

**PERCEPTION OF POLITICAL LOBBYING IN
SLOVAKIA AS A CONTROVERSIAL ISSUE:
CONTRAST BETWEEN THE PUBLIC, LOBBYISTS,
AND PUBLIC OFFICIALS**

**THE ROOTS, IMPLICATIONS FOR PRESENT,
AND CHALLENGES FOR FUTURE**

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ABSTRACT

The thesis concentrates on the problem of political lobbying in Slovakia being perceived with considerable suspicion and mistrust, especially in the case of business lobbying agencies which are publicly believed to be corruptive. The main aim of the thesis is, first, to compare and to analyze the perceptions of four key actors participating in political lobbying in Slovakia – the general public, business lobbying groups, non-governmental advocacy lobbying groups, and public officials. Second, the thesis attempts to discuss historical and sociological context of the conflict of perceptions supplemented with the explanation of the factors currently shaping public opinion. The following research approaches are employed: the method of field research in Bratislava, Slovakia, and the method of focus groups run by means of interviews and anonymous questionnaire. The results indicate that the general public in Slovakia perceives political lobbying negatively, especially in the case of business lobbying groups who, by contrast, distance themselves from corruptive conduct. The key actors' viewpoints differ with their professional experience at the same time as they meet in the number of points, e.g. that lobbying is by its nature ethical. The Communist era, low public participation and little knowledge on policy issues as well as corruption, low transparency and exercisability of law have a strong negative impact on the lobbying perceptions.

Keywords: Political lobbying. Negative perception. Mistrust. Public opinion. Public participation. General public. Business lobbying groups. Advocacy lobbying groups. Public officials. Communism. Corruption. Transparency.

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INTRODUCTION

Whenever the media discover and publish a corruption affair or an inauspicious bill is to be adopted, the general public, or its considerable part, usually opens the very same round of critique, blaming lobbyists for corrupting the country. Indeed, political lobbying in Slovakia is perceived with considerable suspicion and mistrust, especially in the case of business lobbying agencies, which are believed to be wealthy and therefore corrupting public officials. Even with the new generation of both lobbyists and the public, the image remains broadly negative: “The stereotype of lobbyists...is of portly, cigar-smoking men who wine and dine law-makers while slipping money into their pockets and persuading them of the relevance of their interests” (Štofanič, Stano, 2003¹, p.10). The reasons are numerous: high level of corruption, low transparency and exercisability of law in Slovakia, negative historical experience as well as little public knowledge on policy issues, and low public participation.

By contrast, lobbying and interest groups accessing and influencing the decision- and law-making processes have a huge ameliorative potential towards the quality of legislation and its ability to match the problems particular sectors are facing. By expert analyses and information supply (Ornstein and Elder, 1978, p.84) it ameliorates the quality of decision-making process, stimulates opinion diversity and public dialogue, sets the agenda (Berry, 1997, p.8), but also monitors the issue and has potential to hold the officials accountable (Ibid.). Last but not least, through the means of lobbying in its

¹ One of the contributors to the article is the ex-director of Transparency International Slovakia.

various forms and nature of lobbying organizations, the general public has a chance both to learn more about internal affairs and to participate in resolution and control (Berry, 1997, pp.6-7).

The issue of political lobbying and accessing the public officials is in the Slovak society highly stereotyped, understood as to be synonymous with corruption, and unknown by the general public. For the reason of the inevitability of this controversy to be addressed, the goal of the thesis is to compare and analyze the viewpoints of four focus groups – the general public, business lobbying groups, non-governmental advocacy lobbying groups, and public officials - towards political lobbying together with its eventual causes. Consequently, the thesis attempts to lighten the problem and, finally, open it for public discussion, by answering the following research questions:

- 1. How do the main participants of the political lobbying in Slovakia, i.e. the general public, business lobbying groups, non-governmental advocacy lobbying groups, and the public officials perceive the political lobbying practice in terms of its convenience, general perception, corruption, transparency, and ethical conduct?*
- 2. What are the foregoing causes of the conflict of perceptions among the main political lobbying participants in Slovakia?*

The answers are inevitable especially for the general public and public officials to see the lobbying from a different perspective, to utilize its expertise and valuable information for high quality legislation, as well as to achieve a balanced and open public dialogue and political accountability. As for business lobbyists, this would mean public acceptance of

their profession as well as a chance for more straightforward argumentation without an official suspecting corruption. At the same time, the relationship between business and advocacy lobbyists would have tendency towards greater openness and political correctness of the dialogue. Coessential is the promotion of an open society.

In the light of this framework, the hypotheses tested are²:

H1: While business lobbyists perceive lobbying practice positively, distancing themselves from corruptive behavior and viewing the public opinion as based on non-for-profit image of non-governmental advocacy groups and the lack of competent knowledge, the general public tends to perceive business lobbyists as being predominantly corruptive, or having greater tendency to be corruptive than non-governmental advocacy lobbyists.

H2: While lobbyists perceive the practice of lobbying the public officials exclusively in terms of providing information for higher quality decision-making and deny the presence of corruption, public officials believe that corruption might be committed during lobbying which they perceive as unethical.

H3: Business and non-governmental advocacy lobbyists respect one another and believe in their common valuable contribution to the legislative process, but at the same time have tendency to highlight the presence of each other's non-transparent and too narrow interests.

² The null hypotheses are completely opposite to the alternative hypotheses H1-H4.

H4: The conflict of perceptions among the main political lobbying participants in Slovakia emanates mainly from the historical experience during the Communist era and political culture of the society and, currently, from the high level of corruption, and the low level of transparency and exercisability of law. The general public mistrust is, besides these, based also on the lack of knowledge and experience with political lobbying and public participation.

The hypotheses presented remark all the crucial topics within the analysis. Since the focus groups are distinctive enough, their attitudes cannot be generalized, but rather understood in relation to each other. Therefore, the first three hypotheses characterize the expectations laid upon the lobbying actors themselves, and their evaluation will be based on the primary data. The fourth hypothesis focuses on the foregoing causes of the current perception, and will be evaluated discussing the secondary resources. In the end, the complex evaluation and analysis of the problem will be submitted together with interconnection of roots, their present implications, and challenges for the future.

Interestingly enough, the main contribution to the discussion and the previous research will be made with the considerable collection of primary data gathered in the region of interest – Bratislava, Slovakia. The selection of this case study is justified, together with the rest of the methodology, in the methodological chapter. The main approaches employed during the research are the methods of field research and of focus group. This combination offers capacity to maximally approach the objects researched – in this case the four focus groups of lobbying actors in Slovakia – and thus to present the extensive

and detailed data. In order to maximize the added value and to collect as relevant information as possible, the set of interviews with lobbyists and public officials was run. Furthermore, the public perceptions were discovered through anonymous online questionnaire. In the analytical part of the thesis, the interviewees' and respondents' views will be contrasted to understand the source of their potential disagreement, and to see on which points the co-operation could be built.

The discussion is organized in the following, mutually interlocked, sections: firstly, the theoretical insight into the issue of political lobbying is going to be presented together with the potential and risk lobbying brings in. This part is crucial for establishing framework for further discussion. Secondly, the attention will be paid to the context of Slovakia in order to accurately understand the roots of current lobbying perceptions. In this part, historical and sociological backgrounds will be provided together with the factors currently shaping views on lobbying. Thirdly, the methods and approaches employed during the primary research will be clarified together with the case study and participants selection mechanisms. Next, the research results will be presented and compared with the aim to see the differences between particular focus groups' opinions and to understand their motives. Finally, the conclusion will sum up the main results, evaluate the tested hypotheses, and draw the implications and challenges for the future.

1 THEORETICAL INSIGHT INTO POLITICAL LOBBYING AND INTEREST GROUPS' INFLUENCE ON LEGISLATURE

The very first chapter of the thesis grounds the debate in the theoretical insight into the issue of political lobbying being highly debated and controversial in the Slovak society. This background is essential for establishing a solid framework for further debate and empirical findings to be set and analyzed. Therefore, firstly, the concept of political lobbying will be laid down aiming their conclusive and homogenous understanding throughout the whole debate as this often has a tendency to vary in both scholarly literature and public comprehension. Secondly, based on the most important scholarly work on lobbying, the process of political lobbying with the focus on its legislative potential is going to be elaborated on. The potential risks of political lobbying together with the link to its current perception in the country of focus – Slovakia – will bring the section to a close. As the discussion is developing in the thesis, these insights will be contrasted with the views of Slovak public officials, lobbying groups, and the public.

1.1 Key Concepts

For the countries of Central and Eastern Europe, the concept of political lobbying is relatively new. Problematic is also “an abundance of neologisms” (Beyers et al., 2010, p.4) flowing into the societies’ awareness on the relatively unknown issue. In order to fully comprehend the situation and be able to evaluate the attitude of society towards the on-coming matter, which political lobbying is, the theoretical analysis must forego.

Political lobbying is by nature an extremely complex process encompassing the number of, often opposing, interests, methods of their enforcement, and interest groups interacting with decision makers and bureaucrats. All these groups are using both direct and indirect lobbying to compete over the influence on legislature. While Milbrath (1963, in Baumgartner and Leech, 1998) claims that “the words ‘lobbyist’ and ‘lobbying’ have meanings so varied that use of them almost inevitably leads to misunderstanding” (p.33), Baumgartner and Leech (1998) elaborate on the definition of the process in detail, underpinning its most crucial characteristics:

“Lobbying” has been used to refer to interest-group contacts in the bureaucracy, the office of the president, and the courts, as well as within the legislature....to describe grassroots campaigns, use of the mass media, and the creation of research reports, as well as face-to-face contacts....all these activities must be used in an effort to influence the policy process.... (p.34)

Even if the definition presented here focuses on the highest state bodies, it could also be applied to lower levels of state governance, but rather also to the self-governmental layers of state administration. For the purposes of the thesis, the local government and the bureaucracy will be taken into consideration and researched on in order to provide a clear and representative picture of its perception by focus groups.

To narrow down the idea of lobbying, Milbrath (1963, in Baumgartner and Leech, 1998) accurately suggests four conditions for lobbying to be conducted in an effective and relevant manner: First, lobbying activity affects governmental, not individual decision-making (p.34). This involves in itself that a lobbyist attempts to access and influence the negotiation process, not an individual decision, for policy proposed to be accepted. To achieve this, arguments and facts more persuasive than others in assembly are requisite. Related to this aspect, second, is the goal of hitting the governmental [or

local government] sphere (Ibid., Wright, 1996, pp.76-82), with the aim to gain influence over the public issue. Here, the borderline between a public and private sector is clearly visible while accommodating one to another. Clearly enough, the third aspect of lobbying lies in the presence of a mediator (Ibid.). In order to keep the lobbying process transparent and effective, but also manageable, individuals either from private sector or public must have their interests represented by the group or expert organization. It is understood that individuals cannot lobby. Last but not least, the pivotal tool of lobbying is communication (Ibid.). By communication, competing facts and analyses of the issue debated are offered to policy makers to shape their notion towards a particular interest group.

At this point, key actors must be identified – the lobbying ones on the one hand, and the lobbied ones on the other. The lobbied subjects are clearly understood as the bureaucratic and legislative bodies of the central or local state government. As for the lobbying (or interest) groups, Wright (1996) defines them jointly as follows: “a group of individuals linked together by professional circumstance, or by common political, economic, or social interests” (p.22). Furthermore, such a group needs to meet three additional conditions: First, it does not candidate for any governmental agency or administrative body; second, to lobby, it utilizes part of its own group resources; and thirdly, it is not an organizational part of the institution it attempts to lobby (Wright, 1996, pp.22-23). Last but not least, Beyers et al. (2010) suggest three elements of interest group definition: character or organization of the subject, interests it advocates within the political spectrum, and the frequency and nature of informal confrontation with policy-makers (pp.4-5).

In the thesis, the title ‘lobbyist’ is not only used for a hired professional, who seems to be a ‘typical’ lobbyist, or only for business groups, but also for activists or advocates, members of non-governmental organizations, and think tanks. The reason for understanding ‘typical’ lobbyists and advocates equally is that these actors, jointly called also ‘interest groups’, have certain interests; are organized and represent group, not individual demands; use information and their communication to access decision-makers and bureaucracy; develop arguments based on facts; use them at the most appropriate moment; propone them through the mediator; with the aim to influence legislative process. Unavoidably, there are differences to be found in their operation emanating from their very nature, e.g. cooperation with media or, as Berry (1997) characterizes it, from the internal values, but these do not constitute a significant difference in their mission. It does not either mean one or another type of lobbying organization is preferable.

To complete the picture, it is essential to elaborate on the goods lobbyists work with – information. These are operative both for policy makers for quality decision to be made, and for lobbyists to access and control the decisive moment. While Bouwen (2002) conceptualizes information as “access good” (p.370), Berry (1997) claims that the amount of the information the lobbyist brings in determines the level of his prominence for the government, and so his chance for success (p.96). In other words, information creates dependency (Bouwen, 2002, p.368).

1.2 Potential of Political Lobbying

As for the start, it is extremely important to remark that in the thesis lobbying is perceived positively as a convenient and favorable mechanism to bring more light and information into the legislative and decision-making process of a particular state agency.

There are three reasons for this statement. First, bureaucrats and policy-makers themselves have neither resources nor, from the biological and psychological point of view understandably enough, capacity to cover all public policy topics in order to be able to make quality contributions to the policy-making debate. Therefore, lobbyists from any sector are the ones who bring the information on the current issue to the decision-maker. Second, it is typical for lobbyist groups to have various backgrounds important for shaping the group stance attempted to be advocated. Even if the bureaucrat puts efforts into studying the issue in detail himself, it is absolutely impossible to comprise all the insights provided by lobbyists and advocates. Thirdly, the mechanism, with the absence of lobbying, would be highly ineffective, spending an inappropriate amount of resources, both human and financial, on the goods (in the case of public policy these are information) that can be easily supplied by other actors, or participants on the legislative process.

In this sense, the positive aspects of lobbying, respectively its contribution to the policy-making process is numerous:

- Share of resources: By lobbying, interest groups share a portion of their financial, human, organizational, and other resources invested into the monitoring, analysis, and quality presentation of the issue with the stakeholders (Ornstein and Elder, 1978, pp.69-79).

- Expert knowledge and analysis: The information, or knowledge, as mentioned earlier, is an extremely valuable and irreplaceable resource for quality decision-making. Abstracted and summarized, it is a quick and effective way to earn information and learn the various points of view. The more knowledgeable the interest group is, the more of its information is shared, or utilized in the process (Ornstein and Elder, 1978, p.84). The more interest groups from various sectors (e.g. think tanks, labor union, and business sector) participate in marking up, for example, the draft bill, the higher quality of the bill.
- Communication and access channel: As Berry (1997) puts it, “interest groups act to *represent* their constituents before government” (p.6), which makes them being the important means of communication between citizens and policy-makers (Ibid.). After elections, this is probably the next most popular and frequent mechanism to express people’s opinions and views.
- Way of public participation: By means of lobbying, an individual or group has a greater chance to participate and shape the policy-making process in line with the one’s beliefs (Berry, 1997, p.7). This applies particularly for non-governmental organizations and other advocacy groups since one of their chief goals is to activate and engage the public in the process of policy creation.
- Opinion diversity and dialogue stimulation: With the multiple, diverse outlooks the lobbying groups bring into the public discussion, the exchange of opinions and open pluralistic discussion are markedly promoted.
- Free education of the public: Similarly, interest groups of all types are advantageous for society also in terms of education, while the public learns

through their activity (usually via media) about the political situation in the country and the running issues (Berry, 1997, p.7). Besides this, individuals also learn to participate in public control.

- **Agenda setting:** Interest groups are important agenda setters, confronting public officials with demands on problems they might not see or want to ignore or postpone. (Berry, 1997, p.8). Of course, the proposals compete for attention, and allow either for political or broader public discussion.
- **Monitoring and accountability:** Since lobbyists very attentively follow the progress of discussion on their demands (Berry, 1997, p.8), they establish a certain pressure on public officials regarding the quality of the problem resolution.

The above are positive aspects which may negatively deviate, more or less often, depending on political culture, the strength of interest groups, legislature, or level of corruption. In the next section, the risks of lobbying will be elaborated on. These are very important because have an immense impact on the perceptions of lobbying, as the hypotheses H2 on public officials' perception of corruption and H4 on the causes of public mistrust suggest.

1.3 Risks of Political Lobbying

The risks political lobbying bears stem mainly from the low transparency of the practice (Štofanič, Stano, 2003, pp. 11-12). This aspect is undoubtedly the primary source of controversy and discredit of profession in the eyes of the public. Even if the level of

transparency varies with the type of lobbying organization, the individual representation of interest groups, and the cooperation with media, in general, their overall transparency is not satisfactory. Furthermore, the level of transparency may differ also depending on the audience to be transparent towards two groups: the officials lobbied who should be acknowledged whose interests the lobbying group represents on the one hand, while the general public who should be informed about the lobbying and lobbied subjects and the objectives advocated, on the other.

At this point, when talking about its transparency, the question of corruption is of special relevance. As Zemanovičová (in Štofanič, Stano, 2003) puts it, “it is alright to articulate someone’s interests, but it is not alright when it comes with an offer of reward or profit for an official” (p.12). The inequality of access and the same unequal chance to have the group interests heard (based on clientelism or corruption) typically leads to inadequately and ineffectively designed policy, which later on leads to group favoritism and a cumulative devaluation of democracy. In any case, the measures adopted in this manner are convenient not for the general public, or for its substantial part, but rather for a narrow group (Červenáková et al., 2002, p.3). In an extreme situation, state capture is eventually possible (Ibid, p.4).

Especially due to corruption issues, lobbying might be perceived as unethical, or contrary to inherent moral values (Červenáková et al., 2002, p.3). Typically, the lobbying profession distances itself from any unethical conduct arguing that corruptive conduct is not lobbying, and quality lobbying is not corruptive.

All these aspects shape the opinion and insight of all actors concerned. Particularly affected is probably the public since it does not have an access to internal

information, and relies mostly on the information from media. To allow for more complex view, all points touched upon in this theoretical insight will be confronted with the results of the research among public officials, lobbyists (both business and advocacy), and public in the latter parts of the debate.

2 HISTORICAL AND SOCIOLOGICAL CONTEXTS OF SLOVAKIA AND THE CURRENT OPINION ON LOBBYING

The second chapter of the thesis brings in historical, sociological, and current contexts of the region of focus – Slovakia – and thus shapes the general insights of the first chapter into the more concrete and applicable form. Understandably enough, taking into consideration the particular country's unique historical and sociological characteristics is inevitable for the analysis to be objective, meaningful, and therefore valuable. In this manner, the results are going to be applicable for future utilization. With this aim, firstly, the historical experience typical for the post-communist transition country will be delineated because of its immense negative impact on political culture, behavior, and views the Slovak society preserves until present days. These are, consequently, applied also for the understanding and perception of the lobbying practice. Secondly, to examine group and individual attitudes within society as well as for the strong affiliation of the sociological and political contexts, the sociological enquiry is of extreme relevance to the group perception of lobbying. Thirdly, the information on the factors currently shaping the opinion on lobbying - the level of corruption and transparency, the exercisability of law, and ethical standards - will provide the last pieces of contextual background. This chapter provides the background for evaluating all four hypotheses H1 to H4 focusing on all the four groups perceptions and its roots as well as on the public distrust.

2.1 Historical Context

As previously mentioned, the current ‘image’ of lobbying and its incompatibility among the number of actors engaged is deeply rooted in the historical experience of groups and individuals. In the modern political history of Slovakia, the Communist era was the one with the strongest suppressive efforts and therefore has to be therefore special attention.

As Bútorá (in Kaldor, Vejvoda, 1999) accurately points out, the political and ideological pressures hit people’s political, economic, social, and psychological life (p.94) with

...the disruption of private ownership, the destruction and loss of confidence in the system of parliamentary democracy, the undermining of civil society, the strengthening of the state and enlargement of its sphere of interventions, the discrediting of traditional political groupings, and the principle of collective guilt. (Ibid.)

All measures mentioned were aimed at regime and power stabilization, having its citizens uninformed, with no opportunity to participate on the policy-making process and an even more infeasible chance to control the officials. Furthermore, the deviation from modern democracy in the case of the communist regime is “two-fold” (Abraham in Szomolányi, Mesežnikov, 1994, p.25) – political and ideological together with economic, from the centrally planned to the market one (Ibid.).

After more than forty years (1948-1989), Slovakia had undergone the significant part of its transition process, and currently is a modern, democratic, and open country which “respects the independent civic sector The legal and regulatory environment for civil society is free of excessive state pressures and unnecessary bureaucracy” (Mesežnikov, Kollár, Vašečka in Goehring, 2008, pp.522-523). These conditions

inevitably shape the space for lobbying activities which is perfect for public dialogue and opinion diversity stimulation, having decision-makers informed and thus ready for higher quality legislative amendments as well as holding them accountable. All these steps forward are elements of “modern civil society” (Cohen, Arato, 1992, p.345).

Clearly enough, the current public distrust and skepticism towards lobbying activity as well as the fragile co-operation among lobbying groups and with public officials are an unavoidable consequence of historical discrepancy. On the one hand, public discontent, mistrust in public officials, skepticism, non-allowance to participate in public affairs, the consequential growing passivity of the general public together with often strong emotions of fear were present in the Slovak society for four decades. On the other hand, a few years later the society is supposed to express its opinion, participate in public affairs, control the government, and lobby for its interests. To sum up, the change has not occurred gradually (unlike in mature democracies), but was relatively sudden. As a consequence, citizens, especially the generation which experienced the past regime, neither used to express themselves, nor know how, might be hesitant to do so. All these aspects, visibly or not, have a huge and long-run impact on the views and perceptions of, for older democracies so common and self-evident, democratic mechanisms.

2.2 Sociological Context

The sociological and historical contexts largely overlap and induce one another when focusing on political views and attitudes within society. Hence, it is not by accident that the sociological approach may in part be repeated, but will mainly continue and build upon what has already been said in the previous part.

One of the most serious issues and challenges the Slovak society is facing, noticeably being the legacy of communism, is its mistrust towards other citizens as well as public officials. According to Uslaner (in Badescu and Uslaner, 2003), “[i]t is common knowledge that citizens in the former communist countries of Central and Eastern Europe have less trust in their fellow citizens than those in the West” (p.81). As Uslaner (in Badescu and Uslaner, 2003) further points out, the reason is more than clear – the past regime tended to set individuals one against another (Ibid.), competing for basic goods and services, being suspicious and politically jeopardous (especially denunciators) one for another. As previously mentioned, this fact is rooted in citizens’ minds. Alternatively, this observation may individually vary with the number of factors, e.g. size of the place of residence, presence of foreign experience, extent of social network, education, age and past experiences (especially with the communist regime) of an individual, but also with the characteristics and political, economic, or social status of the approached person.

At this point, it is crucial to underpin the political role or importance of an individual to be approached by another person. While twenty years ago the access to the individual engaged in politics was either impossible or risky and people were afraid to express opinions contradicting the regime, now “the Slovak society is coping with its new reality” (Gyárfášová in Szomolányi, Mesežnikov, 1994, p.41). This fact has been, naturally, transformed into the mutual relationships and social networks of Slovaks as well. On the other hand, what remained relatively unchanged, or has not changed enough, is the barrier and mistrust between people in terms of political and business issues, which can be easily seen at the political lobbying itself, its perceptions, and attitude of particular actors towards each other.

To understand mistrust with its further consequences, Putnam (2000, in Badescu, Uslaner, 2003) accurately, explains the link between people's trust, attitudes, and civic and legislative participation as follows:

People who trust others are all-around good citizens, and those more engaged in community life are both more trusting and more trustworthy ... the critically disengaged believe themselves to be surrounded by miscreants and feel less constrained to be honest themselves. The causal arrows among civic involvement, reciprocity, honesty, and social trust are as tangled as well-tossed spaghetti. (p.83)

Indeed, the fact that the Slovak society suffers from the lack of trust in itself and the manifestation of its power as well as views paralyses most of the civic activities, but also deforms the perception of those currently running. The functional relationship between trust and participation may be therefore viewed as reciprocal: citizens' trust in each other ameliorates public activity and participation, and more extensive public participation evokes stronger trust in oneself, community, and society. Characteristically, disappointment (Howard, in Badescu, Uslaner, 2003, p.176), the expression of subjection, the lack of will, distrust in other citizens, 'blind' trust in public officials or other agencies, and waiting for 'somebody else' to bear the responsibility and action over the problem still, even if with a declining tendency, go along with most of the public action and affect public opinion, too.

As for lobbying, the weaker experience society has with participation in the legislative process in all its forms (polls, proposals delivery, public discussions, working groups), the higher is its tendency to be suspicious, to create myths and stereotypes in the perception of or opinion on the subjects or individuals who actually participate or co-operate in the legislative process, and the greater the gap is between active individuals,

such as lobbyists and lobbying or interest groups, and the rest of the society. The chronic absence of experience and myths creation is, according to Bútora (in Kaldor, Vejvoda, 1999), even sharpened with the absence of individual responsibility and initiative during the communist era when the general public rather relied on the state and the services it provided (p.94).

Simultaneously, the less knowledge the general public, or any other individual, has on the interest groups of any nature working in Slovakia, on their activities, goals, interests, financing, background, and the less he or she can ‘imagine’ the process of lobbying, the more stereotypes and myths occur to influence people’s opinion. In the case of the general public, perceptions are usually rather negative than positive, which worsens the image, or credit, of lobbying groups. In the case of other actors, especially of individuals working in the legislative and lobbying sector (for the sake of analysis these are business lobbyists, third sector lobbyists, and public officials), these typically give a credit to a group upon its expertise, the quality of its draft bills, or the condition of mutual cooperation.

When talking about public opinion and perceptions, and its participation in the legislative process, it is also the level and nature of political, or civic, culture that needs to be touched upon. Inglehart (1988) defines political culture as “a coherent syndrome of personal life satisfaction, political satisfaction, interpersonal trust and support for the existing social order” (p.1203). In light of these elements, the political culture or political identity of the particular society might be considered as a collection of individual identities with their personal political views, perceptions, orientations, and moral and

political values which grounds the civic activities, including public participation, communication with officials, and general interest in political affairs.

2.3 Current Opinion on Lobbying

Besides the two insights into the background of the people's attitudes towards political lobbying and political participation per se, the analysis of the factors and mechanisms currently affecting the public opinion on lobbying and the opinions of the lobbying and lobbied subjects themselves need to be taken into consideration. The reason is that the currently running affairs tend to have the greatest influence on public opinion while the older ones become easily forgotten as the attention is passed to the newest ones. Also, understandably enough, the special characteristics and data on political lobbying in Slovakia are needed as up-to-date as possible for the analysis to be meaningful.

To start off with the statistical data on the general condition of the Slovak society, these show the improvement in the activity of civil society. While, according to the data collected by Freedom House (Mesežnikov, Kollár, Vašečka in Goehring, 2008), in 1999 has the level of civil society in terms of its democratic character and activity achieved, on the scale 1-7³, the level of 2.25, by 2008 the situation has markedly improved up to the point of 1.50 (p.513). The same quality of civil society, 1.50, was according to data achieved also in 2003 and 2007 while between these years, the quality has even improved to the level of 1.25 (Ibid.). The fluctuation may be caused by the attitude and legislative framework the particular government sets on the third sector activities (e.g. cut of the 2%

³ Scale: 1 to 7, where 1 represents the highest and 7 the lowest level of achievements (Freedom House, Mesežnikov, Kollár, Vašečka in Goehring, 2008, p.513).

tax support for non-governmental organizations in 2006 and its under pressure restitution in 2007 (Mesežnikov, Kollár, Vašečka in Goehring, 2008, p.515)), the projects organizations currently worked on in the given years, but also the overall ‘mood’ within the society.

Last but not least, it is also the corruptive environment that communism brought. As Kotkin and Sajó (2002) suggest, authoritarian regimes with strong and rigid governing rule foster spreading corruption and clientelism practice within the society (p.245). This issue will be further elaborated on in the next sections.

Probably the most appalling, and thus extremely important in the eye of public, is the level of corruption in the public institutions sphere, and the tendency to corrupt and to be corrupted in the same sphere of public life. Certainly, corruption is known and understood generally as emerging from the exchange of services between a public official and an individual or group from outside while both subjects benefit from this relationship at the expense of the public, while using (more precisely, abusing) public, usually financial, resources (Zemanovičová, Beblavá, 2003, pp.14-16). As can be seen, in reality, the interest groups’ or individual actors’ access to decision-makers, and therefore chances to influence a decision-making process, are not coequal, which opens considerable room for public ‘common sense’ discussion and suspicion on who might be the corruptive element in the society, and who thus unjustly enforces his or her personal interests. Frequently, it is lobbyists who are believed to corrupt public officials.

To be able to see the development of the situation clearly, the official data collected by Transparency International (TI) will represent the development in time.

According to TI, on the scale 0-10⁴, in 2010 has Slovakia achieved the Corruption Perceptions Index (CPI) of magnitude 4.3 (Transparency International, 2011⁵). In comparison with previous years, in 1998-2004 its level did not exceed 4.3, which means that corruption was higher previously. Next, in 2005 Slovakia achieved the level of 4.3, while in the period of 2006-2009 the CPI was constantly higher than the current level of 4.3, which shows that corruption was milder and has currently increased (Transparency International Slovakia, 2011⁶). As for the comparison, Freedom House announces the level of 3.25 in 2008 which is, with the exception of years 2005-2006, the stable rate since 2002 (Mesežnikov, Kollár, Vašečka in Goehring, 2008, p.530). The two indices are running in a relative parallel, but in the years 2004-2008 Transparency International recorded the more significant improvement of the situation (Ibid., Transparency International, 2011).

Three facts strengthen the role of corruption tendencies in the perception of lobbying. First, it is “the persistence of friendship networks” (Howard in Badescu and Uslander, 2003, p.174) being passed from the communist era. These relationships, now titled ‘clientelism’ or ‘clientelistic bonds’, are related to corruption in their very nature, and establish a preference based not on fair principle, but rather on the existence of personal relationship or agreement between the subjects which is, of course, non-transparent, non-systematic, and harmful for the overall system functioning and for the society. The suspicion on lobbying practice is based on the assumption that, out of all interest groups participating in the legislative process, the most successful are often those

⁴ Scale: 0 to 10, where 0 represents highly corrupt and 10 very clean environment in terms of corruption (Transparency International, 2011).

⁵ For more information see: http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results (Access: May 29th, 2011).

⁶ For more information see: <http://www.transparency.sk/vystupy/rebrick/> (Access: June 2nd, 2011).

who have some ‘acquaintance’ or a ‘friend’ in the competent public office. Usually this belief grows stronger among citizens when the publicly inconvenient decision is made.

Second, very low transparency being typically concomitant at political lobbying activities both opens the room for further corruption and accelerates the critique and dissent from the side of the general public and other relevant audiences. As already mentioned earlier, without enough explanation of the goals, activities, the mechanism of influencing the legislative process, financing, and political background to the public – in other words, without educated and informed citizens - the lobbyists will always have inauspicious image, no matter what are the values and nature of the agency. At this point, it is the government which can change both perception and fairness of lobbying.

Third, the quality and exercisability of law together with the quality legislature have the potential to considerably affect, of course positively, the level of public trust in home institutions and also in lobbying groups. With the quality of law, citizens believe for the corruptive action to be denounced, so do not need to carry the doubt of corruptive and clientelistic bonds. In Slovakia, after a number of attempts, the Lobbying Act, that would exclusively treat lobbying issues, is still not in force and its necessity and effectiveness are highly discussed. As for the European Union regulation, it governs affairs on the European rather than national level (Lehmann, 2003, pp.iii-v). As Štofanič and Stano (2003) suggest, a feasible alternative seems to be the lobbyists’ Code of Ethics (p.13).

All the factors discussed in this chapter have immense impact on the perception of political lobbying in Slovakia. Furthermore, it is not only the general public who considers them when shaping its opinion, as it might look like. All the actors of the

lobbying process respond to the condition of the society in their own way or according to the professional pattern. In the last, analytical chapter, these views will be clearly visible.

3 METHODOLOGY

The methodological chapter presents the background of the primary research conducted for the purpose of contributing to the discussion on the perception of lobbying. The chapter is aimed to clarify the methods of data collection as well as to explain and justify the key determinants of choosing the case study. It is important to state these here because of the relatively extensive research conducted and the effort of the analysis to be clear.

3.1 Case Study Selection

The case study chosen for the in-depth research, as mentioned earlier, is Slovakia with its capital, Bratislava. After the thorough evaluation of all aspects relevant to the research objectives, Slovakia is the best case study to demonstrate the controversy of the lobbying perception as well as to contrast the four focus groups for the following reasons:

Firstly, the country lies in the region of Central Europe and therefore constitutes a passage between Western and Eastern Europe, which is considerably reflected in its political situation and political views of various public strata, but clearly notable also in its perceptions towards lobbying practice. Secondly, according to Transparency International, Slovakia has the highest level of corruption in the Central European region (the CPI is 4.3 (Transparency International, 2011)). Thirdly, lobbying is not transparent enough while the public is not aware of its functions, which is a great challenge to be changed. Fourthly, lobbying in Slovakia is extended and influential enough to be paid attention to. Fifthly, Slovakia does not have any solid legislature on lobbying. Last but

not least, Slovakia is a European Union member state, and therefore has the chance to participate in lobbying on the European level whereby the two can mutually influence each other. The capital, Bratislava, has been chosen for the reason of being the spot with the highest concentration of lobbying activities in Slovakia.

3.2 Methods of the Research

The data relevant for the focus of the thesis have been collected using the method of field research, chosen for its suitability and applicability for the aims of the research. The exceptional advantage the method brings is its allowance for approaching the reality of the researched area, which is in this case the actors actively participating in the political lobbying process in Bratislava, Slovakia. Through the theoretical background, the field research confronts and contrasts the theoretical assumptions with the actual situation in the society of focus.

Within the field research, both qualitative and quantitative approaches are employed. This combination is inevitable for achieving the goals of the research. First, qualitative methods, dominating the research, discover the views, opinions of participants and enable both to understand and to interpret the reasons behind for the actual perceptions of lobbying. On the other hand, quantitative methods will graphically specify the perceptual tendencies and the preference ratio among the lobbying actors.

Further on, the field research is conducted together with the focus groups method. The four groups at focus are – the general public, business lobbying groups, non-governmental advocacy lobbying groups, and the public officials, which represent the typology of key actors of political lobbying in Slovakia. The main contribution to the

discussion is generated by the comparison and contrast of the interviewees' opinions in order to understand the source of their potential disagreement, and to see on which points the co-operation could be built. The methods of choosing the participants into the focus groups are going to be specified in the below.

3.3 Primary Resources Selection and Collection

Primary data for the analysis have been collected in two ways: First, the interview method was employed with three focus groups - business lobbying groups, non-governmental advocacy lobbying groups, and public officials. This is extremely useful because it gives the chance to acquire specific and extensive data if the interviewee is open to provide them. The same set of questions was asked each interviewee within each focus group, varying only marginally with the occupational, group-specific attributes.

The interviewees were selected according to their key roles in the particular sectors. Public officials were selected on the sectors they work in, since transport and re-development are the two most strategic sectors of governance, and thus potential legislative 'pressures'.

The interviewees who provided the information for the research are:

A. Business (or hired) lobbyists focus group:

- Mr. Peter Papanek, partner of the leading consultancy group, Neuropea, Ltd., focusing *inter alia* on government affairs;
- Mr. Patrik Zoltvany, senior partner of the leading consultancy group, FIPRA Slovakia, focusing on public policy and regulatory issues;

- Mr. Michal Považan, executive director of the Slovak Public Private Partnership Association, focusing *inter alia* on legislature, transport and technical infrastructure;

B. Non-governmental advocacy lobbyists focus group:

- Mr. Ctibor Košťál, executive director of the leading non-governmental organization, Slovak Governance Institute, focusing on policy-making process mainly in educational, social and fiscal policy;
- Mr. Pavel Nechala, chief advocate of law firm Pavel Nechala & Co., co-operating with the leading non-governmental organization, Transparency International Slovakia, focusing on corruption and transparency affairs;
- Mr. Róbert Kičina, executive director of the non-governmental organization, Business Alliance of Slovakia, focusing on business environment within the context of society development;

C. Public officials focus group:

- Mrs. Katarína Augustinič, MP of the municipal corporation of Bratislava, Freedom and Solidarity Party (SaS), member of the City Council, of the Mandate Committee and the Transport and Information Systems Committee;
- Mrs. Ľudmila Farkašovská, MP of the municipal corporation of Bratislava, Free Forum Party (SF), New Democracy Party (ND), head of the Public

Order Committee, member of the Culture and Historical Monuments Preservation Committee;

Second, the method of online questionnaire was used in the case of general public focus group, with the set of questions parallel to the other focus groups, amended only in its form and phrasing so that the questions are understandable also for the non-expert audience. The method is efficient in gathering a large number of data, but also in assuring the relative randomness of selection and anonymity of the participants. The choice of websites and discussion forums to publish the questionnaire was based on the typical audience, while used were the ones visited mostly by the citizens of Bratislava. To assure randomness of the sample, no social networks were used to publish questionnaire.

The sample of 70 respondents has the following characteristics: the average age of respondents is 32.13 years; the youngest respondent is 18 years old, the oldest respondent 70 years old; 63% of all the respondents are men, 37% are women. From the sample, 67% individuals hold a university diploma, 31% finished high school, and 1% of respondents finished elementary school (for more information see Appendix 1).

3.4 Limitations of the Research

One of the main limitations of the research is the unavailability of some interviewees requested. Specifically, a public official and the Labor Union deputy did not answer any of the requesting e-mails or phone calls. Even if these people are very relevant for the research objective, their opinions are, unfortunately, not available for the research.

Other limitation, challenging the next researches on political lobbying perceptions, is a relatively small sample of respondents and interviewees. Since it is impossible to run the research of any larger scale, the sample is not representative enough to have chance to draw a general conclusions on focus groups. In this small research and with available resources, it was also impossible to assure perfect randomness of the sample.

Within limits given (time, financial resources), the research is as extensive and precise as possible. Its imperfections remain a challenge for the future.

4 PERCEPTIONS OF POLITICAL LOBBYING IN SLOVAKIA – DISCUSSION OF RESEARCH RESULTS

The fourth chapter presents the results of the primary research conducted in Bratislava, Slovakia. The data presentation and opinions will be organized into separate sections according to the subtopics within the researched issue. The subtopics are: general perceptions and credibility; activities of lobbying groups and their importance; perception stereotypes; corruption and transparency issues; ethical question. On each of the subtopics, opinions representing each focus group will be delivered to be compared in order to ensure detachment. Throughout this chapter, the evidence for the hypotheses H1, discussing the relationship between business lobbyists and the general public, H2, touching upon the relationship between lobbyists and officials, and H3, discussing the mutual perception of the business and advocacy lobbyists, is provided.

4.1 General Perceptions and Credibility

Generally, Košťál (advocate, 2011) believes that interest groups constitute an intrinsic pillar of civic society, and it is right that groups organize and activate themselves. In co-operation with other interest groups, though, it is extremely important to have information about their background and directorate (Papanek, business lobbyist, 2011). Only in this case is an organization both a credible partner and an opponent within a policy discussion. All in all, all the interviewees agree on lobbying groups' beneficial effect for society, which provides evidence for hypothesis H3. The negative aspect is that actors do not have equal access to policy-makers, financial resources, and do not share the same methods (Nechala, advocate, 2011).

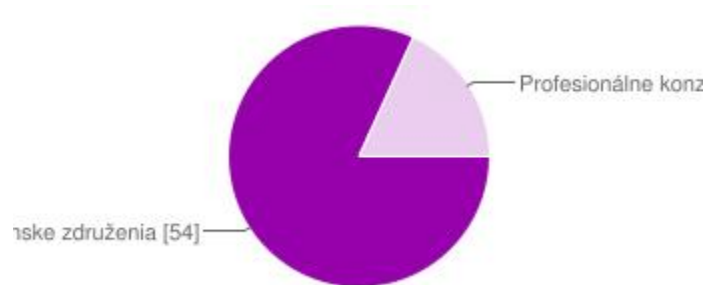
Touching upon hypothesis H1, unanimity was attained at the point that non-governmental lobbyists (further on ‘NGOs’) are publicly perceived more positively than business lobbyists. Non-governmental lobbyists are publicly known to be non-affiliated with the government, working in accordance with public needs, not gaining any profit (while profit itself is perceived negatively) (Papanek, business lobbyist, 2011), and are hoped to be non-corruptive (Farkašovská, public official, 2011). On the other hand, business lobbying groups do not present themselves in the media and thus are unknown for public (Kičina, advocate, 2011). Last but not least, business lobbyists are commonly presented by media as asserting particular interest. However, as Zoltvány (business lobbyist, 2011) compares, NGOs have particular interests, too.

Based on the questionnaire, public perceives advocacy lobbying groups more positively than business lobbying groups. While 16% of respondents perceive the NGOs very positively and 22% positively, in case of business lobbyists it is only 3% of respondents who strongly agree with the necessity of their participation in legislative process and 17% who agree. As for the negative views, NGOs are negatively viewed by 5% of respondents whereas business lobbyists by 17% (for more information see Appendix 2).

Even more persuasive are the answers on the question asking which subject a respondent in general perceives more positively – advocacy or business lobbyists. As can be seen on figure 1, non-governmental organizations are positively viewed by 77% of respondents (54 out of 70). Compared to business or consultancy groups which are supported by 17% of all respondents, NGOs are definitely perceived more positively

(supporting hypothesis H1). At the same time, respondents feel themselves being more represented by NGOs than by consultancy groups.

Figure 1: *General perception of NGOs and business lobbying groups*⁷



Source: Questionnaire (author's research).

Anonymous citizens reason their opinion with having more information on NGO activities which are publicly presented, not hidden as in the case of consultancy groups, and non-for-profit (Papanek, business lobbyist, 2011) underlines this as one of the factors). Furthermore, respondents believe NGOs are determined and active in the one issue, not permanently changing as the consultants, and are publicly viewed as 'fighting' for what they moral values and beliefs. Some respondents indicate positive previous experience with an NGO.

At this point, the fact causing the discrepancy among focus groups' opinions is the varying set of information each group has. In case of public, the main source of information is probably media, in case of lobbyists it is internal information and everyday experience, while public officials might face the suspicion of being corrupted. On the other hand, it is not only public who mistrusts lobbyists, but, as Augustinič (public official, 2011) confessed, the very first idea that came to her mind when contacted by the

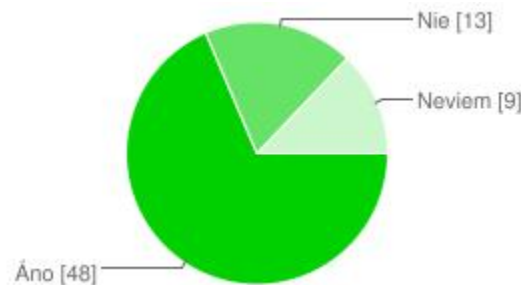
⁷ In all the graphs presented, the results represent the number of respondents, not the percentage; part of the text lost during picture conversion.

business lobbyist group for the first time was that they might corrupt her. Clearly enough, stereotype here plays a big role because Augustinič did not have any previous experience with corruptive proposal (public official, 2011).

4.2 Activities of Lobbying Groups and Their Importance

Despite certain mistrust towards lobbying groups, the general public agrees that political lobbying is an important source of information for public officials. From figure 2, the distribution of public opinions is clear: 69% of respondents believe lobbying is convenient, 19% do not think so, and 13% of citizens do not know.

Figure 2: *Political lobbying as a source of information*⁸



Source: Questionnaire (author's research).

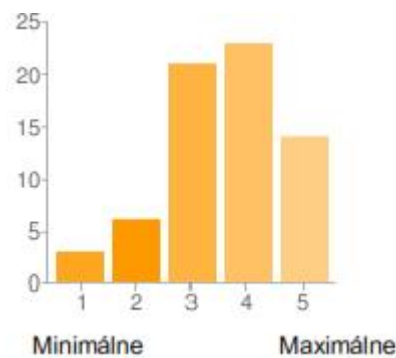
This is an important point because represents the consent of all focus groups researched. As Zoltvány (business lobbyist, 2011) puts it, lobbyists offer valuable information; however, only clever decision-maker can utilize them. Augustinič (public official, 2011) strongly agrees, saying that prior the decision to be made, she always tries

⁸ Legend: Yes – No – I do not know

to meet both civic and business lobbyists as much as possible to learn about the situation and make a quality decision. This could be a moment establishing a closer co-operation among actors, contributing thus to an open and balanced public dialogue which might, in the end, positively influencing the level of public participation in political affairs, and finally breaking the ‘custom’ of passivity inherited from the Communist era.

Going back to public perception, as figure 3 indicates, the work of lobbying groups is publicly considered rather as needful. Again, discrepancy occurs when comparing advocacy and business lobbying groups: while 11% of respondents strongly agree and 37% agree with activities of NGOs, only 1% of individuals asked strongly agree and 14% agree with activities of business lobbyists (for more information see Appendix 3).

Figure 3: *Necessity of lobbying*⁹



Source: Questionnaire (author's research).

According to Košťál (advocate, 2011), NGOs often supply services previously provided by a state. The current model is, compared to the Communist one, more feasible and reflecting the real political, social, and other demands. Partly on hypotheses H1 and

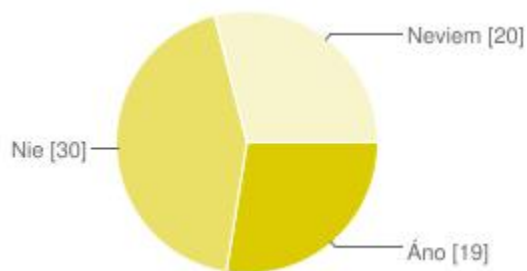
⁹ Legend: Scale: Minimal - Maximal

H3, Považan (business lobbyist, 2011), on the other hand, perceives numerous NGOs as non-expert, advocating subjective points of view which not always grasp the reality of the issue. For example, strict rules reducing corruption might lead to inflexibility of legislature and bureaucratization, and thus lower inflow of investment, he argues. Nechala (advocate, 2011) counterargues saying that there are many NGOs which lead the high-quality dialogue with public officials.

Another point the interviewees agree on is that interest groups succeed in the public dialogue stimulation and diversity of opinions promotion. Papanek (business lobbyist, 2011) recognizes NGOs as contributing to dialogue in a relevant manner, bringing in specific point of view. According to Kičina (advocate, 2011), lobbying groups significantly differ one from another which is beneficial for civil society as a whole as well as for particular interest groups. The reason is that their arguments ameliorate discussion and pushes its participants to accommodate their demands. The success of discussion varies with sector, but also with a government (Zoltvány, business lobbyist, 2011). Here, the question of transparency is especially relevant as the information on the true reasons of the particular interest might be missing, and not allowing for its complete evaluation.

Public opinion on the question is considerably indifferent. While majority of 43% does not believe in dialogue and diversity to be stimulated, 27% of respondents think so. As from figure 4, considerably high is the proportion of people who do not know, as much as 29%.

Figure 4: *Public dialogue and diversity of opinions*¹⁰



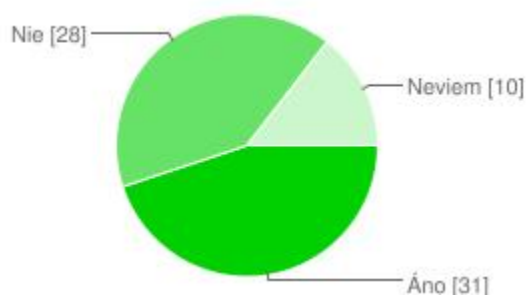
Source: Questionnaire (author's research).

The fact that almost one third of respondents do not have any opinion on this issue indicates the lack of appropriate knowledge. As already mentioned, insufficient knowledge on activities and goals of interest groups might create perception deviations as well as lower down the level of civic participation. Unlike citizens, lobbyists and public officials seek to evaluate the other actors by their argumentation and expertise.

The same indifferent attitude does the general public in Slovakia have towards the question on interest groups' ability to control and hold public officials accountable. As clearly visible from figure 5, almost identical parts of the sample claim that the interest groups do (44%) and do not (40%) hold officials accountable. The rest (14%) is not sure.

¹⁰ Legend: Yes – No – I do not know

Figure 5: *Holding public officials accountable*¹¹



Source: Questionnaire (author's research).

The interviewees all agree, stressing the role of the media (Nechala, advocate, 2011) and watchdog organizations (Košťál, advocate, 2011).

4.3 Perception Stereotypes

As already discussed, political lobbying perception stereotypes are best understood through the level of public participation in the country. Passive society does not have enough knowledge and experiences in public affairs and thus tends to be suspicious, creating numerous myths. The current tendency of the Slovak civil society is as follows: despite the fact that as many as 93% of respondents believe the active public participation in political life of Slovakia is a vital condition for its further development, only 40% of the sample find themselves active citizens, and even less, 31% of all the respondents have ever worked for or supported (as an activist, donor or partner) an interest group. Individuals argue with inability to persuade people, technical nature,

¹¹ Legend: Yes – No – I do not know

having nothing to contribute with, or, more understandably, leaving it already up to the young generation.

Since many of the respondents are young or in their middle age, a communist experience could only hardly be the cause, if not learned or undertaken from family and society. In this case, the reason is most probably the weak political culture lacking the genuine feeling of individual responsibility. The attitude of citizens is very often passive, probably relying upon somebody else to solve the problem. In case of young generation mistrust is not necessary, but rather the shift of preferences and interests might have passed, not excluding the possible shift of stereotypes.

The interviewees identify wide room for stereotypization, too. As Augustinič (public official, 2011) talks out of own experience, politicians have strong political culture only rarely and thus do not motivate people to trust them. It is necessary for the old generation of politicians to be replaced with young people who would build the trust of public and motivate it for active participation. Farkašovská (public official, 2011) claims that negative stereotypes and myths the Slovak society maintains is the result of the lack of information as well as the absence of solid and reliable lobbying legislature. Interestingly enough, Zoltvány (business lobbyist, 2011) draws attention to politicians who use lobbying activities to excuse corruption or professional failure, and thus deteriorate the image of interest groups.

In this sense, it is clear that stereotypes tend to have negative connotations. As public evaluates its own attitudes, it admits by 81% consensus that ‘lobbyist’, in case of NGO probably ‘watchdogger’, is a ‘sticker’ which should label an individual with the ‘typical’ attitudes and activities the public perceives as distinctive.

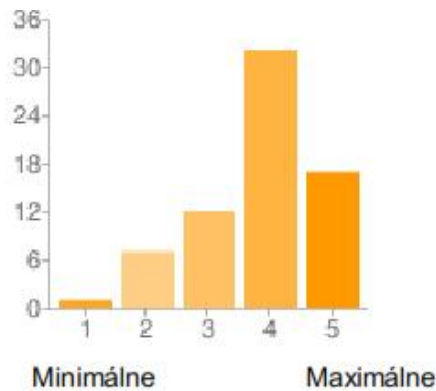
Nechala (advocate, 2011) does not believe advocacy lobbyists are necessarily popular. In fact, even if in case of business lobbyists 86% of respondents are convinced about the negative myth on their work, advocacy groups are by 66% of respondents believed to be mythicized negatively, too (for more information see Appendix 4). This opinion is probable to be based on certain interpersonal interaction.

4.4 Corruption and Transparency Issues

When talking about corruption, or tendency towards corruption, it is interesting to start with the view of the general public on the relationship between the two suspicious subjects – a lobbyist and an official. In line with the previous observations, the public believes that business lobbying groups have greater chance to access officials than advocacy groups do. Numerically, 60% of respondents perceive business lobbyists as having the greater access to decision-makers. Consequently, 56% of respondents tend to view NGOs as having minor access to those. At the same time, other politicians, mafia, and entrepreneurs have in the public eye strong influence as well.

In terms of corruption level, 46% of asked individuals perceive lobbying as being corruptive, or having tendency to be corruptive, while other 24% view it as maximally corruptive. On the other edge of the scale, there is 1% of sample who believes in lobbying being non-corruptive (to hypothesis H1).

Figure 6: *Level of corruption in political lobbying*¹²



Source: Questionnaire (author's research).

As Košťál (advocate, 2011) points out, advocacy lobbying does not have financial resources or other benefits to provide a decision-maker with, so the risk of corruption is minimal. This, however, does not mean business lobbying is necessarily corruptive. Zoltvány (business lobbyist, 2011) as a professional consultant adds to the point that corruption would only endanger credibility of the agency in the eye of a client. The level of corruption depends not only on the agency, but also on the politicians and the tendency of government or ministry to tolerate its presence. Contrasting view has Augustinič (public official, 2011) who has, together with colleagues, an experience with financially lucrative projects being supported by other than expert arguments. This claim contributes to the hypothesis H2 evaluation.

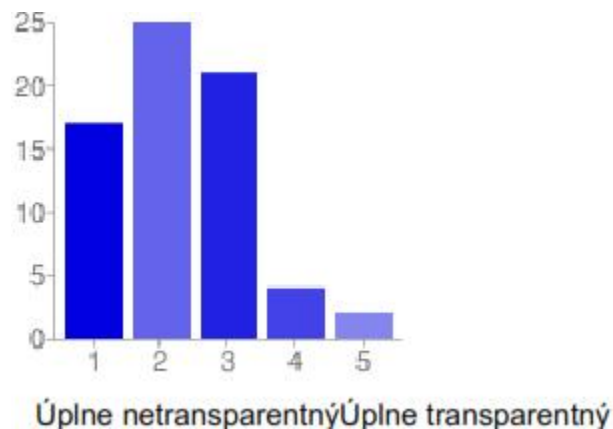
By definition, lobbying has nothing to do with corruption, and many lobbyists not only distance themselves from this practice, but also deny a 'lobbyist' as their profession. Rather, they tend to call themselves 'government affairs consultants' or 'advisors' not to evoke negative feelings (Považan, business lobbyist, 2011). Besides corruption, lobbying

¹² Legend: Scale: Minimal - Maximal

profession struggles here also with other factors: past corruption affairs, clientelism, low exercisability of law, and skepticism of society.

As for transparency of lobbying, which is the strong means of fighting potential corruption, it is publicly perceived as very low. As figure 7 suggests, 24% of respondents perceive lobbying as completely non-transparent and other 36% of people as non-transparent. Only 3% are satisfied with the level of its transparency.

Figure 7: *Level of transparency in political lobbying*¹³



Source: Questionnaire (author's research).

Interestingly enough, increased transparency of lobbying has tendency to ameliorate the 79% of all perceptions. This is caused by high preference (83%) of people in transparency as one of the key qualities of fair lobbying. Others are expertise, quality reasoning for public, and non-corruption. Shortly on other actors, these as well express the demand for higher transparency (with the exception of Považan (business lobbyist, 2011) asking whether lobbying is supposed to be transparent). Zoltvány (business

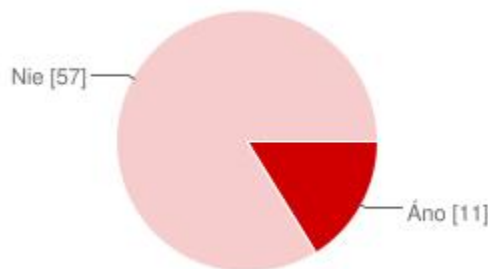
¹³ Legend: Scale: Absolutely non-transparent – Absolutely transparent

lobbyist, 2011) views non-transparency as an ethical question which is the subject of the last subtopic.

4.5 Ethical Question

The question of lobbying being ethical or not is typical inquiry as well as criticism regarding the practice. Particular emphasis is placed on ethical aspects of lobbying as with relation to the corruptive conduct. From the public perspective, corruption, unlawful behavior, and inconsiderate behavior are what make 16% of respondents believe lobbying is unethical. The majority of 81% does not, according to figure 8, perceive lobbying as an unethical practice.

Figure 8: *Is lobbying unethical?*¹⁴



Source: Questionnaire (author's research).

Not surprisingly, interviewees agree on its accordance with ethical principles. As both officials add, political lobbying in Slovakia still deviates from its most accurate form (Farkašovská, Augustinič, public officials, 2011). The ethical conduct has potential not only to imply corruption reduction, but also to strengthen public trust, reduce frustration

¹⁴ Legend: Yes - No

and skepticism, and non-directly to promote public participation showing that politics might also be fair.

To conclude, it is not only the system and missing legislature that make political lobbying corruptive, mistrusted and negatively perceived. It is also individual responsibility of lobbyists, both business and advocacy ones, public officials, and the general public towards better governance that should make a difference.

CONCLUSION

Despite the huge positive potential it has to offer in terms of legislative process, the issue of political lobbying is often perceived with considerable suspicion and mistrust, by the public especially in the case of business lobbying agencies which are believed to be corrupting public officials. The main aim of the thesis therefore was to explore the issue of lobbying perceptions, understand it from the insider's perspective, in this case having the four focus groups' perspectives, and to present the findings in order to open the public discussion. The disclosure of the conflicting perceptions is a necessary condition for the increase of the quality of political lobbying interplay, utilizing its assets, amelioration of the lobbyists' image, and building mutual openness between the business and advocacy lobbyists.

The results of the primary research brought the answer for the first research question and presented the particular focus groups' opinions not only on the issue of political lobbying in general, but also on the other participants. As expected, hypotheses H1, H2, and H3 can be affirmed: Firstly, naturally, all the business lobbying respondents perceive their profession positively, defending their distance from corruption practice. On the other hand, the public believe in business lobbying having tendency to be corruptive. This attitude can be best explained with the general mistrust emanating from historical as well as present experience, and on the high overall level of corruption in the society. Secondly, public officials interviewed argue for the presence of corruption in the relationship between a lobbyist and an official, supporting their opinion with personal experience. The opinion of lobbyists remains unchanged, defending fairness of their

profession. Thirdly, positive relationship between the business and advocacy lobbyists is, as stated by the respondents from both focus groups, based on expertise, transparency, and argumentation in the public discussion. Even if both criticize certain aspects of each others' activity, they respect each other.

The discussion on the foregoing causes of the current perceptions reveals a number of underlying causes of public mistrust and suspicion towards public officials and lobbyists. As hypothesis H4 expected, the historical experience of the society during the Communist era has the greatest negative influence during which civil society was rather being undermined due to efforts strengthening the role of state. Presently, the civic society struggles with low public participation in the political process, lack of experience and little knowledge on lobbying which obstruct its understanding. Furthermore, high level of corruption in the country together with low transparency of interest groups' activities and exercisability of law have an extreme impact on the perception of lobbying. Hypothesis H4 is thus confirmed.

These results imply three broader conclusions. First, the 'heritage' from the Communist era is still present. This can be seen at public participation remaining low, passive discussion among the general public, and only a few people having experience with advocacy and activism. While business and advocacy lobbying organizations are more flexible and adaptable for modern civic society mechanisms, citizens still need time to learn how to be active as well as how to demand the information, e.g. on political lobbying. Second, the level of corruption remains considerably high, which not only partly explains the lobbyists' image and the public officials' mistrust, but also alarms for a radical change of both legislature on corruption and corruptive public officials. Third,

very optimistic is the observation that the public is interested in lobbying activities and is willing to and open for public control and discussion. Moreover, since the average age of the polled sample is 32.13 years, this might be the first indication of the young generation stepping forward.

Understandably enough, the scale of research conducted does not allow for generalizations. Therefore, more extensive research and mapping the problem together with its roots and designing corresponding policy implementations based on present implications remains a challenge for the future. This appeal calls for building an open society and a balanced public dialogue.

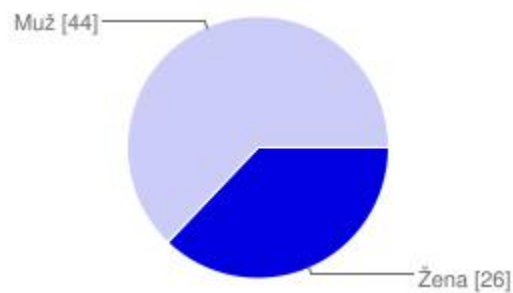
APPENDIX 1: Profile of Respondents

Age of respondents:

- Average age: 32.13
- The youngest respondent 18 years old
- The oldest respondent 70 years old

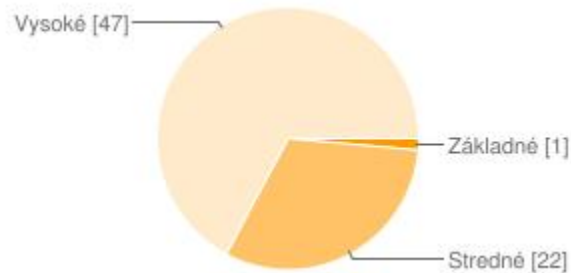
Source: Questionnaire (author's research).

Sex of respondents: Women 37%, Men 63% of respondents¹⁵



Source: Questionnaire (author's research).

Education of respondents: 67% University, 31% High School, 1% Elementary School

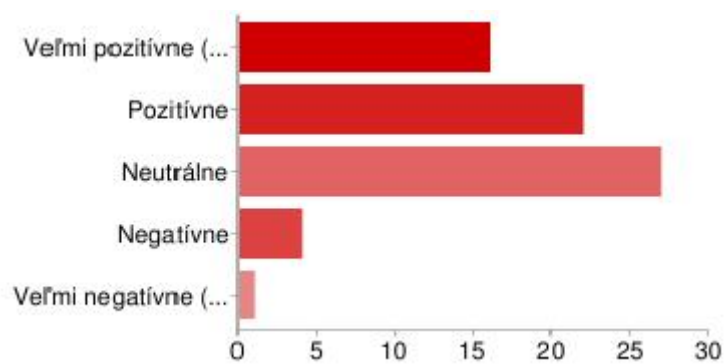


Source: Questionnaire (author's research).

¹⁵ In all the graphs presented, the results represent the number of respondents, not the percentage.

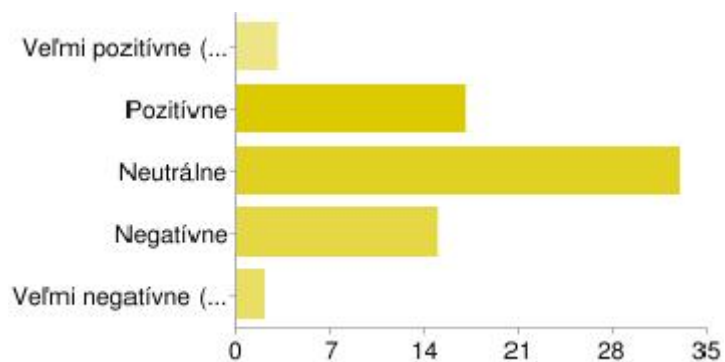
APPENDIX 2: Perception of NGOs and Business Lobbying Groups in General¹⁶

Non-governmental advocacy lobbying groups:



Source: Questionnaire (author's research).

Business lobbying groups:

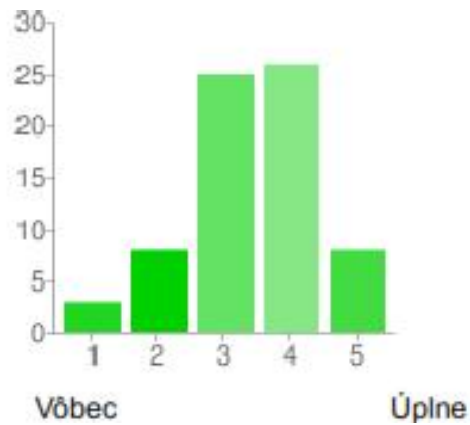


Source: Questionnaire (author's research).

¹⁶ Legend: Scale: Very positive – Positive – Neutral – Negative – Very negative

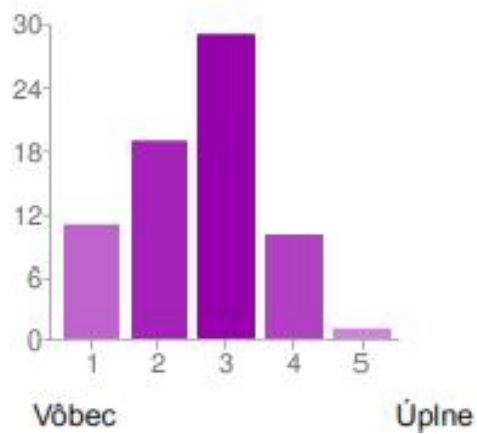
APPENDIX 3: Public Agreement with Activities¹⁷

Of non-governmental advocacy lobbying groups:



Source: Questionnaire (author's research).

Of business lobbying groups:

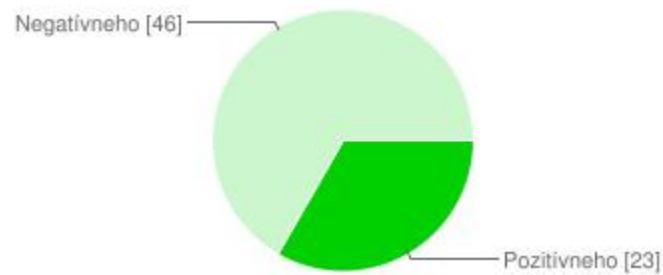


Source: Questionnaire (author's research).

¹⁷ Legend: Scale: No agreement at all – Absolute agreement

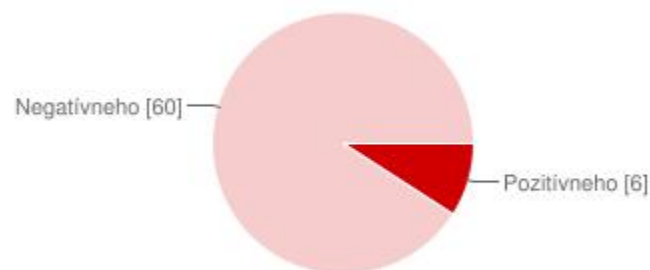
APPENDIX 4: Character of myths and stereotypes¹⁸

Non-governmental advocacy lobbying groups:



Source: Questionnaire (author's research).

Business lobbying groups:



Source: Questionnaire (author's research).

¹⁸ Legend: Scale: Negative - Positive

APPENDIX 5: Interview and Questionnaire Questions

Because of the extensive length of the appendix which would take a considerable share of the word limit, the interview and questionnaire questions are, with my supervisor's kind approval, uploaded online in a separate PDF document.

Appendix 5 is accessible here:

https://rapidshare.com/files/1574884672/Kuzmova_Appendix_5_Interview_and_Questionnaire_Questions.pdf

APPENDIX 6: The Thesis Proposal

Student's name: **KUZMOVA Jana**

Topic: **Lobbying as an Effective and Publicly Advantageous Part of Policy Process**

Research Questions:

1. Can lobbying be effective, profitable or advantageous for wide public?
2. What policy tools need to be implemented in the lobbying (interests organization) policy in order to make it effective, transparent and profitable for public?

Summary:

The issue of lobbying is usually perceived as a mostly corruptive relationship between public body and business sector in the policy-making process whereas public interest seems not to be paid attention to. The angle from which I would like to approach the lobbying problem (whether business, political or advocacy one) is to look at it as a possibly good means to improve legislature or government's activity, to provide information necessary for good decisions and successful governance if it is handled properly, effectively, transparently, non-corruptly and with the intention to work for public, not private interests (I haven't developed the indicators yet).

In the first part of the thesis, I will analyze the lobbying practices at the theoretical level: under what conditions can lobbying be profitable for wide public and what is, on the other hand, most hazardous (e.g. state capture)? Then I would like to analyze the case study - the situation in Slovakia. I'm still not sure neither about the concrete design, nor about the justification of my case selection. The question is: What is the current lobbying policy in Slovakia and who are the winners and losers?

Methods:

The sources to be used for research are: secondary data sources; primary data from field research in Slovakia; both qualitative and quantitative. I expect difficulty in the fieldwork, since I might not be given the access to relevant data on particular lobbying interactions. In such a case, I will use also alternative sources, e.g. media, and consult next steps with my supervisor.

APPENDIX 7: The Thesis Project Report

Student last name: **Kuzmova**

Student first name: **Jana**

Thesis title: *Public Misperception of Lobbying and Networking as the Predominantly Corruptive Conduct: Its Roots, Inconvenient Implications for Present, and Challenges for Future.*

Supervisor: Alex Fischer

Attachments: Thesis Project Report

Introduction

Lobbying, in general, can be best characterized, on any of the levels of administration, as an endeavor to influence legislative process in the way of interest. Prevailing, influencing, or in other words lobbying, legislators is perceived by the public as a predominantly corruptive relationship and interaction between public body and the business sector in the policy-making process.

This mistrust might emerge from the number of grounds. First of all, the lack of lobbying tradition in many, especially post-socialist, countries, makes it unknown and suspect. Second, the usually non-transparent way of lobbying without acknowledging the client, the company, the interest being promoted, and the manner to achieve it, induce the phenomenon to be mistrusted. Third, the cases when lobbying was accompanied by corruption and social networks were abused for personal gains, counterargue against its appropriateness. Last but not least, the mainstream media if publishing the lobbying affairs with not enough research around or politicians' statements themselves might strengthen the prepossession of the public.

To be specific, the same is true also about the Slovak society. In fact, the overall general public, i.e. the members of the society who do not come into the contact with or work around the issue of lobbying, understand the practice being 'dirty'. The main reasons for this attitude are most likely those explained in the previous paragraph, but also political culture, past political experience of the nation, and the regulation on lobbying in force.

Research Question

The thesis attempts to research on and consequently analyze the misperception of lobbying and related networking as a predominantly corruptive conduct. The main focus is on the present perceptions and opinions on the issue, with the notable regard on its implications in short and long run as well as on the challenges it poses for future research. At this point, mainly the fieldwork to ameliorate the general misunderstanding of lobbying practices will be important.

The case study the thesis is going to gather data and test the hypotheses on is the Slovak society and its perception of lobbying and networking. The case has been chosen for the number of reasons relevant to the aims of the research. First, Slovakia is interesting for the reason of being the post-socialist country on the one hand, and the member of the European Union since 2004 (15 years after the fall of the regime) on the other. Second, Slovakia had been the “miracle” in the economic and political rise to access the European Union which has together with the membership itself created the window of opportunity for the lobbyists and the decision-makers, and might also created the misperception from the non-participating subjects. Third, Slovakia has no past experience with the lobbying which makes it even shadier in people’s eyes.

Literature Review

As Griffith (2008) defines it, “[b]y ‘lobbying’ is meant the attempt to influence decision makers into choosing a course of action preferred by the lobbyist or his client” (p.1). This and other similar definitions are the most widely used ones when it comes to the issue of

lobbying. The definition itself implies the ‘dirty’ or ‘shadow’ conduct with the words like ‘influence’. This general knowledge might be one of the sources of the misperception and mistrust of the public towards lobbying and networking related to it.

In fact, lobbying might be very useful tool in the legislature amendment since it might work as a means to provide the decision-makers with the information necessary for the good and proper decision to be made. According to Bouwen (2002), the European Union demands from the private lobbying actors the expertise and know-how, and the data about the national and international economic situation (p. 369). These data are either impossible or expensive for the decision-maker to collect, but, on the other hand, without them it lowers the chances for the right and suitable legislative amendment.

Methodology

The main sources of information the thesis will use to analyze the subject are: first, the previous research on lobbying and the theoretical background; second and the most important resource is the interviews (and questionnaires in case of general public) with the parties concerned. Another possible data source is the media.

BIBLIOGRAPHY

- Badescu, Gabriel, Uslaner, Eric M., eds. *Social Capital and the Transition to Democracy*. London, New York: Routledge, 2003.
- Baumgartner, Frank R., Leech, Beth L. *Basic Interests. The Importance of Groups in Politics and in Political Science*. Princeton, New Jersey: Princeton University Press, 1998.
- Berry, Jeffrey M. *The Interest Group Society*. Third Edition. United States: Longman, 1997.
- Beyers, Jan, Eising, Rainer, Maloney, William A., eds. *Interest Group Politics in Europe. Lessons from EU Studies and Comparative Politics*. London, New York: Routledge, 2010.
- Bouwen, Pieter. *Corporate Lobbying in the European Union: The Logic of Access*. In *Journal of European Public Policy* 9:3. June 2002. pp. 365-390, 2002.
- Cohen, Jean L., Arato, Andrew. *Civil Society and Political Theory*. Massachusetts Institute of Technology, 1992. Available at: http://www.google.com/books?hl=sk&lr=&id=gPvk-eE7t0IC&oi=fnd&pg=PR7&dq=civil+society&ots=kf2P-BWRHX&sig=rhKDXyvcgURJUNqI2oa6q3_hMXI#v=onepage&q=civil%20society&f=false (Access: June 1st, 2011).
- Červenáková, J., Kling, J., Pilát, J., Reptová, O., Valentovič, M. *Inštitucionalizácia lobingu ako protikorupčný nástroj. Situačná analýza* (Lobbying Institutionalization as a Anti-Corruption Means. Situational Analysis). Bratislava: M.E.S.A. 10, 2002. Available at: http://www.mesa10.sk/subory/archiv/1033423200_LOBING.pdf (Access: June 1st, 2011).
- Goehring, Jeannette, ed. *Nations in Transit 2008. Democratization from Central Europe to Eurasia*. New York, Washington, D.C.: Freedom House, 2008.
- Griffith, Gareth. *The Regulation of Lobbying*. New South Wales: New South Wales Parliamentary Library, 2008. Available at: <http://www.pdfhost.com/view/aHR0cDovL3d3dy5wYXJsaWFtZW50Lm5zdy5nb3YuYXUvcHJvZC9wYXJsbWVudC9wdWJsaWNhdGlvbNubnNmL2tleS9UaGVVSZwD1bGF0aW9ub2ZMb2JieWluZy8kRmlsZS9UaGUrcmVndWxhdGlvbNtZiZtsb2JieWluZytObys1LTlwMDgrYW5kK2luZGV4LnBkZg> (Access: January 29th, 2011).

- Inglehart, Ronald. *The Renaissance of Political Culture*. In *The American Political Science Review*. Vol. 82, No. 4, December 1988. pp. 1203-1230, 1988. Available at: <http://www.jstor.org/stable/1961756> (Access: June 3rd, 2011).
- Kaldor, Mary, Vejvoda, Ivan, eds. *Democratization in Central and Eastern Europe*. London, New York: Pinter, 1999.
- Kotkin, Stephen, Sajó, András, eds. *Political Corruption in Transition. A Sceptic's Handbook*. Budapest, New York: Central European University Press, 2002.
- Lehmann, Wilhelm. *Lobbying in the European Union: Current Rules and Practices*. Working paper. Luxembourg: European Parliament, Directorate-General for Research, 2003. Available at: http://ec.europa.eu/civil_society/interest_groups/docs/workingdocparl.pdf (Access: May 25th, 2011).
- Mesežnikov, Grigorij, Szomolányi, Soňa, eds. *The Slovak Path of Transition – to Democracy?* Bratislava: Slovak Political Science Association & Interlingua, 1994.
- Ornstein, Norman J., Elder, Shirley. *Interest Groups, Lobbying and Policymaking*. Washington, D.C.: Congressional Quarterly Press, 1978.
- Transparency International: Official Website, 2011. Available at: <http://www.transparency.org/> (Access: May 29th, 2011).
- Transparency International Slovakia: Official Website, 2011. Available at: <http://www.transparency.sk/> (Access: June 2nd, 2011).
- Štofanič, Štefan, Stano, Peter. *Lobing na Slovensku* (Lobbying in Slovakia). 2003. Available at: http://eujobs.customer.bentel.sk/dokumenty/euroakademia/business_slovakia/2003/lobing_na_Slovensku.php (Access: June 4th, 2011).
- Wright, John R. *Interest Groups & Congress. Lobbying, Contributions, and Influence*. Needham Heights: Allyn & Bacon, 1996.
- Zemanovičová, Daniela, Beblavá, Emília. *Krajinka rovných a rovnejších* (The Country of the Equal and the More Equal). Bratislava: Kalligram, 2003.