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# **Ethical Standards for Business Lobbying: Some Practical Suggestions**

**Abstract:** Rather than being inherently evil, business lobbying is a socially responsible activity which needs to be restrained by ethical standards. To be effective in a business environment, traditional ethical standards need to be translated into language which business persons can speak comfortably. Economical explanations must also be available to explain why ethical standards are appropriate in business. Eight such standards and their validating arguments are proposed with examples showing their use. Internal dialogues regarding the ethics of lobbying objectives and tactics will plausibly occur only in businesses which recognize social responsibility mandates. Public interest stakeholders could hasten this recognition by making use of information made available by the Lobbying Disclosure Act of 1995 to institute external dialogues regarding lobbying by specific businesses and industry groups. Given practical ethical standards and the information on business lobbying provided by the law, the press, corporate activists, consumers, pension fund managers and the public can apply pressure for ethical lobbying practices.

### ***Introduction***

Most business activities in the political realm are perceived to be greedy and self-interested attempts to extend the influence of the board room into governmental policy making at all levels. The famous "Harry and Louise" campaign of the independent health insurance industry, credited with doing much to raise public doubts about the Clinton health care reform plan, the recent activities of the tobacco industry in California to subvert the spending of dedicated tax money on anti-smoking campaigns and the lobbying of timber interests to eviscerate environmental protections through the Timber Salvage Act (Timber) are recently publicized examples of business political activity. Political candidates and public and environmental interest groups have criticized the effectiveness of business lobbying coupled with campaign contributions. The charge is that well-financed business lobbying has captured the political process and prevented other legitimate voices from being heard in the debate on public issues (Birnbaum, 1993). Large corporations and industry trade groups, with their deep pockets, are seen as having undue influence and various reforms have been proposed to correct the situation (Weber, 1996). As Christopher Stone asked, — 118 — "Exactly what is it about corporations, and exactly what is it about the institutions we have available to control them, that so often seems to leave the one so frustratingly outside the grasp of the other (1975)?"

Much discussion is taking place regarding structural changes in the financing and organizing of political campaigns and parties to correct business abuses of the political system. In the spirit of Stone's advocacy of social controls in addition to legal structures (1975), this paper proposes practical steps to creating an ethical dialogue on the form and content of business lobbying. The application of ethical standards to business lobbying should benefit both commercial and public interests.

The argument begins with the proposition that, rather than being inherently evil, business lobbying is a socially responsible activity. The promotion of the public interest and self-interest through lobbying, however, needs to be restrained by ethical standards. What is needed are some practical standards that could actually function in internal and external dialogues on lobbying objectives and tactics. We propose eight such standards, using examples from environmental issues to show how the standards can be used to evaluate business lobbying.

Is there any realistic hope that such dialogues will actually occur? Yes, because of new social mandates on business, coupled with new information made available by the Lobbying Disclosure Act of 1995 (Lobbying). Given practical ethical standards and information on lobbying provided by the law, the press can conduct an external discussion of business lobbying, corporate activists can use shareholder resolutions to pressure for internal dialogue, consumers can make choices of products and services, pension fund managers can apply pressure for ethical lobbying practices and the informed public can indicate its doubts about the legitimacy of unethical business lobbying. Thus this paper suggests both ethical standards and groups who can encourage business to use these standards to evaluate their lobbying activities.

### ***Lobbying as a Socially Responsible Activity for Businesses***

In discussing corporate political involvement, it is necessary to dispel the belief that such activity is inherently unethical because it promotes self-interest through concentrated corporate power, and to abandon the view that ethical corporations should passively accept laws passed by "the will of the people" through democratically elected representatives. To the contrary, in order to fulfill their social responsibilities (as well as promote their self-interest), corporations ought to lobby.

An examination of criteria proposed for deciding what socially responsible actions a corporation should undertake (Pava & Krausz, 1995 and Wood, 1994), suggests that lobbying is not only a right but an obligation. Pava and Krausz indicate that corporations or industry groups should undertake socially responsible or responsive activities when they possess "local knowledge" of a problem, have some "level of responsibility" to act, can point to a "shared consensus among corporate stakeholders" in favor of involvement, and that these three criteria have some "relationship to financial performance" of the corporation.

An application of the Pava & Krausz criteria to business lobbying as a socially responsible activity indicates that it can be legitimate. Corporations and industry groups may have relevant 'local knowledge' of a social problem and how to remediate — 119 — it, ethically obliging them to engage in the political process. Timber companies, for example, with their knowledge of timber management, should be engaged in the debate over how best to manage private and public forests. If a corporation or industry has some level of responsibility for having created a problem whose solution requires public policy decision making at the state or national level, that corporation or industry should contribute to the public policy debate as well as to the implementation of the decisions. If logging has contributed to the degradation of stream bed habitat which threatens the salmon, the timber industry should be contributing to the debate regarding effective conservation practices. There may be stakeholder consensus that the corporation should promote certain values or policies in the political

arena through lobbying, and corporations and industry groups often have the resources to carry out these activities.

Wood's principle of public responsibility states that businesses are responsible for outcomes related to their primary and secondary areas of involvement with society, so corporations involved in the timber and lumber businesses should be involved in the molding of public policy governing the forests. But she also maintains that society grants legitimacy and power to businesses and those who wield it irresponsibly tend to lose it. Thus corporations which seek to influence the making of public policy must do so in legitimate ways or society may withdraw the franchise of businesses to influence the legislative and regulatory processes. Hiring of government officials by businesses was seen to be an illegitimate way to gain government contracts and revolving door legislation outlawed this practice at the federal level. Wood's principle of managerial responsibility suggests that individual business persons who believe in the correctness of their cause should take action by lobbying to support it.

Stakeholder theory also provides grounds for arguing for the legitimacy of business lobbying. Corporations have a duty to represent their stakeholders in the political arena. Critics often label this representation as self-interested greed, but it can be legitimate for corporate officers to promote their interests and those of their stakeholders. Corporate lobbying is necessary to represent the interests of the customers in quality goods and services at realistic prices; the interests of workers to have jobs and incomes; the interests of communities to have a tax base; and the interests of stockholders who have a reasonable desire for profits. Thus timber companies argue that stream bed buffers confiscate their resources for public benefit without compensation; that access to federal timber promotes lower cost housing for consumers; and that loggers, millworkers and their communities will suffer greatly if old growth forests are completely closed to cutting. The fact that their interests conflict with other important interests does not necessarily make them illegitimately self-serving. Corporations are in a unique position to promote their stakeholders' interests and have a duty to do so.

### ***Lobbying for the Public Interest or Self Interest: the Need for Ethical Standards***

This claim that corporations can legitimately lobby on behalf of the interests of their stakeholders seems to run contrary to the proposal that in order to act as responsible citizens, businesses should regard political activity as different from the pursuit of private interests. Weber (1996) suggests that corporate political activity " ... — 120 — should, perhaps, be understood as a different type of activity, ... to be governed by different goals and standards." These goals and standards involve the pursuit of public rather than private goods. What we are suggesting, however, is that the standards for evaluating lobbying are better understood not by a "public interest versus private interest" distinction but as the ethical standards and value claims that determine what is legitimate in both public and private goods. Just as individuals may legitimately act as consumers to promote their private good or as citizens to promote the public good (Sagoff, 1986), so businesses can legitimately promote their private goods and the public good. The decision as to when the public good requires subordination of one's private good, either for an individual or a business, is determined by ethical standards.

The role played by ethical standards can be made clearer by distinguishing among lobbying for the public interest, lobbying for legitimate self-interest and lobbying for illegitimate or selfish

self-interest. The public interest involves the good of the whole of society, including all interest-bearing or intrinsically valuable entities such as persons, trees and endangered species, and including the good of future generations as well as the present (and perhaps even a measure of respect for the past). But what constitutes the public interest, how it should be distributed among the various interest-bearing entities, and which of the entities have intrinsic as well as instrumental value are matters that are subject to different interpretations (Hoch, 1995). Environmentalists may see the public interest as requiring more wildlife refuges and less energy production or more redwoods and fewer or different jobs for loggers and mill hands. Businesses and their stakeholder constituents on the other hand may see the public interest as including responsible access to energy reserves and less pristine wilderness or as fewer redwoods and more jobs for loggers and millworkers. Though they may disagree, environmentalists and businesses are conducting a legitimate debate over what constitutes the public interest. Thus lobbying on environmental issues (as well as other issues) is public interest lobbying insofar as it advances a conception of the public good. Environmentalists may engage in this activity more often than businesses but businesses engage in this type of lobbying also.

Arguments in support of a conception of what is in the public interest are based on ethical principles — notions like utility, respect for persons and other intrinsically valuable entities, rights and justice — and on perceptions of what is more and less valuable. Thus it is important for those carrying on a debate over what constitutes the public interest be able to recognize and evaluate the ethical or value claims that are being made. It is this dialogue over what really is in the public interest that makes representative democracy so creative.

Much of business lobbying, rather than being in the public interest, is "special interest" lobbying which seeks to gain an advantage for a particular business or industry group or its stakeholders. The fact that this political activity is self-interested does not make it inherently wrong. Special advantages for one business do not necessarily come at the expense of others or at the expense of the general welfare and may in fact promote the interests of others and of the common good. The Timber Salvage Rider was advanced by the timber and mill interests as just such a proposal that would increase wealth for all by harvesting downed and damaged timber in national forests. Whether the claim was true or was ignoring the costs to taxpayers of providing access was a matter of great controversy. — 121 —

Self-interested lobbying for the transfer of wealth from one business or industry group to another or from the public interest to a private interest may be legitimate if all sides present their case and a decision is made through democratic processes on the basis of maximizing benefits, respecting rights and insuring a just distribution. The redistribution of wealth argued for in the Timber Salvage Rider would have to be evaluated based on its balance of benefits over harms, its respect for the rights of others affected and the fairness of its distribution of benefits and burdens among the timber interests, the taxpayers, the salmon industry, the wildlife and others. That is, the objectives and tactics in lobbying for this act would have to be evaluated on ethical grounds to see if they were legitimately or illegitimately self-serving.

Self-interested lobbying becomes illegitimate, however, when the objectives or tactics allow corporations or industry groups to profit at the expense of others or at the expense of the general good without due consideration for the benefits and costs to and rights of others. In other words, self-interested lobbying becomes selfish lobbying when it violates the ethical norms which society has established to govern commerce among its members. Lobbying for entry into the Gulf War which

would put countless young men and women and the U. S. Treasury in harms way in order to promote the sales of a company's pallets and paper cartons is a clear example of such illegitimate self-interested lobbying (Lee, 1991).

It is also important to note that arguments about what constitutes the public interest may either be combined with arguments for self-interest or difficult to distinguish from the promotion of self-interest. When environmentalists lobby against clearcutting because they do not like to see its effects as they drive by logged over woodlands, are they arguing for the preservation of an aesthetic which is in the public interest or in their private interest, or both? When businesses lobby against government regulations which restrict their profits by arguing that the cost of regulations and the loss of creativity are contrary to the public interest, are they in fact advancing their private or the public interest? The important question in both cases is not whether the interests are public or private but whether they are legitimate.

Thus rather than trying to distinguish self-interested political activity from public interested activity in order to determine what businesses may legitimately do, it seems clearer to suggest that both types of political activity be subjected to ethical scrutiny, public interest lobbying to determine by ethical argument what really is in the interest of the public and self-interested lobbying to determine if it shows an ethical regard for the legitimate interests of others and for the common good.

On this analysis, the problem with the political action by businesses arises when the players engaged in the democratic process come to see politics as an arena for self-interested action unrestrained by ethical considerations. Individual parties to the process do not and, in their view, should not restrain their actions because (1) that would put them at a competitive disadvantage to unrestrained actors, and (2) the contending of all self-interested forces in the process will bring about a compromise which is socially beneficial, and therefore ethical. Politics, like the processes of criminal law (Shaffer & Shaffer, 1991), has come to be viewed as a system in which the clash of amoral actions produces a moral result. Economists similarly have argued that the market's invisible hand molds a common good out of the self-interested — 122 — search for individual gain. Sharing Milton Friedman's vision (1970) of a corporation bound only by law and social norms, corporate managers hold that the law allows lobbying and that political ethics free everyone to pursue their own interests.

This lack of ethical restraint extends not only to the objectives to be gained by lobbying but to the tactics used as well. Adopting an "all is fair in love and war" mentality, contestants in the influence game see winning as the ultimate validation of tactics, with little concern paid to the damage these tactics may do to democratic institutions and ultimately to society.

Justice and the good of the society, however, are not the products of conflicting political amoralities. Institutional democracy works best when its players are restrained by ethical concern for the fate of other participants and for the viability of the institutions in which they contend. Game theory research (Dixit & Nalebuff, 1991) and critiques of self-maximizing economics (Werhane, 1991) have shown that in a world with scarce benefits and a superfluity of burdens, cooperation and ethical competition produce better results for all.

## *Ethical Standards for Lobbying Activity*

If the proposition that ethical principles have a place in politics is accepted, how can moral restraints be effectively integrated into corporate political behavior? The first step is to provide ethical standards for lobbying that can stimulate dialogue within the corporation. The second is to provide these standards and information on company activities to interested stakeholders outside of management so that they can engage managers in a public dialogue about the ethics of the company's lobbying activities. While by no means a complete remedy, these two steps provide a practical antidote to the amoral view of political activities which many businesses have assumed. We are fortunate to be at a point in the development of the study of business ethics and federal lobbying legislation that make both steps are possible.

Applying principles of ethical conduct to corporate lobbying activities requires a translation of these theories into a vocabulary that can be spoken in the board room (Waters, 1978) without the embarrassed silence that would attend the use of technical terms like 'deontology' or 'universalizing maxims.' What is needed are some easily remembered shorthand versions of ethics concepts (Nash, 1981) which can be used by managers along with "return on investment" and "product life-cycle." Given appropriate translation, utilitarianism, Kant's three principles, rights and justice considerations, social contract theories, and character ethics could all be utilized to evaluate the objectives and tactics of business lobbying. These ethical theories, when operationalized for business, yield the following rules:

1. Maximize good and minimize harm for those affected.
2. Don't make exceptions for yourself.
3. Let others make their own choices.
4. Use the publicity test.
5. Respect human rights.
6. Insure a fair distribution of benefits and burdens.
7. Honor the social contract.
8. Act in accordance with your character and the company's reputation. — 123 —

In evaluating lobbying objectives and tactics, all eight rules should be considered. No one rule can screen for all aspects of what makes an action ethical (Velasquez, 1992; Boatright, 1993). Each offers a different insight into the complexities of a situation, highlighting the importance of good outcomes, of holding everyone to the same standard, of respecting others' choices or rights, of justifying inequalities, and of recognizing the importance of society and character. One rule will often provide a corrective for another: the emphasis on good outcomes for the majority needs to be tempered by concern for the needs and rights of individuals, and vice-versa. In most instances the rules all yield a similar judgment.

There are instances, however, in which the rules conflict. An action which maximizes happiness may deny choice to some or unfairly distribute benefits and burdens. When the rules conflict there is no super-rule to determine which will have priority. Individuals and institutions must recognize the conflict and continue the ethical dialogue with others who are affected (Bowen and Clark, 1993). Ultimately, those acting must choose the values or principles they think most important to uphold in that situation. At the least, conflicts at this level will be principled and the choices grounded on ethical principles.

In order to give these principles credibility in a business discussion, it is not enough to indicate that they are translations of traditional ethical principles developed within the philosophical and religious traditions of Western culture. Captivated as they are by the siren song of amorality not only in politics but in business (Carr, 1968), business persons may challenge the relevance of any ethical principles to their activities. Thus it is essential that these translated principles be accompanied by a brief argument for their validity. When challenged as to why "happiness should be maximized" or "the choices of others respected" in business or politics, a proponent of ethical restraints must have a compact explanation of why these principles are applicable.

While not proving the validity of the principles in an absolute sense, these explanations show how the principles follow from some fundamental values which most business persons share, though they may have never realized their connection to rules of ethics for business. The recognition, for example, that everyone wants to be happy and that all persons have equal value makes it legitimate to act to create the most happiness and the least unhappiness for all those who are affected. Those who reject values such as the intrinsic equality of persons will remain unconvinced of the validity of the rules, though they should recognize that this rejection places them at odds with the rest of society.

### ***Applying Ethical Standards to Lobbying***

The utilitarian approach, based as it is on balancing costs and benefits, is most akin to decision making approaches which businesses already employ. It requires that the action chosen *maximizes good and minimizes harm for all those affected*. This rule makes it legitimate to consider the good of others as well as the good of the individual corporation and its inside stakeholders. If all those affected are equally valuable and they all want happiness, then the ethical alternative is the one that maximizes happiness. — 124 —

A corporate officer devising a lobbying strategy for the Timber Salvage Act, therefore, should ask what position would produce the greatest good for the greatest number. The good outcomes for external stakeholders who will be affected by the law (citizens, salmon, commercial fishers, etc) should be calculated as well as for the corporate stakeholders (stockholders, loggers, communities). Long-term as well as short-term consequences need to be considered. It is legitimate to argue for a transfer of benefits from others to corporate stakeholders as long as the transfer does not decrease the amount of good being produced or harm being avoided. To argue for a policy which benefits internal stakeholders (through timber harvesting) but produces an overall loss (through environmental degradation) would not be ethical. Setting a value in these calculations on the recreational uses of resources can be a straight forward process of determining what people would likely pay for such

usage. Setting a value on a given level of species diversity or assigning a value to old growth forests which some claim to have intrinsic rather than instrumental value are processes over which ethical individuals can disagree. If the alternative which produces the greatest company benefits is unethical on a cost/benefit basis, then management should exercise moral imagination to determine other uses for company resources that will increase, rather than decrease, the overall good. Harvesting genuinely diseased or dying timber, for example, might increase the overall good if environmental safeguards were respected. Likewise the tactics used must pass utilitarian muster. The use of advertising to raise the anxiety level of a large block of older voters in order to benefit internal corporate stakeholders would be difficult to justify.

Kant's first principle, which requires universalizability, can be operationalized as *Don't make exceptions for yourself*. If all moral actors are equal, why should it be ethical for one company to do something that it is unethical for others to do? Why should Company A consider it ethical to harm the fisheries industry by suspending environmental protections when it would oppose another company doing the same to it? If a tactic used by one corporation, such as purchasing "grass roots" mailings to legislators, would destroy the usefulness of grass roots responses as a gauge of public sentiment, if the tactic were used by all political organizations, then it is unethical.

Kant's third principle to act as a universal legislator is often translated as the *publicity test*. What would be the reaction if a description of the company's lobbying activities were to appear in the Wall Street Journal? If the society is made up largely of ethical individuals, then their collective judgement regarding the rightness or wrongness of a course of action should carry some weight.

Human rights are the minimum liberties or welfare which persons must have access to in order to live a life which expresses their value. Recognizing the rights of all those involved is seen to be legitimate when a person recognizes the value in his/her life and the essential similarity of himself/herself to others. To apply the rights principle in regard to lobbying, one should ask *whether the substance or tactics in question infringe upon or promote basic rights*. Especially in regards to environmental issues, arguments have been made to extend the notion of rights to animals and other interest-bearing entities (Hoch, 1995).

Justice has to do with a *fair distribution of benefits and burdens*. Do those who receive the benefits also share the burdens, and do those who shoulder the burdens — 125 — also share the benefits? The initial assumption is that if everyone is equal, then everyone deserves equal shares. When various stakeholders deserve unequal shares, because of their contributions, sacrifices, needs, or effort expended, then an unequal distribution of benefits and burdens can be made based on these inequalities. Justice requires an explanation of why the unequal distribution is fair. Does the Timber Salvage Act give all of the benefits to the timber interests and leave all of the burdens to the environment and others dependent upon it? If so, why this is fair? Do bundled campaign contributions give more access to business lobbyists than to ordinary citizens? If so, why is this inequality fair?

Other ethical questions about the substance or tactics of corporate lobbying could also be raised on the basis of an implied social contract regarding the conditions necessary to preserve society for the good of all and how lobbying conforms with or affects the moral character of the corporation and its directors and managers. Questions regarding professional character might be couched in Aristotelian terms (Solomon, 1992) or in the Buddhist context of "right livelihood," a moral guide which



proscribes work that causes harm (Whitmyer,1994).

The application of these ethical principles should temper corporate lobbying and mitigate the undertaking of self-interested acts that harm others, but cannot guarantee that all parties to public policy disputes will agree upon an optimal course of action. Individuals with differing perceptions and values may also differ in their choice of optimal conduct and willingness to honor it. The dialogue would be greatly enhanced, however, if all parties recognized ethical principles as legitimate guides to political behavior, for by taking ethics seriously, they would exercise moral imagination in trying to resolve disagreements.

### ***Encouraging an Ethical Dialogue***

No matter how well designed for use in a business context, expecting ethical standards to be included in corporate lobbying strategy may seem hopelessly naive. Why should companies initiate ethics discussions regarding lobbying when they have rarely done so in the past? One factor that may dispose businesses to consider ethical restraints on their lobbying activity is the increasing concern of society as a whole and consumers and stockholders in particular, that business operate in an ethically responsible manner. No longer are businesses mandated simply to increase the wealth of the society by producing better quality goods and services at lower prices and providing profits for their stockholders (DeGeorge, 1990). Businesses are expected to carry on these activities in ways which respect the basic moral standards of society. The recent discussions by politicians, the media and even the business press, of the perceived unfairness of corporate downsizing is just one example of this willingness to hold business accountable.

Another tangible incentive for ethical self-restraint is the increased availability of information regarding business' lobbying that will result from Congress's recently passed Lobbying Disclosure Act of 1995. The law does not require corporations to disclose their position on legislation, but does require lobbyists to reveal what issues they are working on, thus providing more complete profiles of corporate lobbying activities. — 126 — This information, combined with legal access to information from public corporations, can provide the catalyst for public dialogue on the ethics of specific corporate lobbying activities. Press accounts of ethically questionable lobbying will allow stock market reaction to shareholder perceptions of unethical corporate activity. Research has shown that investors tend to react negatively to companies that are cited in the press for unethical behavior (Rao and Hamilton, 1996), so press accounts of questionable lobbying activities should encourage managers to scrutinize the ethics of a lobbying program before launching it. Consumers whose choice of products and services are influenced by the ethical behavior of corporations would also be interested in this information. Large institutional investors such as state government employee and labor union pension funds, who represent socially aware constituencies and have a great deal of influence over the price of individual stocks because of the size of their holdings, could use the information to encourage more responsible lobbying.

An example of the effects of published information about lobbying activities was provided in the debate leading up to the U.S. involvement in the Persian Gulf War. Reporter Gary Lee of *the Washington Post* quoted an official of the National Wooden Pallet and Container Association as

suggesting that their group was supporting a tough policy in the Persian Gulf because "War, though hell on the military and others, is good for the business of making pallets ...". With no characterization of their conduct as ethical or unethical, Lee also quoted an official of the Composite Can and Tube Institute that their members supported the use of force in the gulf because ". . . they do quite a business in wartime." (Lee, 1991) The ethical dialogue that followed in the *Post's* letters to the editor was an indication of public reaction to information about corporate lobbying activities which so clearly violated basic ethical standards.

Outside of the press, the most potentially effective forum for encouraging public dialogue on the ethics of corporate lobbying is the corporate shareholder meeting. Armed by the shareholder proxy proposal rule with access to corporate proxy mailings and a place on the agenda at annual meetings, corporate social responsibility groups can use the information to file shareholder resolutions regarding the corporation's lobbying activities. These resolutions can call for the management to report to the shareholders on the lobbying objectives and tactics or, given information about questionable lobbying efforts, to justify or halt these efforts. Though opposed by management and doomed to failure in voting by shareholders, these resolutions can have powerful effects on the actions of a corporation. The resolutions inform fellow equity holders of the social implications of corporate actions, embarrass the management into changing their policies in return for withdrawal of the resolution and are effective in gaining media attention for issues that might not normally gain exposure (Hoch and Hamilton, 1994). These resolutions have affected the policies of individual companies on South African operations, affirmative action and hiring practices and the use of animals in product testing. What is needed is for shareholder groups to focus on lobbying as an area of concern and to adopt the standards proposed above to evaluate the activities of particular corporations. Being called to account for their lobbying on the basis of maximizing benefits, respecting others, protecting rights, fairly distributing benefits and burdens, respecting the social contract and acting consistent with character and reputation will reinforce the use of these ethical standards within the corporation. — 127 —

Providing ethical standards for corporations to evaluate their lobbying activities is not in and of itself sufficient. An ongoing dialogue among outside and inside stakeholders is a much needed corrective to the perspective of the participants. As one reviewer of this paper suggested, "Disparity of power and social location often affect the way in which terms like 'fair' and 'respect' and 'social contract' are understood. They are seen one way by those who are privileged and powerful and another way by those who are marginalized." A recent *New Yorker* cartoon made the same point. One upscale restaurant customer is heard saying to another: "I understand Steve Forbes' flat tax will be hard on the poor, and I can live with that." Subjecting past or proposed lobbying actions to the scrutiny of an ethical dialogue among all those who are affected will quickly expose such limitations of perspective (Bowen & Clark, 1993).

What outcome could be expected from carrying on a dialogue regarding the ethics of business lobbying? Will the lion lie down with the lamb, disagreements cease, corporations accept the views and values of environmentalists or other social critics of business? Such outcomes are unlikely. Even within the restraints imposed by ethics, people of good will can have serious and long standing differences over what is the ethical course of action to pursue. Interpretations of the facts will differ and choices of which ethical principles should be dominant or of which values are more important will sometimes prevent agreement. Corporations may still see forest resources primarily in terms of their instrumental value for lumber, jobs, recreation, and aesthetics whereas environmentalists see

ancient trees as having intrinsic value which must be respected in and of itself (Sagoff, 1991).

Disagreements over the objectives and tactics of lobbying, however, can take place within the context of ethical restraints. Corporations should be encouraged by public awareness to engage in more public interest lobbying and to avoid self-interested lobbying which is illegitimate on ethical grounds. The question "Have you no sense of decency, sir, at long last? Have you left no sense of decency?" will again become a criticism rather than a compliment among political operatives (Reeves, 1982).

An understanding by key corporate constituencies of the relevant ethical standards and of the disclosure law's potential could be a catalyst for this new dialogue regarding lobbying. What is required is a more inclusive understanding of the dialectic of law, ethics and public opinion. Just as corporations do not passively accept the imposition of law, the public should not passively accept the substance and tactics of corporate lobbying. With the new information made possible by disclosure, increased public pressure can convince corporations to exercise restraint. Ethics will provide the common language. There is no proof yet that this dialogue will occur, but recognizing the need for it may be the best hope for promoting ethical lobbying by business.

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