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OBJECTIVES AND FUNCTIONS OF LOBISTRY ACTIVITY IN UKRAINE: REALITIES TODAY AND EVOLUTIONARY FORECAST

Abstract. The article is devoted to the research of goals and functions of lobbying activity. The author has processed the ideas of domestic and foreign scientists, proposed his own approaches to the definition of goals and functions of lobbying activities through the prism of public administration. As a result, a generalized vision of the goals and functions of lobbying activities as interrelated elements of the lobbying system was proposed, and a forecast for further evolution of the goals and functions of domestic lobbying was provided.

The analysis of lobbying functions allowed us to notice the tendencies in shifting the goals of this activity. If the objectives were fully covered by functions such as mediation between citizens and the state, the information function and the function of organizing plurality of public interests, then the role of strengthening the self-organization of civil society and the function of compromise become increasingly important in the process of formation in the developed countries of civil society and the development of telecommunication technologies.

Ukrainian lobbying will not be left to the side of this process. Already, politicians of the highest level, leaders of financial and industrial groups have to act, adjust their goals (even if they are — declared), taking into account the reaction of the public. In the future, this trend will only increase. The analysis of current research and political events provides all grounds for believing that, while proper regulatory legislation is being formed in Ukraine, the goals and functions of domestic lobbying will essentially shift towards a compromise with the public.

It is noted that in spite of the existence of a basic direction of action, lobbying may have several ramified goals. Guided by the goals set, lobbying can manifest itself in various spheres of the political system of society, combining the closely intertwined interests of various actors in the lobbying process, or even — contrasting them.

Keywords: public administration, lobbying, lobbying goals, lobbying functions.

ЦІЛІ ТА ФУНКЦІЇ ЛОБІСТСЬКОЇ ДІЯЛЬНОСТІ В УКРАЇНІ: РЕАЛІЇ СЬОГОДЕННЯ ТА ЕВОЛЮЦІЙНИЙ ПРОГНОЗ

Анотація. Досліджено цілі та функції лобістської діяльності. Опрацьовано ідеї вітчизняних та зарубіжних вчених, запропоновано власні підходи до визначення цілей та функцій лобістської діяльності крізь призму державного управління. В якості підсумку запропоновано узагальнене бачення цілей та функцій лобістської діяльності як взаємозалежних елементів системи лобізму, надано прогноз подальшої еволюції цілей та функцій вітчизняного лобізму.

Аналіз функцій лобіювання дав змогу помітити тенденції у зміщенні цілей цієї діяльності. Якщо наведені цілі цілком охоплювалися такими функціями, як функція посередництва між громадянами і державою, інформаційна функція та функція організації плюралізму суспільних інтересів, то в процесі формування в розвинених країнах громадянського суспільства та розвитку телекомунікаційних технологій дедалі більшої ваги набувають функція посилення самоорганізації громадського суспільства і функція компромісу.

Не лишиться осторонь такого процесу і український лобізм. Вже сьогодні політикам найвищого рівня, лідерам фінансово-промислових груп доводиться діяти, коригувати свої цілі (хай навіть поки що — декларовані) з урахуванням реакції громадськості. Надалі ця тенденція лише посилюватиметься. Аналіз наукових досліджень та політичних подій сьогодення дає всі підстави вважати, що за час, поки в Україні сформується належне регуляторне законодавство, цілі та функції вітчизняного лобізму суттєво змістяться в бік компромісу з громадськістю.

Відмічено, що, незважаючи на існування основного напрямку дії, у лобізму може бути кілька розгалужених цілей. Спрямовуючись на поставлені цілі, лобізм може виявити себе в різних сферах політичної системи суспільства, поєднуючи тісно переплетені інтереси різних суб'єктів процесу лобіювання, або навіть — протиставляючи їх.

Ключові слова: державне управління, лобіювання, цілі лобізму, функції лобізму.

ЦЕЛИ И ФУНКЦИИ ЛОББИСТСКОЙ ДЕЯТЕЛЬНОСТИ В УКРАИНЕ: РЕАЛИИ И ЭВОЛЮЦИОННЫЙ ПРОГНОЗ

Аннотация. Исследованы цели и функции лоббистской деятельности. Обработаны идеи отечественных и зарубежных ученых, предложены собственные подходы к определению целей и функций лоббистской деятельности через призму государственного управления. В качестве итога предложено обобщенное видение целей и функций лоббистской деятельности, как взаимосвязанных элементов системы лоббизма, предоставлен прогноз дальнейшей эволюции целей и функций отечественного лоббизма.

Анализ функций лоббирования позволил заметить тенденции в смещении целей этой деятельности. Если приведенные цели вполне охватывались такими функциями, как функция посредничества между гражданами и государством, информационная функция и функция организации плюрализма общественных интересов, то в процессе формирования в развитых странах гражданского общества и развития телекоммуникационных технологий все большее значение приобретают функция усиления самоорганизации гражданского общества и функция компромисса.

Не останется в стороне такого процесса и украинский лоббизм. Уже сегодня политикам высшего уровня, лидерам финансово-промышленных групп приходится действовать, корректировать свои цели (пусть даже пока — декларируемые) с учетом реакции общественности. В дальнейшем эта тенденция будет только усиливаться. Анализ научных исследований и политических событий современности дает все основания считать, что за время, пока в Украине сформируется должное регуляторное законодательство, цели и функции отечественного лоббизма существенно сместятся в сторону компромисса с общественностью.

Отмечено, что, несмотря на существование основного направления действия, у лоббизма может быть несколько разветвленных целей. Устремляясь на поставленные цели, лоббизм может проявить себя в различных сферах политической системы общества, сочетая тесно переплетенные интересы различных субъектов процесса лоббирования, или даже — противопоставляя их.

Ключевые слова: государственное управление, лоббирование, цели лоббизма, функции лоббизма.

Formulation of the problem. One of the signs of the maturity of a democratic, legal, social society, based on market principles, is the presence of a developed institute of lobbyism as a

component of the political and managerial process, which allows to realize in practice the mechanism of interaction of this society with state authorities. First of all lobbyism is influence of indi-

viduals or groups of people on power, on the processes of elaboration and adoption of important political decisions, and more often it's an indicator of the processes taking place in society.

The driving force behind lobbying is, first of all, the interests of subjects of lobbyism, which are inextricably linked with its functions. Today, most of the lobbying goals in Ukraine lie in the area of redistribution of economic resources, and therefore, lobbying allows political and legal means to achieve the desired economic interests. In the process of redistribution of property, the struggle of groups of influence for certain benefits, privileges, privileges are implemented certain functions of lobbyism. Thus, the goals and functions are interrelated, which makes it necessary to consider them as part of a single study.

Analysis of recent research and publications. The problems of lobbying in general and the question of defining its goals and functions in particular were devoted to their research by such scholars as O. Diaghilev, N. Zyablyuk, A. Kucherov, M. Malyutin, R. Matskevich, V. Nesterovich, O. Odintsov, N. Sakharov, S. Syrotenko, E. Tikhomirova, V. Yasenetsky and others. However, the process of establishing a domestic institute of lobbying, the formation of new scientific approaches to this phenomenon, and the existence of significant contradictions in understanding these characteristics by both civil servants and academics, require a new, comprehensive study of the goals and functions of lobbying. In addition, in the process of transformation of domestic society, in view of the European integration aspirations of Ukraine, in the course of time, some

shift of objectives and functions of lobbying activity is foreseen, which requires some research.

The purpose of the article. The purpose of the study is to outline the goals and functions of lobbying on the basis of the analysis of scientific research and domestic practice, forecasting in relation to the goals and functions of domestic lobbying in the future.

Presenting main material. One of the decisive factors that makes it possible to understand the lobbyist activity is understanding, at least in the general form, of the goals pursued by lobbying activity. Moreover, the choice of goals will directly depend on the performance of one or another of its functions.

The purpose, as noted by the philosophical encyclopedic dictionary, is "the ideal image of the future, the desired result of human activity. The purpose is a direct motive of human activity, which determines and mobilizes its will. The process of forming and implementing a goal is called goal-setting" [1, p. 706].

In each particular case, the use of lobbying pursues different goals, or even – a set of goals. It also depends on the sphere of public life, where lobbying activity takes place, and on the qualitative level of state structures, on the qualitative composition of the "pressure groups" themselves and on many other factors. However, with all the diversity of existing goals, a number of common goals inherent in lobbying can be singled out.

According to some researchers of lobbyism, in most cases its subjects pursue socio-economic goals related to the solution of issues of ownership and rights to dispose of it; granting rights to specific activities; government or-

der; quotas, licenses; tariffs for energy resources; economic and tax privileges; financing of social programs [2, p. 47].

These goals are fundamental to lobbying structures in virtually all countries of the world and Ukraine is no exception. If you turn to domestic practice, then the analysis of adopted Presidential decrees and the decisions of the Government, their orders, can serve as a direct confirmation of what has been said. In this there is nothing unexpected, or even more so – paradoxical, because the ultimate goal of the entire back door – money and power over the channels of financial resources. A vivid example of lobbying, whose elements are followed by the naked eye, and which pursues the objective of redistribution of significant financial resources directly, can be considered a budget process.

The adoption by the Verkhovna Rada of Ukraine of the state budget for 2018 traditionally resembled a political epic. To determine the manifestations of lobbying in this process, there is no need to conduct a thorough study, just look at the reviews of several information portals. Thus, the columnist K. Peshko from the portal “Glavkom”, notes in this regard, the following: “the maintenance of the government, the president and parliament in 2018 will rise in price by almost a billion compared to this year. The leader will be the president, the economy of which will cost the country more expensive than the entire space program” [3]. No less interesting is the analysis of this event portal “Ukrainian Truth”. The journalists directly named the interested parties who fueled their interests in the new budget, in particular, according to

the observers, “the contractors of road works and budget managers who are commissioning jobs rejoice because the record amount will be sent to the road economy – almost 47 billion (UAH)” [4].

Although compared to directly “financial”, “social” or “environmental” lobbying, allegedly pursuing “noble” goals, he tries to solve a range of other, rather pragmatic issues. In particular, very often, politicians resort to cooperation in these areas in order to increase their own rating among this or that category of voters. So, the already mentioned columnists of the portal “Ukrainian Truth” note that “teachers, drivers and president have most benefited from the budget for 2018. Less luck to students, smokers and retirees” [4].

Thus, despite the existence of a basic direction of action, lobbying may have several rational goals. Guided by the goals, lobbying can manifest itself in various spheres of the political system of society, combining the closely intertwined interests of different actors in the process of lobbying, or even – contrasting them.

Foreign practice of lobbying shows that in many corporations, banks, financial and industrial groups special units are created for the purpose of lobbying activity. In economically developed countries, almost every large company, especially if it is a multinational corporation, has its own state of lobbyists, which, depending on the capacity of the organization, ranges from several dozens to several hundred employees [5, p. 2]. These units may have different titles (Public Relations Division, Department of Law, Government Relations Department – Government

Relations, in the United States, many of these units are called “Washington Representations”), but unchanged. is their activity – advocating the interests of their corporations by exercising influence over the bodies of state power.

The functions of lobbying, aimed at redistributing financial resources, are more obvious and have been considered by scholars on a number of occasions, so we’ll try to consider to a greater extent those functions that are socially significant and of a political and legal nature. The political and legal sphere of society’s life is a field where all other spheres, its inalienable components intertwine. Probably therefore, this is where the concentration of lobbyism will be the highest and, accordingly, the most significant.

American scientist D. Johnson divided the functions of lobbyism into four categories:

1. The function of information gathering. The Washington representatives provide the responsible individuals of their interest groups with summaries needed to make informed decisions about government actions. The task of the lobbyist here is to organize the flow of information about all activities of state authorities, which is in the interests of the group.

2. The function of providing information to external consumers. The bulk of this information relates to certain aspects of the pressure group’s activities, its capabilities, and relationships to identified problems.

At the same time, the first and second functions ensure the possibility of uninterrupted communication between civil society and the state.

3. Function of communication with legislative and executive bodies (that is, actual lobbyism). Here the forms of activity can be different. Among them: personal representation of arguments; providing research results; speeches at hearings in parliamentary committees; influence on the legislator through contracts of a lobbyist with his relatives and friends, as well as with influential voters; party invitations and entertainment; collecting money for election campaigns; participation in conducting political campaigns; organization of campaigns for collecting letters and telegrams from voters; dissemination in the electoral district of the legislator of the results of his voting; organization of propaganda campaigns; direct bribes, blackmail; united lobbying by several organizations.

4. The function of selling the government of its products (this applies to trade and business corporations) [6, p. 50–53].

This approach is of a certain scientific interest, but it seems to be too simplistic (narrow), since it doesn’t give a complete picture of the functions of lobbyism. O. Odintsov, a national scholar of lobbying, tries to reproduce a more complete list and, through the functions, convey the essential character of lobbyism. It has the following features:

1. the function of mediation between citizens and the state;
2. information function;
3. the function of organizing plurality of public interests;
4. the function of strengthening the self-organization of civil society;
5. the function of a compromise [7, p. 6–7].

With such a classification in general it is necessary to agree. We will use it as a basis, and will be supplemented with the refinements of other researchers.

1. The function of mediation between citizens and the state is realized because lobbyists represent the interests of various social actors in the power structures of society. In general, “the optimal variant of interaction between the state and person is seen in the balance, proportionality of interests of the individual and the state” [8, p. 17].

2. Information function is a kind of integrator for everyone else, because the same mediation, first of all, is the exchange of information. The knowledge of experts plays an important role in the decision-making process or in the process of changing it. But knowledge of experts will only have some value if they are “missed” because of the interest of citizens concentrated in lobbying structures. In such an approximate approach to idealism, lobbying takes on the form of a “two-way street”, since pressure groups, seeking benefits for themselves, in turn, provide favorable conditions for the perception of laws and decisions adopted by the state and the specific groups of the population. The lobbyists provide the authorities with a flow of information on one or another issue, “inform the legislators about what is happening at the lowest social level (and at other levels)” [9, p. 62], and at the same time, their actions contribute to the development of a more correct course, or in other words, a more flexible strategy in the adoption of certain decisions. In this context, lobbying serves as a system of reasoning, a mechanism for preparing and tak-

ing appropriate decisions, because lobbying interests of different groups and layers is given a high priority, urgency, social significance, power structures are convinced of priority, operational and more complete satisfaction.

3. The function of organizing pluralism of public interests, realized through the ability of lobbying to create opportunities for the interests of minorities. In other words, lobbyism complements the constitutional system of democratic representation, allowing them to take part in the adoption and implementation of political decisions for those groups that have no other such opportunity. Of course, in large business entities, the ability to defend their interests is much greater than that of those who do not have the enormous financial resources of the stakeholders, but both theoretically and in practice, lobbyism can represent the interests of one person. Thus, through the system and practice of lobbyism, they receive their expression and representation on a nationwide scale of interests that otherwise would not have been expressed. In this sense, “lobbying meets the spirit of democratic politics” [10, p. 64].

4. Lobbyism serves as a function of strengthening the self-organization of civil society. “Lobbyism is a necessary institution of civil society, because it promotes political socialization of the society of citizens” [11, p. 288].

According to O. Malka, “lobbyism is a kind of rival to the bureaucracy”, since public support or opposition to any bill is effectively mobilized precisely within the framework of lobbyism [9, p. 61].

In conditions of market relations, more and more often the state leaves

its positions in the sphere of protection of interests of various social groups and strata of society. This vacuum is filled by the relevant structures of civil society. According to Western researchers, non-state structures — “associations, civic organizations, etc., with the help of lobbying, try to solve their problems, embodying the principle of freedom” [12, p. 21].

5. The function of achieving a compromise, that is, a mutual equilibrium and reconciliation of the various interests of different subjects is a stabilizing factor. Government bodies, despite the often diametrically opposed interests in their activities, nevertheless make decisions, bills that, despite the fierce struggle in parliament, become laws. The position of managers can not fail to take into account the skilled and effective influence of the stakeholders, but this position is embodied in the legal reality so as to cause the least contradictions, differences and resonance. The growth of the media and communications activity, including the increasing use of journalistic investigations and the widespread domination of social networks, even forces senior civil servants to behave extremely tactfully. Thus, this function of lobbying is an indicator of the most acute, contradictory socio-economic and political processes in society, contributes to preserving the balance between different forces in developing the points of collision in the process of making managerial decisions.

Some experts distinguish a number of other functions. For example, EB Tikhomirov, considering lobbying as a specific form of communication with the public, and taking into ac-

count all the peculiarities of lobbying, also distinguishes between pragmatic, expressive, controlling and regulating functions [13, p. 119]. In her opinion: a pragmatic function means the transfer of certain communicative installations to objects of lobbying, in order to motivate them to respond appropriately and to make decisions; the expressive function is related to the fact that lobbyists express not only the semantic but also appraised information about certain realities, in particular on the positions and assessments of the measures used to meet the needs and interests of various social groups; the control function — observing the process of drafting legislative acts, preparing and adopting other management decisions — allows timely measures to overcome contradictions and predict the possible development of events in order to protect the interests of individual social actors; regulatory function, close but not identical to control. Lobbyists not only observe the decision-making process, they contribute to the adoption of decisions that ensure the ordering of social processes [14, p. 143–151].

Summarizing the list of lobbying functions and their analysis allows us to imagine and realize the enormous positive potential that includes lobbying activities, which in turn proves to us the importance of being able to coordinate the process so that lobbying activity is effectively used not only to meet the priority inquiries of stakeholders, but also to create a counterbalance system for imminent conflicts in the process of making managerial decisions, to promote prosperity and development of society as a whole.

Conclusions. Interests of subjects of lobby, forming the goals of this phenomenon, are inextricably linked with its functions. Most of the goals of lobbying in modern Ukraine lies in the area of redistribution of economic resources. Researchers agree that in all countries of the world the main objectives of lobbying are the impact on such areas as: resolving issues of ownership and rights to dispose of it; granting of rights to conduct specific activities; government order; quotas, licenses; tariffs for energy resources; economic and tax privileges; financing social programs. However, the list of goals of lobbying is not limited to the ones given.

The analysis of lobbying functions allows to notice the tendencies in shifting the goals of this activity. If the objectives were fully covered by functions such as mediation between citizens and the state, the information function and the function of organizing plurality of public interests, then the role of strengthening the self-organization of civil society and the function of compromise become increasingly important in the process of formation in the developed countries of civil society and the development of telecommunication technologies.

Ukrainian lobbyism will not be left to the side of this process. Already, politicians of the highest level, leaders of financial and industrial groups have to act, adjust their goals (even if they are – declared), taking into account the reaction of the public. In the future, this trend will only increase. The analysis of current research and political events provides all grounds for believing that, while proper regulatory legislation is being formed in Ukraine, the goals and

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