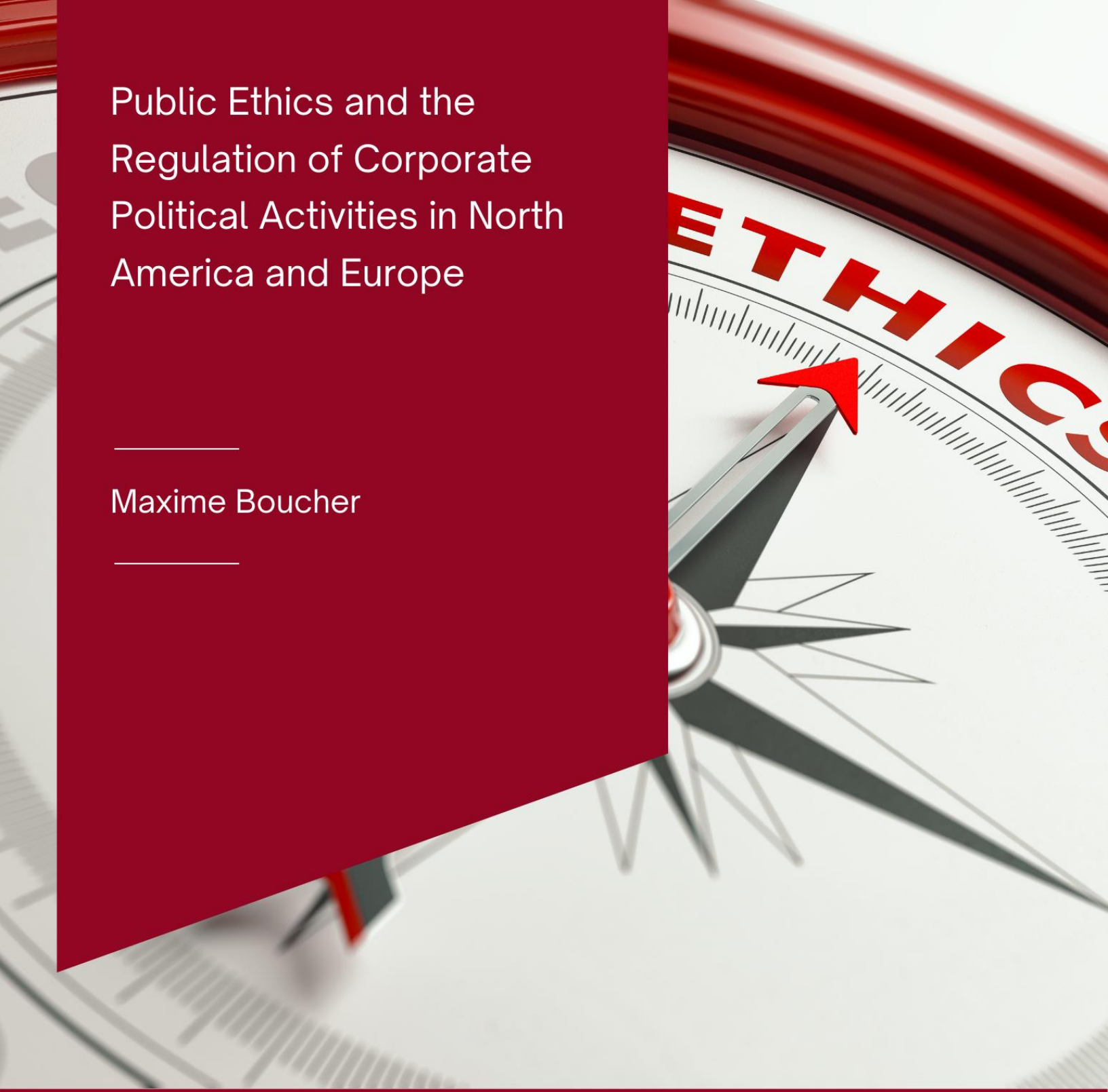
Public Ethics and the Regulation of Corporate Political Activities in North America and Europe

Maxime Boucher



CENTRE ON GOVERNANCE WORKING PAPER SERIES
NO. 01/21/EN

Centre on Governance
Centre d'études en gouvernance

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Faculté des sciences sociales
Faculty of Social Sciences

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Centre on Governance Working Paper Series, No. 01/21/EN

June 2021

doi: 10.20381/yxt6-ws44

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The production of this research paper was supported by the University of Ottawa's Centre on Governance. The opinions expressed in this paper are those of the authors and do not necessarily reflect the views of the Centre on Governance (University of Ottawa) or any collaborating actors and institutions.

How to cite this article:
Boucher, Maxime (2021). Public Ethics and the Regulation of Corporate Political Activities in North America and Europe, Centre on Governance Working Paper Series, No. 01/21/EN, 28 p.

About the Author

Maxime Boucher is an affiliated researcher at the Centre on Governance, University of Ottawa. By making use of open data sources such as the Canadian lobbying registry, his research shows how parliamentary institutions affect the relations between organized interests and policy-makers in Canada. His research has appeared in journals such as the Canadian Journal of Political Science, Canadian Public Administration and Political Studies Review.

Abstract - Résumé

English

Since 2000, an increasing number of countries – as well as EU supranational institutions – have adopted policies to regulate corporate political activities. This research investigates how European countries and EU institutions manage to define and regulate corporate political activities. The first part retraces key judicial and political decisions that led to the introduction of modern regulatory frameworks for corporate lobbying activities in North America and Europe. The second part compares the regulation of corporate lobbying, corporate donations and revolving-door hiring practices in European countries. In so doing, this research demonstrates the different approaches of EU member states to regulate corporate political activities.

Français

Depuis 2000, un nombre croissant de pays - ainsi que les institutions supranationales de l'UE - ont adopté des politiques visant à réglementer les activités politiques des entreprises. Cette recherche examine comment les pays européens et les institutions de l'UE parviennent à définir et à réglementer les activités politiques des entreprises. La première partie retrace les principales décisions judiciaires et politiques qui ont conduit à l'introduction de cadres réglementaires modernes pour les activités de lobbying des entreprises en Amérique du Nord et en Europe. La deuxième partie compare la réglementation du lobbying d'entreprise, des dons d'entreprise et des pratiques d'embauche par la porte tournante dans les pays européens. Ce faisant, cette recherche démontre les différentes approches des États membres de l'UE pour réglementer les activités politiques des entreprises.

Keywords Public ethics; Corporate political activities; Democratic governance; Lobbying regulation.

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Introduction

Business corporations and their lobbyists now play a structural role in the development and implementation of national and supranational public policies. While the growing volume of exchanges between business lobbyists, politicians and bureaucrats provide multiple opportunities for private interests to influence political decisions for their own gain, meeting on a ad hoc basis with corporate lobbyists can also be a way for policymakers to obtain specialized – and even privileged – information on the social and economic implications of their decisions.

However, corporate lobbies are agenda-driven organizations that make use of information exchange mechanisms from a strategic perspective. In this context, the opacity and informal nature of corporate political strategies can have a powerful corrosive effect on the integrity of democratic institutions. Accordingly, in an effort to make informal exchanges between public office holders and corporate lobbyists more ethical and transparent, an increasing number of governments have adopted policies that legally define the extent and limits of corporate political activities. In that sense, a report by the Organisation for Economic Co-Operation and Development (OECD) in 2014 noted that "more countries have introduced corporate lobbying regulation in the past five years than in the previous 60." (2014:1).

While decades of research on corporate social responsibility and corporate citizenship have led to significant advancements in our understanding of the social and political roles of business corporations, scholars of management, public affairs and business ethics have not paid enough attention to these constitutional, institutional and legal changes which have enabled corporations to act as legitimate political actors. As a result, we still lack a comprehensive framework that allows for the comparative study of rules affecting corporate political activities, even though scholars from many disciplines have pointed out that corporate organizations are now core actors of the policy-making process (Aßländer and Curbach, 2014, Anastasiadis, 2014, Drutman, 2015, Pies, Beckmann and Hielscher, 2013).

This research addresses this gap in the literature by comparing the legal frameworks regulating corporate political activities in European countries. Drawing on the literature on corporate political rights, corporate citizenship and lobbying regulation, the first and second sections of this paper build an analytical framework for the study of lobbying regulation and corporate donation rules in North America and Europe. Following this theoretical and methodological discussion, the first part of the analysis takes a quick look at the history of corporate personhood in North America and shows how the Anglo-American conception of corporate personhood and freedom of association has led to the adoption of modern corporate lobbying regulation in contemporary capitalist societies. More specifically, this section briefly describes how corporate entities – or organizations – became "rights holders", and how they subsequently acquired formal citizenship and political rights such as the right to lobby the government and the right to spend money on politics. The remaining parts of the analysis then compare the regulation and legal definitions of corporate lobbying, corporate donations and revolving door hiring practices in thirty countries and the EU. Finally, the conclusion discusses the results, and argues that the regulation and formalisation of corporate political activities are changing the legal status of corporate political activities on both sides of the Atlantic.

Corporate political activities and the concept of corporate citizenship rights

The concept of corporate citizenship was first introduced by thinkers coming from management and marketing sciences to highlight the development of business organizations that are economically and socially responsible (Bowen, 1953, Carroll, 1979, Crane and al., 2008, Gossett, 1957, H. J. Johnson, 1958). To this day, the idea of citizenship status for corporate organizations remains closely associated with corporate social responsibility (CSR) theories that mostly focus on the social-welfare and environmental campaigns of business organizations, as well as the commercial and financial consequences of adopting such ethical corporate behaviours (Bakker et al., 2020, and Fairbrass, 2011).

In their attempt to construct an extended theory of this concept, academics have uncovered many – if not all – aspects of corporate citizenship activities (Crane, Matten and Moon, 2008a, Matten

and Crane, 2005, Néron, 2010 and Néron and Norman, 2008b). In many ways, these definitions of corporate citizenship are consistent with the classic Marshallian theory (1950) that describes citizenship as a bundle of civil, social and political rights. The extended theory of corporate citizenship recognizes that corporations can act, not only as individual citizens, but also as governing bodies and political channels in these three respective (civil, social and political) fields of social action (Matten and Crane, 2005). By loosely defining corporate citizenship, scholars have not only revealed how corporate organizations can be just as politically active as individual citizens, but also how corporations act as governments, and how they "channel" the citizenship activities of individuals and communities (Matten, Crane and Chapple, 2003: 117-118).

Extended theories of corporate citizenship, however, connect widely different notions – like those of the citizen-individual, government and social community – under one umbrella concept. As some have suggested, such overarching theories of corporate citizenship rights are facing over-inclusion problems (Néron, 2010). This shows that the concept of corporate citizenship (Néron and Norman, 2008a) may be more useful when it describes a specific set of relations: "the language of citizenship may concern only some particular sets of corporate obligations in some specific relations, namely with governments and regulatory agencies." (Néron, 2010, 335).

Most importantly, although CSR and corporate citizenship theories focus on corporations' political behaviour, researchers have not paid enough attention to the constitutional, institutional and legal changes that have taken place in North America and EU member states, which have enabled corporate organizations to act as legitimate and formal political actors. Taking this into account, this research proposes a specific definition of corporate citizenship as the "legal definition of corporate political activities" in order to compare the regulation of lobbying, corporate donations and revolving door hiring practices. Our theoretical framework borrows ideas from other models, such as the "corporate citoyen" theory that argues that politically-active corporations remain "subordinate under political and legal regulations" and that governmental institutions are "called to develop adequate governance structures, which would allow for integrating the political responsibilities of the corporate citoyen" (Aßländer and Curbach, 2014, 639). In many ways, this

study's approach provides an original answer to the multiple calls for a conception of democracy that more fully acknowledges the structural role of lobbying and other corporate political activities (Anastasiadis, 2014; Pies, Beckmann and Hielscher, 2013, Van Oosterhout, 2005).

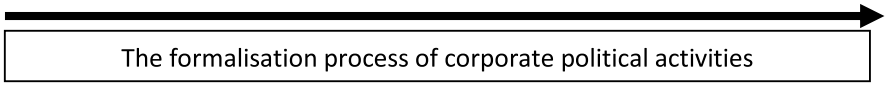
Methodological considerations: How to compare the regulation of corporate political activities across countries?

Our analysis answers a simple, yet complex question: "what is the legal status of corporate political practices in North America and Europe?" Accordingly, defining the corporate citizenship status as the "legal definition(s) of corporate political activities" is aligned with our main theoretical goal, which is to demonstrate how national governments and supranational institutions have built formal channels for corporate political activities through legislative and regulatory actions. The study does this in the first part by retracing key judicial and political decisions that led to the birth of corporate political rights and modern rules for corporate political activities. The second part then compares the evolution of lobbying regulation and corporate donations in North America and Europe.

With regard to our approach, a point worth noting is that the relationships between the State and business corporations depends on a variety of social, economical and political factors (Almond, 1958, Thomas, 2004). By making wide theoretical extensions, global comparisons therefore put us at risk of "losing almost all the intensive meaning achieved by comparisons among a less diverse set of nations" (Rose and Mackenzie, 1991: 457). Comparing lobbying regulation on a global scale thus requires a careful operationalization of our theoretical constructs. In the words of famous political scientist Giovanni Sartori, conceptual definitions should help us climb the "ladder of abstraction" in order to build empirically-linkable categories (Sartori, 1970 : 1052-1053). Following this rationale, our analytic grid makes a central distinction based on the scope of formal ethics rules affecting three components of corporate political strategies: corporate lobbying activities, "revolving door" hiring practices and corporate political donations.

Chart 1. Analytical grid: Encompassing, disjointed and informal regimes of corporate citizenship

	INFORMAL REGIME	DISJOINTED AND INCOMPLETE REGULATORY REGIME	ENCOMPASSING REGULATORY REGIME
LOBBYING REGULATION	No lobbying regulation.	Formal rules covering only legislative (or executive) lobbying – not both.	Formal rules covering both executive and legislative lobbying.
REVOLVING DOOR REGULATION	No cooling-off periods and revolving door rules.	Cooling-off periods only for former members of the legislative (or executive) branch – not both.	Cooling-off periods for former members of the legislative and executive branch.
CORPORATE DONATION RULES	No rules on corporate donations	Partial ban on corporate donations to candidates or parties – not both.	Formal rules banning or allowing corporate donations to candidates and parties.



Drawing on previous works on corporate political strategies (Vining, Shapiro and Borges, 2005, Hojnacky et. al., 2012) and lobbying regulation (Bitonti and Harris, 2017, Chari, Hogan and Murphy, 2019, Laboutková, Šimral and Vymetal, 2020), this comparative research shows that the citizenship status of corporations differ according to whether the State regulates corporate lobbying directed at legislative bodies and legislators, at executive agencies and bureaucrats, or both at executive and legislative branch members. To do so, the research uses three categories, each one representing a different stage of development. Broad categories of "comprehensive", "disjointed or incomplete" and "informal" corporate citizenship regimes make it possible to make relevant comparisons between policies adopted in countries with significant cultural and institutional differences. As shown in chart 1, this framework also allows us to situate each case under study within a broader continuum of legal development. This sort of theoretical continuum is also useful for examining changes in existing policies.

Democratic revolutions and the birth of corporate political rights

The American and French revolutions of the 18th century first led to opposing views on people's freedom to associate for social and political purposes. While the first amendment of the American Bill of Rights states that it is a god-given right, the French Loi Le Chapelier – adopted the same year as the Bill of Rights (1791) – proclaims instead, that all corporations and "intermediary bodies" (or organizations) between individual citizens and the State were to be abolished. Almost a century after the Bill of Rights, the liberal (and Anglo-American) conception of the freedom of association prevails in most democratic countries despite wide cultural and institutional differences – even in France where the right to strike and unionize were finally recognized by the Loi Waldeck Rousseau (1864) and the Loi Ollivier (1884) respectively.

As we know, even today, as exemplified by the 2010 Supreme Court judgement in the case of FEC vs. Citizens United, the first constitutional amendment is interpreted as a protection of the right of corporations to participate in electoral and policy-making processes. In retrospect, then, the American Bill of Rights should be regarded as one of the first significant steps in the construction of citizenship status for corporate organizations.

Corporate personhood and corporate political rights in America

We find the early roots of modern corporate citizenship status in 19th century judgments of the American Supreme Court that debated the right of corporations "to hold rights" and to be considered a "subject of law" within the judicial process. These decisions are based on an ambiguous interpretation of the relationship between corporate personhood and corporate rights. For instance, in the pioneering case of the Bank of the United States versus a tax collector named Peter Deveaux (1809), the Supreme Court decision clearly stated : "that invisible, intangible and artificial being, that mere legal entity, a corporation aggregate, is certainly not a citizen; and consequently, cannot sue or be sued in the courts of the United States (…)" (Harris, 1914, 508). Despite their opinion on the artificial nature of corporate organizations, the judges decided to grant basic judicial rights to the Bank of the United States: "because the people who associated together

within the corporation were the real parties to the case, (…), (and) their citizenship should control" (Winkler, 2018, 66). As has recently been shown by scholars in the social sciences (Lamoreaux and Novak, 2018) and law (Winkler, 2018), corporate lawyers have used this blurry line between the two concepts of the corporate entity as a "moral person" or as an "association of natural (and individual) persons" to gradually expand corporate civil and political rights. Bank of United States vs. Deveaux was one in a long list of pioneering decisions that gave birth to the legal tradition of corporate citizenship. In the now infamous Santa Clara County v. Southern Pacific Railroad Co. (1886), a case that was primarily concerned with the fiscal treatment of corporate entities, the Supreme Court followed a similar pattern of reasoning. Its final decision held that the members of a corporation – most likely its shareholders–, and not the corporation per se, were entitled to the protection of the 14th amendment on the due process of law (Horwitz, 1985, Samuels and Miller, 1987). One specific section of this decision implied, however, that the 14th constitutional amendment fully applied to corporations (Santa Barbara County v. Southern Pacific Railroad Co., [1886] 118 U.S. 394). This small passage of the Santa Clara decision had a profound impact on the subsequent decisions of the Supreme Court regarding the constitutional status of corporate political activity in the United States.

Regulating corporate money in politics

As the involvement of corporations in the judicial and political processes became more systematic in the 20th century, the regulation of corporate political activities also became a central political issue1. The regulation of corporate donations to candidates and parties, as well as other corporate political spending rules, were among the first issues to be addressed by the Federal government. Before the Federal Election Campaign Act (FECA) of 1974 that gave rise to modern campaign finance rules, the US government made multiple attempts at regulating (and even prohibiting) donations from business organizations and unions, such as the Tillman Act of 1907, the Federal Corrupt Practices act of 1910 – and its revised version in 1925 – the Hatch Act of 1939 and the Taft-Hartley

[1] Prior to 1938, most legal and constitutional texts define lobbying as bribery. See: Marcus, R (1970). "Public Disclosure of Lobbyists' Activities". *Fordham Law Review*, *38*(3). and Crawford, R. (1939). *The Pressure Boys: The inside story of lobbying in America*. Messner: New York City.

act of 1947. While spending limits, disclosure obligations and even a ban on corporate and union donations were introduced, these laws were plagued with legal and institutional flaws and were largely ignored by politicians and corporate organizations.

As demonstrated by the recent history of American campaign finance laws, most of the subsequent legal actions taken by the US government to build a modern regulatory framework were challenged in the courts. Two years after the Watergate scandal that led to an improved version of the FECA in 1976, the decision in the case of Buckley v. Valeo (1976) stated that political expenditure limits contravened the freedom of speech rights protected by the first amendment. This time, however, the Supreme Court upheld limits on corporate contributions to candidates and parties. In 1978, the decision in the First National Bank of Boston v. Belloti case, struck down a ban on corporate spending introduced by the state of Massachusetts. Together with Grosjean v. American Press co. (1936), Bellotti is one of the first decisions to use the precedent of Santa Clara (1886) to expressly grant constitutional protections to corporate entities. According to Bloch and Lamoreaux (2018, 288-289), this bold interpretation of the Santa Clara decision was new and has had significant repercussions on subsequent Supreme Court decisions.

As we know, the right of corporate organizations to spend money on political activities was recently reaffirmed in the case of Citizens United v. FEC (2010) in which the Supreme Court invoked the first amendment and its protection of the freedom of speech to invalidate the corporate money dispositions of the Bipartisan Campaign Reform Act of 2002. This decision follows the rationale established by Santa Clara and Belloti to reassert the constitutional protection of corporate political rights. As such, Citizens United is one of the most recent – and most clear – manifestations of a legal tradition spanning decades. In the words of Wrinkler: “while corporate rights reached new heights with Citizens United, the scaffolding had been built up over two centuries of Supreme Court decisions” (2018, 369).

Most importantly, perhaps, the liberal approach that prevailed in the US is not the only approach taken to manage corporate money in politics. The Canadian case is particularly enlightening on this point. Canada and the US are on opposite poles regarding corporate spending rights. In response

to the Canadian AdScam scandal in the early 2000s, Canadian legislators passed comprehensive bills to revamp the ethical regime imposed on corporate lobbyists and public office holders. In 2004, the Canadian government also changed the Canada Elections Act in order to forbid political donations coming from corporate organizations such as business organizations and unions. This means that, even if the US conception of corporate personhood and corporate political activities has an obvious influence on Canada's own model of corporate citizenship rights, these two countries do not have identical corporate citizenship regimes. Corporate political rights are more limited in Canada than in the US.

Regulating corporate lobbying

Corporate (political) donations and expenditures rules represent only one aspect of corporate citizenship in democratic societies. Another central aspect of corporate citizenship pertains to the regulation of lobbying. The United States was the first country to enact legislations that recognize the right of corporations to lobby the government outside formal political instances. Adopted shortly before World War II, the Foreign Agents Registration Act (1938) required lobbyists of foreign companies to periodically disclose their identity as well as other information about their representation activities. Eight years later, the Legislative Reorganization Act (LRA) (1946) extended part of these disclosure obligations to the lobbyists of domestic organizations. By building such monitoring devices, the government admitted tacitly that corporate lobbying had become a standard political practice in the US. Although the regulatory framework of the LRA was weak and incomplete (Thomas, 1998: 150), it lasted almost 50 years, before being replaced by the Lobbying Disclosure Act (LDA) in 1995. Alongside Canada's Lobbying Registration Law (LRL)2 of 1988, the LDA laid the foundation of contemporary lobbying regulation by forcing lobbyists to disclose professional, financial and political information in a public registry. Most importantly, legislators have used these laws to formally define corporate lobbying as a legitimate citizen practice. To make this clear, section 8 of the LDA specifically mentions the constitutional rights of individuals and corporate entities: "Nothing in this Act shall be construed to prohibit or to interfere with the right

[2] That has since been renamed "Lobbying Act".

to petition the Government for the redress of grievances, the right to express an opinion, the right of association protected by the first amendment to the Constitution, (…) or to authorize any court to prohibit, lobbying activities or lobbying contacts by any (…) entity" (LDA, 1995: 2. USC. 1606). The preamble of the Canadian Lobbying Act is also abundantly clear on this point: "Lobbying public office holders is a legitimate activity" (LA, R.S., 1988, c. 44, preamble; c. 10, s. 1.).

Since the enactment of first modern lobbying rules in the 1980s and 1990s, multiple waves of legislative modifications have strengthened and extended the legal obligations of corporate lobbyists in Canada and the US. Today, the LDA and the LRL are widely regarded as the most advanced legislations in the field of lobbying regulation (Chari, Murphy and Hogan, 2007, Chari, Hogan and Murphy 2010 and Holman and Luneburg, 2012). Although generally weaker, similar regulatory models have sprung up in Europe (Chari, Hogan and Murphy 2010, Greenwood and Dreger, 2013, Holman and Luneburg, 2012 and Malone, 2011). Discussions on the relevance of these regulatory actions have also taken place in many other countries (Coman, 2006, Hrebrenar, Nakainura and Nakamura, 1998, Jordan, 1998, Ronit and Schneider, 1998 Warhurst, 1998, Yishai, 1998).

Finally, revolving door lobbying, which can be defined as the movement of public sector employees to the private sector, has now become a subject of wide interest in the US and abroad. In response to the growth of such practices, governments have passed post-employment rules to prevent potential conflicts of interest. In several countries, former public office holders are now subjected to cooling-off periods during which they must abstain from accepting a job in which they have to lobby the government. These cooling-off periods are defined in lobbying legislations, but we often find overlapping rules in codes of ethics and professional statements of public agency employees. For instance, in Canada and the US, the government has formally regulated the hiring practices of corporations who recruit former public office holders through post-public employment rules. In both countries, former public office holders of the legislative and executive branches – and ultimately their corporate employer(s) – must respect cooling-off periods and other such rules of conduct.

In sum, the idea of regulating corporate political activity finds its roots in the history of Anglo-American corporate law and its peculiar conception of corporate personhood and corporate rights. In the last thirty-years, many governments emulated the American government and took steps to regulate corporate lobbying and revolving door hiring practices. The Australian and Canadian governments were the first to adopt lobbying rules modeled after the US regulatory framework. In Europe, the EU was one of the first governmental instances to tackle the questions of corporate lobbying rights.

The next section describes and compares the evolution of lobbying regulation and rules on corporate (political) donations to candidate and parties in Europe. First, it explains how international organizations and supranational bodies such as the (OECD) and the EU spearheaded the formalisation process of corporate political activities in the 1990s. Then, the comparative analysis shows that corporate citizenship is a general process of institutional change that affects a considerable number of (if not all) European countries. But at the same time, it appears that social structures and dynamics specific to each country have a significant impact on the legal status of corporate political activities. Like other norms that regulate the behavior of politicians and civil servants (Saint-Martin, 2014), corporate spending, lobbying and revolving-door rules are influenced by the cultural, institutional and social contexts.

The legal status of corporate political activities in Europe

In the last twenty years, a growing number of European countries have adopted rules and laws that define, or partly define, corporate political activities. EU institutions have been one of the first instances to regulate corporate lobbying. The European Commission (EC) first studied the idea of a mandatory registration system of lobbyists in the ear1y 1990s (McLaughlin and Greenwood, 1995). After discussing the possibility of imposing a binding regulatory framework, the EC justified its refusal by invoking the need to maintain "an open and structured dialogue with interest groups" (EC, 1993). Instead, a voluntary registration system of corporate lobbyists based on the allocation

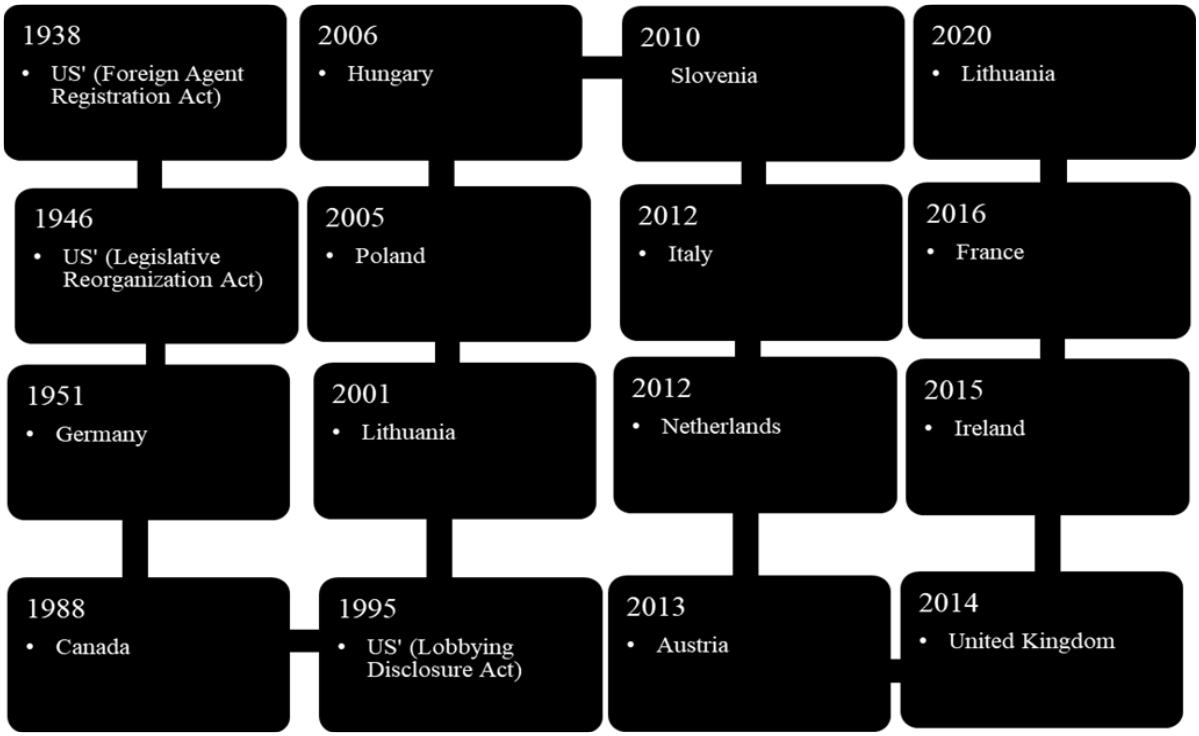
of badges giving (physical) access to political institutions was put in place (Greenwood and Thomas, 1998, Greenwood and Halpin, 2007, Greenwood and Dreger, 2013 and Moessing, 2014). Some rules were also introduced to address revolving doors between the private and public sectors. Public officials that leave their job are subjected to cooling-off periods, although weaker measures are imposed on parliamentarians. For instance, Article 6. of the Code of Conduct for Members of the European Parliament (EP) with respect to financial interests and conflicts of interest states that former MEPs engaging in lobbying activities "may not benefit from the facilities granted to former MEPs". Article 11 of the Code of Conduct for Commissioners (2018) also imposes the obligation, for Commissioners, to consult the Commission before accepting any professional activity during a period of two years. These measures have been extended to three years for former CE presidents. Similar cooling-off periods are also imposed on the former staff of both the EC and EP (EPT, 2018: 5-6).

Around the same time, the OECD began to advocate for the regulation of corporate political activities. In its series of studies titled "Lobbyists, government and public trust", the OECD advocated for lobbying reforms that are mostly based on the American and Canadian regulatory models. This same campaign culminated in the publication of several documents openly promoting the regulation of lobbying and revolving door practices in OECD member states.

The introduction of a lobbying registration system at the supra-national level and the reform campaign led by the EU and the OECD has sparked a movement toward the regulation of corporate political activity in Europe (OECD, 2014 :15). As we see in chart 2 below, between the years 2000 and 2020, eleven countries introduced some form of lobbying regulation, nine of which are EU member states. While there is little doubt the American LDA and the Canadian Lobbying Act have been the blueprints of European lobbying reforms, the regulation and formalisation process of corporate political activities remains in a "transition phase". In most European countries, a limited definition of corporate citizenship prevails and corporate political rights are defined by disjointed and incomplete sets of rules. In sum, the legal definition – and regulation –of corporate political activities differ among European states. But to what extent? What are the different approaches

taken to regulate corporate political activities in Europe?

Chart 2. Timeline of lobbying regulations



As mentioned above, lobbying regulation and corporate donation rules can be divided into three categories, each one representing a specific stage of legal development. First, comprehensive laws that directly address corporate political activities occurring in legislative and executive institutions were passed in Canada and the US. Second, in most European countries, corporate political rights are defined by a series of voluntary administrative rules, which are also much more unclear and ambiguous. Nevertheless, such administrative/regulatory actions have had a significant impact on the legal definition of lobbying activities and ought to be considered an important step for the development of citizenship status for corporate organizations. Finally, where there is no regulation of lobbying, there is also no institutional recognition of corporate lobbying. Following this, the third category groups countries where corporate political activities are not officially regulated.

Die Lobby-Republik? The peculiar case of lobbying regulation in Germany

Lobbying. Corporate lobbying became a central political issue in Germany in the last few decades (Tillack, 2015). The concept of lobbying found little if any resonance in the corporatist context of post-war Germany. With the fall of the Berlin wall, along with the expansion of the EU and transnational markets, Germany has witnessed a steady rise in the number of domestic and foreign corporate lobbyists. So much so, that today, corporate lobbyists are considered an essential part of German politics. According to the Economist, in 2015, an estimated 5,000-6,000 corporate lobbyists were working in Berlin "compared with the 12,000 in Washington, DC, the trade's romping-ground".

Since the 1970s the rules on lobbying have remained largely unchanged. There are some transparency rules for corporations and interest groups, however. Since the adoption of the Rules of Procedures (article 73) of the Bundestag in 1951, the Bundestag keeps a register of associations who enter Parliament (Ronit and Schneider, 1998). Other rules regarding the registration of representation activities aimed at some executive bodies have been adopted in subsequent years, but the German political class never reached a consensus regarding the need for a mandatory and extensive registration system for corporate lobbyists (Ronit and Schneider, 1998: 561).

Unlike lobbyist registration systems in North America, the Bundestag's list of interest groups only covers lobbying activities directed at specific institutions and agencies. In addition to being based on voluntary rules, this registration system only applies to interest groups seeking access to parliamentary buildings, and does not include any information on corporate political activities occurring in the Bundesrat (OECD, 2012, 60). These policies do not provide a clear and complete definition of corporate lobbying practices occurring in Berlin. Very little advancement has been made on this issue in the last four decades. As a result, modern lobbying practices are only partly regulated despite the growing number of corporate lobbies in the capital.

While two professional bodies with their own code of ethics were founded in 1987 (Deutscher Rat für Public Relations) and 2002 (Degepol- Deutsche Gesellschaft für Politikberatung), Germany still

has no such binding code of conduct for its lobbyists, and self-regulation schemes have not been "extensively developed" (TID, 2014: 15). Another non-profit association named Lobbycontrol founded in 2005 is actively promoting the adoption of modern lobbying regulation. The most significant changes happened in 2005, when the German government passed rules requiring Ministers and deputy ministers to inform the government of any job in the private sector they wished to take within the first year and a half after leaving public office. The government can decide to block former ministers and deputy ministers from taking a business position before the end of this 18-month cooling-off period. These rules only affect ministers and senior bureaucrats, not lower ranked members of the executive branch and members of parliament (Gebhardt and Carranza, 2018).

Corporate donations. As for corporate donation rules, organizations have traditionally been allowed to make financial contributions to candidates and political parties. There is no ban on corporate donations in Germany, and political parties and candidates may accept the donations of companies, with the exception of donations coming from public organizations (GRECO, 2009: 10).

There have been more discussions on the necessity of regulating lobbying and other corporate political activities in last decades. Yet, the German government still has not adopted a mandatory and comprehensive registration system. Outside of regulatory provisions affecting the post-public employment of ministers and senior bureaucrats, very little indication regarding legal status of corporate political activities can be found in Germany.

The curious case of corporate political activities in France

Corporate lobbying. France is an interesting yet complex case. To begin with, the French state has formally recognized and regulated corporate lobbying activities. In France, an initial lobbying registration system was enacted in 2009. Originally, the registration system was voluntary and mostly focused on legislative lobbying. In 2016, the French government passed a new law (Loi Sapin II) that established a mandatory registry scheme for corporate lobbyists. This registration system is now managed by an independent agency, the Haute Autorité pour la Transparence de la Vie

Publique (TIFR, 2016). The Loi Sapin II has introduced a broader definition of corporate lobbying that covers a wider array of lobbying activities and political institutions. These recent legislative actions by the French government have furthered the formalisation process of corporate political activities.

Furthermore, in 2017, the former Minister of the French civil service Annick Girardin also proposed to impose "cooling-off" periods to public office holders and future public office holders who attended prestigious schools such as the École nationale d'administration. Once more, the idea was to group diverse sets of rules under one inclusive framework, in order to regulate revolving door practices (known as pantouflage in France). These attempts at regulating revolving doors resulted in the imposition of a cooling-off period of three years to former ministers and bureaucrats who wish to accept a job in the private sector. However, there are still no general rules around the transfer of parliamentarians to the private sector. As a result, corporate organizations are virtually free to hire former (non-minister) politicians almost as soon as they leave their public position(s) (TI, 2015: 40).

Corporate donations. The French Code Électorale unequivocally states that corporate organizations should not be involved in any political spending activities. In the end, the rules governing the corporate agora in France are far more similar to those in Canada than those of its German neighbour. Corporate organizations do not enjoy the same citizenship and political rights in Canada or France – two countries where corporate financial donations are banned – as they do in Germany or the United States, where corporations can spend money on elections and politics.

UK's hesitant steps toward a corporate citizenship status

Corporate lobbying. In the UK, political debates on lobbying regulation have mostly revolved around the peculiarities of the British political culture (Jordan, 1998). In its effort to promote modern ethics legislations, Transparency International UK urged the government to update its lobbying and revolving door rules (see: TIUK, 2011). A mandatory registry for consultant lobbyists was enacted for the first time in 2014. This registry is operated by an independent body, the Office of the

Registrar of Consultant Lobbyists. Before the adoption of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act in 2014, professional bodies such as the Association of Professional Political Consultants (APPC) and the Chartered Institute of Public Relations (CIPR) played a prominent role in the (self)-regulation of corporate lobbying. With the new rules introduced by the legislation of 2014, the UK has gone from a system of self-regulation to one of government regulation (and oversight). However, the legal definition on which this system relies remains incomplete. First, only consultant lobbyists, and not in-house lobbyists, are required to register. Second, lobbying activities aimed at legislative branch members and employees are not regulated. As for the regulation of revolving door practices, only former ministers and senior civil servants must restrain from lobbying the government for a period of up to two years (OECD, 2014).

All things considered, we can hardly regard the UK's 2014 lobbying registration system as a first step in the formalisation of corporate political activities. Indeed, despite the fact that the UK has had its fair share of "lobbygate" and "cash-for-access" scandals over the years, there is still no extensive regulation and institutional recognition of corporate lobbying. Unlike the EU and France, the UK government has been reluctant to adopt a regulatory framework modelled on that of Canada and the United States – one that fully recognizes the legitimacy of consultant and in-house lobbying and executive and legislative lobbying. We have to wait and see what will happen with this regulatory framework aimed at consultant lobbyists. But, for now, the UK has yet to make a formal statement regarding the political and legal status of both in-house and consultant lobbyists.

Corporate donations. With few exceptions, corporate organizations are allowed to make political contributions. The UK government interprets as a permissible donor "anyone on the electoral register, companies or organisations incorporated in the United Kingdom or in an EU member-state and carrying on business in the United Kingdom, trade unions and unincorporated associations" (GRECO, 2008: 8). While the treatment of foreign corporations may change with Brexit policies, for the moment, these specifications are the only clear rules concerning corporate political activities that can be found in the UK.

Regulating corporate political activities in Europe

As of July 2020, we can find lobbying laws or softer regulations, as well as mandatory or voluntary national lobby registries, in twelve out of 30 countries we sampled. Most of these countries also regulate revolving door strategies (Bitonti and Harris, 2017; OECD, 2015: 114-115; OECD, 2010). Regardless of this general trend, the legal status of corporate political activities remains widely different from one country to another. It is particularly the case of legal provisions concerning corporate donations to candidates and parties (OECD, 2016; EP, 2015)3. The scope of cooling-off periods and other post-public employment rules affecting corporate hiring practices also vary greatly.

Table 1 below lists the regulatory regimes of a 30-country sample. The first column distinguishes between three categories of regulatory regimes: comprehensive definition, incomplete definition and no definition. In some countries, like Canada, the United States, and more recently Austria, Ireland, Slovenia, and France, the state has regulated corporate lobbying with both the executive and legislative personnel of the state. Some of the legislations in place in these countries have been criticized for their weak registration schemes. Still, while some of the registration rules in place are voluntary, all legislations have sanctioned a formalised definition of corporate lobbying that includes both executive and legislative lobbying. This is not the case in Germany, Hungary, Italy, Poland, the Netherlands or the UK, where we can find some form of regulation, but where the laws or rules in place only affect one branch of government. In Italy, for instance, only a few provincial governments have enacted rules regarding lobbyists' exchanges with legislative branch members. In Poland, lobbying activities directed at the legislative process are regulated, but lobbying activities pertaining to the implementation of legislative decisions are essentially left out of the regulatory system. In Hungary, a comprehensive registration system for executive and legislative lobbying activities was put in place following the adoption of the Act on Lobbying Activities in 2006. This system was abolished in 2010 and replaced with piecemeal rules that only indirectly define corporate lobbying. For the most part, such disjointed definitions of lobbying fail to clearly establish

[3] Our results were double checked with the "Political Finance Database" of the *Institute for Democracy and Electoral Assistance* (IDEA).

the extent and limits of corporate political rights. In these countries, corporate political practices do not have full institutional acknowledgement. However, we can find some indicators as to what can be considered formal lobbying activities in legislative institutions. We cannot say the same of the last category of countries: where there is no formal definition of corporate lobbying and hiring practices, corporate organizations are left without any clear indicators regarding their political status.

The second column of table 1 categorizes revolving door regulation according to the scope of cooling-off periods and other post-public employment rules that affect corporate hiring practices. Only eight countries included in our sample (Austria, Belgium, Croatia, Denmark, Greece, Hungary, Latvia and Sweden) do not impose any kind of cooling-off periods to former members of the government. In most other countries, we can find cooling-off periods and post-employment rules based on a limited definition of revolving door practices. In almost every case, revolving door rules are aimed at former members of government, not at former parliamentarians. The case of Slovenia stands out since it is the only European country where revolving door rules extend to the members of both the executive and legislative branches of government. Besides Slovenia, only the United States, Canada and EU institutions have adopted similar "comprehensive" rules.

Lastly, the third column indicates whether corporations can make political donations to candidates and parties. Corporate donations to political parties and candidates are banned in Belgium, Bulgaria, Canada, France, Greece, Latvia, Lithuania, Luxembourg, Portugal, Spain and Ukraine. In these countries, corporate citizenship rights have been significantly restricted. There is no such ban in Austria, Croatia, Cyprus, Czech Republic, Finland, Denmark, Germany, Ireland, Italy, Ireland, the Netherlands, Norway, Slovakia, Sweden or the UK. A third category "partial ban" has been introduced to consider countries where corporations can donate to parties, but not to individual candidates. This is the case in Estonia, Hungary, Romania and Slovenia. The US is a special case. Direct corporate donations are banned, but organizations can still contribute vast sums of money through financial vehicles called political action committees (PAC).

Table 1. The regulation of corporate political activities in Europe and North America

Countries	*Lobbying regulation*	*Scope of regulation*	*Revolving door regulation*	*Ban on corporate donations*
Austria	Comprehensive definition	Both	No regulation	No ban
Belgium	No regulation	-	No regulation	Full ban
Bulgaria	No regulation	-	Incomplete regulation	Full ban
Canada	Comprehensive definition	Both	Comprehensive rules	Full ban
Croatia	No regulation	-	No regulation	No ban
Cyprus	No regulation	-	Incomplete regulation	No ban
Czech Republic	No regulation	-	Incomplete regulation	No ban
Denmark	No regulation	-	No regulation	No ban
Estonia	No regulation	-	Incomplete regulation	Partial ban
Finland	No regulation	-	Incomplete regulation	No ban
France	Comprehensive definition	Both	Incomplete regulation	Full ban
Germany	Incomplete definition	Legislative	Incomplete regulation	No ban
Greece	No regulation	-	No regulation	Full ban
Hungary	Incomplete regulation	-	No regulation	Partial ban
Ireland	Comprehensive definition	Both	Incomplete regulation	No ban
Italy	Incomplete definition	Legislative*	Incomplete regulation	No ban
Latvia	No regulation	-	No regulation	Full ban
Lithuania	Comprehensive definition	Both	Incomplete regulation	Full ban
Luxembourg	No regulation	-	Incomplete regulation	Full ban
Netherlands	Incomplete definition	Legislative	Incomplete regulation	No ban
Norway	No regulation	-	Incomplete regulation	No ban
Poland	Incomplete definition	Legislative	Incomplete regulation	Full ban
Portugal	No regulation	-	Incomplete regulation	Full ban
Romania	No regulation	-	Incomplete regulation	Partial ban
Slovakia	No regulation	-	Incomplete regulation	No ban
Slovenia	Comprehensive definition	Both	Comprehensive rules	Partial ban
Spain	No regulation	-	Incomplete regulation	Full ban
Sweden	No regulation	-	No regulation	No ban
UK	Incomplete definition	Legislative	Incomplete regulation	No ban
US	Comprehensive definition	Both	Comprehensive rules	Partial ban

Most European countries assigned to the first and second categories have adapted ideas from the American legal tradition. In some cases, like in France in 2016 and Lithuania in 20204, disjointed lobbying rules have been – or will be – replaced with comprehensive regulations. In most countries where the government has amended existing policies and legal definitions¸ disjointed lobbying rules have been replaced with more stringent regulation. To do so, governments have adopted regulatory frameworks based on broad legal definitions that include corporate political activities occurring both in the executive and legislative institutions of the government.

Conclusion

In next few years, there is a high probability that more countries will formalise corporate political practices through legislative and regulatory actions. As we have seen, since Canada and the US first adopted modern lobbying laws in the eighties and nineties, a wave of reforms aimed at regulating and formalising corporate lobbying and other corporate political activities has swept EU member states. In four of the nine European countries that have passed formal lobbying regulation, legal definitions of corporate lobbying activities are not completely defined, in that they do not include lobbying activities directed at senior government officials and other important members of the executive branch. That being said, this analysis has shown that, in most countries with comprehensive rules, the government had first adopted similar disjointed regulatory regimes. Building a broad regulatory framework for lobbying and corporate donations is an incremental process. This means that comprehensive rules for corporate political activities will most likely come from amendments to incomplete regulatory frameworks that only cover legislative bodies.

Above all, this also means that, despite variations in the rules for lobbying and political donations, these changes to the political status of corporations reveal a global shift towards more "formal" and transparent exchanges between governments and corporate lobbyists. Ultimately, we should pay attention to these reforms not only because they impose new ethical and transparency standards to corporate lobbyists and public office holders, but also because they normalize

[4] The bill adopted by the Parliament in June 2020 should come into force in 2021 once the bill is signed by the President.

corporate political activities. In this regard, this comparative inquiry confirms that the formalisation process of corporate political activities has changed the political status of corporate organizations in many European countries.

References

Aßländer, M.S., Curbach, J. (2014). “The Corporation as Citoyen? Towards a New Understanding of Corporate Citizenship”. *Journal of Business Ethics*, 120: 541–554.

Almond, G. A. 1958. “Research Note: A Comparative Study of Interest Groups and the Political Process.” *The American Political Science Review* 52(1): 270-282.

Anastasiadis S. (2014). “Toward a View of Citizenship and Lobbying: Corporate Engagement in the Political Process”. *Business & Society*, 53(2): 260-299.

Bitonti, A. and P. Harris. (2017). *Lobbying in Europe: Public Affairs and the Lobbying Industry in 28 EU Countries*, London: Palgrave Macmillan.

Bowen, H. (1953). *Social Responsibility of the Businessman*, New York: Harper and Row.

Carroll, A. (1979). “A Three-Dimensional Conceptual Model of Corporate Performance”. *The Academy of Management Review, 4*(4), 497-505.

Coman, R. (2006). "Towards regulating lobbying in Romania: a multi-faceted coin." *Perspectives on European Politics and Society* 7(2).

Greenwood J. and Halpin D. (2007). “The European Commission and the public governance of interest groups in the European Union: Seeking a Niche between accreditation and laissez-faire”. *Perspectives on European Politics and Society*. 8(2): 189-210

Chari, R. A., Hogan, J. & G. Murphy. (2010). *Regulating lobbying: a global comparison*, Manchester: Manchester University Press.

Chari, R. A., Hogan, J. & G. Murphy. (2019). *Regulating lobbying: a global comparison* [Second edition], Manchester: Manchester University Press.

Chari, R. A. J., Murphy, G., & Hogan, J. (2007). “Regulating Lobbyists: A Comparative Analysis of the United States, Canada, Germany and the European Union”. *The Political Quarterly, 78*(3), 422-438

Crane, A., Matten, D., & Moon, J. (2008a). *Corporations and Citizenship*. Cambridge: Cambridge University Press.

Crane, A., & Matten, D. (2008b). “Incorporating the Corporation in Citizenship: A Response to Néron and Norman”. *Business Ethics Quarterly, 18*(1), 27-33.

----, McWilliams, A., Matten, D., Moon, J. & D. S. Siegel (Eds.) (2008). *Oxford Handbook of Corporate Social Responsibility*, UOP: Oxford.

Crawford, R. (1939). *The pressure Boys: The inside story of lobbying in America*. J. Messner: New York City.

Drutman, L. (2015). *The business of America is lobbying: How corporations became politicized and politics became more corporate*. New-York: Oxford University Press.

Economist (The). (May 2015) "Germany’s Corporate Lobby: Turning American". *Business and Finance section*.

(EC) European Commission. (1993). “An open and structured dialogue between the Commission and special interest groups”. *Official Journal of the European Communities*. 36(63) : 2-8.

European Parliament (EP). (2015). *Party financing and referendum campaigns in EU Member States*. Study for the AFCO Committee: Brussels.

European Parliament (EP). (2016). *Transparency of lobbying in Member States: Comparative Analysis. European* Parliamentary Research Service: Brussels.

Fairbrass, J. (2011), “Exploring Corporate Social Responsibility Policy in the European Union: A Discursive Institutionalist Analysis”. *JCMS: Journal of Common Market Studies* 49: 949-970.

Friedman, M. (1970). “The social responsibility of business is to increase its profits”. *New-York Time Magazine*, September 13: 122-124.

Gebhardt, M. & A. Saz-Carranza. (2018). *European Revolving Doors: Corporate Boards in Germany and Spain*. ESADEgeo Working Paper 30.

Gossett, W. T. (1957). *Corporate Citizenship*. Washington: Washington and Lee University.

Greenwood, J. & C. S. Thomas. (1998). “Regulating Lobbying in the Western World”. Parliamentary Affairs, 51(4)

Greenwood, J. & J. Dreger (2013). “The Transparency Register: A European vanguard of strong lobby regulation.” *Interest Groups & Advocacy* 2(2): 139-162.

McLaughlin, A.M. and Greenwood, J. (1995). “The Management of Interest Representation in the European Union”. *JCMS: Journal of Common Market Studies* 33: 143-156.

Groupe d’États contre la corruption (GRECO). (2008). *Evaluation Report on UK on Transparency of Party Funding*. 46th Meeting: Strastbourg.

---- (GRECO). (2009). *Evaluation Report on Germany on Transparency of Party Funding*. 45th Meeting: Strastbourg.

Harris, Wm. Overton. (1914). “A Corporation as a Citizen in Connection with the Jurisdiction of the United States Courts”. *Virginia Law Review, 1*(7), 507-519.

Holman, C. and W. Luneburg (2012). "Lobbying and transparency: A comparative analysis of regulatory reform." *Interest Groups & Advocacy* 1(1).

Hojnacki, M., Kimball, D. C., Baumgartner, F. R., Berry, J. M., & Leech, B. L. (2012). “Studying Organizational Advocacy and Influence”. Annual Review of Political Science, 15(1), 379-399.

Horwitz, M. J. (1985). “Santa Clara revisited: The development of corporate theory”. *W. va. l. rev.*, *88*, 173.

Hrebrenar, R. J., Nakainura, N. & N. Nakamura. (1998). "Lobbying regulation in the Japanese diet." *Parliamentary Affairs* 51(4): 551-558.

Hurst, J. W. (2004 [1970]). *The Legitimacy of the Business Corporation in the Law of the United States, 1780-1970*: Lawbook Exchange.

Jordan, G. (1998). “Towards regulation in the UK: from 'general good sense' to 'formalised rules'.” *Parliamentary Affairs* 51(4): 524-537.

Laboutková, Š., Šimral, V., and Vymětal, P. (2020). *Transparent Lobbying and Democracy*. Springer International Publishing.

Lamoreaux, N. R. & W. J. Novak. (2017). *Corporations and American Democracy*. Cambridge : Harvard University Press.

Laski, H. (1917). “The Early History of the Corporation in England”. *Harvard Law Review, 30*(6), 561-588.

Malone, M. M. (2011). "Regulation of lobbyists in developed countries: current rules and practices", *Institute of public administration of the National University of Ireland* 1(1): 1-28.

Marcus, R, (1970). “Public Disclosure of Lobbyists’ Activities”. *Fordham Law Review, 38*(3), 524-536

Marshall, T. H. (1950). *Citizenship and Social Class: And Other Essays*, University Press.

Matten, D., & Crane, A. (2005). “Corporate Citizenship: Toward an Extended Theoretical Conceptualization”. *Academy of Management Review, 30*(1): 166-179.

Matten, D., Crane, A., & Chapple, W. (2003). “Behind the Mask: Revealing the True Face of Corporate Citizenship”. *Journal of Business Ethics, 45*(1): 109-120.

Moessing, L. (2014). *Lobbying Uncovered? Lobbying Registration in the European Union and the United States*: Columbia University Press.

Néron, P.-Y. (2010). “Business and the Polis: What Does it Mean to See Corporations as Political Actors?” *Journal of Business Ethics, 94*(3), 333-352

---- & Norman, W. (2008a). “Corporations as Citizens: Political not Metaphorical: A Reply to Critics” *Business Ethics Quarterly, 18*(1), 1-26.

---- (2008b). “Citizenship, Inc.: Do We Really Want Businesses to Be Good Corporate Citizens?” *Business Ethics Quarterly, 18*(1), 1-26.

Organisation for Economic Co-operation and Development (OECD) (2010). *Post-Public Employment: Good Practices for Preventing Conflict of* Interest. OECD Publishing: Paris.

----(OECD). (2012). *Lobbyists, Governments and Public Trust, Volume 2 Promoting Integrity through Self-regulation: Promoting Integrity through Self-regulation*. (2012). OECD Publishing: Paris.

----- (2014). *Lobbyists, Governments and Public Trust, Volume 3: Implementing the OECD Principles for Transparency and Integrity in Lobbying*, OECD Publishing: Paris.

----. (2015). *Government at a Glance*. OECD Publishing: Paris.

----. (2016). *Financing Democracy*. OECD Publishing: Paris.

Pies I, Beckmann M, Hielscher S. (2014). "The Political Role of the Business Firm: An Ordonomic Concept of Corporate Citizenship Developed in Comparison with the Aristotelian Idea of Individual Citizenship". *Business & Society*, 53(2): 226-259.

Samuels, W. J., & Miller, A. S. (1987). *Corporations and Society: Power and Responsibility*. Greenwood Press.

Thomas, C. S. (1998). "Interest group regulation across the United States: rationale, development and consequences." *Parliamentary Affairs* 51(4): 500-515.

Thomas, C. S. (2004). *Research Guide to United States and International Interest Groups*. Westport: Praeger.

Ronit, K. & V. Schneider. (1998). "The strange case of regulating lobbying in Germany." *Parliamentary Affairs* 51(4): 559-567.

Rose R., Mackenzie WJM. (1991). "Comparing Forms of Comparative Analysis". Political Studies, 39(3):446-462.

Saint-Martin, D. (2014). "Gradual Institutional Change in Congressional Ethics: Endogenous Pressures toward Third-Party Enforcement." *Studies in American Political Development* 28(02): 161–74.

Salisbury, R. H. (1984). "Interest Representation: The Dominance of Institutions". *The American Political Science Review, 78*(1), 64-76.

Schlesinger, A. (1944). "Biography of a Nation of Joiners". *The American Historical Review, 50*(1): 1-25.

Tillack, H. M. (2015). *Die Lobby-Republik: wer in Deutschland die Strippen zieht*. Hanser: Berlin.

Transparency International (TI). (2015). *Lobbying in Europe*. TI International Secretariat:

Berlin.

---- Deutschland (*TID*). (2014) *Lobbying in Germany*. TID : Berlin.

---- France (*TIFR*). (2016) *La lutte contre la corruption transnationale et la protection des lanceurs d'alerte sont les avancées majeures de la loi Sapin 2*. [En ligne] URL: https://transparency-france.org/actu/adoption-loi-sapin-2/

---- UK (*TIUK*). (2011). *Cabs for Hire? Fixing the Revolving Door between Government and Business*. TIUK: London.

Van Oosterhout, J. (2005). "Corporate Citizenship: An Idea Whose Time Has Not Yet Come". *The Academy of Management Review, 30*(4): 677-681.

Vining, A. R., Shapiro, D. M. and Borges, B. (2005). "Building the firm's political (lobbying) strategy". *Journal of Public Affairs*, 5(1) : 150-175.

Warhurst, J. (1998). "Locating the target: regulating lobbying in Australia." *Parliamentary Affairs* 51(4): 538-550.

Winkler, A. (2018). *We the Corporations: How American Businesses Won Their Civil Rights*. Liveright: New York.

Yishai, Y. (1998). "Regulation of interest groups in Israel." *Parliamentary Affairs* 51(4): 568-578.