

(as illustrated in Exhibits 7.3 and 7.6, above) might only be the tip of the iceberg in terms of business's involvement in government. Further, the actual number of individuals engaged in lobbying activities, between registered and unregistered advocacy activists, might well be over 100,000. It is simply too difficult to come up with an exact estimate, since the line between lobbyist and policy advocate is blurred. In addition, it is not totally clear how strictly the three legislative acts discussed above are enforced in reality; enforcement appears to be particularly lax when it comes to post-employment restrictions (Rasor and Baumann 2007). On many occasions, newly elected officials who would otherwise have to obey the restrictions imposed by extant regulation, can obtain waivers that would allow them to directly deal with their former employers as soon as they assume office.

The most important thing to remember here is the fact that business, through its lobbying activities, remains an indispensable part of the legislative process. The nature of the political system and political decision-making in a pluralistic democracy is such that even with all its associated negative aspects, business expertise and involvement in government is needed. It is needed to get issues on the agenda, to shape the eventual policy and solution, and to pass the corresponding legislation. As such, it is difficult to envision that even the most earnest of future reform efforts could ever remove inter-sector placement, lobbying, or lobbyists from the policy scene. It is always difficult, if not simply impossible, to get rid of something or someone that you need.

However, it is critical when promoting a given agenda that one does so in an ethical manner. In the long run, everyone—including the system as a whole—stands to lose more than they gain if those who advocate for a living are not guided by an ethos of ethics. Without lobbying, certain issues may never reach the governmental agenda and hence remain unaddressed. It is within this context that lobbying becomes a vital dimension of governance. Lobbyists also facilitate communication between the legislative bodies, public agencies, and policy communities, increasing the probability of a policy being successfully passed. Similarly, without lobbying and the "revolving door," government would have less access to expertise, which would mean that the resulting policy might not be as effective as it could otherwise have been. Serious problems arise, however, when individuals engage in lobbying activities with a total disregard for the needs of others, without fully considering the impacts of their advocated position, and without following basic ethical principles. The more frequently that unethical behavior on the part of advocacy activists is observed, the less trust citizens will have in democratic institutions. Trust in government is an extremely valuable, but fragile, resource for any democracy; it cannot be nurtured, nor can it grow, if citizens believe that government is responsive only to a handful of elite interests.

Unethical promotion of an agenda might be effective in the short run, but over time the negative consequences of unethical behavior will take a toll on an individual's standing. Any small gains that might have been made initially can be quickly erased by the negative attention that unethical advocacy can bring to an issue. As lobbying can be characterized as a negotiation, it cannot produce the expected results without all those involved respecting the fundamental tenets of the democratic process.

#### ANALYTICAL CASE: ETHICS INVOLVED IN LOBBYING

A large parcel of land in the city of Ethicstrand has become available for development. The property is conveniently located near the business and shopping center of the city. Many of the city residents believe that the downtown lacks enough green space, and the large parcel provides the perfect opportunity to address this public need. Previous city councils had attempted to correct the situation, but this is the first time that a real opportunity has presented itself. The Mayor of Ethicstrand, Ann Principle, knows that most of Ethicstrand's residents would be in favor of the parcel being developed into green space; however, she is also aware of the city's financial needs, and knows the city council would be open to listening to other proposals, particularly those with revenue-generating potential.

Given its central and possibly lucrative location, the parcel's availability has attracted a lot of attention, especially from local businesses and developers. Although the issue has yet to reach the council's agenda, the matter has motivated a lot of behind-the-scenes interaction. The Mayor, as an important decision-maker, has become the target of a number of advocacy efforts. Ann has been contacted by city residents, environmental activists, business lobbyists, and even state officials. A decision that appeared so clear in the beginning, has become increasingly ambiguous and contentious.

In all her years of public service, Ann has never before felt this overwhelmed and in need of advice. When she received an invitation for lunch from Elizabeth Craft, her best friend whom she hasn't seen in a long time, she was very pleased. Elizabeth, besides being an old friend, was also a former public official with extensive experience on complex public matters such as the one Ann was facing. Given their common past and the trust that she had in her friend, Ann is sure that this lunch will be beneficial in terms of helping her make a final decision on the parcel. There is, however, one thing that makes Ann uneasy. After her last stint in public office, Elizabeth occasionally engaged in lobbying efforts for local construction firms. Ann isn't sure whether the timing of Elizabeth's call was purely coincidental or related to her lobbying activities. Still, Elizabeth is her best friend—can Ann really doubt her?

There are several ethical questions that enter the equation in this case:

1. Should Ann accept the lunch invitation from Elizabeth?
2. Should the Mayor consult with her best friend on a matter of public interest?
3. Should the lunch and the conversation during lunch be made public?
4. Is it morally acceptable for Ann to accept a lunch invitation from an individual whose most recent professional involvement was in lobbying?
5. Should Ann allow Elizabeth to pay for lunch?
6. What if during lunch Elizabeth does not bring up the matter, but when Ann asks her opinion on it she offers advice that would be favorable to developers for whom Elizabeth has lobbied in the past?
7. What if Ann ends up following Elizabeth's advice—would that be morally acceptable?