

## **LOBBYING AND CORRUPTION: A CRITICAL ANALYSIS**

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**ABSTRACT:** *This work critically analyses the concept of lobbying and corruption both of which are means of influencing the government. Specifically, the study looks closely at the distinction between lobbying and corruption with a view to recommending one as a better means of influencing and participating in government. Adopting the structural functional approach as a theoretical framework, the work basically discovers that while lobbying is legal and a profession, corruption on the other hand, is illegal and bereft of any requirement for expertise for those who indulge in it. The structural functionalist theory was adopted because it clearly brings out those governmental structures –the legislature and the executive – responsible for the provision of dividends of democracy and security to the electorates. The work stresses the need for the citizenry to imbibe the “virtues” of lobbying so as to help the legislators and other government officials realise the goal of government which is the extension of the good life to the majority of the citizenry. The paper finally recommends the legalisation of lobbying in Nigeria to enable the citizenry shun political apathy in order to team up with the government to achieve the goal of government as this demands collective responsibility.*

**KEY WORDS:** lobbying, corruption, bribery, Nigeria, lobbying bill,

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## **INTRODUCTION**

The *raison d'être* of any government is the promotion of the wellbeing of its citizens. This it does by providing the primordial amenities--food, shelter, clothing and security necessary to secure life. A government that falls short in providing these puts a question mark to its existence. This is not to say, however, that delivery of good governance is the sole duty of the state. Both the government and the governed have roles to play (Okiche *et al*, 2019). Studies have confirmed that one of the reasons why democracy has not taken root properly in many African States is

because the people themselves have not fully understood their roles much less playing these roles well. Democracy as a rule of the majority is people oriented. To this end, there must be maximum support of the government by the citizens for it to succeed.

To begin with, government comprises three arms *viz* the Executive, the Legislature and the Judiciary. Each of these arms has specific functions to perform. In a stable democratic setting, the people themselves elect their representatives to the Assemblies to speak for them on issues concerning their welfare because everybody will not be in the Parliament/Assembly at the same time. The question is: have the people given these representatives the requisite support to represent them well through inputs? Disturbed by this scenario, Onuoha (2009,vi) queries “how many of us have ever visited their constituency offices to make suggestions pertaining to legislative process?”

The truth is that there is so much apathy by the masses even concerning what pertains to them. The reason for this apathy may not be far-fetched. More often than not, elected representatives once after campaigning and winning positions go to do their own thing by lining their pockets and that of their cronies at the detriment of those who elected them. Citing Adeso (1988), Onuoha (2009) observes that Nigerian’s Second Republic failed because of the failure of the legislative process. He went further to state that the legislative institution failed because of high degree of social irresponsibility, legislative incompetence, greed for material acquisition or what Marxist scholars refer to as primitive accumulation, misuse and abuse of constitutional powers, total lack of will, opinions and integrity and inability to make laws for the general welfare of the entire nation (Onuoha, 2009, vi). In summary, the legislators failed because of their inability or unwillingness to keep to the oath of their offices.

It is necessary to stress at this juncture that this failure can be located in the failure of the people of Nigeria to make impute into the legislative process. It is this need to make impute that informs the idea of this work. First, to serve as a means of educating and informing the citizens on the ways of making this all important and meaningful contribution to the legislative process. Again this work serves as an instrument for highlighting the place of lobbying in setting the policy agenda for action through bringing to the front burner issues and concerns that demand solution. More importantly, because there are hundreds and millions of issues demanding the law makers’ attention, one needs diplomacy and tact to ensure that their matter gets the required attention. (Okereke, 1988, 92) succinctly puts it thus;

Policy agenda setting involves a lot of politicking, lobbying and even “horse-trading”. This is because admission of any issues on the policy agenda is usually competitive since there are other competing interests involved. When an issue has been admitted on the policy agenda, it gives the hope that the matter is receiving attention. Arising from the above therefore, apart from the three different issues involved in ensuring that the citizen’s matter gets attention, *viz* politicking, lobbying and horse –trading, some elements of what is refer to as “wheeling and

dealing” is equally involved. In order to properly situate this work, the following research questions are raised.

- a. How can the application of this critical study be of benefit to the institutionalisation of Democracy in Nigeria?
- b. Referring to political apathy, can mobilisation of electorates by letting them know the value of lobbying help deal with this problem?

It is therefore in the light of the foregoing that this work seeks to introduce the fundamental duty of a legislator and how to ensure his optimal performance. A major focus of this work is the delineation of the differences between lobbying and corruption. We must lobby to make societal problems get the ears of the legislators and other government officials but how do we go about it to ensure that we do not fall foul of the law and have the Independent Corrupt Practices Commission (ICPC) and Economic and Financial Crimes Commission (EFCC) at our back? This is the thesis of this work. We believe that if the thin line between lobbying and corruption is clearly delineated especially by legislation, majority of the citizens who do not want to be associated with corruption will embrace lobbying as an honest way of influencing the actions of government.

As in every country of the world, lobbying and corruption are realities to be reckoned with in Nigeria. This is because, apart from voting during elections, they are the major means by which citizens can influence governmental apparatus. As a result of this, these two concepts have generated a lot of literature albeit as separate entities. Lobbying as a concept has over the years, agitated the minds of not only politicians but economists, lawyers, captains of industries, *etc.* all over the world. This has led to well developed mechanisms regulating and guiding lobbying in most countries of the world leading to a plethora of literature on the subject. The term, corruption, on its own, has even generated more literature than its sister lobbying. In all this however, there is a dearth of literature on the relationship between the two concepts and the importance of lobbying as a veritable means of enhancing participatory democracy. This is the gap our study sets out to fill.

## **LITERATURE/THEORETICAL UNDERPINNING**

Decrying the difficulty in understanding the distinction between the two terms, Giovannoni, in his work titled “Lobbying versus Corruption” opines that the two concepts are “substitutes.” For him the only difference between the two is “where influence is being sought,” (Giovannoni, 2005,). He then concludes that “lobbying is a rent-seeking activity aimed at rule makers whereas corruption is a rent-seeking activity aimed at rule enforcers.” In two other related studies “Lobbying, Corruption and Political Influence in Transition Countries,” (Campos and Giovannoni, 2005) and “Lobbying, corruption and other banes,” (Campos and Giovannoni, 2008) the authors conclude, among other things, that “lobbying is a more effective means of

exerting political influence than corruption.” Our study goes beyond this: we aim to underscore how lobbying could be used to enhance the provision of the good life for the citizens of Nigeria. Moreover the studies are not related to Nigeria which is our major focus in this work.

In their two papers “Bribes, Lobbying and Development” (2006) and “From Corruption to Lobbying and Economic Growth” (2007) Harstad and Svensson write that corruption and lobbying are somehow substitutes. According to them an entity may choose to persuade a bureaucrat to ‘bend the rules’ or in the alternative lobby the government to ‘change the rules.’ Among other things they conclude that there is always an evolution from bribery (corruption) to lobbying as nations transit from underdeveloped to developed countries. The authors wrote from an economic point of view while our work is political in nature. Besides, the work does not say anything about Nigeria and this is the gap our research intends to fill.

The main objective of this study is to show how the electorate can, through the application of the recommendations made in this work institutionalise and participate more in the democratic process and thus have more say in what affects their lives. It was stated above that lobbying has not gained the currency in Nigeria as it has in such countries as United State. As a matter of fact, majority of Nigerians do not even know what it is all about and as such have no idea of the numerous uses lobbying could be put to. The purpose of this paper is not just to make the electorates see lobbying as an attempt to influence or persuade politicians to do the bidding of electorates, but to go beyond this and educated then on how lobbying can lift them out of political apathy. This would make them develop interest in politics leading to a more dynamic and inclusive governance in country with all it portends for the citizenry.

## **THEORETICAL FRAMEWORK**

This study adopted the structural functionalism as the theoretical framework. According to Gauba (2007, 95-98), it originated from Raddiffe-Brown and was developed by Talcott Parsons, Robert Merton etc. (in the sociology) and Gabriel Almond into a tool for political analysis. Almond and his associates argued that all political systems regardless of their type must perform a specific task if they are to remain in existence as system in working order or equilibrium that is as “ongoing system”. In a political system, there are structures which are created to perform certain roles. According to Obiozor and Ogbaji (2009), Okekwe (2014) for us to understand political behaviour, it is important for us to understand these structures and roles. They went on to state that structures do not exist on their own, they are created and their relevance is made most by the actors who manipulate the structures to perform certain predetermined roles. Hence, the major argument of Structural-Functionalism rests on structures and roles (functions) in a given system. Questions related to structures include which performs a particular function; Legislature, Executive, political parties etc; roles performed depend on the political structure and how the society is organised, managed or reproduced.

Moving on, Gabriel Almond and his associates identified four characteristics of the political system:

- a. All political systems have political structures.
- b. The same functions are performed in all political systems with different frequencies and by different kinds of structures.
- c. All political structures are multifunctional and
- d. All political systems are mixed systems in the cultural sense, i.e they are based in a culture which is always a mixture of the modern and the traditional.

These are the functional requirement of the system. With this assumption, they sought to modify David Easton's model of the political system, suggesting that 'inputs' and 'outputs' recognized by Easton can best be understood as functions or functional requisites of political system. They sought to redefine these inputs and outputs with a deeper understanding of political process and proceeded to identify various structures corresponding to these functions in order to evolve structural-functional framework. They conceded that in various political systems, these functions may be performed by different kinds of political structures and sometimes even by structures which are not overly recognized as being primarily political. Accordingly, Almond and his associates discerned four input functions and three output functions.

Input functions are: (1) political socialisation (2) interest articulation (3) interest aggregation (4) and political communication. Output functions on the other hand are: (5) rule-making, (6) rule-application, and (7) rule-adjudication of these, output functions correspond to conventional governmental functions which are performed by formal governmental organs, which are legislature (rule-making), executive (rule-application) and judiciary(rule-adjudication). Almond has paid special attention to input functions which are performed by non-governmental structures or institutions. All structures are multifunctional; yet some structures are especially suited for specific functions. The structural-functionalism was adopted because it helped us to understand these governmental structures- namely: the legislature and the executive responsible for the provision (roles) of the dividend of democracy and security for the masses. This is apt because the constitution of the Federal Republic of Nigeria, 1999 stipulates that the essence of government is for the provision of security and the dividend of democracy. It is this all-important function that makes it necessary for citizens to take deep interest in their governance to ensure the success of such a government

### **Clarification of Concepts**

For a proper understanding of this work, we need to clarify the sense in which some key words are used.

### ***Lobbying***

Lobbying is “any attempt by individuals or private interest groups to influence the decisions of government; in its original meaning it referred to efforts to influence the votes of legislators, generally in the lobby outside the legislative chamber,” (Encyclopaedia Britannica). It could also be seen as “trying to influence (legislators) in favor of a certain policy by constantly seeking interviews, writings, letters, bringing external pressures to bear etc...” (TheWebster’s Dictionary, 580). The Transparency International (TI) defines Lobbying as “any activity carried out to influence a Government or Institution’s policies and decisions in favour of specific cause.” No Nigeria legislation defines the term but some foreign legislation define the concept. The American State of Connecticut defines lobbying as “communicating directly or soliciting others to communicate with any official or his staff in the legislative or executive branch of government or in a quasi-public agency, for the purpose of influencing any legislative or administrative action,” (Conn. Gen. Stat. Ann. § 1-91.) For Arkansas lobbying means “communicating directly or soliciting others to communicate with any public servant with the purpose of influencing legislative action or administrative action,” (Ark. Code § 21-8-402). It is instructive to note that every other American State has its own law on lobbying. America also has federal laws regulating lobbying. One of such laws is the *Lobbying Disclosure Act, 1995* which provides that

The term “lobbying contact” means any oral or written communication (including an electronic communication) to a covered executive branch official or a covered legislative branch official that is made on behalf of a client with regard to—

- (i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);
- (ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government;
- (iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license); or
- (iv) the nomination or confirmation of a person for a position subject to confirmation by the Senate.

The Act makes copious provisions on how to regulate lobbying to ensure that there is no abuse.

Onuoha sees lobbying as “persuading, influencing and convincing other to do what you want them to do” (Onuoha, 2009, 43). Citing Nadler and Schillman, Onuoha goes further to say that it is the “deliberate attempt to influence political decisions, through various forms of advocacy directed at policy –makers on behalf of another person, organisation, or group” (Onuoha, 2009,48). He further states that there are just two ways of getting what one wants from people; through force or lobbying. In using the first, one could necessarily run foul of the law and

probably end up in jail but if one chooses the second option he must apply the art or skill and even science of lobbying since it is both an art and a science. Thus one must persuade, influence and convince the person concerned to get what one wants (ibid).

From the foregoing, it is clear that the words influencing and persuading have been emphasised. This goes to show that in carrying out lobbying activities, the central aim is to shift the position of the body being lobbied to that of the lobbyist, a kind of getting the person lobbied to be sympathetic to cause of the lobbyist.

### **Types of Lobbying**

Lobbying can broadly be classified into Direct and Grassroot (indirect) Lobbying

**Direct lobbying;** here a lobbyist communicates his views directly to the person involved with developing legislation. Such a person could be a government employee, a staff of the legislator or the legislator himself. Example of this is when a lobbyist hired by an agricultural group meets with a legislator or his staff to try to persuade them to support a bill favourable to agriculture.

**Grassroot Lobbying** occurs where the lobbyist makes his views about a particular legislative proposal known to the general public and persuades them to communicate this view to their local legislative representatives; in other words, it involves influencing the opinion of the general public or any segment thereof which then communicates same to the legislator. Other types of lobbying are paid versus free lobbying, single issues versus multiple issue lobbying and inside versus outside lobbying. All these are self explanatory.

### **Who can Lobby?**

Every citizen of a democratic nation has some fundamental rights. To fully enjoy these rights, such a citizen could lobby the government to propose, pass, or amend legislation. Some countries even have this lobbying right entrenched in their constitutions. For instance, the First Amendment to the America Constitution provides that every American has the right "to petition the Government for a redress of grievances." Thus individuals, associations, corporations, fellow legislators, advocacy groups and such public interest groups such as labour unions, professional associations, non-governmental organisations can lobby. Most often than not, professional lobbyists are hired to do the lobbying.

### **What Constitutes Lobbying?**

Examples of activities that qualify as lobbying in the area of politics have been given. They include;

- Meet one-on-one with lawmakers to convince them to support a certain law or policy
- Persuade lawmakers to propose, pass, or amend legislation in their specific committee
- Work with government agencies to change existing laws and regulations
- Provide relevant information to lawmakers about their home districts and voters

- Research policy solutions for their issue and share that with congressional staff
- Identify "champions" for the cause and encourage them to introduce legislation
- Build relationships with lawmakers and their staff through networking
- Partner with other organizations in the field and form coalitions with specific goals
- Train advocates in other organizations on how they can become better advocates ( Lobbyists 4 Good.htm)

### **Steps to Successful Lobbying**

In order to lobby successfully, the lobbyist must do his home work properly. Knowing how difficult it is to get people to shift their position, he must research, organize his thoughts very well and deliver his points convincingly. To do this these eight steps have been suggested;

- Research the issue thoroughly
- Make a plan on how to meet the people involved in developing the legislation
- Schedule meetings
- Frame the argument E.g. if the lobbyist wants extra funding for a particular project he must show why this is necessary.
- Hold meetings.
- Wait for legislature to establish the committee to study the Bill.
- Then follow up.( Lobbyists 4 Good.htm)

### **Corruption (Bribery)**

It is important to point out from the outset that corruption and bribery are used interchangeably in this work. Corruption has been defined as “the abuse of entrusted power for private gain,” (Transparency International). It is “the act of doing something with an intent to give some advantage inconsistent with official duty and the right of others, a fiduciary’s or official’s use of a situation or office to procure some benefit either personally or for someone else, contrary to the rights of others,”(Blacks Law Dictionary, 371). On its on part, Merriam-Webster Dictionary, among other things sees corruption as “dishonest or illegal behavior especially by powerful people (such as government officials or police officers): inducement to wrong by improper or unlawful means (such as bribery) the corruption of government officials....”

The Nigerian mainline statute on corruption, the *Corrupt Practices and Other Related Offences Act* does not define the term. It merely says that “‘Corruption’ includes bribery, fraud and other related offences,” (section, 2). However, the *United Nations Convention against Corruption* (art. 19) calls it “the abuse of functions” and defines it as “the performance of or failure to perform an act, in violation of laws, by a public official in the discharge of his or her functions, for the purpose of obtaining an undue advantage for himself or herself or for another person or entity.” Some synonyms of the word include; bribery, exploitation, extortion, graft, nepotism, breach of trust, shady deal, profiteering, *etc.* From the forgoing, it is obvious that corruption is something not desirable. It involves giving or receiving gratification to do somebody an unmerited favour especially as regards the use of public office for private gain. It is important to note that

gratification could take various forms including money, properties, sexual favours, promises, services and the like. This is the sense in which the word is used throughout this work.

Corruption could be political, grand and petty and depending on the amount of money involved and the sector where it occurs (Transparency International). Political corruption occurs when political office holder and decision makers abuse their positions by manipulating policies, rules, institutions *etc* to sustain their power, status and wealth at the expense of the citizenry. Grand corruption is that which occurs at a high level of government. It truncates policies or the smooth running of the nation resulting in leaders benefiting privately at the expense of the public welfare. Where low- and mid-level public officials in government offices, schools, hospitals, police departments *etc* abuse their powers by extorting and defrauding citizens who try to access basic goods or services, it is classified as petty corruption.

## **DISCUSSION**

### **Differences between Lobbying and Corruption (Bribery)**

Thus far we have established that both lobbying and corruption are means used by people to influence politicians, elected officials, legislators, and government agency employees to get what they (the people) want. There is therefore a thin line between the two concepts. Onuoha (2009, 48) says that “corruption is designed to induce the victim to act dishonestly. Here there must be the giver and the receiver. The giver must specially mention what he wants the receiver to do for him and if the receiver accepts to do it, he then accepts the reward, the gift so-called bribe.” On the other hand, still following Onuoha lobbying involves a deliberate attempt to influence through various forms of advocacy. Thus, while corruption is illegal, lobbying is not. Again, corrupt practices tend to directly benefit a small number of users, usually one single user, while lobbying activities are carried out in order to benefit a group of users that share specific interest. Those who lobby the legislature do so for the benefit of citizens not for a particular individual or group, (Onuoha 2009:50).

Two other authors, Harstad and Svensson beautifully summarise the differences as follows;

First Lobbying is a legal and regulated activity in many Countries, whereas bribery is not. Second, a change in the rules as a result of Lobbying often affects an entire industry (organization) whereas the return to bribery is firm specific. Third, a government that ponders a change in the rules might have quite different concerns than a bureaucrat considering a bribe. ... However, possibly the most important difference, and the driving assumption in our model, is that Effect of lobbying is more permanent than that of bribery. (Harstad and Svensson, 2007, 2)

Although the analysis by Harstad and Svensson made allusions to firms and industry, it holds true for states as well. The above brought out clearly the consensus on the literature on lobbying and bribery which are the issues of illegality and legality; the number of people affected; the permanency of the effect of each on the society and; the fact that lobbying aims to shape laws,

legislation, and public policy to benefit a nation, a constituency, a group or entity while bribe, usually given “under the table” aims to circumvent rules and regulations in favour the bribe giver.

Other differences between the two are in the areas regulatory and educational requirements. Lobbying is a highly regulated and skilled activity which requires expertise, bribery does not. In jurisdictions where lobbying is part of their system, lobbyists are obligated to follow the laid down rules or risk going to jail. For instance, in America, they are required to register with the Clerk of the House of Representatives and Secretary of the Senate, and to file disclosures of their activities and expenditures, (*Lobbying Disclosure Act of 1995*). As a result of the fact that lobbying entails the presentation of research and facts about issues which most times demands expert knowledge, lobbyists need to be educated. Again in America most lobbyists have college degrees in political science, journalism, law, communications, public relations, or economics. Of course bribery requires no special skill.

Another area of difference is in employment creation and revenue generation. As at 2019, the total number of registered active lobbyists in America is 11,000 (lobbying 4 good). This does not include their support staff. During the same period, the total lobbying spending generated by the industry amounted to 3.47 billion U.S. dollars, (ibid). In this way, lobbying helps in building up the society. Conversely, bribery, which often cannot be accounted for as a result of the shadowy manner in which it is done, subverts government’s effort by eroding the economic foundation of the country.

Perhaps the greatest difference as far as our work is concerned is the fact that lobbying allows the voice of the citizens to be heard by the government. The thesis of this study is that citizen participation is a *sine qua non* for the success of any government. Thus, in order for our governments to succeed majority of its citizens must participate; lobbying is a way of doing this. Lobbyists represent those citizens who do not have the opportunity or access to the government. Through lobbying, their interests are still heard. Bribery which is anything but public does not do this.

### **Lobbying in Nigeria**

The truth of the matter is that citizens will always seek to influence, convince and persuade their governments one way or the other. We have seen that apart from voting during elections, lobbying and bribery are the major means of persuasion available. From the literature reviewed, we found out that bribery and lobbying are substitutes. Thus in this regard, Harstad and Svensson write that ‘instead of complying with the regulation, a firm can either bribe the official to ‘bend the rules’ and be exempt from the regulation, or the firm can collectively lobby the government to change or relax the requirement.’ Lobbying is subject to legislation and extensive and complex rules which must be followed by stakeholders in countries where lobbying is in place. For instance, lobbyists are required to register with the state and federal governments, name and

report all gifts given to politicians, file their annual reports, *etc.* Failure could lead to severe consequences including jail terms. Nigeria has no such legislation yet and so lobbying is not part of our law. Being that citizens must always seek to influence political decisions, what goes on in Nigeria is presently the alternative to lobbying- bribery which has reached an alarming stage, (Onyemelukwe, 2017). This is a matter for another day.

The cheering news is that the Nigeria 8<sup>th</sup> Senate in 2016 introduced a bill titled “Bill for an Act for the Regulation and Registration of Lobbyists in Nigeria and for other matters connected therewith, 2016.” The bill, sponsored by Dino Melaye, (APC, Kogi West) has passed seconding reading. Melaye proposed that would be lobbyists would have to register with the Corporate Affairs Commission (CAC) and the Ministry of Justice to practice. Among the merits of passing the bill into law is that legislators will be better informed and educated about bills by the lobbyists who would be experts before such bills come for readings. Secondly, strict registration requirement for lobbyists and the duty to disclose how much they make and spend on lobbying will make for transparency. Finally, the Act “will ban lobbyists from paying for gifts and food as a means of inducement and it would give oversight agencies more powers to investigate violation of ethics laws,” (The Government Business Journal 13 October, 2016). We tend to agree with him. Unfortunately, the bill has been stuck in the Senate since 2016.

### **Lobbying in other Jurisdictions**

Most of the literature reviewed in this study consistently reveals that lobby is usual in developed economies while bribery is the preferred act in underdeveloped nations. Three jurisdictions are examined here under.

#### **The United States of America (USA)**

The act of lobbying is constitutional provision in America () and as such well entrenched in that society. As a matter of fact since 1876, it has been a requirement that all professional lobbyists must register with the office of the Clerk of House of Representatives. Presently, lobbying is regulated by the USA *Lobbying Disclosure Act of 1995* and the amendment made by the *Honest Leadership and Open Government Act of 2007* in addition to state laws. These spell out the dos and don'ts of the profession. The fact of regulation close monitoring makes for transparency in the US lobbying industry. The job of lobbyists is well appreciated by most Americans who engage them to help sift through tens of thousands of bills presented to the United States Congress and state legislatures, use their technical know how to cover any knowledge gaps and then work to persuade government into action. As early as 1956, J. F. Kennedy underscored the importance of lobbyists when he said that “lobbyists are in many case expert technicians capable of examining complex and difficult subjects in a clear, understandable fashion,”(Gitanjali)

A look at the amount of money spent by some American groups will further buttress our point. In the year 2019, Pharmaceutical Researchers and Manufacturers of America, Insurance and Electric Utilities spent \$295,165,093, \$155,390,837 and \$156 respectively while total spending for year was \$3.47 billion (Satista).

### **The United Kingdom (UK)**

Prior to 2014, there was no formal or mandatory registration process for lobbyists in the UK even though lobbying was well developed. It was self regulated by the Public Affairs Council which registered individual lobbyists, (). To make for more transparency, the government introduced the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014. One of provisions law is that lobbyists must register with the Registrar of Consultant Lobbyists, who is required by the Act to be independent of both the lobbying industry and the government. In this way, lobbyists were made to provide their details to a publicly available register and to “ensure that it is clear whose interests are being represented by consultant lobbyists who make representations to the Government.”(Transparency of Lobbying Act 2014, Explanatory Notes)

### **India**

Like Nigeria, India is a developing country. Lobbying is not officially recognized and so not regulated by the government. Being that people must seek to influence the government and its agencies one way or the other, bribery, the substitute for lobbying takes place on a massive scale. A commentator opines that “a cause of India corruption crisis, encouraging graft, bribery and other forms of misconduct”( Puri et al) is the absence of transparency occasioned by unregulated lobbying. Recently, there has been a lot of clamour for the Indian government to take “a cue from Western laws”( Puri et al ) to legalise lobbying.

### **Benefits or Otherwise of the Concepts**

Obviously, our objective in this paper is to enlighten Nigerians to appreciate the import of the two concepts- lobbying and corruption. This would enable them shun corruption with all its evil and embrace lobbying with the good it holds for the nation. We believe that a thorough perusal of this work would reveal the importance of lobbying and its usefulness in enriching our politics. To begin with, lobbying would enable the masses participate actively and meaningfully in moving our democracy forward to the next level. This would definitely deal a deadly blow to political apathy and lethargy. Furthermore, it is said that good followership leads to good leadership. Majority of Nigerians are no longer interested in the activities of government owing to the kind of people in government; corrupt people who are only interested in their selfish goals and do not remember the people that elected them into power to govern. Legalizing lobbying will enable professionals who are experts in various fields take up the task of making the voice of the voiceless to be heard. This would also go a long way in curbing corruption which a bane to the Nigerian society. Our own contribution in creating awareness regarding the place of these two concepts in the society has helped to re-discover one more type of credible and healthy democratic reform. Over and above these, we believe that legalizing and regulating lobbying would institutionalise participatory democracy and hence eliminate apathy in politics.

## CONCLUSION

As citizens of Nigeria, we are entitled to certain rights from the nation as well as owe obligations to it. Nigeria also owes us the duty of good governance which can only happen if we perform our obligations to the nation. A democratic government such as ours can only succeed if its citizens participate actively in the governance of the nation. In this regard, the 1999 Constitution of the Federal Republic of Nigeria (as Amended) provides among other things that “it shall be the duty of every citizen to ... make positive and useful contribution to the advancement, progress and well-being of the community where he resides ;”( section 24(d)) First this translates to the duty to vote at elections as failure to do so may lead to the election of the wrong people into public office. After elections, every Nigerian citizen has a duty to help both the members of the executive and legislature succeed by bringing to their knowledge issues of public importance.

We have seen that both lobbying and bribery are means of doing this but that lobbying is to be preferred for very many reasons. With lobbying the concerns of masses who cannot easily reach the officials personally are aggregated and articulated as group interest and presented to the appropriate authority by the lobbyist. Much as we talk about corruption being endemic in Nigeria, there are very many honest Nigerians who do not want to have anything to do with corruption, lobbying will afford them the opportunity of influencing the government without going against the dictates of their consciences More over in this era and time when events in the world are becoming so complex as a result of such globalisation leading to such issues as trade wars, foreign investment, e-commerce data privacy, and taxation, the need for expertise of professional lobbyists is becoming increasingly felt. We urge the government to pass the lobbying bill that has been in the National Assembly since 2016 as this will make the “lobbying” that even now going on in the country in the form of corruption transparent. More importantly it will enhance our democracy by making it more participatory.

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