

Overall, almost two-thirds of all actors felt that penalising unprofessional lobbying behaviour would work to deter it (Figure 6.2). Lindstedt and Naurin (2006) argue for the need for both sanctions and transparency. Overall, only 16 per cent of actors felt that penalties would not work, while almost one-fifth were neutral. However, for penalties to work they must be enforced. Otherwise, both the penalties and the regulations they are derived from will come to be disregarded (Rush, 1998: 522). Thus, there must be an independent agency capable of conducting audits and of imposing penalties for any transgressions of the regulations (Holman, 2008: 39).

*Lobbying regulations and transparency, accountability and effectiveness*

A crucial issue that needs to be addressed here is whether the actors felt that transparency, accountability and effectiveness in policy making would be improved if legislation regulating lobbying were to be implemented (question 14, survey 2). This question seeks to tie together the deliberative democratic principles with the reality of lobbying regulation on the ground.

**Table 6.6** Survey responses to the proposition that if legislation regulating lobbying were implemented, then transparency, accountability and effectiveness in policy making would be improved (percentage of sample responding)

<i>Response</i>	<i>Politicians</i>	<i>Administrators</i>	<i>Lobbyists</i>
Strongly agree	18.2	15.8	8.3
Agree	54.5	31.6	58.3
Neutral	9.1	31.6	27.3
Disagree	18.2	15.8	9.1
Strongly disagree	0	5.3	0

From Table 6.6 we can clearly see that a majority of politicians felt transparency, accountability and effectiveness in policy making would be improved if legislation regulating lobbying were implemented. Some politicians felt that while the decision-making process was very open in their jurisdictions, the issue of transparency needed to be addressed through legislation regulating lobbying.

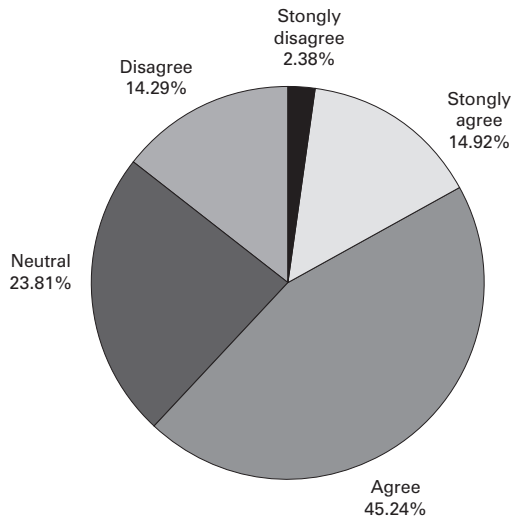
Almost half of the administrators agreed that implementing lobbying legislation would improve transparency and accountability. However, we did encounter a number of administrators who did not believe that legislation ensuring transparency and accountability was necessary, as they felt lobbyists did not possess the influence over policy making that they liked to 'pretend they had'. One administrator, in particular, stated that the 'primary responsibility for transparency has to remain with the lobbied', as

opposed to those who lobby. Thus, the behaviour of politicians, as opposed to that of lobbyists, should be the focus of regulation.

Two-thirds of lobbyists held the view that regulatory legislation would improve transparency and accountability in government. That only half as many lobbyists as either politicians or administrators ‘strongly agreed’ with the proposition suggests less conviction on the issue, however. The level of dissent among EU lobbyists was twice as high as among their North American counterparts. One Canadian lobbyist suggested that the legislation, in addition to dealing with transparency and accountability issues, should also place a cap on lobbyists’ expenditures.

The perennial outlier here is Pennsylvania. Politicians, legislative aides, government officials and lobbyists from Pennsylvania all insisted on the need for lobbying disclosure legislation in their state. Two primary reasons were provided: first, without legislation, Pennsylvania was seen as a ‘laughing stock’ in the US; secondly, ‘while no one is openly opposed to it [regulation], there is a view that it obviously suits some people and groups, and in that context the sooner Pennsylvania gets constitutional legislation the better to level the playing pitch’.<sup>4</sup>

It is clear from Figure 6.3 that just over 60 per cent of all respondents were of the opinion that transparency, accountability and effectiveness



**Figure 6.3** Survey responses to the proposition that if legislation regulating lobbying activity were implemented, then transparency, accountability and effectiveness in public policy making would be improved (percentage of sample responding)