. Conclusions

- Debates on lobbying regulation in Romania has generally borne poor results, despite various actions aimed at rendering lobbying activities more transparent. Both politicians and lobbyists should be concerned with the identification of functional levers that would build minimum transparency into the lobbying exercise.
- Abidance by professional ethics is one of the lobbyists' most important objectives. Only professional ethics can do away with any confusion between lobbying and influence peddling.
- Better reputation and higher acceptability of lobbying transparency may rest on:
 - though it may seem obsolete for an industry association, the activity of the Romanian lobby association (the Romanian Lobby Register Association) should be focused on informing and educating certain categories of the public on the contribution of lobbying to the democratic exercise.
 - the study of lobbying should gain more importance both through research in specialised institutes and political studies *think-tanks*, and theoretical and

practical classes included in the curricula of political studies academic programs.

- lobby ethics can turn into an academic study subject *per se*, just like ethics in journalism has gradually become inherent to any journalism studies.

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