

Accepted for publication in the Journal of Public Affairs (July 2017, awaiting full citation details)

## **Public Affairs Practice and Lobbying Inequality: Reform and Regulation of the influence game**

### **Abstract:**

While vigorous lobbying by groups within society is essential for the functioning of democracy, it is widely perceived that resource rich groups, particularly corporations, enjoy unfair advantages and influence. This perception damages public trust in the efficacy of civic participation and the legitimacy of policy making. This problem intermittently leads reformers and scholars to assess and develop policies that might assist in addressing lobbying power imbalances. The paper takes up Moloney's (2006) call for exploring ways of intervening in the communicative economy to directly address the problem of lobbying inequality. It considers the extent of lobbying inequalities and theoretical frameworks for understanding how resources enable an influence advantage, before assessing the types of regulatory approach that have been used by democratic institutions. Voluntary measures that could be taken by the corporate sector and professional associations are considered, alongside the current interest in using digital platforms to identify inequalities and incorporate public preferences as a variable in allocating lobbying resources.

## Public Affairs Practice and Lobbying Inequality: Reform and Regulation of the influence game

### INTRODUCTION

While effective lobbying by groups within society is essential for the functioning of democracy, it is widely perceived that resource rich groups, particularly corporations, enjoy unfair advantages. This perception damages public trust in the efficacy of civic participation and the integrity of policy making. As access to lobbying services is typically determined by ability to pay, practitioners are equally perceived as a group who primarily assist the interests of elites. The OECD described this situation as a “*sharp and damaging ethical schism*” that has emerged between practitioners and the public (OECD 2012). It is difficult to imagine any system of government that does not in some way reflect hegemonic relationships that are constitutive of any society. None the less, democratic legitimacy and public trust require a belief that the rules of the influence game are fair and open.

Lobbying can be simply defined as communicative acts that attempt to influence decision-making by governments and parliaments (Milbraith 1963). Practitioners will often refer to their work as public affairs, this is because communication with a wider range of issue stakeholders, as well as the media, in order to influence organisational reputation and wider public opinion environments, are considered as essential tools of the job (Harris and Moss 2001). In the absence of intervention we should expect public policy spaces will become dominated by social and economic elites. But lobbying reforms tend to primarily focus on the prevention of political corruption and only have inequality of influence as a secondary objective, if at all. As Thomas notes traditional regulatory approaches typically “*constrain the actions of lobbyists and public officials alike, even if they do not ultimately affect which groups are powerful and which ones are not*” (Thomas 2004:287).

This paper accepts the continued relevance of Moloney's (2006) call for exploring ways of intervening in the communicative economy to either subsidise or transfer resources to groups - who are profoundly impacted upon by legislation and policy - but historically have not had sufficient access to lobbying resources. More recently Gandy (2015) has returned to publishing in order to expand upon public policy initiatives that might balance the advantages that some groups enjoy in terms of the ability to frame issues or provide information subsidies. It directly addresses the problem of lobbying inequality. First by considering the extent of lobbying inequalities and frameworks for understanding how resources enable influence, before assessing the types of approach that have been used by governance institutions primarily in the UK and European Union. Voluntary measures are also considered. The final discussion looks for ways to link digital platforms and public preferences to methods for addressing lobbying inequalities.

### *The problem of lobbying inequalities*

There is a strong logic to nurturing lobbying in democratic systems. Individual citizens do not typically have the resources to hold expertise and participate in deliberation on all possible policy issues, so there is a representative democracy trade off. Citizens elect legislators to govern, debate and decide upon issues on their behalf. But even then in the periods between elections, the ability of citizens to become active and exert pressure on all issues that are important to them remains a practical impossibility. So a second trade-off is enacted as interest groups seek to represent these civic constituencies by undertaking lobbying campaigns to inform and exert pressure on elected representatives. While direct democracy in mass societies remains a distant prospect, representative elections and interest group lobbying will continue to be two important foundations of any democracy.

This paper defines lobbying inequality as the extent to which access to lobbying expertise and resources is distributed unevenly between groups in society. Organisations require access to financial resources in order to employ practitioners to work on their behalf, and even though low-resource groups can often run energetic campaigns organised by volunteers, a lack of advanced expertise still puts those initiatives at a distinct disadvantage. The resource advantage is only fully realised through the ability to maintain a programme of lobbying activity over *extended periods of time* (author emphasis). Lobbying inequality is a discernible phenomenon within wider communicative inequalities created in the context of an increasing deluge of persuasive PR campaigns, where many groups struggle to be heard in mediated public debates (Fawkes and Moloney 2008). For Habermasians communicative inequality is denoted when groups are excluded or suffer from limited participation in discourses in the public sphere (Dahlberg 2005). The use of PR by resource rich groups have enabled them to determine the style and characteristics of civic discourses (Moloney 2006). Therefore, it can hardly be surprising when qualitative reviews of policy making processes conclude that policies are not subject to sufficient external challenge and fail to reflect the reality experienced by citizens (Cabinet Office 2012). As such making the political process more open to influence from middle and lower-income households is an important task for advancing political equality (Lawrence 2014).

Far from constituting vital cogs in the democratic machine lobbyists are perceived by the public to be an alien intrusion into public life (Larsson 2007) who hold ethical standards below those of estate agents or telemarketers (Gallup 2011). Widely reported lobbying scandal stories across most countries feed into high levels of distrust within public opinion. While opinion-forming elites view lobbying as an important part of the democratic process (Davidson & Rowe 2016) only a quarter of UK citizens classified DE (semi-skilled, unskilled workers and the unemployed) believe democracy addresses their interests (Lawrence 2014).

When asked to explain their negative public image practitioners tend to accept they are perceived as facilitating unfair influence for corporate interests (Davidson & Rowe 2016).

Lobbying's legitimacy problem needs to be placed into the wider context of a recent period characterised by rising levels of economic inequality. As Gilens (2012) argues the degree to which those with more resources can better influence policy is an important indicator of the quality of any democracy. This imbalance of power is exacerbated by high rates of non-voting by some marginalised groups who do not input their policy or value preferences into the system. The outsourcing of state powers can be seen as attempts to remove issues of everyday life from formal politics, although publics remain resistant to the invitation to view themselves as consumers rather than citizens (Tully 2008). A process that affords corporations new advantages as they both advise public officials on how to outsource services and then secure contracts to deliver service (Crouch 2000).

### **Theorising roles for lobbying practitioners**

The specialist public relations literature that seeks to theorise the functions of practitioners has generally relied on the construction of normative frameworks. A dominant framework has been that organisations address ethical concerns by pursuing relationship management strategies that seek to balance the interests of organisations and the public by developing two-way communicative relationships (Ledingham 2003). This approach has developed its own linguistic terms such as *mutually beneficial relationships* (Dozier et al 1995) and assumptions that interest group goals can be achieved while also satisfying the behavioural and value expectations of the public. This process of aligning organisational values with the public interest is hoped to act as a counter-balance to the profit-motive in corporate decision making (McGrath et al 2010, Fleisher 2012). The civic networks created by organisations working with publics to advocate on issues have also been posited as a democratic contribution, with

lobbyists facilitating a bridge between civic society and formal politics (Taylor 2009, Sommerfeldt 2013, Davidson 2016). Rhetorical scholars place an emphasis on ethically grounded organisations competitively putting forward rational statements that draw counter-statements from other groups within a marketplace of ideas. Adding value by enabling citizens and legislators to understand which potential policies are most effective at standing up to critical scrutiny (Heath 2000, Heath et al 2013). A typical problem when normative theorising dominates an academic field such as PR is the empirical reality of power in social relations fades too far into the background. However, a new critical public relations literature is building frameworks that assume practitioners will deploy their skills to manipulate language and symbols in attempts to ensure their interpretation of events achieve hegemonic domination of decision-making forums (CF Roper 2005, de Lange & Linders 2006, Moloney 2006, Somerville 2011, Demetrious 2013).

The most apparent problem with normative theorising is that it builds frameworks to establish how the industry *ought to be*, but fail to enlighten on the *reality* of everyday practice. For example, lobbyists provide a steady stream of information and expertise on the present situation in any given issue that decision makers rely to evaluate their policy options (Davidson and Rowe 2016). This process forms an information subsidy that reduces time and other costs for officials and legislators (Turk 1985, Gandy 1992). But no matter how rational and how public spirited lobbying by organisations, those who are better resourced will be able to dominate these information environments (Gandy 1992, Gandy 2015). No set of policies can equally benefit all interest groups, so even with the best ethical intentions those with resources will have a greater chance of their vested interests being satisfied. Indeed, lobbying does not tend towards equally informing all policy-makers but instead chooses to target elected representatives who might be potential allies who agree on policy remedies. Seeking out successful connections with legislators in order to provide what Hall and

Deardorff term a legislative subsidy by providing research and grassroots advocacy support to their allied politicians (Hall and Deardorff 2006).

### **Evaluating influence inequalities**

It is reasonable to assume that all democratic systems will reflect to some extent the economic power relationships between different classes and groups. In particular large corporations are cited as being able to dominate decision-making environments through deploying their superior resources (Dinan and Miller 2007). This influence of financially motivated interests has been argued to have frustrated the wider public interest in areas such as action against environmental sustainability, obesity, alcohol abuse and internet freedoms (Duhe and Sriramesh 2009, Miller and Harkins 2010, Horten 2013, Gornall 2014).

Influence is enabled through the provision of information to decision makers with business groups able to gain close access to civil servants and legislators by providing expert knowledge (Bouwen 2002, Coen and Katsaitis 2013). Enjoying a particular advantage through access at the stage of drafting new regulations with civic groups only invited to input later (Gornitzka and Sverdrup 2015). Over a period of time well-resourced lobbyists become an essential part of the policymaking process, availing themselves of the opportunities to take advantage of poorly resourced offices of legislators by providing a desperately needed information subsidy. The incorporation of professional PR and lobbying into organisational structures has been identified as playing an important role in effective lobbying in the EU, particularly if those practitioners are allowed to perform a boundary spanning role and become active members of policy communities (Klüver 2012). Resource advantages also enable public affairs departments to horizon scan to anticipate policy issues and prepare their lobbying strategy (Chalmers 2011).

It can be clearly established how resource rich organisations hold an influence advantage. However, it is hugely difficult - with so many political, economic, cultural, media opinion and social attitudinal factors potentially relevant – to conclude with any confidence that lobbying activity is the single best explanatory indicator of a set of policy outcomes. Studies on the number and characteristics of groups actively lobbying concluded only a minority proportion sought to represent the interests of materially disadvantaged citizens (Schlozman et al 2012). US legislative politics have been more responsive to the preferences of affluent groups (Gilens 2012) while there are only weak correlations between the objectives of lobbyists and the issue priorities of the general public (Kimball et al 2012), and median income citizens have little or no independent impact on public policy choices (Gilens and Page 2014). Yet other significant studies suggest weak or highly contingent evidence to support the contention that corporations are able to consistently secure their lobbying objectives. Baumgartner et al. (2009) were not able to find convincing evidence of a correlation between lobbying resources and policy change. Public opinion or electoral outcomes have been found to be more influential than business interests by Smith (2000). When corporate lobbying focuses on issues ignored, or unseen, to other groups they are frequently influential, but if corporate lobbying prompts opposition from non-business groups they are unlikely to be successful (Hojnacki et al 2015).

While power may be to a certain degree fragmented across society and that organisations will use lobbying to compete with each other we can see that it should not automatically be assumed that either resource-rich groups always exert higher levels of influence, nor should we assume the opposite. An illuminating example of these contingencies come from Callaghan & Jacobs' (2016) study of the uneven implementation across different states in the US of measures to expand the eligibility of people on low-incomes to qualify for government insurance to pay for health care (Medicaid). Their research found strong evidence that



concentrations of business lobbyists in state capitols had helped block the adoption of Medicaid. Business lobbyists outnumbered public advocacy lobbyists by a ratio of four to one, but they also found that “*well-organised public interest groups have succeeded in states where they deploy lobbyists*” (2016:311). However, in aggregate terms across all decision-making forums an influence advantage exists that challenges democratic principles and requires further research and proposals for reform.

### ***Transparency and accountability policies***

The first major policy approach relevant to reducing inequalities is categorised under the theme of transparency and accountability. Measures within this theme are a dominant form of lobbying regulation and are typically prompted by attempts to ensure integrity of decision making processes. The guiding principle behind implementing transparency regulations is that the “*...public should have some insight into, as well as oversight of, the mechanisms that draw lobbyists into the policy-making environment, in order to better understand how they influence policy outputs*” (Chari et al 2010:2). However, there is a lack of clarity in regard to how these measures address lobbying inequality. Instead implicit assumptions are deployed, often couched in terms of blocking unfair influence, and frequently implemented as responses to media scandals. For example, the UK government’s published rationale for introducing a register of consultant lobbyists argued that one of the main benefits would be to address the problem of information asymmetry. Claiming, but not explaining how, the register would help the public to hold politicians and public bodies to account<sup>1</sup>. When transparency measures are consciously conceived as addressing lobbying inequalities they do so through alerting groups to attempts at influencing law making who may then organise a counter-lobby

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<sup>1</sup> Pertinently the impact on equalities statement that come within this document declared that the UK government expected no adverse, or indeed, positive impacts on the levels of inequality between citizens based on gender, sexuality or ethnicity

to “*counteract the efforts of those might otherwise be able to achieve their aims more effectively behind closed doors*” (Holman and Luneburg 2012: 79).

Transparency matters particularly for the assumptions made by deliberative scholars. Simply stated, a belief that “*the more that citizens know about the actions of government officials, the easier they will find it to judge whether officials are acting in the public interest*” (Stasavage 2004:668). A common hope is that transparency has the power to censure the selfish and nudge them towards arguing on the basis of contributions to the common good. Transparency measures would potentially hinder the efficacy of secretive insider lobbying (Binderkrantz et al 2015). These measures are also seek to pressure organisations to conform to social norms. The claimed effect is “*to impose social costs on those actors who do not shift from self-interested bargaining to public-spirited arguing*” (Naurin 2007:210).

The model tends to assume that there exists a marketplace of competing policies, and if all arguments were made in full view of the public, the best ideas would (more frequently at least) win. Transparency would heighten the reputational risk to any organisation exposed as dealing in rhetorical hypocrisy. One clear limitation of transparency measures is that while they might record who is lobbying, who is meeting whom alongside declarations of how much money is spent on lobbying campaigns, even the most comprehensive regulations typically fail to record exactly what policy or regulatory reforms are being asked for or what arguments or research are being used in support. There are clear problems with the assumptions required for transparency to work as a corrective for lobbying influence that goes against the public interest. There is a need to assume that there exist ‘best’ answers to policy problems, or a universal vision of what constitutes the public interest. Without this vision there is only minimal pressure on vested interests to justify their lobbying on the basis of shared common values (Risse 2000).

There are also considerable practical barriers. It is hard to imagine any mechanism by which citizens could easily access and analyse the information generated by transparency regulations across multiple legislative venues. The large amounts of data generated would necessitate the creation of intermediary groups to analyse the information. There are also worries that too stringent regulations on lobbying will create barriers that prevent low resource groups from lobbying, leading to a perception that this kind of activity is the exclusive domain of professionals (Chari et al 2010). Indeed, as Holman and Luneburg (2012) note lobbying transparency reforms in some newer democracies were not designed to address lobbying inequalities, but instead had the intention of encouraging interaction between business and legislators, formalising special rights and privileged access of the former to the latter.

### ***Transfers of resources to strengthen civic society lobbying***

The second identified theme is concerned with measures to assess the distribution of influence between groups in order to trigger corrective reallocations of resources. Measures in this section assume that communicative equality necessitates the creation and distribution of resources, this “*correction is sought because of the essential contribution to the democratic good of more equal public debate*” (Moloney 2006:170).

The EU has been one important policy arena that has implemented such measures. An organising concept for the EU is *input legitimacy*, the notion that democratic legitimacy can be enhanced if there is a discernible link between citizens’ articulation of preferences through participation and policy outcomes (Scharpf 1999). Robust lobbying by a socially diverse range of organisations are hoped will provide checks on executive power and a steady supply of specialised expertise on the impact of current policies. EU funds have primarily been

allocated to groups that face discrimination or those which defend issues seen as supporting the common good such as the environment (Sanchez Salgado 2014). Although studies suggest the European Commission has a parallel objective of hoping funded groups will advocate for further European integration (Mahoney 2004, Greenwood 2007, Maloney and Beckstrand 2011). In 2016 *AGE Platform Europe* which lobbies for older citizens' interests and the *European Anti-Poverty Network* are examples of groups that received at least 80% of their income from the European Commission. There are concerns that this form of governmental support might result in resource dependency and pacification of civil society groups through co-optation (Mahoney and Beckstrand 2011). However, some funded groups have pursued aggressive campaign strategies that have included filing legal complaints against the Commission, and there are indicators that the EU system has created a monetary self-interest for civil society organisations to lobby (Sanchez Salgado 2014).

Until recently the UK has been an example of a national government beginning to mirror some of the approaches used by the EU. The period of Labour party majority governments (1997-2010) saw gradual moves towards an official policy of encouraging charities to fully realise their role as campaigners for social change (Strategy Unit 2002). This period saw measures to that sought to assist the professionalization of charity sector campaign and advocacy work by the establishment of a Campaign Effectiveness Programme (Lamb 2014). In marked contrast in 2015 the Conservative government announced a new clause was to be inserted into grant agreements that would prevent the money being used to lobby on legislation, regulation or indeed, for the renewal of grants received (Cabinet Office 2016). The government directly cited research by the right wing think tank the Institute of Economic Affairs (IEA) in support of the new regulation. While the IEA report (Snowden 2014) echoed existing concerns that European or national level grants were allocated in order to bolster support for existing policy agendas, it also revealed an ideological basis for wanting to

restrict funds for civic society lobbying. Funded organisations, it argued, “*typically call for bigger government, restrictions on trade, higher taxes and more spending*” (Snowden 2014:11). These measures contrast with other initiatives taken in regard to government-business relations. A UK Strategic Relations Initiative launched 2011 provided designated companies a direct line to government ministers, and is cited as an example of privileged access because of economic status (Lawrence 2014). In a related initiative it was made clear the UK ministers were also expected to “*systematically lobby for UK commercial interests on all overseas visits*” (UKTI 2011:7). Setting aside discussion of the validity of the economic rationale for this policy, it indicates a closeness, a convergence of interests, not afforded to civil society lobbyists. Other right wing governments have taken similar initiatives. In Canada, the Canada Revenue Agency was allocated funds by the conservative government in 2012 to specifically target environmental charities (Beeby 2014) and strictly enforce regulations on the percentage of revenues that can be used for lobbying activities (Paris 2012). In 2012 the Australian state of Queensland banned health charities who received state funding from advocating for any form of legislative change (Hurst 2012). However these measures were subsequently repealed when conservatives lost control of Queensland and a new administration repealed the measure as a “gag” on essential advocacy work (Dick 2015).

### **Statutory and voluntary social partnerships**

The final main theme centres on private sector businesses working in partnerships with civic society on policy issues. These partnerships can be compulsorily enacted through state regulations, or alternatively come through voluntary initiatives. Tripartite forms of social dialogue “*brings together government, workers and employers to discuss public policies, laws and other decision making that affect the social partners*” (ILO 2013:1). This model has been adopted for policy consultations in the EU, especially through its Economic and Social Committee which is made of employer organisations, unions and an assortment interest

groups representing less powerful interests. This kind of system is sometimes theorised under the concept of policy concertation, where governments seek to forge policy through three-way agreements between themselves, employer associations and trade unions, giving each side the power of veto (Compston 2003). The approach was adopted across much of Western Europe as well as in Asian countries such as Singapore. The model was enacted during a historical period that accepted the assumption that the interests of business could be balanced with those of civil society through empowering trade unions. More recently with declines in membership have reduced trade unions' legitimacy in representing wider civic society. There has also been the electoral decline of social democratic parties who had an ideological commitment to successfully maintain tripartite systems. Taken together these factors have contributed to a weakening or even abandonment of tripartite systems (Moschonas 2012, Upchurch et al 2016).

The decline of mandatory social partnerships places a new impetus on voluntary initiatives. An important transnational initiative is the UN Global Compact which seeks a commitment from businesses to align their strategies with universal principles such as human rights and environmental sustainability (Lock and Seele 2016). This process has sought to define *responsible* lobbying as ensuring corporate lobbying is consistent with their stated social responsibility policies, arguing it is “...*no longer acceptable...Businesses cannot continue to make high-profile commitments, and then contradict these commitments through their less-visible lobbying*” (AccountAbility, UN Global Compact 2005:16). This kind of initiative may provide potential for linking to transparency mechanisms, establishing new pressures on corporations to conform to social norms. An increasing trend is the establishment of cross-sector partnerships where businesses and civic society organisations jointly address an issue challenge such as education or poverty alleviation (Selsky and Parker 2005). While these are normatively a positive development, as Johnston (2016) warns there are problems in realising

the mobilisation of civic interests. Power dynamics between organisations need to be openly addressed and a genuine mutual interest needs to be identified. Fawkes and Moloney (2006) have previously proposed that practitioners come together in a voluntary European partnership to explore the problem of inequality and come up with mechanisms for assisting groups who lack the resources to lobby. Such a body could also take leadership on communication ethics and provide educational resources on how to critically read lobbying materials (Fawkes and Moloney 2006).

If voluntary initiatives are to be taken seriously, professional associations need to take stronger leadership positions in tackling unethical practices and in training practitioners to understand how their practice might become more civically-oriented. A culture of pro bono work could assist in making some scale transfers of knowledge in how to lobby for community groups. Public interest oriented law practice is now synonymous with pro bono work to support low-income and minority communities (Johnstone 2016) and Moloney (2006) proposed that PR and lobbying services should be offered side by side at legal aid or citizen advice centres. A debate is also needed on how to make lobbying cheaper, to reduce price barriers to resource poor groups, and on encouraging multi-client agencies to reduce prices for civic society clients.

### **Hybrids as the way forward? Tackling lobbying inequality by linking to public opinion**

A constant problem for policies that seek to combat lobbying inequality by directly subsidising civic society groups is how these mechanisms might be exploited by the institutions who decide who receives funding. There also remains the problem of to what extent civil society organisations truly represent the democratic will of the people they seek to represent (Maloney 2008). Although big business lobby groups are rarely asked for evidence that their

major shareholders or other stakeholders support their lobbying positions. None the less, representation remains a more acute concern for the legitimacy of civic society groups.

This section considers the emerging interest in exploring democratic innovations that might better link public preferences and support for civic society lobbying. The major innovation within Europe has been the European Citizens' Initiative (ECI). The ECI is a mechanism whereby the European Commission will consider proposing legislation on an issue which can show the support of at least one million citizens across the EU. The complexity of the process means that organised lobbying groups have become an integral part of the ECI. In this and other ways the ECI can be seen as an attempt to establish a relationship between the principles of representative and participatory democracy (Greenwood 2012, Szeligowska and Mincheva 2012). It offers new incentives for civic society campaigns to mobilise grassroots support. As the ECI privileges large European representative organisations over national organisations or groups representing causes, however, it only offers a redress to lobbying inequality that is tightly controlled by a bureaucracy (Bouza Garcia 2013).

The link between increasing the lobbying capacity of civic society groups and the ECI is weak. In the USA there have been advanced attempts to develop systems to link public opinion to mechanisms for addressing political inequality. Hasen (2016) has proposed addressing inequality by closing the spending gap on political activity between income rich groups and the rest of the population. He has proposed that \$100 dollar vouchers are allocated to voters who would then be able to allocate their money to either election candidates or lobbying groups. Using the vouchers as a mechanism for matching donations to civil society groups and the support they hold across society. One of the first real-world applications of this principle has come in the city of Seattle which in a local referendum passed a measure that would raise money from property taxes and redistribute to citizens four vouchers each



worth \$25 which they can use to support local election candidates (Young 2015). Drutman (2016) has proposed a system of match funding for citizen lobbying groups, where groups that could demonstrate grassroots support through securing a number of small financial donations would have this sum multiplied from public funding. The funding would come with the proviso that the money was only spent on lobbying. These ideas have been developed further by Drutman and Mahoney (2016) who argue that a key resource advantage for business lobbyists is the ability to build strong intelligence on other organisations who are lobbying and what policies they are supporting. They propose reforms to address this advantage by encouraging lobby groups to transparently post their policy positions to a website maintained by the Library of Congress. Library staff would assist public understanding of debates by mapping out policy positions in easily understandable formats. Additionally an assessment would be made to see if any groups are missing from the lobbying exchanges with the assumption that legislative committees would invite these groups to participate.

Drutman and Mahoney 2016 also argue that well-resourced lobbyists “*know exactly what their opponents are saying and how to find the weak spots in their arguments*” (2016:6). This touches on a wider communicative inequality, namely the ability to strategically use language in order to make campaigns more effective. Effective strategies depend upon being able to access substantive research that puts issues into social contexts and tests the most persuasive forms or argument on key audiences (Gandy 2015). An example of a funded initiative to address this inequality is the work of the Frameworks Institute ([frameworksinstitute.org](http://frameworksinstitute.org)) that undertakes projects that offer civil society groups support in building their communicative capacity. This is primarily done by drawing on framing theory and empirical academic studies to model the most effective options for framing public discourses on social problems.

## Conclusion

Social and economic inequalities manifest themselves as lobbying inequalities in the struggles for influence over policy making, and without intervention public life becomes socially stratified (Dubrow 2008). This paper noted the deliberative turn and the considerable interest in creating new mechanisms for direct public participation, particularly through exploring the potential of digital platforms. These are both worthy and important, but they do not remove democracy's need for a socially diverse lobbying system. Indeed society needs lobbying practitioners with the skills to properly play their role in improving both the input and output legitimacy of policy making. Responsive democratic systems need good lobbying, and this requires proactive nurturing rather than populist disdain.

The hope that enlightened organisations will use communication to create some kind of mutually satisfactory equilibrium between the interests of businesses and the wider public is a woefully inadequate response. Equally rhetorical paradigms that posit open dialogue and critical exchanges will facilitate the triumph of the better argument, would need more than a concern for freedom of speech to be remotely realisable. The ability to build relationships, understand networks of actors, set media agendas, create dominant language frames, supply a high quality information and legislative subsidy all require a sustained effort over long periods of time. Resource poor groups are frequently able to use PR and lobbying tactics to move issues up media agendas, but too often these could be considered *hit and run* successes. To effect sustainable social change significant resources are needed so that civic voices are heard every day, every month, and every year in the corridors of power.

While the focus of this paper is concerned with communicative inequalities between organisations, it should be noted that wider democratic reforms will seek to encourage direct citizen participation. Some measures seek to bypass the functions of lobbying in favour of

what Warren (2009) has called *governance-driven democratization* that include recent innovations such as “...*town hall meetings, citizen juries, citizen assemblies, deliberative polling, online dialogues, deliberative planning, participatory budgeting, study circles, collaborative learning, and even participatory theatre...*” (2009:5-6). The character that these innovations hold in common are that they are attempts to engage the citizen, rather than lobbyists and activists. As such they are deliberate constructions of *mini-publics* that might be small enough to allow genuine dialogue and be democratically legitimate by holding at least some degree of representativeness of wider communities (Goodin & Dryzek 2006, Smith 2009, Ryan & Smith 2014). Empirically based studies cast doubt on the normative hopes. Studies show that civic participation is closely associated with educational attainment and higher levels of socio economic status, and that the reach of public participation projects usually does not extend much beyond demographic groups already displaying higher levels of involvement (Ryfe 2002). These are significant developments, but they do not provide a sufficient response to the problem of what to do about lobbying inequality.

Transparency and accountability reforms are important for addressing concerns over corruption and wider public confidence in policy making. In terms of addressing lobbying inequality these reforms should be seen as part of wider programmes of change, but too rarely they are the only reforms being enacted. Transparency measures hope that exposure and pressure to respond to democratic norms might shame some powerful corporations into more responsible lobbying. That some kind of invisible hand, a fear of censure, would ensure vested economic interests would restrict their lobbying to only that which fits with wider conceptions of the common good. It is a step forward, but it is only a partial measure. The data produced by transparency registers will help in researching lobbying power and will provide a new information source for civil society that will potentially assist in closing

information gaps. But further measures will be needed to make this information more effectively support civil society advocacy.

The EU is the most significant example of where significant financial resources plus measures to increase access to officials have been targeted to ensure stronger lobbying from civil society groups. The approach has built up the lobbying effectiveness of resource-poor groups but at the risk of creating resource dependencies that can be exploited by bureaucrats to support the political project of further European integration. These forms of lobbying subsidy have proven more divisive at the national level. With support and opposition dividing along traditional left-right lines. It is a policy solution that has the highest potential impact on lobbying inequalities, but in times of retrenchment in public spending, it requires stronger levels of legitimacy to be accepted. That legitimacy could be found by creating stronger links to public opinion via mechanisms that shift some grant making power away from institutional bureaucracies and towards the people.

Finally, lobbying practitioners and the wider public affairs industry will have a role to play in any reform programme. Up to now there has only been a weak culture of public service. There is a huge space available for professional associations and industry partnerships to begin showing stronger leadership and more visible efforts to demonstrate a properly professional dedication to serving the public interest.

#### Acknowledgements

The author gratefully acknowledges the study leave support received from the University of Leicester

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