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The Fall and Rise of Strategic Lobbying: Ten Myths About the Government Relations Activity

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Abstract:
This article presents a constructive discussion aiming to clarify many common senses – and usually misused – concepts and thoughts regarding the lobbying activity through active research, direct participation and observation from the author, an academic and senior executive in this area for more than 30 years. Specifically, the article aims to throw more light on this activity when related to the private-public sectors' relationship with a strategic intent – the Government Relations' field of study. For a long time seen with prejudice by many, during the worldwide COVID-19 pandemic lobby grew exponentially in importance and became a key success factor for organizations, as the number of issues and stakeholders – as well as all kinds of information and the need to influence Governments in turbulent times – multiplied. The work fosters reflections and brings recommendations that may be considered useful by scholars and practitioners when dealing with moments of unstable scenarios, helping to demystify the lobbying activity and thus contributing to improve organization's chances to achieve its strategic goals when dealing with Government authorities.

Keywords: Lobby, government relations, strategy, Non-market forces

1. Introduction

In 1994, the renowned Canadian Professor Henry Mintzberg published a book entitled 'The Rise and Fall of Strategic Planning' (Mintzberg, 1994), where the history of this activity is traced, and several concepts from traditional views of the area are challenged, also presenting common pitfalls and fallacies in this field. The present article, which title is inspired by the one from Mintzberg's seminal work, aims to bring light on common – and erroneously – beliefs surrounding the lobbying activity, many times taken automatically as a synonym to illegal or wrongful procedures.

In the same way Mintzberg argued then in his book that the process of strategy creation should be reconceived, as well as the roles played by planners, there is the need today to change the usual mindset regarding strategic lobby, defined as the formal and continuous process of engagement with public administration representatives at its different levels – city, state, national, multinational and global – aiming to influence decisions towards a perceived value co-creation approach that allows a jointly achievement of strategic objectives for all involved parties and stakeholders (Navarro, 2020).

Due to the pandemic the world faces nowadays, scenarios had to be re-thinked and re-planned. Only the organizations that were flexible enough in their strategies, processes and structures were able to respond in an agile way and minimize all sort of impacts brought by COVID-19. Traditional daily activities were changed, and many will probably somehow prevail in the future, like working part or full-time from home, lecturing and receiving education through electronic media, and an online influence need with an augmented number of virtual meetings and participants. This way, amidst all these changes, the lobbying activity is gradually emerging from its low-ranking public consideration position, and its strategic function gaining more relevance, since the organizations that nurtured a technical, competence-based stakeholder long-term relationship culture got quicker results, for instance in terms of regulatory environment temporary shaping to face the many challenges during crisis.

So, maybe this is a good time to clarify ten myths commonly cited as true regarding lobby – this article is an attempt in this direction.

2. Methodology

The qualitative gathering of information from which this work is derived comes from direct participation and action research (Silverman, 2011) from the author, a 30-year practitioner in the Government Relations field of expertise, acting as a senior executive and consultant for multinational companies, and case studies analysis (Yin, 2009), many of them included as references on this article.

Also, as an academic, the author had constant direct contact over the past 20 years with post-graduate students from different MBAs at Fundação Getulio Vargas (FGV) on different regions in Brazil. Of particular importance are the ones from 18 cohorts (as per September, 2020) of the first MBA on Government Relations in the country (launched in 2015) that was expanded in 2020 to reach over 70 cities, coordinated by the author at FGV.

Formal and informal meetings during classes, chats and exchange of news and academic materials with students and practitioners in the field were also used to further gather information for this work.

3. Ten Myths about the Government Relations Activity

3.1. You Can't Use the Word Lobby

Due to many cases of misconduct and corruption involving organizations' representatives and politicians, in several countries, the word *lobby* is almost always accompanied by a negative feeling. In an attempt to dodge from this, it is common to find practitioners in the field saying that the term *lobby*(Libby, 2012; Schepers, 2010) simply should not be used anymore; instead, it should be preferred different and broader expressions, like *Public Relations* (Cutlip, 2013), *Public Affairs* (Harris and Fleisher, 2005),or more specific terms like *Government Relations*(Navarro, 2019a; Schepers, 2010)or *Institutional Affairs* (Breitinger and Bonardi, 2016). An example of this movement was the name changing of the 'American League of Lobbyists' (founded in 1979) to 'Center for Public Integrity', occurred in 2013[1], and the denomination of two representative organizations in Brazil in this area, ABRIG and IRELGOV, in a free translation 'Brazilian Association of Institutional and Governmental Relations' and 'Government Relations Institute', respectively.

Amere change on the nomenclature is definitely not the solution to solve the lack of confidence problem, nor the concise and historic term *lobby* can be 'prohibited' to be used by anyone, anytime.

First, many of the aforementioned expressions may cause confusion and lead to the vast terminology found on executive positions in this area such as VP/Directors/Managers of: Corporate Affairs, Government Relations, Public Affairs, Public Policy, Regulatory Affairs, Institutional Relations, or a combination of them (Navarro, 2019b).For each of them there are different competencies involved, and therefore these positions should be carefully defined in terms of job descriptions.

Also, all relationships with Governments are (or should be) institutional, but not every institutional relation is conducted only with Governments, but also with media, syndicates, communities, competitors, suppliers, clients, NGOs (non-government organizations), academy, among other key non-market stakeholders (Kennedy, 2017; Baron, 2013). This has to be considered when someone occupies, for instance, the position of 'Institutional and Government Relations Manager': will this executive deal with all the different public encompassed by the job title?

This way, nomenclature in this area is in fact not that important, with no 'correct' or mandatory specific word to use. There is no such thing as 'good lobby', 'legitimate lobby', or 'evil lobby'; there is lobbying as it has to be performed, in a legal, transparent and legitimate way, and there is – unfortunately – misconducts/crimes punishable by existing laws. For a professional to perform this activity in an optimized way, themany required, adequate and well-developed competencies must be present – which brings the two following myths in to discussion.

3.2. Lobby Is a Profession

Although connected and related, there are differences between activity and profession. Lobby (or any of the denominations mentioned on the previous section) is an activity, not a profession. It is included as a specific function in the broader field denomination of Public Affairs (Boddewyn, 2012), and can be performed by different individuals, with distinct academic backgrounds.

So, an executive can be a lawyer, engineer, economist, journalist, political scientist, medical doctor, or someone formed in any other profession (or even not graduated at all), and act in a legitimate way to defend private sector interests before Government entities (or other stakeholders). But to do that properly, the many skills related to this activity have to be present, being the so commonly mentioned ethics just one of them.

For instance, the Brazilian Work Ministry recognized in February 2018 this activity ('RIG', or in a free translation, Institutional and Governmental Relations) under the position number 1423-45on its Classification of Occupations ('CBO')[1], listing 91 necessary competencies such as strategic thinking; negotiation; internal and external communication capabilities; leadership; crisis management; and scenario analysis, to mention a few.

3.3. It's All About Networking

For many years, to have a wide grid of connections was sufficient to perform the lobby activity and achieve good results, especially when related to Government officials. In other words, lobby was based on 'who'. To have a broad network and good relationships is still important, mas not sufficient anymore.

Besides a proper network, i.e. quantity and quality of diversified contacts, another asset for this professional was added: the experience factor, the 'what'. It encompasses the success and failure occasions that can bring key learnings for future interactions and performance improvements. Experience does not mean necessarily seniority; there are many young professionals in this area that already have cases from which can be deprehended critical lessons.

Finally, there is a third asset – the 'how', or the applied specific knowledge. This factor comprehends the understanding of the organization (e.g. its history, culture, values, purpose, processes, structures, policies) and about the sector(s) where it operates (e.g. size, players, challenges, trends). Also, it means the mastering of core competencies that need to be acquired to better perform at this non-market arena. This may include, in addition to the more generic ones mentioned on the previous section, other specific competencies when dealing with Government, like to understand about Legislative and Executive branches' processes; regulatory laws; international trade rules; tax aspects; public policy development; and storytelling abilities, among others.

In summary, network is a lobbyist's necessary asset, but not sufficient; experience and specific knowledge are needed too, and all three can be developed combining theory and practice, by distinct organizations. This brings out the next myth.

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[1]http://www.mtecbo.gov.br/, accessed in September 2020.

3.4. Lobby Is Only for Big Organizations

A recent global survey conducted with over 1,400 CEOs indicated that 60% of them consider external engagement as a top 3 priority in their agendas, but only 7% of them frequently align their companies' interests with the ones from stakeholders (McKinsey, 2020).Relevant data like this indicates that the external relations activity (which include lobbying)is far from being optimized within organizations, but may also lead to the myth that it is only applicable by multinationals or big-sized companies. This is not necessarily true.

Even when applied by multinationals, there is a myriad of structures in place, as recent research indicates (Navarro, 2019b). But the engagement with external stakeholders, and specifically with different Government levels (e.g. city, state, national) are not a sole priviledge of big organizations.

Nowadays, with the support of many available digital tools, even a single citizen or organized group can perform lobbying activities (Aron, 2020; Alemanno, 2017).Mid-sized and small businesses feels this non-market forces' component (Baron, 1995) when need to acquire a licence to operate, want to postpone local taxes applied on its products/services, seek fiscal incentives, or when are submitted to inspections by a health, work or finance State Government agency, for example.

Due to usually reduced resources, these types of organizations may not present a structured, dedicated or specialized area to engage with Government authorities, therefore limiting a direct approach, i.e. using an institutional strategy, but it can still use sectoral strategies to approach, negotiate and achieve its goals (Dias and Navarro, 2020; Navarro, 2019c). They can seek to ensure proper alignment of their interests on actions conducted by the sector(s) where they operate by joining and effectively participating on a representative private sector entity, for instance. This way, the flow of key information can be made available, and during general meetings or working groups specific topics may be presented.

To reinforce this strategic approach, it is important to notice that Government representatives have preference to deal with industry representative bodies wherever possible, rather than maintaining meetings with different companies from the same industry, on a case-by-case basis (Navarro *et al*., 2016; Navarro, Dias and Valle, 2013). It is true that may be sometimes difficult to achieve consensus among the many different-sized companies within the same private sector entity, but it is still a way for these companies to keep informed on major risk and opportunities derived from the non-market environment and try to influence the sector movements according to their interests.

Another alternative for mid and small-sized companies is to contract lobbying consultancy services for specific goals, one at a time, sharing the fees with other interested similar companies. There are also many software and electronic tools to monitor bills of law and sector-related news that are affordable and can be easily accessed, even via mobile phones.

Due to the many external meetings a lobbyist commonly attends, including the aforementioned with other organizations' representatives at private sector entities, the next two myths may arise.

3.5. It's Always Party Time

A good lobbyist needs to always stay alert and work as a catalyst, looking for hard (e.g. researches, studies, surveys, technical materials) and soft data (e.g. rumors, pieces of information, news, opinions) in order to process them in a holistic way, aiming to be ready to 'link the dots' anytime into a previously unseen opportunity or risk at the non-market arena.

In order to do this properly, the professional in this activity need to see and be seen, to attend meetings, lunches, happy hours, dinners, inaugurations, events, lectures, and many more occasions where information, as raw material – especially the soft type – is present, circulating (Henisz, 2014; Vance, 2012). This can lead to necessary external activities that many may interpret as not related to work. But, in fact, they are part of a set of complementary actions that this professional need to perform.

Of course, during the COVID-19 pandemic, the number of these face-to-face encounters was reduced to almost zero. But, on the other hand, another phenomenon raised, affecting both size and timing: the multiplication of online live meetings, with an increase on the number of participants and stakeholders, in a much more frequent way. The online interaction with and between Government representatives, in particular, increased a lot, turning the lobbying activity even more necessary. When presential meetings return, it is expected these virtual meeting to be maintained, in parallel to presential ones. The effect of this will most probably be, once again, the increase of the lobby activity importance.

3.6. Nobody Knows What I Do

It is common to hear the statement of this section from many practitioners, but it is probable that most part of this feeling of being lonely is related to the lobbyist's attitudes than to the organization he/she represents.

The lobbying activity is a transversal one, i.e. it implies a need to know and interact with different people and areas within an organization(e.g. media relations, legal, compliance, manufacturing, marketing, logistics, import/export) to collect data, hear impressions, exchange ideas and provide proper guidance the earliest as possible in projects and initiatives regarding the non-market environment (Lawton, Doh and Rajwani, 2014).

During the peak of the crisis brought by the coronavirus, many lobbyists became surprised with the high increase of the level of work and interactions, not only externally, but also internally, including CEOs and other C-level positions. This should not be a surprise; if it was not usual to work a lot and interact with all levels at the organization, the lobbyist was not performing the function in its plenitude, in an optimized way. The moment could even be used for a reflection: why it was not like this before, and how to keep this level of interaction?

If the lobbyist does not adequately communicate the many significant results that are obtained through the area's hard work, that usually consumes lots of energy and efforts, it will always be an area not many people really know, and the negative stigma may prevail.

So, it is a central role for the professional lobbyist to disseminate within the organization the correct understanding of the importance of the work in progress, known as transversal strategy (Navarro, 2019c), measure its goals and communicate them properly – which brings out the following common myth.

3.7. It's Very Difficult to Measure Results in This Area

Government Relations is an area like any other in the organization and therefore, if due care is taken and correct processes are followed, it can measure and communicate its results accordingly.

After the design phase of the work, that encompass strategic thinking and planning, a key activity on a strategic Government Relations practice is the implementation, follow-up and measurement (Navarro, 2019c).

Organizations value what they can perceive as important and measure. With the lobbying activity is no different. In order for the area to be able to identify concrete results derived from its many efforts, both internally and externally, and make them visible to decision makers and other areas of the organization, a structured process of measurement and recording in several dimensions must be in place. At this point, challenges and doubts may be present, such as an agreement on which KPIs (Key performance Indicators) should be accompanied, or how is the best way to present them.

The answer to these questions lies on the knowledge of the organization. How are other areas measured, in a quantitative or qualitative way? Both? Are there certain tools or models commonly used in reports that circulate internally or in annual reports that goes to different stakeholders? The Government Relations area must align and adapt to this same 'language', thus facilitating the understanding about its work and objectives.

For instance, if an organization uses the BSC – Balanced Scorecard methodology (Kaplan and Norton, 2008), there can be set KPIs among its four dimensions, like (Navarro, 2019c):

- Financial: maintenance and/or obtaining of fiscal incentives; number of hostile legislative proposals archived or whose pace were slowed; changes in legislation that result in cost savings or new revenue generation for the company (all these at Federal, State and/or Municipal levels).
- Internal and External Stakeholders (Clients): perception of image and corporate reputation; personalized and customized responses compared to standard communications; demands and/or involvement for consultation and exchange of ideas; institutional positions adopted as sectoral positions; use of information and data provided by the organization or sector on official positions.
- Internal Processes: number of proactive contacts seeking consultation and/or support; involvement in other areas' priority projects; set of common goals and objectives; cooperation and synergy between areas; processes with value co-creation among areas (all these with peers, hierarchical levels above and/or below).
- Learning & Development: number of meetings with representatives of Government to generate concrete results; new absorbed and/or transmitted competencies; time-response to consultations (public and/or internal); spending on external consultants versus expenditures on internal training.

This way, the more the lobbying area focus on the holistic (tangible or intangible) results obtained, not simply carried out activities or isolated numbers, the better. Also, it helps to set up targets and communicate them based on the Barcelona 2.0 principles (Volk and Buhmann, 2019), i.e. (i) should address who, what, when and how much the action in intended to affect; (ii) measure outcomes instead of outputs on overall organization performance, including reputation and social media repercussion; (iii) in a transparent, consistent, valid and replicable manner.

Finally, goals in this area can also be set using the SMART (specific, measurable, achievable, realistic, time-bound) or FAST (frequently discussed, ambitious in scope, specific in metrics and milestones, transparent for everyone) approaches (Sull and Sull, 2018), preferably in common agreement with other areas of the organization, so when the objectives are achieved, all organization agrees on its value – and recognizes it accordingly. After discussing the previous 7 myths, are there others that, although being proclaimed for a long time, point to the future of the lobbying activity? The next 3 myths are related to this.

3.8. Digital Will Change Everything

In this activity, it is a good practice to be humble, especially in a world where there is a continuous increase of technology usage, with a large amount of data being easily and fast obtained, by anyone with interest and patience. If organizations in the past held more information and skilled people than stakeholders in general, including Government, this is not true anymore. There is no side of this private-public negotiation table that is smarter than the other; a co-creation, interest-focused approach is always better from the influence effectiveness point of view (Salacuse, 2008; Susskind, 2005).

This equalization process is reinforced by the impact of big data. For instance, it is much more difficult today to manage reputation for both private and public sectors. One wrong action or misconduct by a single individual may reverberate globally at social networks and impact the entire organization or all Governmental structure. Also, benchmarks, real-life applications, researches, academic or technical studies, and several digital tools[3] can be searched and selected at a worldwide level, no matter what the subject is, also being applied to both sides. Finally, skills in many of the areas mentioned in section 3.3 of this article can be developed nowadays in a much more facilitated way by any part, thanks to all the capacitation and training courses available online, from an introductory to a high level of depth. As a recent example, the COVID-19 pandemic brought up the need for virtual influence, and both lobbyists and Government representatives had to deepen their knowledge on this matter.

In this context, Liedong, Rajwani and Lawton (2020) highlight an interesting correlation effect that can be applied to the lobbying activity and the huge amount of data available (big data). It may be summarized as follows:

- As organizations collect, absorb, and analyze large volumes of data and interpret political information from various sources in a fast pace, they are more likely to increase political depth, fostering their political activities.
- On the other hand, political depth facilitates and necessitates big data investments, making organizations more likely to use a relational (long term) rather than a transactional (short term) approchin political markets.
- As a result, organizations that invest in big data are more likely to have superior political intelligence and clout capabilities, leading to better results in this non-market arena.

Of course, where so much information is easily disseminated, there are problems, like the proliferation of fake (and deep fake) news, understood as incorrect information intentionally produced and disseminated to deceive the public, aiming at gains for its authors and/or losses for its targets (Zhang and Ghorbani, 2020). This problem is not new, but it is increasing at a global level (Bradshaw and Howard, 2019), and demand full attention from all.

So, this digital world is not changing everything, but bringing more complements in terms of information access to lobbyists and Governments, demanding constant skills updates and new tools without giving up the human factor, and turning this fascinating activity more challenging for all stakeholders and parties involved.

3.9. Regulation Will Solve All Problems

There are plenty of regulations already in place, all over the world, that are designed to fight corruption and punish people that break laws. Despite this fact, there are critical problems related to the private-public relation that are still present. One example are the scandals occurred in Brazil exposed by one of the largest anti-corruption operation, known as 'Car Wash' (Monteiro and Albuquerque, 2018), that besides sending many people (from private and public sector) to jail, showed how the political and institutional environment can significantly affect organizations' decisions to improve internal controls and optimize their relations with Governments.

To imagine that future new stricter regulations can eliminate all the problems related to the lobbying activity is, at least, naïve. This does not mean that initiatives to promote good practices and transparency cannot be stimulated – they are, of course, more than welcomed and need to be embraced by all directly or indirectly involved in this particular non-market arena.

For instance, the two entities mentioned previously in section 3.1, ABRIG and IRELGOV, each have launched their guide of recommended practices in Brazil (ABRIG, 2019; IRELGOV, 2019), and more recently ABNT (Brazilian Association of Technical Standards) published its 'Recommended Practices' for the Institutional and Governmental Relations activity (ABNT, 2020). The PRCA (Public Relations and Communications Association) from United Kingdom has its 'Public Affairs Code' (PRCA, 2020), and the Global Alliance for Public Relations and Communication Management (GA), based in Switzerland, has several policies and a 'Code of Ethics' for practitioners (GA, 2018), aimed to raise professional standards in the area worldwide. Also, besides these kinds of 'self-regulations', there are other complementary initiatives, like the first directory of Institutional and Government Relations professionals in leadership positions in Brazil (ORIGEM, 2019), with its second edition scheduled for 2020.

So, initiatives like the ones described in this section will add up to future others related to improvements on existing legislation, and even new regulations, but one has to keep in mind that there is no 'silver bullet' that may solve all the problems related to lobbying at once. Fact is that the work towards an ideal environment for the private-public sector relations to occur is – as the activity grows in strategic importance – still in early progress (Fleisher and McGrath, 2020).

3.10. Anyone Can Do It

Due to all of the discussion contained in the previous sections, it becomes clear that lobbying related to Government interaction/influence:

- Is a strategic complex activity;
- Relies on network, experience and many hard/soft skills;
- Is applicable for organizations of all types of size;
- Deals with both internal and external stakeholders;
- Can contribute to the alignment of market and non-market strategies of an organization, reinforcing its reputation and meeting stakeholders' growing expectations;
- Collects and processes information from different sources – including digital; and
- Depends at least in part on the practitioner's own ability to work in a co-creative way with others to 'link the dots', deliver concrete and measurable results, and be recognized.

As it can be seen, this is not an easy task, and definitely not for anyone.

4. Discussion

The more contemporary subjects like 'quintuple helix' (Carayannis and Campbell, 2019) – i.e. the need to integrate private sector, Government, academy, society, and environment – gain prominence, so does the lobbying activity. The same occurs with current many discussions on ESG (Environmental, Social, Governance) for organizations (Hill, 2020).

Also, lobby growths even more in importance during crisis moments and turbulent scenarios, for supporting innovations, or whenever the regulatory environment needs to be quickly adjusted so organizations can prevail (Cornell University, INSEAD and WIPO, 2020).

In this context, the lobbying activity is gaining a more holistic approach, which will demand more holistic professionals, in order to perform it in a transparent, inclusive and optimized manner.

The demystification of many common misunderstandings, such as the ones addressed in this article, is necessary so the activity may gain the necessary support, avoid prejudice, and be embraced by organizations and Governments, to rise once and for all as a strategic and valuable area of work in modern times.

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