VISUAL REVIEW | Vol. 16, No. 7, 2024 | ISSN 2695-9631
International Visual Culture Review / Revista Internacional de Cultura Visual
https://doi.org/10.62161/revvisual.v16.5347

DEMOCRACY AND POLITICAL CULTURE IN THE CONTEXTUALISATION OF LOBBYING

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KEYWORDS

Lobby
Democracy
Political culture
Influences
Lobbying

ABSTRACT

Political culture can be defined as the set of attitudes, beliefs and values shared by citizens with regard to politics and the institutions of the state. It plays a crucial role in the functioning and regulation of lobbying in democratic regimes.

This study analyses the influence of political culture on the functioning and regulation of lobbying in democratic regimes, with the objective of identifying practices that promote transparency, representativeness and equity in decision-making processes. Accountability is a fundamental element in the prevention of corruption, the increase of transparency, the improvement of efficiency, the strengthening of democracy, the assurance of accountability, the fostering of innovation and the promotion of justice and equity in public administration.

Received: 06/ 08 / 2024
Accepted: 15/ 10 / 2024

1. Introduction

Lobbying, defined as the act of interest groups attempting to persuade and influence political decision-making processes, has been a subject of considerable controversy and debate surrounding its legitimacy and the impact it has on the quality of democratic processes. As defined by Xifra (2000, p. 175), lobbying is the activity of exerting influence by an interest group, pressure group, industrial group, or service group towards a decision-maker (e.g., a politician or public official) with the objective of influencing governmental policy and fostering the necessary loyalties to facilitate the regulatory process (Morata, 1995, p. 131). Nevertheless, the legitimacy and efficacy of lobbying are profoundly contingent upon the prevailing political culture of a given society.

In democratic regimes, lobbying plays an important role in the formation of public policy, enabling various interest groups to exert influence over political decisions. However, the impact and perception of lobbying varies significantly depending on the political and cultural context. The collective response to increasing changes and vulnerabilities represents a significant challenge for our society, and it is also a defining moment for our future as democratic societies (Almansa-Martínez et al., 2024, p. 1). Awareness of the demands of citizens is essential for the development of effective communication strategies. From the perspective of political actors, interest groups are regarded as playing a fundamental role in the organisation and structuring of social interests. In this context, when these social demands are transferred to the political sphere, the groups in question become lobbies or pressure groups (Castillero-Ostio et al., 2023, p. 204).

The probability of accepting the message is greater when the communicator provides data, arguments, and rhetoric regarding the relevance, priority, and consequences of the subject matter (Oliver-González, 2022a, p. 146). Aguilar (2024, p. 77) posits that it is frequently the case that political representatives request such information from lobbies, as they can obtain it in a more expedient manner than would otherwise be possible. For this reason, lobbying is sometimes perceived as an opaque activity, which, although necessary for the exercise of democracy and rights, is mediated by the handling of information that reduces the democratic manoeuvrability of actors who have not been elected to the position they hold. These individuals are therefore more susceptible to pressure (Oliver-González, 2022b, p. 558).

In more socio-economically developed democracies, lobbying tends to be better regulated and more professionalised through the use of public affairs consultancies and think tanks. In contrast, in developing democracies, lobbying practices may be more informal and less transparent.

Political culture, defined as the collective attitudes, beliefs, and values held by a society regarding politics and its institutions, serves as a pivotal factor in the evolution of lobbying practices. In democratic systems with a political culture that is characterised by high levels of citizen participation and transparency, lobbying tends to be more institutionalised and regulated. In these contexts, lobbying is regarded as a legitimate instrument of political communication, enabling a balanced and equitable influence of the diverse interest groups in the process of formulating public policy. Initially, this entails observing the negotiations that take place and then attempting to persuade with the objective of pressuring and influencing governments, thereby fostering the requisite loyalties to advance the regulatory process (Morata, 1995, p. 131).

Conversely, in societies where an opaque political culture is prevalent, with low citizen participation and distrust of institutions, lobbying can be perceived as opaque, corrupt and subject to influence peddling. In such contexts, the absence of transparency and trust in institutions can result in lobbying practices that favour specific interests over the common good. This increases the likelihood of lobbying operating in the shadows, without proper accountability, which in turn exacerbates public distrust and weakens democratic processes.

This analysis addresses the manner in which political culture influences the operation of lobbying in democratic systems, with a particular focus on public perceptions, regulatory frameworks and the impact on policy-making. Furthermore, the analysis examines the discrepancies in lobbying practices across diverse democratic systems, elucidating the manner in which particular cultural contexts impact the efficacy and legitimacy of lobbying. It is therefore essential to gain an understanding of the relationship between democracy and political culture from the perspective of lobbying if we are to assess how democratic quality and the equitable representation of citizens' interests can be improved.

2. Objectives and Assumptions

The overarching objective of this study is to examine the manner in which political culture impacts and shapes the functioning and regulation of lobbying in democratic systems.

In order to achieve the primary objective, the following specific objectives have been set out:

- To gain an understanding of political culture as a foundation for lobbying.
- To assess the impact of the relationship between democracy and political culture on representativeness and fairness in lobbying processes.
- To identify practices that promote transparency, representativeness and equity in political decision-making through institutional trust.
- To analyse lobbying in a plurality of democratic states.

The study is predicated on the assumption that, in democratic systems where a political culture of high citizen participation and transparency is prevalent, lobbying tends to be more institutionalised and regulated. Consequently, in societies where a participatory and transparent political culture is established, lobbying is regarded as a legitimate mechanism of political communication, which facilitates a more balanced and fair influence of the various interest groups in the process of formulating public policies. In contrast, within societies characterised by a more opaque political culture, lobbying may be perceived as corrupt and susceptible to influence peddling.

3. Methodology

This review article employs a dual approach, combining conceptual and evolutionary analysis of democracy and political culture with a contextualisation of lobbying in relation to both concepts. While the degree of intensity with which each concept has been researched has varied, it has been ensured that none of them has been omitted from this review text on democracy and political culture from a lobbying perspective. To this end, an exhaustive examination of the extant literature has been conducted, and the results of this analysis are reflected in the references. The study of these has facilitated the definition of the present documentary research on democracy and political culture, offering an original approach that represents a significant advancement in the field of political communication and lobbying.

The procedure followed for the selection of references encompasses both traditional and modern concepts in the field of political culture and the contextualisation of the concepts of lobbying and democracy. The traditional literature includes studies on democracy, political culture and institutional trust. In accordance with the contemporary context, a substantial emphasis has been placed on the examination of lobbying activities, accountability, corruption, and the nexus between these phenomena within the realms of political culture and democracy.

Each source has been evaluated in terms of its relevance to the objectives of this study and its academic quality. Factors such as the number of citations, the reputation of the publication, the author's contribution and the advances it brings to the field of study have been taken into account in this evaluation. The findings of the literature review are integrated into a coherent theoretical framework, which serves as a basis for discussing the interrelationship between democracy, political culture, corruption and accountability in lobbying.

The research technique is a qualitative one that seeks to achieve several key objectives for a deep and detailed understanding of the social phenomena of democratic states. It aims to capture the complexities and nuances of the experiences of the political culture of these states, offering a rich and contextualised perspective that allows for a better understanding and explanation of reality from the lobbying approach.

The research method is analytical in nature, based on the researcher's general knowledge of the subject matter. It aims to distinguish, understand and classify the different essential elements that form part of the reality under study, as well as to identify and examine the relationships between these elements (Calduch, 2014, p. 30). It thus constitutes a fundamental method for this academic research and is essential for the performance of two basic theoretical operations: the conceptualisation and contextualisation of the actions and influences of lobbies in a democratic system.

The searches were conducted across a range of databases, including Leisure and Tourism, Google Scholar, Academic Search Complete, Redalyc, Dialnet, and Scopus. The following search terms were used: lobbying, political culture, democracy, influence, lobbying, lobbying, political communication. The review encompassed books, popular science and scientific research journals, academic texts, websites, social networks and specialised blogs.

The article makes a substantial contribution to our understanding of the intricate relationship between democracy and political culture, as illuminated by the lens of lobbying strategies. It is anchored in a comprehensive and longitudinal analysis of the phenomenon. The article's strength lies in its capacity to transcend conventional narratives, delving profoundly into the interdisciplinary intersections between lobbying interests in democratic and politically embedded regimes.

4. Results

While lobbying can occur in societies with limited information and restricted access to information – for example, in dictatorships or totalitarian regimes – professional lobbying is only possible through the interaction between lobbyists and political actors under a clear regulatory framework of information and decision-making processes regarding the public agenda. This framework must be in place within a democratic system. As defined by Alonso (2000, p. 48), this phenomenon is most clearly and effectively observed in a democratic system.

Given its close relationship with access to information, or the right to petition as defined in the USA, there is a growing demand for greater accountability and integrity from the actors, sectors and interests that uphold the equality of all citizens in democratic regimes. Moreover, the system itself bears responsibility for fostering discourse on interest and pressure groups, as well as for ensuring that political participation and legislation emerge from an open and interactive process between diverse societal sectors. Without such a process, the evolution of lobbying would be unfeasible (Dahl, 1971).

Dahl is one of the principal theorists on democracy, a concept that is susceptible to generalisation but is also the subject of considerable political controversy. He is regarded as being on a par with Sartori and Schumpeter in terms of his contributions to the field. These three authors have developed pedagogical methodological processes that demonstrate that lobbying can only be effectively exercised within a democratic framework.

The term's etymological origin, derived from the Greek words 'demos' (people) and 'kratos' (power), has led the Italian political scientist Sartori to differentiate it from other contexts. He defines it as 'political democracy' insofar as political power is the centre of people's participation. The professor will posit that an examination of the theoretical corpus of democracy necessitates an investigation into the various typologies of democracy, the forms of government, of representation, and therefore of election. These elements collectively constitute an academic edifice for the discussion of the theory of democracy (Sartori, 1987).

The concept of democracy can be interpreted in a multitude of ways, with different theoretical perspectives diverging in their emphasis on the 'ought to be' or the 'being' of democracy as a form of government and a phenomenon of politics. In this sense, as argued by Sartori (1987) and Bobbio (1989), liberal democratic theory encompasses both prescriptive notions of democracy's 'ought to be' and descriptive dimensions of its very nature. In the middle of this conceptual framework is the notion of the "power to be" of democracy, which is Ricciardi's (2009, p. 71) proposal. This conceptualisation posits that democratic government is one in which the will of the people rules. In other words, in order to define democracy in a concise manner, it is necessary to focus the analysis on the procedures that facilitate the ideal frameworks of democracy, as Schumpeter and Dahl, among other authors, have done.

In his work Liberalism and Democracy, Bobbio posits the following:

> Liberal ideals and the democratic method have become increasingly intertwined over time. The assertion that the rights of freedom are a necessary condition for the correct application of democratic rules is, therefore, also true of the subsequent development of democracy, which has become the main instrument for defending these rights (Bobbio, 1989, p. 48).

Both Sartori and Bobbio examine and synthesise the principles of democracy as a consequence of the fundamental causes of the English (1688), American (1776) and French (1789) revolutions. In the context of modern democracy, the implementation of the postulates on freedom and participation of citizens in modern mass societies is enabled by the logic of political liberalism as an ontological ground.

O'Donnell defines bureaucracy as a set of social relations of command and obedience that is hierarchically governed by formal and explicit rules within a complex organisation (2008, p. 30).

Joseph Schumpeter, an economist with a background in liberal economics and a strong interest in political theory, makes a case for defining democracy in terms of liberal, representative, and modern logic:

> It is a political method, that is to say, an institutional arrangement for arriving at political decisions – legislative and administrative – by conferring on certain individuals the power to decide on all matters, as a consequence of their success in seeking the vote of the people [...] Democracy, therefore, means that the people have the opportunity to accept or reject the persons who can govern them (Schumpeter, 1976, p. 269).

A conceptualisation of democracy as a stage of competition between elites, where power is the object in dispute, where free citizens with sufficient information and a candidate of their choice participate. Schumpeter's analysis places greater emphasis on the structural and procedural aspects of the system, rather than on the individuals who populate it. Huntington (1990) notes that Schumpeter's conceptualisation of democracy is not cynical or frivolous. Rather, it should be understood as a mechanism for the selection of elites (political leaders). In this view, democracy is not an end in itself, but rather a means for the resolution of conflicts in civilised societies in accordance with their political culture.

The term 'political culture' is used to describe the subjective feelings, attitudes and behaviours that characterise individual and collective political orientations in a political system (Parsons, 1989). These are produced in the public sphere, which can be defined as the historical and democratic construction of political culture (Habermas, 1994).

Morán Calvo-Sotelo (1997) posits that political culture is not merely the aggregate of individuals' private opinions [...]; rather, it encompasses the very definition of individuals as political actors, as well as the manner in which people construct their view of politicians and their position within it (p. 192).

In this sense, political culture can be defined as the set of values and beliefs that citizens consider legitimate in order to understand and comprehend the national community, and the legitimate authorities constituted in the configuration of the state. The historical evolution of the system will be of paramount importance in defining the characteristics of the political system that governs it.

4.1. Political Culture as the Underpinning of Lobbying

In the context of theoretical approaches, two distinct perspectives can be identified. The first is the classical perspective, which emphasises the role of systemic theory in understanding political culture. This perspective views political culture as a complex system, comprising a set of inputs and outputs, where the so-called 'black box' is a crucial element. The concept of political culture has its roots in the behaviourist approach that emerged in American political science in the mid-1950s. The concept of political culture sought to reconcile the psychological interpretation of individual behaviour with the macro-sociological interpretation of the political community as a collective entity. This was achieved by establishing a link between the psychological orientations of individuals and their behaviour and the functioning of political institutions. Peschard (2016, p. 11) notes that political socialisation acts as a conduit between a population's orientations towards political processes and the norms espoused by the system as the guiding principles for its functioning.

In this conventional view, political culture is situated outside the political environment or at the periphery of behaviour and activity. Cultural norms transmitted through generations regulate the demands of citizens, what is expected of them as citizens or in cooperation with others, as well as what is acceptable in a society (Anastacia and Mateos, 2009, p. 4).

Conversely, the revision in social sciences has led to the establishment of a culturalist perspective, a new approach that establishes a direct relationship between culture and society, encompassing a specific way of thinking and acting, which is in turn related to beliefs, knowledge, morals, laws, customs and habits of society. The revision of the paradigms that political science underwent at the end of the 1980s permitted a new interpretation of political culture, which is currently regarded as a fundamental resource to inform the actions of individuals in relation to their expectations of the political system in terms of accountability and transparency of information with regard to sectors and interests of power such as economic and media.

As Breslin et al. observe, political socialisation represents a pivotal educational process, whereby individuals acquire the knowledge, attitudes and behaviours that shape their political culture.

> Political socialisation can be defined as the process by which individuals acquire knowledge and develop attitudes towards politics. It is the process of acquiring emotions, identities and skills as a result of being informed. The primary dimensions of socialisation encompass the content of learning, the timing and sequence of learning, and the agents of socialisation. The majority of studies on political socialisation are based on the primacy model, which posits that the knowledge acquired during one's formative years serves as a foundation for interpreting subsequent experiences (Breslin et al., 1998, p. 64).

It is an eminently cultural process insofar as it attempts to integrate the individual into a society by making them a participant in the prevailing code of values and attitudes. In the view of Rojas and Guzmán (2010), a definition of political culture is inextricably linked to the set of values, conceptions and attitudes that are specifically aimed at the political sphere and which shape citizens' subjective perception of power and the political system that surrounds it. It follows that the professional practice of lobbying is inextricably linked to the legitimacy (or lack thereof) of citizens as a normal feature of democratic governance.

Some of the characteristics that regulate lobbying activities are associated with the characterisation of political culture in democratic regimes, as formulated by political science theorists.

a) Legal framework: inherited from the positivist approach and under the liberal framework, the principle of respect for the law and binding legal rules regulating the external conduct of citizens is universally accepted under the principle of equality for all.
b) Plurality: developed under the logic of equal opportunities, the plurality of interests and actors in the political game obliges the acceptance of differences in a framework of peaceful coexistence and conflict resolution. Diversity is accepted as essential for democracy. It implies a genuine recognition of the other.
c) Competition: involves the establishment of rules that allow differences over the political system between different actors to be resolved peacefully. It develops the idea of the political opponent as opposed to the idea of the enemy (traditionally associated with war).
d) Cooperation: based on an anthropologically positive view of human beings, citizens cooperate with each other. It is the fundamental element for building political trust and social integration of the community (Dahl, 1971; Sartori, 1987).

4.2. Legitimising Lobbying through Institutional Confidence

Political trust, as a shared construction of the community, places in the institutions and the rules of coexistence the main axis of the concrete materialisation of this trust, mediated by mechanisms and abstract entities capable of regulating the peaceful coexistence of society (ethics, morals, customs, language, culture, symbols, folklore...).

While social trust is essentially linked to the individual actions of the men and women who live in a community, that is to say, it is fundamentally linked to the private sphere, with an attachment to personal relationships between individuals, institutional political trust is rooted in the public sphere, based on secondary sources and with specific interests (in particular the media and political actors). Political trust in this sense refers to citizens' evaluation of the central institutions of the political system, in this case the most politically important institutions of the democratic system.

Political trust has been designed as an intermediate indicator of support for the political actors responsible for each institution and for the general principles of democracy on which specific institutions in a given political system are based (Montero et al. 2008, p. 21).

The democratic system, through political actors and activated social organisations, has a particular weight in building trust: democracy and good governance would create the conditions in which social and political trust can flourish, allowing citizens to develop their sense of citizenship, promoting their involvement in the community, civic engagement and democratic participation, thus completing the virtuous circle, recalling Aristotle's description of "virtuous citizens" in the Politics (Montero el at., 2008).

In terms of modern political science, this process of characterisation would be forged in the difficult concept of governance, that is, in the establishment of so-called 'best practices' to underpin transparency, legitimacy and trust in the democratic exercise of political power. However, this process is bidirectional, so that the actions or omissions of citizens, pressure groups such as lobbies and sectoral agents, who give life to this democracy, play a crucial role in its development. It is an exercise in institutional co-responsibility.

Governance thus understood - taking into account society as a whole and its roles - relies on institutional trust within the framework of political culture to allow sectors to make specific demands on political authorities through various pressure groups, think tanks, public affairs consultancies and professional lobbies that legitimise the system itself (McCormick and Tollison 1981). However, such features are not fully developed in all democratic regimes around the world, and their Anglo-Saxon origin is therefore particularly relevant for observing the processes of lobby influence on political power.

Public perception is how citizens assess the existence, prevalence and severity of corruption in their societies. Although corruption can be difficult to measure accurately due to its hidden nature, citizens' perceptions play an important role because, regardless of the actual level of corruption, if the perception of its existence is high, it can profoundly affect people's attitudes towards institutions and their leaders (Oliver, 2023).

Klitgaard (1988) was one of the pioneers in the study of corruption, particularly in developing countries. In his book Controlling Corruption, he explained that corruption is understood as the abuse of public power for private gain. It can take many forms, from petty bribery in the public sector to large-scale embezzlement or favouritism at government level. Corruption undermines the fairness, justice and effectiveness of public policies, leads to inefficiency in public administration and undermines the delivery of essential goods and services.

Corruption has a devastating impact on democratic trust, which is the cornerstone on which a healthy democratic system is built. When citizens perceive high levels of corruption, they become cynical about the democratic process and dissatisfied with their elected leaders. This can lead to political apathy, lower voter turnout and, in extreme cases, a growing demand for authoritarian solutions.

Eisen and Dews (2024), in their research on anti-corruption and democracy for the Brookings Institution, examine the intersection of illicit financial activity, transparency and lobbying. They analyse how opaque lobbying practices can undermine democratic governance by allowing powerful actors to shape policy. The researchers stress that fighting corruption is essential to protecting and strengthening democratic institutions. The report also highlights the need for greater cooperation between civil society, the media and the private and public sectors to effectively tackle corruption and promote a political culture.

Institutional trust is the extent to which citizens believe in the integrity, effectiveness and fairness of public institutions, including governments, judicial systems and law enforcement agencies. This trust is fundamental to the functioning of democracy, as trustworthy institutions facilitate voluntary compliance with laws and citizens' cooperation with the state.

Perceptions of corruption therefore have a negative impact on citizens' trust in institutions. When citizens believe that institutions are corrupt, they tend to distrust their ability to act fairly and effectively. Even if they do not experience corruption directly, the widespread perception that corruption is widespread can undermine public trust. Institutional trust is weakened not only when

people believe that officials are involved in corrupt acts, but also when institutions are perceived to be unable to effectively punish or prevent corruption through accountability (Kelman, 2000).

4.3. Lobbying in Democracy and Accountability

Accountability is important in politics for several fundamental reasons that have a direct impact on the quality of governance, the integrity of institutions and the trust of citizens. Romero and Mañas (2017) explain that administrations seek the participation of citizens in decision-making, and that citizens can feel that they are involved in local policies as addressees (p. 10).

In political science, accountability is the process by which political actors, such as governments, public officials and institutions, are responsible to citizens and other entities for their actions and decisions. This concept is fundamental to democracy and governance as it ensures that power is exercised in a transparent, fair and efficient manner in order to ensure consistency in political action and thus the survival of interest groups (Petracca, 1992, p. 16).

Transparency requires political actors to provide clear and accessible information about their actions and decisions. This allows citizens and other entities to evaluate their performance. Political actors must be accountable for their actions and decisions. According to Martín-Herrero (2023, p. 523), this may include acknowledging mistakes, taking corrective action when necessary, or how they project their responsibility to the environment through their policies and actions and how they manage to deliver on their promises.

Anastisiadis (2006) explains that control and oversight mechanisms must be in place to monitor the actions of political actors. These can include audits, commissions of inquiry and independent watchdogs. Consequences for inappropriate or corrupt actions are therefore essential. Sanctions can range from fines and dismissal to criminal prosecution and imprisonment.

The importance of accountability in preventing corruption ensures that political actors are held accountable for their actions, thereby reducing the likelihood of corruption and abuse of power. In turn, by promoting transparency and citizen participation, accountability strengthens democratic institutions and increases public confidence in the political system (Aron, 2007).

Accountability is one of the fundamental pillars of political science, ensuring that political actors act responsibly and in the best interests of society.

Lobby accountability is a critical issue in the context of political science and democratic governance. Lobbyists are pressure or influence groups that seek to persuade legislators and other public officials to adopt policies favourable to their interests and can have a significant impact on the political decision-making process. Without proper accountability, these activities can lead to corruption, patronage and state capture. The regulation of lobbying is thus linked to the quality and depth of democracy. Institutional interactions between the state and civil society actors are ultimately the mechanisms to avoid unethical, opaque and potentially corrupt lobbying practices (Oliver, 2019, p. 57).

Informing, explaining and justifying to citizens the political decisions taken in response to public or sectoral demands, whether the representative has respected or replaced what he or she agreed with the electorate, is fundamental to being accountable to citizens and giving legitimacy to the system. But it also requires explanations of the agents and actors that influence the system, in the words of the Mexican academic Béjar,

> But it is also fundamental that the procedures of democracy provide for the accountability of those sectors that have worked in pursuit of an interest that, although legitimate and even necessary for the construction of the common good, it is necessary to make transparent to the citizens which interests seek to take advantage of public resources and how they do so (Béjar, 2006, p.28).

In other words, if accountability and transparency are pillars that not only improve the quality of participation, but also stimulate it, a greater assimilation between customs and written rules is also necessary in lobbying (Mascott, 2007, p.80).

The representation of interests and the aggregation of sectoral demands through lobbying create spaces in which all kinds of information and persuasion processes can take place. However, although the aggregation of demands is legal and legitimate, it raises suspicions among voters who perceive that

the public interest is undermined when sectoral groups lobby. In this sense, accountability for government actions is fundamental for the consolidation of democracy, for its quality and for the legitimacy of electoral processes and the formulation of public policies and legislation. In such a context, it is necessary to regulate the relations and contacts between representatives of the public and the general interest of the population and representatives of sectoral interests, who do just that, representing sectors as opposed to politicians who represent the citizens who elect them and society as a whole (Ricciardi, 2009, p. 67).

In alignment with Dahl's conceptualisation of the political system as a chessboard, the regime of representative democracy employs a network of formal and informal channels to facilitate the processing of input, or demands, by the system. Concurrently, these same channels are utilised to disseminate output, encompassing decisions, policies and legislation, in a manner that aligns with the interests of the citizenry at large and specific sectors.

5. Discussion

5.1. Analysis of Differences in Lobbying Practices across Democracies

As has been demonstrated, the efficacy and legitimacy of lobbying are profoundly shaped by the specific cultural contexts in which they occur. These differences are manifested in various aspects, including public perception, regulatory frameworks and interaction with legislators.

As the Democracy 2024 Report indicates, lobbying activities exert a significant impact on legislative decision-making processes, while also influencing the cultural and political frameworks that determine what is considered politically acceptable. The report provides an in-depth analysis of the evolution of democracy in diverse global contexts and elucidates the ways in which lobbying and corruption affect democratic institutions. One of the pivotal trends it identifies is 'normative capture', whereby lobby groups not only influence policy formulation, but also the cultural norms that underpin democratic politics (V-Dem Institute, 2024).

Lobbying in the United States is a highly professionalised and regulated practice. The Lobbying Disclosure Act (LDA), passed by the US Congress in 1995, and the Honesty in Leadership and Open Government Act (HLOGA) of 2007 require that those engaged in lobbying activities register and report their activities, thereby ensuring a high level of transparency. Consequently, a number of individual states have also enacted their own regulatory measures. As a consequence, a plethora of disparate legislative and summary and reporting requirements pertaining to lobbying activities are in place across the country.

American political culture is characterised by a commitment to free speech and civic participation, which serves to legitimise lobbying as an essential form of interest representation. Nevertheless, the disproportionate influence of major corporations and well-financed interest groups can engender public distrust, perceptions of state capture and influence peddling, particularly with regard to the financing of political campaigns to elect specific candidates (Delapierre et al., 1983).

In numerous Latin American countries, the political culture is characterised by a heightened sense of distrust in institutions and pervasive perceptions of corruption. This has a detrimental impact on the perception of lobbying, which is frequently linked to undue influence and a lack of transparency. The legislative framework governing lobbying activities in the region is characterised by significant heterogeneity, with instances of inadequate regulation even in democratic states. To illustrate, in Brazil, despite the presence of certain regulatory frameworks, the practice of lobbying remains largely unmonitored and unregulated.

As Schuster (2017) observes, lobbying in Latin America has been on the rise over the past three decades. As countries in the region began to transition towards democracy, the practice of professional lobbying experienced a notable surge in growth. The degree of regulation and the extent of lobbying activity vary considerably between countries in the region. It is notable that only Chile and Peru have legislation that bears resemblance to the US LDA in certain respects. Mexico has legislation pertaining to this subject matter, albeit within the internal regulations of the chambers of the Congress of the Union. In Colombia, a specific section has been included in the Penal Code, while in Argentina, there is a presidential decree that regulates interest management in the executive branch. The remainder of the countries do not have legislation pertaining to lobbying. However, in the majority of these

countries, draft laws on the subject are in circulation, and lobbying activity is experiencing a notable surge. It is noteworthy that most countries have initiated the development of legal mechanisms and practices aimed at enhancing transparency in public management and legislative processes (Pearson and Rochester, 2003). Similarly, offences such as influence peddling, corruption and nepotism, among others, have begun to be criminalised. The absence of robust regulatory frameworks impedes the legitimacy and efficacy of lobbying in these contexts.

In the context of the European Union, lobbying is characterised by a pluralistic approach and the presence of a diverse array of actors, including non-governmental interest groups, non-governmental organisations (NGOs), trade associations and sectoral groups. The EU maintains a voluntary register of lobbyists, established in 2011 and jointly managed by the European Parliament, the European Commission, and the Council of the EU. Transparency registers and codes of conduct for professional lobbyists have been introduced. In the view of Calduch (1991), the EU's political culture, which places an emphasis on deliberation and consensus, is conducive to the inclusion of a multiplicity of voices in the decision-making process. A mere handful of EU member states, including Austria, France, Germany, Ireland, Lithuania, Poland, Slovenia and France, have thus far enacted legal regulations pertaining to lobbying. However, the intricate nature of the EU political system and the discrepancies between the 27 Member States frequently render it challenging to attain uniformity in lobbying practices, with the exception of the EU capital, Brussels, which is the seat of the primary EU institutions.

Despite the fact that the majority of member states adhere to a democratic model that is committed to greater transparency, the EU, along with several countries within the eurozone, advocates for the free registration of all lobbying groups. It is important to note that the EU does not impose any sanctions or obligations regarding the registration of these groups. Rather, it merely notifies the meetings or encounters that they have with politicians or legislators, as Álvarez and De Montalvo have explained:

> A similar trend can be observed in the European supranational institutions, which have also initiated a process of regulating lobbying activities. The majority of the regulations adhere to an unambitious model, wherein the primary component is the optional registration of individuals and groups, who are required to register in order to engage in their activities (Ávarez and De Montalvo, 2014, p. 374).

The Nordic countries (Sweden, Norway and Finland) exhibit a harmonious equilibrium between their political institutions, characterised by a competent state, a robust rule of law and democratic accountability (Fukuyama, 2014, p. 40). The high level of trust in institutions and the prevailing political culture of transparency are reflected in the relatively open and regulated nature of lobbying practices. Meetings between public officials and lobbyists are frequently recorded and subsequently made available to the public. The robust tradition of fairness and civic engagement in these countries contributes to the favourable perception of lobbying as a legitimate and constructive activity. Nevertheless, the smaller size of the Nordic countries and the proximity between political actors and interest groups may impact the dynamics of lobbying relationships.

Australia is one of a small number of countries that has had a lobbying code of conduct in place since 2008. Lobbying in Australia is a well-established industry, comprising professional lobbying firms and interest groups that seek to influence legislation and government policy. The extant regulatory framework strives to strike a balance between the legitimate influence of these groups and the necessity for transparency and accountability in the democratic process. Furthermore, ministers and senior officials are obliged to publish agendas and minutes of meetings with lobbyists on a regular basis. Furthermore, freedom of information legislation enables citizens to access government documents, thereby facilitating the monitoring of lobbying influence on policy. The general public tends to view the practice favourably, although concerns persist regarding the potential influence of business and financial interests (Barakso, 2010).

New Zealand does not have a distinct legal framework that specifically addresses the regulation of lobbying activities. Neither a mandatory register of lobbyists nor a formally established code of conduct exists at the government level. Nevertheless, the country has established ethical standards and codes of conduct for members of Parliament and civil servants. These are designed to prevent conflicts of interest and ensure transparency in decision-making. Consequently, lobbying in New

Zealand is conducted in a manner analogous to other democratic countries, where organisations, businesses and interest groups seek to influence public policy and government decisions (Butler & Palmer, 2017). However, the absence of a specific regulatory framework in this area calls for greater transparency and regulation.

In Japan, lobbying is a less visible and more discreet activity, according to Richardson (1984). This is influenced by the country's political culture, which values harmony and discretion in social relations. The Japanese culture of consensus and aversion to conflict exerts a significant influence on the manner in which lobbying is conducted. In lieu of direct confrontation, Japanese lobbyists tend to favour discreet persuasion and compromise. Furthermore, the significance of social harmony and loyalty also informs the way these activities are conducted.

Lobbying practices are typically less formalised and more reliant on personal relationships and informal networks. Personal networks or connections, referred to as "jinmyaku" in Japanese, are a crucial element in the establishment and maintenance of relationships with politicians and public officials. Despite the existence of regulatory frameworks, the opacity of lobbying practices can present challenges in terms of transparency and accountability. The efficacy of lobbying in Japan is inextricably linked to the capacity of interest groups to cultivate and sustain trusting relationships with public officials (Muramatsu, 1997).

It is common practice for large Japanese corporations to have departments whose function is to engage with the government and to lobby for the corporation's interests. The objective of these departments is to exert influence over the formulation of legislation and policies that affect their respective industries. It is not uncommon for companies to employ individuals who have previously held government positions, capitalising on their expertise and networks. Industry associations, or "dantai", play a significant role in the context of lobbying. These organisations represent the interests of specific sectors and act as intermediaries between their members and the Japanese government (George, 2022). Three illustrative examples of lobbying in Japan are the automotive industry and nuclear energy:

- The Keidanren (Japan Business Federation) has been engaged in active lobbying since 1946 to protect the interests of the powerful Japanese automotive industry, particularly on matters pertaining to environmental regulations and trade agreements.
- Another notable association is the JCCI (Japan Chamber of Commerce and Industry), which was established in 1922 with the objective of conducting activities that are focused on the Japanese economy as a whole. The JCCI's mission is to enhance business vitality and revitalise local economies. Since its inception, the JCCI has been engaged in a multitude of lobbying activities, collaborating closely with chambers of commerce and industry throughout the country.
- In the wake of the 11 March 2011 earthquake and subsequent tsunami, which caused the Fukushima nuclear accident, Japan is a net importer of fossil fuels, with virtually all of the energy it consumes coming from abroad. The scarcity of minerals and energy has had a significant impact on Japan's economic policy for the majority of its modern history (Casado, 2016, p. 72). Consequently, nuclear energy companies and their associations have engaged in substantial lobbying activities to influence the country's energy policy.

Japan does not have a comprehensive and detailed regulatory framework governing lobbying activities, in contrast to the legislative frameworks in countries such as the United States, Germany, and the United Kingdom. This results in a lack of transparency and an informality that characterises the practice. Lobbyists are not required to register, and the activities of those engaged in lobbying are not as publicly documented as in other democracies that have been reviewed.

In the majority of countries that have implemented lobbying regulations, the process is limited to the registration of lobbyists in a publicly accessible register. The code of conduct of these professionals requires them to publicly disclose the identity of those they represent in the course of their work. Furthermore, lobbyists are obliged to explicitly indicate the ministries or public actors they intend to influence on behalf of their client. The objective of this public listing is to prevent legislators from becoming lobbyists immediately following the cessation of their activities as political representatives

(Bouwen, 2002), a phenomenon known as the "revolving door." The manner in which these activities are conducted can have a considerable impact on the transparency of lobbying, and in some instances, it can even enhance the reputation of the lobby in question. Consequently, a proactive approach to relationship management can facilitate the development and sustenance of a more robust reputation through genuine engagement (Martín-Herrero, 2024, p. 7).

Guedón (2021) posits that in the absence of adequate regulatory oversight governing the operational autonomy of lobbying entities, pressure groups will ensure that European legislative authorities refrain from enacting laws that are sufficiently restrictive for these groups of influence. Consequently, these lobbying entities will enjoy significantly greater legal autonomy and less regulatory oversight (p. 433). Furthermore, he asserts that lobbying groups are not sufficiently constrained by the economic interests of certain political officials (p. 435).

To enhance the efficacy and legitimacy of lobbying, it is imperative that democracies adapt their regulatory frameworks and transparency practices to align with their distinctive cultural contexts. This entails striking a balance between the legitimate influence of interest groups for the sake of transparency and the protection of the public interest.

6. Conclusions on the Research Areas Studied

The legitimisation of lobbying through institutional trust, as well as the role of lobbying in democracy and accountability, are pivotal issues in the analysis of the dynamics of power and governance in contemporary societies. Lobbying activity is conducted with the intention of influencing political decisions, which is why it is the subject of controversy and debate regarding its legitimacy and the impact it has on the quality of democracy.

The legitimacy of lobbying is contingent upon the extent to which citizens repose trust in democratic institutions. In an environment where institutions are regarded as transparent, impartial and answerable, lobbying can be regarded as a legitimate extension of the democratic process, enabling disparate groups to articulate their interests and concerns. The institutional trust of the public is reinforced when there are transparent and accountable regulatory and oversight mechanisms in place to ensure that lobbying is conducted in an ethical and transparent manner.

The impact of lobbying is contingent upon a number of factors, including the prevailing political culture, the availability of resources, the quality of leadership, the type of regime, and the specific characteristics of the political system in each state. Similarly, it is important to understand that lobbying is not a phenomenon exclusive to democratic states. Rather, this type of political system is more likely to have more and better lobbying, as lobbying is deployed in all three branches of government: the executive, the legislature, and the judiciary.

In democratic systems, lobbying serves an important function in providing expert information and diverse perspectives to legislators and policymakers. Such interaction can enhance the quality of policy decisions, ensuring that they are made with a more informed perspective and reflect a variety of social, business and sectoral interests and values. Nevertheless, striking the balance between legitimate influence and the risk of state capture by special interests is a challenging task that necessitates the implementation of effective regulatory measures to prevent abuses and ensure that the democratic process is not distorted through influence peddling.

Accountability represents a fundamental tenet of the legitimacy of lobbying in a democracy. Such mechanisms must exist to ensure that those engaged in lobbying activities are transparent about their actions and objectives, and accountable to citizens and competent authorities. The implementation of lobbying registers, activity reports and the obligation to disclose information on resources used and contacts established are measures that contribute to transparency and accountability, thereby mitigating the risk of corruption and strengthening public confidence in the democratic system.

The legitimacy of lobbying in a democracy hinges on a delicate equilibrium between representing a multiplicity of interests and safeguarding the integrity of the democratic process. Institutional trust and accountability are pivotal factors that facilitate the constructive and legitimate role of lobbying within the political system, thereby promoting informed and equitable decision-making processes that benefit society as a whole.

The initial hypothesis is thus validated, as in democratic regimes with high levels of transparency and regulation, lobbying is perceived more favourably by citizens, who consider it a legitimate practice of participation in democratic processes. In parliamentary systems where the legislature is strong and

autonomous, legislators are more likely to be receptive to the input of interest groups and to use the information provided by such groups to inform their decision-making processes. In democratic systems with robust accountability and robust mechanisms for citizen participation, interest groups with less influence have greater equal access to the lobbying process, resulting in a more inclusive representation of diverse interests.

The discrepancies in lobbying practices observed across democratic systems illustrate the impact of specific cultural contexts on the efficacy and legitimacy of lobbying activities. While in some countries lobbying is a transparent and regulated practice that contributes positively to the democratic process, in others, the absence of regulation and distrust of institutions can undermine its legitimacy and effectiveness. It is therefore crucial to gain an understanding of these differences in order to develop regulatory frameworks and practices that will strengthen democracy and promote the equitable and transparent participation of stakeholders.

The erosion of institutional trust and democratic confidence is largely dependent on public perception of corruption. When corruption is perceived as widespread, institutions lose legitimacy and citizens become sceptical of the democratic system. It is therefore essential to address both actual and perceived corruption in order to strengthen public trust and ensure democratic stability. Future lines of research could therefore focus on how effective reforms and citizen participation can change these perceptions and rebuild trust in institutions.

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