

## ***A new approach in evaluation of transparent lobbying – the case of Visegrad group countries***

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**Abstract:** *Countries of Central and Eastern Europe are characterized by less institutional effectiveness, underdeveloped civil society and a weak democratic tradition. The efforts to introduce institutional rules for the development and stabilization of liberal democracy means, among all, to set the fair environment for interest representation of all members and stakeholders in the society, which also includes lobbying regulation. The aim of the article is to evaluate transparency in decision making process in public space often influenced by lobbying activities in Visegrad group countries. Since the only one of them - Poland - has implemented statutory regulation of lobbying, the wider and more complex approach is used for the purpose of the article. This approach was recently developed by authors' in the form of set of 158 indicators. The innovative method covers the entire decision-making process and is based on evaluation of 16 groups of measures incorporated in four categories built in so-called Catalogue of transparent lobbying. The result of the provided analysis shows two important conclusions. First, the rules on lobbying are only one part of a transparent lobbying process; a statutory regulation in place does not automatically mean effectively solving problems with transparency (Poland case). Second, countries without (or with) legal regulation often introduce measures for more transparent decision-making in general, labelled as sunshine principles that are reflecting the main international recommendations and international practices; many of them are also indirectly shed more light on the lobbying practices as well.*

**Keywords:** *public sector, lobbying, rules, transparency, evaluation, Visegrad group*

**JEL:** D02, D72, D73

**DOI:** 10.24818/amp/2019.33-07

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## Introduction

In the last four decades, lobbying has become a universally acknowledged political and economic activity around the world and lobbyists are accepted as regular stakeholders in liberal democratic political systems. Lobbying is considered as a valuable source of expertise contributing to the quality of political decision-making and should be transparent in order, first, to keep the playing field level equal and fair for all, second, potentially close the space for corruption of public officials, and, third, support citizens' confidence in the political system. Post-communist countries are characterized by less institutional effectiveness and most of them are faced with the problem of a weak (and large) state, underdeveloped civil society and a weak liberal tradition. Yet only four of them (Lithuania, Poland, Macedonia, Slovenia) have a statutory regulation of lobbying.

After the collapse of communist regimes, there had been a significant fragmentation of society, where it was hard to formulate specific interests, demands, and suggestions. As time has shown, the difficulty lay in the fact that during the process of limiting state power, either its power was reduced or state power assumed a new role, for which the state was unprepared or too weak. For example, privatization of property, which was one of the foundations for the transformation from centrally planned economies, required a certain capacity of institutions that would provide the execution of its administration. Shortly, the rules were missing and/or offer many loopholes. For the transformation period, there is a marked underestimation of the creation of an institutional framework that also includes the legal environment.

As Müller pointed out (Müller et al., 2010, p. 7–13) the efforts to introduce institutional rules for representation of interests, including lobbying regulation is a key prerequisite for the development and stabilization of liberal democracy, and is closely linked to the process deepening of democracy, especially in new post-communist democracies. The danger of colonization of both the state and the public sphere by the strongest economic interests is still greater than in more established democracies. That is why the post-communist countries should cultivate public administration and political processes through appropriate institutional safeguards and measures. The main challenges here among the others are to set the fair environment for all members and stakeholders in the society, legitimacy of political decisions, and accountability.

One of the reasons for regulating lobbying and interest representation is the growth of complexity of societies and complexity of governance, strengthening of the importance of professional knowledge in decision-making processes. However, regulation of lobbying itself is not a magic bullet and cannot represent a perfect or ultimate solution in finding and shaping the interface between economic and political systems, as well as in fighting corruption, clientelism and unfair practices in public administration. There is – besides direct legal regulation – a number of other measures that contribute to the transparency of lobbying: provisions on funding of political parties, laws on conflict of

interests, the so-called “revolving door” rules, legislative footprint, the various declarations of officials and politicians etc. Similar pro-transparency measures are also found in other areas, such as public procurement (electronic auctions), state contracts displayed on the web sites, ethical codes of corporate or interest groups, public guestbook at public institutions, public service act, the Regulatory Impact Assessment (RIA) and the Corruption Impact Assessment (CIA) tools in the legislative process, publicly accessible lists of consultants during public consultations on government policies, various codes of practice and codes of behaviour can be listed too. In other words, transparent lobbying exceeds the efficiency of single law: rather it should be part of a package of a wider approach to governance, based on the principles of openness, transparency, participation and disclosure.

The main aim of the article is to evaluate the transparency of lobbying environment in Visegrad group countries (V4) – the Czech Republic, Poland, Slovakia and Hungary – via a package of measures created by authors. This broader approach reflecting both actors of lobbying activities (lobbyist and target of lobbying) as well as the environment where such activities take place (sunshine rules) seems to be more predictive way how to evaluate transparency of lobbying as a part of more general issue of decision-making process.

### **1. Literature review on lobbying regulation assessment**

In the last three decades, the pressure to regulate lobbying activities in order to make them more transparent or to improve existing regulations has grown steadily. There are various approaches for how to regulate and classify lobbying rules (ie Kalniņš, 2005; Griffith, 2008 etc). Newmark (2017, p. 215) summarized what political scientists specifically focused on in their studies dealing with regulation of lobbying for over a quarter of a century: the factors that have led to lobbying regulations and general ethics laws (Opheim, 1991; Ozymy, 2013), how to measure these specific laws (Newmark, 2005), the effects of these laws on interest communities (Lowery&Gray, 1997; Gray&Lowery, 1998; Strickland, 2014), the effects of these laws on policy (Ozmy, 2010), and the relationship between these laws and transparency (Holman & Luneburg, 2012) and public opinion (Flavin, 2015).

The first contribution in lobbying evaluation is the work of Opheim (1991), who created the measures of the strictness of lobbying laws at the US state level. Her approach indicates the legislative independence and accountability from interest group pressure (Opheim, 1991, p. 405). The evaluation stands on three key dimensions: the definition of a lobbyist, the frequency and quality of disclosure of personal and financial information, and the enforcement of the regulation. A similar approach was introduced by Newmark (2005), who revised Opheim’s measures. He extended the evaluation by components of how lobbying is defined, what information lobbyists have to disclose, and what types of

lobbyists activities are prohibited by the law; on the other hand, he did not include any context related to the enforcement of lobbying laws.

One of the most complex and most elaborated way how to evaluate the rules connected with lobbying focuses on hard rules, ie legal regulation on lobbyists, which was created by the Center for Public Integrity (CPI, 2003, updated 2014). Chari et al. (2010) dealt mostly with rules for lobbyists mainly; the evaluation includes definition of lobbyists, definition of targets of lobbying, rules on registration, spending disclosure, electronic filing, public access to list of lobbyists, enforcement of rules, and revolving door provision. As a result, according to the scores they classified countries' lobbying regulation robustness into three groups (lowly regulated, medium regulated, and highly regulated systems). Recently they extended the index by a limited way and they included the concept of open government policies and elements of sunshine principles, especially freedom of information, whistleblowing and ethics reforms (Chari et al., 2019).

Holman and Luneburg (2012) provide a theoretical classification of regulated systems. Their assessment also includes the definition of lobbying, the disclosure requirements and enforcement of the rules. They partly reflected the manner of regulation (mandatory or voluntary), existence of codes of conduct for lobbyists, and exemption of specific interest groups from regulation (Crepaz & Chari, 2017).

The main weakness of the such approaches is dealing with laws in particular. In other words, so far, the process of explicit direct measuring of the transparency of lobbying remains unsolvable until lobbying is regulated at the level of jurisdiction. Other aspects of lobbying rules – the indirect ones especially – and of lobbying activities are not covered. The TI study on lobbying (2015) is the only exception that highlights a noteworthy message: although some countries have lobbying/lobbyist regulation, they can score worse than those that do not have any specific standalone regulation on lobbying in place. The reason for such results is both the inefficiency of lobbying rules, the loopholes, weak enforcement etc., as well as implementation of other “more effective” measures that can shed light on the decision-making process in general.

Nevertheless, there is almost no study addressing the quality lobbying environment in the complex scope of the mean of decision making; transparent lobbying just exceeds the efficiency of a single law but it should be part and package of a wider approach to governance, based on the principles of openness, transparency, participation and disclosure. The authors' aim is to overcome those deficiencies and fill the gap in the evaluation of the transparency of lobbying rules in terms of the decision-making process, or more precisely what provisions supporting the transparency of decision-makers have to be considered when speaking about the transparency of lobbying in terms of decision-making.

## 2. Research methodology

For the evaluation, catalogue of lobbying transparency (Catalogue) created by the authors is used. In the Catalogue, the transparency in lobbying is conceptualized in a broader environment as an alternative to current forms of evaluating transparency in lobbying (Laboutková & Vymětal, 2018) and contains four main categories – lobbyists, targets of lobbying, sunshine principles, and monitoring and sanctioning. The data was collected from four countries – the Czech Republic, Hungary, Poland and Slovakia.

The questionnaire includes 158 indicators divided into 16 groups (See Table 2). Majority of the indicators have to be evaluated at three-point scale:

- “YES” is used if the measure exists; if it is somehow regulated, please indicate the document and provide some information on it (see below);
- “NO” if there is no such measure in place; “n.a.” is used for “not applicable” and/or “not available” or the indicator cannot be expressed in specific value use;
- “Partly” in the case the measure does not fully meet the question.

The questionnaire has 106 answers that offers only one of the three options above. In 14 cases if the answer is positive, a detailed data is asked (e.g. what type of sanctions are used for breaching the rules). And 38 questions are asking for specific documents (i.e. those regulating law-making process at the level of legislative branch), numbers (number of lobbyists), time periods (time limit for lobbyists disclosure) and/or choosing all relevant types of answers proposed from the list (types of sanctions for breaching the lobbying regulation).

## 3. Research results and main findings

Among the V4 countries, only one – Poland – has a statutory regulation of lobbyists (ALRL 2005). However, Hungary also experienced a legal regulation of lobbying between 2006 and 2010, the bill was abolished and replaced by two decrees not directly focusing on regulation of lobbying and on lobbyists. Czech Republic and Slovakia have drafted bills for regulating lobbying several times in the past but no bill passed the law-making process. Recently (September 2019), the Czech Parliament just started to discuss a completely new draft; due to the fact Parliament still can make changes in the bill and the final version can significantly differs from the version proposed by the Government, the authors do not include this draft into the evaluation.

According to the used research methodology, the best scoring country and the country with most “yes” answers in V4 countries is Poland (92 “yes”) – the reason is simple: it has legal regulation specifically addressed to the lobbying and lobbyists. It might be interpreted, more than half of questions were replied positively only for Poland (58 per cent). This contrasts with more than 50 per cent questions replied as “no”, “not available” and/or “not applicable” in Slovakia (53 per cent) and Hungary (63 per cent).

The Czech Republic scores just below 50 per cent (48 per cent of “no” answers). The summary of results is presented in Table 1.

**Table 1. Evaluation of transparency in lobbying in V4 countries  
in the main categories of the Catalogue**

Category	Number of indicators	Czech Rep.			Hungary			Poland			Slovakia		
		Yes	No / n.a.	Partly	Yes	No / n.a.	Partly	Yes	No / n.a.	Partly	Yes	No / n.a.	Partly
<b>Lobbyists</b>	31	5	25	1	1	28	2	12	17	2	1	29	1
<b>Targets of lobbying</b>	38	13	19	6	14	24	0	24	10	4	12	23	3
<b>Sunshine rules</b>	69	35	18	16	35	31	3	45	18	6	47	16	6
<b>Monitoring and sanctions</b>	20	6	14	0	4	16	0	11	9	0	1	29	1

(Source: Authors own research)

The gathered data and their analysis offer several key conclusions. As shown in Table 1, there is a similar pattern in scoring for all countries especially those with no adopted rules (Czech Republic, Hungary, Slovakia): except for the category of Sunshine principles (see below), all countries have more “no” answers in the rest three categories (Lobbyists, Targets of lobbying, Monitoring and sanctions).

The second conclusion is already highlighted above – a country with legal regulation of lobbying is ahead with more positive replies, particularly in the first category concerned with lobbyists. As shown in the case of Poland, the legal regulation does not mean automatically the effective regulation in terms of transparent lobbying – Poland scores surprisingly quite low in the category of Lobbyists with 17 “no” answers out of 31!

The third, the category of measures applied on targets of lobbying delivers remarkable message. Countries that have only indirect regulations in place, their scores are rather a result of implementation of international recommendations and principles and general rules for public administration and public office holders than a result of a specific national lobbying regulation. International standards focus mostly on transparent environment in general and therefore underline the sunshine principles. For that reason, all countries (with or without legal regulation) score more than 50 per cent of positive answers, in the category of Sunshine rules.

The Table 2 decomposes four categories of transparent lobbying into 16 groups of measures for V4 countries.

**a. Evaluation of the category “Lobbyists”**

The “Lobbyists” category includes three measures: Register, Codes of Conduct and Disclosure of activities. In general, in this category, countries that introduced statutory regulation of lobbying score much higher than those without it. The **register** of lobbyists is definitely one of the most widely used tool in the category, which is shown in many countries of the world regulating lobbying; as in the case of Poland as mentioned above, there are significant limits of the rules – in the register only professional lobbyists required to be registered. The register is publicly available and searchable, but filtering the entries is limited. The data on clients are not publicly available and are a part of lobbyists disclosure only. In the Czech Republic, Hungary and Slovakia there is no register. Only few voluntary mechanisms were introduced, such as list of members in associations of “lobbyists” in the Czech Republic (Association of Public Affairs Agencies).

The second measure – the **lobbyists’ codes of conduct** – is not regularly adopted. Only voluntary codes of conduct introduced by “lobbyists” associations are in place in the Czech Republic; unfortunately, these voluntary codes have low level of enforcement. Moreover, associations do not publish any information about the activities of their members in annual reports, nor investigate and monitor lobbyists’ behaviour. In fact, these associations consider themselves mainly public relations/affairs organizations, not lobbying groups per se. There is no such code of conduct in Slovakia, Hungary, or even in Poland.

The third measure is **lobbyists’ disclosure of activities** and it is logically connected with the mandatory register of lobbyists. Thus, disclosure is compulsory in Poland, but covering professional lobbyists only. The rules are not very stringent – lobbyists do not report donations, they are not required to have their own personal web pages, and they do not have open calendars.

**Table 2. Evaluation of transparent lobbying measures**

Category	Data / information	Number of indicators	Czech Rep.			Hungary			Poland			Slovakia		
			Yes	No / <i>Na</i>	Partly	Yes	No / <i>Na</i>	Partly	Yes	No / <i>Na</i>	Partly	Yes	No / <i>Na</i>	Partly
Lobbyists	Register	14	2	12	0	0	14	0	7	5	2	0	14	0
	Codes of Conduct	8	3	4	1	1	5	2	0	8	0	1	6	1
	Disclosure of activities	9	0	9	0	0	9	0	5	4	0	0	9	0
Targets of lobbying	Codes of Conduct	14	7	4	3	6	8	0	8	4	2	7	6	1
	Revolving doors	7	0	7	0	0	7	0	3	3	1	1	5	1
	Conflict of interests	5	3	0	2	4	1	0	5	0	0	1	3	1
	Disclosures of politicians / senior public employees	12	3	8	1	4	8	0	8	3	1	3	9	0
Sunshine principles	Rules on legislative process	17	13	2	2	13	3	1	14	2	1	13	3	1
	Rules on decision-making	6	2	1	3	3	2	1	2	4	0	2	2	2
	Rules on consultations	10	2	3	5	6	3	1	8	2	0	8	2	0
	Legislative footprint	6	0	6	0	2	4	0	3	0	3	0	5	1
	Open Government Data	12	7	2	3	1	11	0	7	3	2	8	2	2
	Political parties funding	8	5	3	0	3	5	0	3	5	0	6	2	0
Monitoring and sanctions	Freedom of information	10	6	1	3	7	3	0	8	2	0	10	0	0
	Oversight	7	3	4	0	1	6	0	4	3	0	1	5	1
Total	Sanctions	13	3	10	0	3	10	0	7	6	0	3	10	0
		158	59	76	23	54	99	5	92	54	12	64	83	11

(Source: Authors own research)

Lobbyists are only obliged to provide information on clients, place, time, persons and institutions contacted annually. Data on spending are not required at all.

**b. Evaluation of the category “Targets of Lobbying”**

The category “Targets of lobbying” involves measures primarily laid on politicians and public office holders that are significant in terms of transparency of lobbying and decision making. Regulations in all given countries suffer from one common weakness: there is no publicly accessible database or a list of people or even positions in the public administration affected by these regulations.

The first measure is a soft regulatory tool – **code of behaviour or code of ethics** – that regulates politicians’ behaviour. With the exception of the Polish parliament, in rest countries there are no codes of behaviour in parliament, nor in government. Nevertheless, in the analysed group of countries, there is no significant difference in the countries’ scores. The list of who is actually a legitimate target of lobbying is narrower and more detailed in countries with adopted lobbying regulation. In the Czech Republic and in Slovakia, there is no definition of targets of lobbying at all. V4 countries, with the exemption of Hungary, usually apply bans on paid representation of the interests of third parties for members of parliament, members of government and civil service; a ban on promoting specific interests of third parties, other than citizens, exists only in the Czech Republic and Slovakia and partially in Poland. In the same countries, members of parliament are obliged to declare their conflicting position in the matter before voting.

In all countries, there is a code of ethics for civil servants, even if only a weak one in the case of Slovakia. In all countries, the codes state that civil servants are banned from paid interest representation; a ban on unpaid third party’s representation is only partially defined in the Czech Republic. There are declarations of conflict of interest for civil servants in the Czech Republic, Poland, or Slovakia.

The measure of revolving doors and cooling-off period is another provision adopted usually as a part of the lobbying regulation. Only two countries – Poland and Slovakia – introduced cooling-off periods for members of government; a similar provision is used in Poland for civil servants.

A more general set of measures that is linked to lobbying indirectly is regulation on **conflict of interest** of politicians and public sector employees. The scope of rules is much broader, but some have a direct link to the regulation of lobbying, particularly those related to gifts and hospitalities from third persons. Another closely connected measure is disclosure of politicians and civil servants. The range of disclosures varies from disclosure of income, assets, property, financial instruments, but also liabilities. If there is such rule in place, it is most often mandatory for members of parliaments. Only in Poland, this rule is partially extended also for members of government and public administration – specifically they have to disclose contacts with lobbyists. A partially (non-public) disclosure

of lobbying contacts made by civil servants is currently adopted in the Czech Republic and Poland.

**c. Evaluation of the category “Sunshine principles”**

The third category “Sunshine principles” is very extensive and covers many issues related to decision making that have an indirect effect on transparency of lobbying. These measures are not general but rather focused on particular forms and levels of the decision-making process. Since countries developed rules in this field as an integral part of how the state and its bodies operate, it is no surprise that all analysed countries scored relatively well in the transparency of lobbying and all have fulfilled at least 50 per cent of indicators from the catalogue.

The first set of measures deals with **rules on legislative process**, a cornerstone of operation of all democratic parliaments. The results are very similar across countries – the majority of tools are adopted everywhere. An exception is the missing process of corruption impact assessment, which is in place only in the Czech Republic for new proposed laws. Regulations in Hungary and Slovakia is also missing an explicit definition on the time period between the second and third reading during the legislative process.

The second set of measures are **rules on decision making** at the governmental level. Here again the differences among countries are not significant; some measures, such as records from governmental meetings and the possibility to follow all phases of decision making online, are insufficiently implemented across all countries. Not surprisingly, all countries have documents regulating the decision-making process at the governmental level. But governments and ministries do not publish their positions to individual bills and proposals, nor they publish records from governmental and ministerial meetings, with the exception of Hungary. Partially only in the Czech Republic, the public can track the governmental decision-making process online. Ex-post data on the whole decision-making process of government are available also in Slovakia. Comments of ministries and external subjects are not available to the public before the final vote on a bill decision in Poland and are only partially accessible in Hungary.

Closely related measures to the previous set are the **rules on consultation process** initiated and organized by the state bodies, government especially. Important differences exist in this area across individual countries. In this respect, best scoring countries are Poland and Slovakia. Czech Republic was the worst one – many tools in the Czech legislations are implemented only partially or are simply missing. The main issue across V4 is the lack of data published on participants and records from consultation. Data on consultations is published on governmental websites and there are almost no limits on the subjects’ participation; the form of consultation vary from both written notes and oral comments from the organised presentations and public discussions or from personal meetings. There are lists of participants available in all countries but

these are not publicly available or they provide incomplete information, like in the Czech Republic and Hungary. Records on consultations are also not publicly available. There is no fixed period set for consultations and for the process itself in the Czech Republic and in Hungary. The worst scores in all V4 countries are in two indicators: obligation of public officials to keep a list of meetings conducted regarding public consultations, and obligation to publish a list of meetings with lobbyists and interest groups' representatives.

A **legislative footprint** and similar tools are missing completely in the Czech Republic and in Slovakia. Poland score the best, but the rules covers this issue partially: there is a mandatory requirement to publish a list of subjects participating legislative process before the final vote in the parliament and committee hearings. Rules on publication of the list of participants in committees exist also in Hungary and in Slovakia. At the governmental level, rules on legislative footprint are missing in all V4 countries. Some interest groups participating in the legislative process are reported and published in Poland only.

The fifth set of measures that is a part of the set of sunshine principles is **open government data**. This is a key pro-transparency tool that can be used for publishing information in general. Hungary in this area scores far worse than the rest of the countries – open data measures are not implemented at all. Still, many tools are missing or implemented only partially in the rest V4 countries. Except Hungary, there are rules on publishing of governmental and legislative data in open format, and a catalogue of open government data also exists. Some data is accessible to the public by remote access without the need for registration, particularly in the Czech Republic and Poland, and some data is published under an open license. The published data are available in various formats but not always in machine-readable way. In no V4 country, users can comment on data directly in the open-data catalogue. In all countries, the most problematic issue with this set of measures is a significant delay in updating the data.

The sixth set of measures deals with **political parties funding**. Often, the funding of political parties serves as a direct financial link between lobbyists and politicians. In this issue, the Czech Republic is scoring the best; some provisions, however, are found in all countries. Slovakia has a ban on donations to political parties from all entities receiving public money or public contracts. Most countries set up limits on the maximum sum of donations to parties, except Poland. In the Czech Republic, Poland, and Slovakia, all donors to political parties must be identified and reported.

The seventh set of measures involves **rules on freedom of information**. Slovakia scores the best; it has positive answers for all indicators. Hungary and Poland follow. The usual mechanism adopted is that an unspecified group of subjects may ask for information but some information, such as trade secrets, personal data, or security data, will not be disclosed. There are rules setting deadlines for the provision of information and also proactive measures, when public authorities publish some data automatically, without the need for a direct request (similar to open data). The problem is with unclearness regarding of

providing some kind of information due to a potential financial or administrative burden for the authority as in Hungary and Slovakia.

**d. Evaluation category “Monitoring and sanctioning”**

The last category, “Monitoring and sanctioning”, includes broad range of measures and many of them are not necessarily connected with breaching lobbying rules; they are rather linked to the decision-making process per se. In terms of **monitoring**, Poland, the only country with statutory regulation of lobbying with an oversight body (Ministry of Interior and Administration) over lobbyists and their activities, scores the best, even if it still shows a space for improvement: the oversight body cannot investigate the lobbyists and there is no annual report on “the state of lobbying”. The Czech Republic finds itself somewhere in the middle, while the worst situation in monitoring mechanisms is in Hungary and Slovakia.

When it comes to other monitoring bodies, the countries score higher: only Hungary and Slovakia have not designated a body overseeing conflict of interest. In the Czech Republic, there is, on the voluntary base, an internal body in public affairs associations for dealing with unethical members’ behaviour. And finally, all V4 countries have a body for oversight over political parties funding.

The **sanctioning** measures are the last evaluated set of indicators. And there again, Poland with statutory lobbying regulations scores much better than the rest. Poland uses administrative sanctions mostly; financial sanctions prevail, but there is also the option to be withdrawn from the register and temporarily banned from lobbying. Criminal proceedings can be also started for a false testimony. Financial sanctions are not applied only on lobbyists but also on the targets, primarily for missing or incomplete data in their mandatory disclosures linked to lobbying.

Regarding to the sunshine principles, there are no sanctions for breaching the rules of consultation process in any country. Disciplinary sanctions for breaching the rules on legislative process by MPs are introduced only in the Czech Republic and in Poland. Regarding freedom information, the Czech Republic is the only country with no sanctions for authorities violating freedom of information regulations. In the area of political parties funding, variety of sanctions are in place in all V4 countries.

**4. Conclusion**

The cultural-civilization barriers shaping issue of lobbying in post-communist countries are conditioned by specific political culture and lack of experience with democratic politics. The countries of Central and Eastern Europe as well as other post-communist countries, had faced a number of problems in the public space, such as insufficient professionalization of the apparatus and activists, problems related to the search for suitable topics and their selection, financing of activities, defining their relationship to politics, political process and

the ability towards agenda-setting. The V4 countries are not an exception; they have significant gap in terms of transparency environment in decision making. Unfortunately, only one of them – Poland – has introduced the statutory regulation of lobbying.

The present article brings two key conclusions. First, although rules on lobbying is mostly understood as rules for lobbyists only, this particular understanding is not reflecting the lobbying issue in its broader and real meaning. This is the case of Poland where the professional lobbyists are regulated only. Although the legal regulation can be a good idea, its realization is often far from the ideal/best practice and international recommendations.

The second, Catalogue's effort is to evaluate a transparency of lobbying environment rather than strictness of lobbying rules and/or transparency of real practices. It's aim – however it was driven by the intention of lobbying and interest representation – is to evaluate the institutional setting and measures introduced in order to support of transparency of the environment where the decisions are taken and where the lobbying is only one part of activities. From this perspective, three countries without any specific rules on lobbying – the Czech Republic, Hungary and Slovakia – still promote same limited space in the respect of transparent lobbying through sunshine principles, as rules on legislative process, rules on decision-making process, rules on consultations, rules on legislative footprint, rules on open data, political parties' funding regulation, and freedom of information regulation. This group of measures seems to be one way for addressing basic rules that can affect and potentially form the lobbying activities and subjects' behaviour. In other words, those measures create a fundament for "better" environment compatible with good governance principles eliminating space for corruption and buying decisions through campaign financing and party funding by lobbyists. This kind of better environment contributes to democratization process.

#### **Authors Contributions**

The authors listed have made a substantial, direct and intellectual contribution to the work, and approved it for publication.

#### **Conflict of Interest Statement**

The authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

#### **Acknowledgement**

This article was supported by the Czech Science Foundation, under grant number GA16-08786S "Impact of Transparency of Lobbying on Democratization and Its Consequences."

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