

LOBBYING AS A DEMOCRATIC TOOL. A CASE STUDY IN NORTH MACEDONIA

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Abstract: *The very mention of the term “lobbying” generally raises suspicion. Lobbying – often misunderstood and poorly defined – is an important tool of a democratic society, provided it is regulated. Many authors associate lobbying with bribery and corruption. In the United States, citizens believe that “interest groups should not be allowed to approach members of Congress because they exert too much influence on government activities”. In the Western Balkans, the region did not have a greater democratic tradition or developed institutional lobbying activities. In the former Yugoslavia, although lobbying was not institutionalized, it manifested itself in the rivalry between the interests of the six republics and the two autonomous provinces. North Macedonia does not have a developed tradition of lobbying. It is certain that two lobbying laws were passed, but only one lobbyist was registered in the country. What is the reason for this situation? Have political parties and their individuals, or the high level of corruption, displaced and demotivated lobbyists in Western and North Macedonia? That is the purpose of this study, to highlight the importance of lobbying but also the factors that discourage it. In conclusion, we can state that for now lobbying in the Western Balkans is unrecognizable from an institutional aspect, but that does not mean that formal lobbying does not exist.*

Keywords: *Lobbying; Lobbyist; Democracy; USA; North Macedonia*

INTRODUCTION

Lobbying is one of the world's oldest professions. Whenever an individual, or group of individuals, wields power over society, there will be other individuals or groups of individuals who will have tried to persuade them to exercise that power in a particular way. Lobbying is both natural and inevitable.

Etymologically, “lobby” derives from the Old High German *louba*, meaning hall or roof. It came to be used in 18th-century British theaters, where the “box-lobby lounge” became a common sight. President Ulysses S. Grant was someone who came not to see the play but to chat with the well-connected Londoners streaming through the lobby just outside their box seats. Lobby loungers showed up in American theaters, too, and provided the basis for the political version's term. The switch to a political use of the term “lobby” began in 1810s, in the statehouses of the northeastern United States. Long before the establishment of the United States, English common law afforded citizens the right to petition the Crown for grievances. Following its English heritage, the United States has employed a similar structure. Despite the fact that lobby groups are legalized in almost all Western Balkan countries, the process of awakening and the activity of legal lobbyists is symbolic. However, such a conclusion does not apply to the hidden lobbying among the membership and top leaders of the parties, the business community whose lobbying activity is accompanied by corruption,

commercial interests and camouflaged conflicts of interest. A typical example of this is North Macedonia. Ten years have passed since the adoption of the first law on lobbying and five years since the second law, so far only one lobbyist has been registered.

RESEARCH METHODOLOGY

The hypothesis that needs to be confirmed is that “lobbying of interest groups is a modern and democratic phenomenon that has not taken root in the Western Balkans, primarily due to the excessive monopoly of political parties over companies and other spheres.” The preparation of this paper imposes the need to use the qualitative and quantitative scientific method, content analysis, comparative method, etc.

RESULTS

Interest – The Cement of Every Pressure Group

Whether we talk about Pressure Groups, Interest Groups or Lobby Groups, at the core of these categories we always find the term interest. It is precisely interest that is considered a constitutive element of a gathering or group. According to the opinion of one of the founders of the pluralistic approach to collective action, David B. Truman (1951), social groups are the first social factor of any policy. It is the group that socializes the individual and provides him with the prisms through which the individual sees the world. All groups have approximately identical problems of existence. According to Olson there is a paradox: instead of leading to an inevitable collective action, the existence of common interests leads to a collective inaction or immobilization. (Olson 1971)

Adaptation of Interest Groups to New Forms of Decision-Making: Interest groups are faced with different levels of governance and decision-making by public authorities and are therefore forced to adapt to such a system. The state is increasingly faced with the participation of non-state actors in political processes at multiple levels from local to central. Such a system of multi-level governance can be considered as one of the main engines of intensification of the activities of interest groups in society at various levels. (Offerle 1998) Given the general trend of decentralization in modern democracies, horizontal coordination between social actors in decision-making is strengthened, to which interest groups, i.e. pressure groups, must adapt. (Rosenau and Czempiel 1992) The category of “governance” is defined by Rosenau and Czempiel as “the set of activities emanating from government, non-governmental actors, and based on formal and informal mechanisms through which individuals and organizations act to satisfy needs and achieve their own goals.” (Rosenau and Czempiel 1992, p. 33) This definition identifies the ways in which actors coordinate horizontally in formulating and implementing policy. Applied at the national level, Mayntz’s definition emphasizes “the activities of political authorities that seek to influence and shape socio-economic structures and political processes.” (Mayntz 1998) According to Le Gales’ definition governance is “the process of coordinating actors, social groups and institutions in order to achieve defined and collectively debated goals. Governance is thus understood as a set of institutions, networks, instructions, rules, norms, political

and social experiences with which public and private actors contribute to the stability of society and the political regime towards its orientation, towards the ability to govern and to provide services and to ensure their legitimacy". (Lascoumes and Le Galès 2005) The term network governance is characterized by cooperation between all interested actors, more through processes of trials and learning, than through competition. Although this descriptive approach is the result of negotiations in the EU, it neglects the central factors of hierarchy and competition in negotiations. (Eising and Kohler-Koh 1997) Such a conclusion is valid when the issue of the presentation of interests is raised. As points out, economic interests do not exist in themselves, but will need to be represented by actors who possess political, financial and social resources. In parallel, the interests or "affinities" of actors do not exist in a neutral space. "Interest is defined more in terms of the constraints and motivations that arise as much from the socialization of the actors as from their rationality at the given moment". (Pierson 1996) The realization of these interests depends on the relationship between the way they are mobilized and the structures of the political system in question. It is this aspect of the definition that privileges the content of the term "multi-level governance" that, according to some authors, is characterized by:

- decision-making power that is shared among several levels and is not monopolized by a single government;
 - collective decision-making that implies a loss of some power for the government, as is the case with majority voting and decision-making in the EU;
 - political national and supra- or extra-national arenas that are interconnected.
- Sub-national actors can try to access supra-national arenas and supra-national actors can intervene at the national level.

DEFINITION

Definition of Interest Groups: Regardless of whether we use the expression interest groups, interest groups or pressure groups, they essentially have the same meaning. For the sake of rationality, in the following text we will use the abbreviation IG. Interest groups represent a common expression but also a scientific term that covers an extremely difficult and delicate reality to encompass and define. Although the creation of interest groups is a common phenomenon for all societies, with the difference that in democratic systems interest groups have a greater scope for action, while in despotic societies their activity is hidden, discreet and is reduced to a clash or identification of the interests of individuals from the top, the expression is constantly used in expert analyses and public debates in the form of "interest group" or "lobby" group. This expression itself represents a multitude of diverse and heterogeneous ideological and sociological interpretations and aspects. Accordingly, it is understandable that there are broader and narrower understandings of the term interest groups. In its broadest sense, the term interest group is defined as "a group that seeks to represent the interests of a specific section of society in the public sphere". In a narrower sense, an interest group or pressure group is defined as "a constituted organization that seeks to influence public authorities in a direction favorable to its interests". The first definition

allows an interest group to be understood as an actor that seeks to influence not only public authorities but also other groups and public opinion in general. The second definition insists more on the relationship that exists between political authorities and the group, which is why the term pressure group is also used in the context of an interest group. (Nownes 2006) These two comparisons only indicate the challenges that confront any implementation of the definition of the term, which revolves mainly around three elements: the term interest; constituted organization; and the influence exerted on political authorities. These three elements entail a variety of issues.

Regulation of Lobbying in the Republic of North Macedonia

During the existence of the Yugoslav Federation, in the federal unit Socialist Republic of Macedonia, there was no institutional experience of lobbying. The real space of communist lobbying among the representatives of the republics and provinces was the Fund of Underdeveloped Republics and Provinces. The main rivalry was between the most humble subjects: Montenegro, Bosnia and Herzegovina, Macedonia and Kosovo. In this way, lobbying in the former Yugoslavia functioned in an informal but ideologically justified manner. After gaining independence in 1991, the first Law on Lobbying in North Macedonia was adopted in 2008. (Radio Free Europe, July 24, 2024). In practice, this Law did not come into effect despite the fact that the first lobby organization in North Macedonia was established in Shtip. The new Law of 2021 defines lobbying as “an activity aimed at influencing the processes of preparing, adopting and amending: laws, by-laws and other general acts as well as public policies, i.e. programs adopted by the bodies being lobbied. Contacts for the purpose of lobbying with indirect or direct communication with persons being lobbied, regardless of the location where it is made and regardless of the method and means of communication used.” (Official Gazette of the Republic of North Macedonia 2021) Regardless of the two adopted Laws on Lobbying and Registration of Lobby Groups, lobbying has not taken off in North Macedonia. The reasons for this situation are numerous, but we would mention the excessive presence and monopoly of parties in decision-making spaces, the excessive partisanship of society, the high rate of corruption, and the lack of positive experiences in lobbying.

CONCLUSION

The mere mention of the term “lobbying” generally arouses suspicion. In the collective unconscious, its practice is said to seriously harm democratic health. Yet it is commonplace and fully embraced in a large part of Western countries. Far from being confined to the simple caricature of an occult activity operating on the borders of legality, lobbying – often misunderstood and poorly defined – constitutes, on the contrary, an approach likely to be beneficial to political decision-making, provided it is regulated. The United States is the Lobbying Galaxy. It is the country with the longest history of pressure groups, interest groups, or lobby groups. In fact, these are three terms that mean the same content.

Pluralism is the first public policy analysis framework focused on interest groups

to have been developed (in the United States since the 1950s). It emphasizes the diversity of interest groups and the importance of lobbying practices with administrative and political actors.

The main limitation of the pluralist analytical framework is its focus on one stage of public action: the decision-making stage. This limitation helps us understand the development of two other analytical frameworks focusing on other stages.

The sociology of public problems focuses on the upstream stage of the decision-making process, namely the construction and formulation of the problems addressed by public policy actors, as well as the ways in which they are placed on the agenda, a prelude to any public decision. It has led to the development of research on social movements seeking to have issues and problems taken into account by public authorities.

The corporatist approach highlights the importance of the phenomena of monopolization of representation, contrary to the pluralist approach, and takes into account the place of interest groups strongly institutionalized by the State in the implementation of public policies. It analyzes the relations between the State and interest groups in terms of political exchange.

In the Western Balkan countries, lobbying has not developed, nor has it reached a minimal level. In the past, the communist system did not recognize the importance of interest groups, even formally. There was influence between the interest groups of different republics and autonomous regions to attract investment from underdeveloped republics. But lobbying has never reached an institutional level.

After the independence of the 1990s, despite the lobbying laws passed in parliament, as in N. Macedonia, lobbying has remained very marginalized. This is the responsibility of the political parties, which have imposed their monopoly and allow no outside initiative to interfere in the areas where decisions are made. The second factor is the importance of organized crime under the control of politicians. And the third factor is the rate of corruption. All decisions from local to central levels are made with bribes.

REFERENCES

- EISING, R. and KOHLER-KOH, B. (eds.) 1999. *The transformation of governance in the European Union*. London: Routledge.
- LASCOUMES, P. and LE GALES, P., 2005. Introduction: L'action publique saisie par ses instruments. In: P. LASCOUMES, P. and LE GALES (eds.). *Gouverner par les instruments*, pp. 11–44. Paris: Presses de Sciences Po. doi 10.3917/scpo.lasco.2005.01.0011.
- MAYNTZ, R., 1998. *New challenges to governance theory*. Florence: European University Institute, Jean Monnet Chair Papers, 50. Available from: <https://hdl.handle.net/1814/23653>
- NOWNES, A.J., 2006. Lobbying and Lobbyists in the United States: A Primer. In: NOWNES, A.J. (ed). *Total Lobbying: What Lobbyists Want (and How They Try to Get It)*, pp. 12–36. Cambridge: Cambridge University Press.

OFFERLE, M., 1998. *Sociologies des groups d'intérêt*. Paris: Montchrestien.

Official Gazette of the Republic of North Macedonia, 122/2021.

OLSON, M., 1971. *The logic of collective action: Public Goods and the Theory of Groups*. Cambridge, MA: Harvard University Press.

PIERSON, P., 1996. The Path to European Integration: A Historical Institutional Analysis. *Comparative Political Studies*, 29(2), 123-163. doi: 10.1177/0010414096029002001 (Original work published 1996)

ROSENAU, J. and CZEMPIEL, E.O., 1992. *Governance without Government: Order and Change in World Politics*. Cambridge: Cambridge University Press. doi: 10.1017/CBO9780511521775

TRUMAN, D., 1951. *The Governmental Process: Political Interests and Public Opinion*. New York: Knopf.

ЛОБИРАНЕТО КАТО ДЕМОКРАТИЧЕН ИНСТРУМЕНТ – КАЗУС В РПУБЛИКА СЕВЕРНА МАКЕДОНИЈА

Резюме: Самото споменавање на терминот „лобирање“ обикновено пораѓа подозрение. Лобирањето – често неразбрано и лошо дефинирано – е важен инструмент на демократичното општество, стига да е регулирано. Многу автори сврзуваат лобирањето со подкупи и корупција. Во Соединените Штати граѓаните сметаат, че „групите по интереси не треба да имаат право да се обрѓаат към членове на Конгресот, защото те упражняват твърде голямо влияние върху правителствените дейности“. Во Западните Балкани регионът не е имал по-голяма демократична традиция или развити институционални лобистки дейности. Во бившиа Југославија, въпреки че лобирањето не е било институционализирано, то се е проявувало во соперничеството меѓу интересите на шестте републики и двете автономни провинции. Северна Македонија нема развита традиција во лобирањето. Сигурно е, че са приети два закона за лобирањето, но во страната е регистриран само един лобист. Каква е причината за тоа положение? Дали политическите партии и техните лица или високото ниво на корупција са изместили и демотивирали лобистите во Западна и Северна Македонија? Тоа е целта на тоа истражување – да подчертае значението на лобирањето, но също така и факторите, които го обезкуражуваат. Во заключение можеме да заявим, че засега лобирањето во Западните Балкани е непознато од институционален аспект, но тоа не означава, че официално лобирање не съществува.

Клучови думи: лобирање; лобист; демократија; САШ; Северна Македонија

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