

**THE DETERMINANTS OF LOBBYING REGULATIONS IN CANADA AND ITS
PROVNCES**

by

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B.A., University of Ottawa, 2010

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIRMENTS FOR THE DEGREE OF

MASTER OF ARTS

in

THE FACULTY OF GRADUATE AND POSTDOCTORAL STUIDES
(Political Science)

THE UNIVERSITY OF BRITISH COLUMBIA
(Vancouver)

December 2015

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Abstract

The public has traditionally viewed lobbying with disdain; notions of “back room deals” and “bought politicians” have prevailed in the public discourse of many advanced industrialized democracies. This public attention has resulted in government action to regulate the practice of lobbying in some advanced democracies in the latter half of the twentieth century, with the aim to increase transparency and legitimacy. Research focused on the United States has produced insight into the creation and nature of lobbying regulations within the context of the American state governments. There has been no similar research within the Canadian political context, despite the fact that the Canadian federal government and nine of its ten provinces regulate lobbying to some degree. This study fills the gap in the literature by examining what factors cause lobbying regulations in Canada and its provinces. In order to address this question, this study scored all lobbying regulations at both the provincial and federal level, using an original index. Five potential causal variables were identified, based on findings from the literature: political scandals, political culture, financial resources, legislative tenure, and ideology. A quantitative bivariate analysis employing cross-tabulation was conducted, investigating the relationship between the aforementioned causal variables and lobbying regulations in Canada. Results indicated a statistically significant relationship between the timing and stringency of lobbying regulations and 1) the ideology of the governing party, 2) the occurrence of political scandals at the federal and provincial levels, and 3) the wealth of Canadian polities. These results differ from those reported in the US literature, which identify political culture and legislative tenure as causal variables. Thus, findings from the US literature cannot be generalized to the Canadian political context; potentially, contextual factors such as institutional design, the unique makeup of Canadian political culture, and the nature of the Canadian ideological spectrum may function to explain these differences. More broadly, these results undermine the notion that there are universal determinants of lobbying regulations across polities.

Preface

This thesis is original, unpublished, independent work by the author, Luke Darrel Chidzey.

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Acknowledgements

I would like to thank my supervisor Dr. Andrew Owen for his endless support and guidance over the course of my studies. I would also like to extend my sincerest gratitude to all the professors and staff who have helped me during my time at UBC.

I am also immensely grateful to my friends and family for all of their support. In particular, I am greatly indebted to Lauren Quinn whose devotion and reassurance has made this possible.

To my parents

Introduction

The practice of lobbying is a divisive political topic; historically, lobbying has been viewed normatively as both a benefit and detriment to democracy. Arguments for the beneficial components – those that describe lobbying as a legitimate and necessary means of political participation – were first cited during the early stages of modern democracies; in 1787, James Madison argued in the *Federalist Papers* #10 that politicized groups or factions, by means of deliberation and bargaining, can self-regulate a democracy. This deliberative approach to democracy, known as pluralism, spread throughout democratizing world of the 19th century notably referenced in Alexis de Tocqueville's 1835 magnum opus *Democracy in America*.

As democracies advanced and governing became a more specialized and technical endeavour, lobbying shifted from simple rival political factions to specialized experts who were able to advise legislators on complicated political issues. At this junction, public sentiment towards lobbying shifted; the public began viewing lobbying as a detriment to democracy (Ensign, 1997; Krishnakumar, 2007), and lobbyists were viewed as wielding too much power in the political arena. The occurrence of political scandals and so-called 'back room deals' fueled the sentiment that lobbying was actually undermining democracy. In reaction, governments in the late twentieth century enacted regulations which sought to limit lobbyists' influence and make the process more transparent. These regulations varied greatly across western democracies, at both the state and sub-state level. Thus a natural research question arose: what events, contexts, and scenarios lead to lobbying regulations.

The scholarly literature examining the lobbying regulations has been limited. Kanol (2015) has noted that comparative lobbying research, including research pertaining to explanations of lobbying regulations, is underdeveloped and lacks coherent theories. However, in the United States

there have been two studies on the subject. Opheim (1991) and Ozymy (2013) have both systematically studied explanatory reasons for differing lobbying regulations in US state legislatures. These preliminary results, although intriguing, cannot be easily generalize to the Canadian political system, which is different both in terms of institutional design and political climate. In Canada, the federal government and nine out of the ten provinces have regulations which govern the practice of lobbying. These lobbying regulations were enacted over a 25-year period and range in their extensiveness.¹ The scholarly literature, however, has yet to identify and test specific causal explanations for the difference in the timing of the lobbying regulations and their extensiveness. Thus, this thesis will examine the most prominent causal theories which attempt to explain why lobbying regulations are enacted, and why they range in extensiveness, within the Canadian political system.

¹ Both “extensive” and “stringent” are commonly used throughout the literature to denote regulations which exceed commonly accepted minimum standards.

Literature Review

The following section outlines the prominent causal theories of lobbying regulations that have been identified and analyzed in the scholarly literature. These theories arise predominantly from research pertaining to the American political system, and, to a lesser degree, the Canadian and European political systems. The following causal theories will be discussed in turn: political scandals, political culture, financial resources, legislative tenure, and ideology.

Political Scandals

Transparency and accountability are among the central tenets of democracy theory and are intended to ensure democratic legitimacy. This theory posits that political scandals lead to increased negative public attention; the public views political scandals as undermining transparency and accountability, and, thus, as threatening to democracy. Legislators are responsive to public concern in this regard, as they are aware it may impact the government's electoral fate. It follows that corrective measures, namely, lobbying regulations, could be enacted as a way to appease the public and restore legitimacy (Chari, Hogan, & Murphy, 2010). Accordingly, legislators enact reforms, either by reinforcing existing lobbying regulations or creating new lobbying regulations where there were none prior, in order to regain said legitimacy. In Canada, the first lobbying regulations introduced at the federal level in 1989 furthered a common normative goal: fostering transparency and accountability (Stark, 1992; Chari et al., 2010). With this normative assumption in mind, researchers began to study the ramifications of political scandals on legislatures.

In the United States, Newmark (2005) suggested that political scandals could influence the nature of lobbying regulations after noting that Kentucky, South Carolina, New York, and Ohio

introduced more stringent regulations following highly publicized political scandals.² In subsequent work, Newmark (2009) again noted that states involved in public scandals appeared to subsequently adopt much stricter lobbying regulations. Hrebenar and Morgan (2009) traced the history of lobbying reform attempts and concurred that reform debates increased in frequency following political scandals. In response, Ozymy (2013), studying US state legislatures, found that political scandals had a strong effect on the stringency of subsequent lobbying regulations. Similarly, related research has found a positive link between salient political scandals and ethics and campaign finance reforms – which are often confounded with lobbying regulations (Rosenson, 2003; Witko 2007). Lastly, Holman and Luneburg (2012), studying lobbying regulations in Europe, noted that political scandals have been a driver of stringent lobbying regulations in the European Union, Austria, and the United Kingdom. Many commentators have hypothesized that scandals have led to increases in lobbying regulations in Canada. There is an abundance of newspaper articles that theorize the relationship (see Fraser & Sallot, 1987; Clark, 2002). Moreover, Holman and Luneburg (2012) opined that amendments in the Canadian federal lobbying regulations “were sometimes prompted by political scandals involving lobbyists and lawmakers” (p. 80). Despite the observation that political scandals have captivated public attention throughout Canada’s history (Malvern, 1985), there has yet to be an empirical study measuring the effect of political scandals on lobbying regulations in this country.

Political Culture

This theory holds that political culture – specifically, the electorate’s attitudinal disposition towards government – directly influences the nature of lobbying regulations. Elazar’s (1966) index of states’ political culture categorizes US states into the following three distinct cultures, divided

² Newmark (2005) was careful to note that further work was necessary to draw any concrete conclusions.

along lines of the public's perception of how governments should operate: moralistic cultures (government is a positive force for the common good), traditionalistic cultures (government's primary role is to preserve the status quo), and individualistic cultures (government should passively govern as little as possible and refrain from interfering in private affairs).

Central to the categorization of political culture is the electorate's perception of the trustworthiness and efficacy of the government.³ In moralistic political cultures, we would observe high trust and high perceived efficacy levels because the electorate views the government as an active and responsive component of a democracy. Conversely, within individualistic political cultures, we would observe low trust and low efficacy perceptions of the government because the electorate believes the government should be passive and inactive in a democracy. Traditionalistic political cultures are situated in the middle of this spectrum; within this culture, we would observe moderate trust and moderate efficacy perceptions of the government.⁴ This point has been noted in the literature (Opheim, 1991; Ozymy, 2013); in moralistic political cultures, where the electorate has high trust and efficacy levels, the people would be *more* likely to support the enactment of lobbying regulations because they view lobbyists as self-interested agents of fragmented factions, whereas they view legislators as agents of the public good. In this sense, the electorate sees lobbying regulations as imposing necessary limitations on lobbyists' powers. On the other hand, in individualistic and traditionalistic political cultures, where the electorate has low trust and efficacy levels, the people would be less likely to enact lobbying regulations because they view the political process as a market wherein self-interested individuals and groups contend for

³ Efficacy in this context is defined as electorate's perception of how responsive government is to the public. "High" efficacy levels means that the electorate perceives the government as highly responsive to the public; conversely "low" efficacy levels mean that the electorate perceives the government as unresponsive to the public; and "moderate" efficacy levels fall in the middle.

⁴ In the literature, there has been little differentiation between individualistic and traditionalistic political cultures as they pertain to lobbying regulations.

influence. In this sense, lobbyists are an important part of the political process, and their power should not be restricted. In reaction to Elazar's work, scholars began empirically testing these hypotheses.

Using Elazar's (1984) typology, Opheim (1991) found that moralistic political cultures were more likely to adopt rigorous lobbying regulations. Rosenson (2003) replicated these results, noting that political culture affects the receptiveness of legislators to enact ethics reforms during agenda-setting events. Furthermore, Ozymy (2013) found that US states with moralistic cultures were more likely to legislate more stringent lobbying regulations. In Canada, much research has examined the differences in political culture across the provinces and regions (Henderson, 2004; Henderson, 2010a; Henderson, 2010b; Cochrane & Perrella, 2012; McGrane & Berdahl, 2013). However, there has yet to be a study directly analyzing the relationship between differing Canadian political cultures and provincial lobbying regulations.

Financial Resources

This theory suggests that there is a relationship between the wealth of the polity and the nature of its lobbying regulations. More specifically, as wealth increases in a polity, there should be a corresponding increase in lobbying regulations. There are two possible causal mechanisms by which this hypothesis operates. The first mechanism is a simple cost-benefit analysis; lobbying regulations often entail up-front costs, such as creating registries that track lobbying activity, and continual costs, including hiring staff to monitor and enforce the regulations. Poorer polities are less able to pay such costs. Furthermore, the benefits of extensive lobbying regulations, such as increased public support and fewer political scandals, may not offset the aforementioned financial costs. This is especially impactful in jurisdictions with limited financial resources.

The second mechanism rests on the fact that lobbyists provide legislators free political information. As legislatures increase in affluence, their dependency on outside information, namely, information provided by lobbyists, declines due to their ability to ascertain policymaking information self-sufficiently. Consequently, poorer legislatures would be limiting their access to the free information supplied by lobbyists by enacting extensive lobbying regulations. Thus, the hypothesis holds that the financial circumstance of legislatures should act as a determinant of whether lobbying regulations are passed and to what degree.

The literature supporting this hypothesis is sparse, yet what is available does hint at a possible causal link. Chari et al. (2010) note that lobbying regulations can impose a large financial cost and thus could be considered an argument against enacting them. This sentiment was subsequently echoed by Holman and Luneburg (2012), who stated that lobbying regulations that seek transparency "...can impose a considerable economic cost to both the public and private sectors..." (p. 79). Allen and Clark (1981) showed that more affluent US states enacted lobbying regulations earlier than poor US states. Opheim (1991) also postulated that wealthier US states would be more apt to pass extensive lobbying legislation.

The literature widely supports the notion that asymmetric information influences the lobbyist-legislator relationship (Potters & van Winden, 1992; Austen-Smith, 1993; Martimort & Semenov, 2007). As the wealth of a polity increases, we should see a corresponding increase in the professionalization of the legislature. This would result in more resources able to produce policy information, such as more specialized staff. Thus, as legislatures professionalize, the gulf in asymmetric information narrows, in turn reducing dependence on lobbyists and promoting independent policymaking. This lends credence to the notion that information may influence whether or not a legislature regulates lobbying (Ozomy, 2013). In Canada, despite having a

significant number of financially costly lobbying regulations relative to other countries (Chari et al. 2010), there have been no empirical studies analyzing the effect that financial costs of regulations have on their enactment and extensiveness. One would expect a comparable relationship between wealth and lobbying regulation at the federal and provincial levels in Canada, given that the importance of financial resources are constant despite differences between the Canadian and American political systems.

Legislative Tenure

This theory argues that as legislators' time in office increases, they become less likely to support extensive lobbying regulations. The causal mechanism is as follows: legislators foster personal relationships with lobbyists and, in turn, legislators' value lobbyist information and insight more as time goes on (Hansen, 1991). Thus, legislators (and parties) who have been in office for long durations would be less willing to restrict lobbyists' resources via more stringent regulations. Conversely novice legislators, while not necessarily predisposed to support extensive lobbying, are more likely to support lobbying regulations than their longer-tenured colleagues.

The US empirical literature supports this hypothesis. Hansen (1991) observed that lobbyists sought to develop relationships with legislators over time in order to increase their ability to influence policymaking. Carey et al. (2000), looking at survey data from the US state legislatures, confirms that lobbyists seek to "...cultivate the trust of legislators over time..." (p. 84). In an effort to test this hypothesis, Ozymy (2013) found that legislators are more likely to regulate lobbying when they are less tenured and/or are facing term limits. When there are term limits in place, legislators are more likely to regulate lobbying, because they are less invested in maintaining or creating a positive lobbyist-legislator relationship. However, an important caveat to Ozymy's findings is that state legislatures often have term limits. This confounds the ability to generalize

the findings to Canada where term limits are nonexistent. There is an additional difference between the Canadian and American political systems that may contribute to differences in the nature of lobbying regulations in the two countries. Namely, opposition legislators in the United States play a greater role in the policymaking process than their Canadian counterparts, due to variance in institutional design. Accordingly, American lobbyists are far more incentivized to meet with American opposition legislators than Canadian lobbyists are to meet with Canadian opposition legislators. This means that Canadian legislators who were formerly members of the opposition would be more likely to regulate lobbying than their American counterparts, given that the former is less likely to have an existing relationships with lobbyists. This notion, however, is speculative, given that there has yet to be a systematic investigation of the effect legislators' tenures on lobbying regulations within the Canadian political system.

Ideology

This theory suggests that lobbying regulations may be influenced by political ideology. Specifically, that more liberal political parties would support extensive lobbying regulations whereas more conservative parties would be less willing to support said regulations. This theory assumes that conservatism supports laissez-faire free market policies. It then follows that conservative parties would be less likely to regulate the private sector which is where the majority of lobbyists reside. Conversely, as political parties move towards more interventionist governing policies—liberalism—the more likely the parties would be to regulate the private sector. It must be noted that the literature has found that all types of parties across regional and ideological spectrums participate in lobbying, indicating that the use of lobbying is not biased by an ideology (Rosenthal, 2000; Baumgartner et al., 2009; Chari et al., 2007).

Although the empirical evidence supporting this theory is limited, related research has produced curious results. In Wikto's (2007) study of US campaign finance reform, Wikto noted that American liberals allowed the government to regulate more activities, including campaign finance. Moreover, Smith (2001) argued that Conservatives were generally apprehensive towards campaign finance reforms, claiming that they were ineffective. However, Nice (1994) found no link between campaign finance and ideology. Speaking directly about lobbying regulations in Canada, Chari et al. (2010) suggest that "different acts were introduced by different parties, across the ideological spectrum, which suggests that the legislation was not ideologically based *per se*" (p. 36). Despite supplying anecdotal evidence that both the Conservative and Liberal Parties in Canada have contributed to the federal lobbying legislation, Chari et al. (2010) did not present empirical work at the provincial level to empirically support this contention.

Data

Dependent Variable

The literature has produced several different ways to measure lobbying regulations, all of which are primarily designed to measure state legislation in the United States. The first systematic attempt was produced by Opheim (1991), wherein state legislation data was utilized to create an index of lobbying regulation which sought “to measure the stringency with which states regulate organized lobbies...” (p. 407). Opheim’s index was categorized in three dimensions: definition of a lobbyist (7 criteria); frequency and quality of disclosure (8 criteria); oversight and enforcement (7 criteria) for a total potential range of 0-22 points. The next attempt to index lobbying regulations was created by the Center for Public Integrity (CPI) in their 2003 “Hired Guns” analysis of lobbying disclosure laws. The CPI index sought to build on Opheim’s work by increasing the number of criteria to 48 questions, leading to possible scores between 0-100. Furthermore, the CPI index expanded the categories of interest to the following eight areas: definition of lobbying, individual registration, individual spending disclosure, employer spending disclosure, electronic filing, public access, enforcement, and revolving door provisions. The CPI index has been borrowed by a number of studies, most notably Chari et al. (2007; 2010) who extended the index to European countries and Canada. Concurrently, Newmark (2005) developed an index of lobbying regulations updating and modifying Opheim’s index for the period of 1990-2003. Newmark categorizes lobbying regulations along three dimensions – definition of lobbyists, disclosure and reporting, and prohibited activities – with a scoring range of 0-18. Ozymy (2010; 2013) uses Newmark’s index to measure lobbying regulations in his study, which investigates possible causal reasons for lobbying regulation differentiation across U.S. state legislatures over time. There have been a few less prominent attempts to measure narrower aspects of lobbying

regulations (Brinig et al, 1993; Hamm et al, 1994) however these indexes failed to create comprehensive and exhaustive criteria. In sum, there have been a few systematic attempts to measure lobbying regulations; each has built upon the others to expand their scope and to capture the increasingly varied and nuanced nature of lobbying regulations.

Despite the evolving improvements and rigorous usage of the aforementioned indexes, the two most prominent – the CPI index and the Newmark index – have limitations and flaws which make them ill-fit for studying modern lobbying regulations in advanced democracies such as Canada. Newmark's index misses out on some crucial aspects of lobbying regulations. Most notably, it omits a "revolving door" provision. A revolving door provision (also known as a "cooling off period") prohibits former members of executive and legislative branches (sometimes including staff) and often senior government officials from performing the duties of a lobbyist within a given time frame. These provisions have become more prevalent since Newmark's 2005 index and are commonly believed to be an important means by which the public restricts lobbyists' powers.

The CPI index does not face the same problems as Newmark's index as it is more robust. However, there are two problems with the CPI index which led to its rejection in this study: one methodological and one practical. Firstly, the methodological problem with the CPI index is that it is heavily skewed towards 'access' provisions. In 2003, when the CPI index was created, was a precarious time for public access to government information as government departments and agencies were in the midst of digitizing information and making it available online. Numerous questions that compose the criteria of the CPI index capture change in communication and

interaction between the public and governments.⁵ Unfortunately, this section seems to capture governments' state of technology usage and not necessarily the degree of lobbying regulations. The second, and practical, problem with borrowing the CPI index for this study concerns data availability. Many questions from the CPI index pertain to specific administrative practices which are impractical to collect from the date range 1990-2014.⁶ More generally, all of these indexes are based on U.S. lobbying regulations which differ from Canadian lobbying regulations. Differences in institutional design create the need to modify many of these indexes' criteria. One differentiating example is that in the Canadian political system, cabinet ministers are elected members of the legislature (except in rare circumstances). This is not the case in the United States and as such the relevant criteria need to be modified. Despite the shortcomings of both of these indexes, their theoretical framework and criteria will be utilized to create an index which accurately captures lobbying regulations in the Canadian context.

Due to the aforementioned limitations of measuring lobbying regulations in the literature, I created a new index to capture the differences of the Canadian political system. Drawing from the criteria of both Newmark's 2005 index and the 2003 CPI index, I created an index which categorizes lobbying regulations along four dimensions (shown in Table 1): definitions of public office holders and lobbyists (8 criteria); prohibited activities (2 criteria); registration and reporting (9 criteria); revolving door provisions (16 criteria).⁷ The first three categories are weighted roughly the same as the CPI and Newmark indexes. The fourth category 'revolving door provisions' is weighted sizeably greater here than in the CPI index. This was done for three primary reasons.

⁵ The CPI Index has weights 23 points pertaining to online/public access. For example, question 32 codes for the location/format of spending reports: photocopies from office only = 1 point; PDF or image files on the Web = 2 points; searchable database on the Web = 3 points; downloadable files/database = 4 points.

⁶ For example, question 33 of the CPI Index codes for the costs of copies of disclosure reports (25 cents or more per page = 0; less than 25 cents per page = 1).

⁷ A comprehensive breakdown of all criteria can be found in Appendix A.

Firstly, when the CPI introduced revolving door provisions into their index, there were few polities which had said provisions. Since then revolving door provisions, in all their variations, has become more commonplace. Secondly, revolving door provisions are among the most restrictive rules that can be legislated against lobbying—prohibiting certain people, who historically have been active lobbyists, from lobbying in a given period. Thirdly, public sentiment has grown to greatly endorse cooling-off periods for former public office holders. For these reasons, revolving door provisions were given a large weight of a possible 16 points.

I have scored all Canadian provincial and federal lobbying regulations⁸; beginning with the first lobbying regulations in Canada—the federal Lobbying Act of 1988—through 2014. The federal government and all provinces, with the exception of Prince Edward Island, have enacted forms of lobbying regulations over this span.⁹ The index has a range of 0-33 with a mean of 7.53 and a standard deviation of 9.87. The highest scoring regulations were that of the Canadian federal government in 2010-2014 with a score of 33. The lowest scoring polity, for which lobbying regulations have been legislated, was New Brunswick in 2014 with a score of 9. Figure 1 shows change in lobbying regulations over time. There have been 18 occasions where lobbying regulations have been strengthened and no occurrences of lobbying regulations being weakened. The average increase in lobbying regulations was 10.5. The graph shows that the federal regulations generally lead the change of the manner in which lobbying regulations strengthen; for example, the federal regulation was the first to incorporate revolving door provisions. This comprehensive index of Canadian lobbying regulations provides an opportunity to conduct an

⁸ All lobbying regulations data was collected and coded using official federal and provincial legislations.

⁹ In addition to Prince Edward Island, all three of Canada territories: Yukon Territory, Northwest Territories, and Nunavut do not have any form of lobbying regulations. Notably, some Canadian municipal governments including: Ottawa and Toronto have lobbying regulations. St. John's municipal lobbying regulations were enacted in 2004 as part of Newfoundland & Labrador's provincial *Lobbyist Registration Act*.

analysis into possible causal factors influencing lobbying regulations within the Canadian political context.

Table 1: 2014 Lobbying Regulations Breakdown by Category

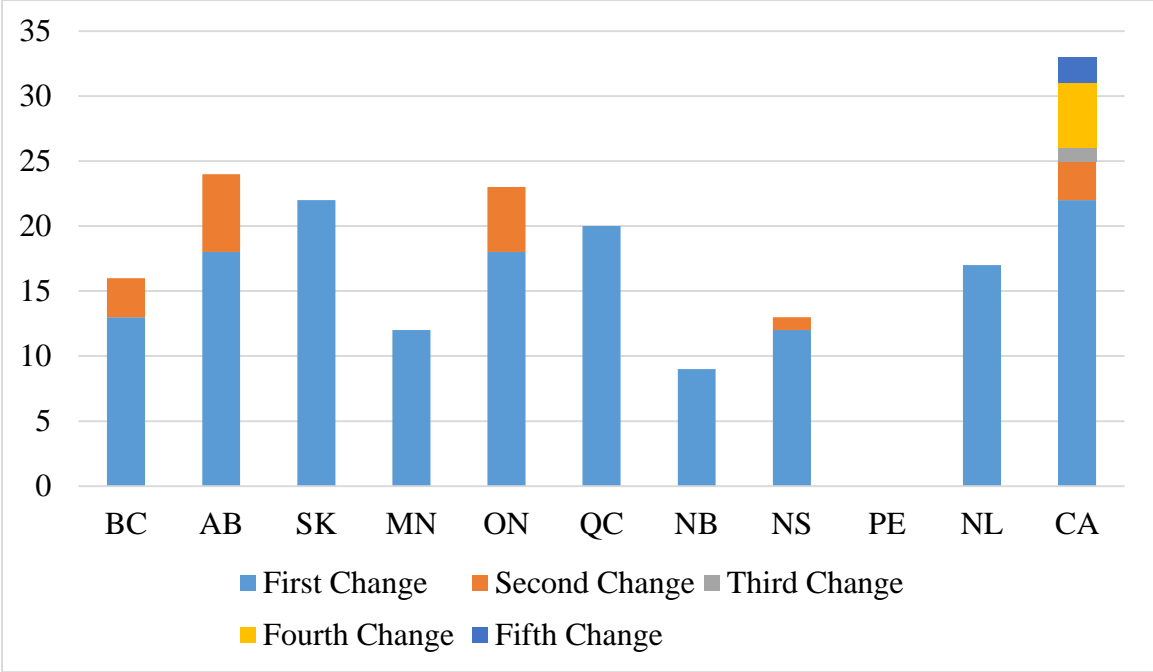
Categories	BC	AB	SK	MN	ON	QC	NB	NS	PE	NL	CA
Definitions (0-8)	7	7	7	6	8	7	6	6	0	7	7
Prohibited Activities (0-2)	1	1	1	1	2	1	0	1	0	0	1
Registration & Reporting (0-9)	5	6	7	4	7	5	3	6	0	8	9
Revolving Door Provisions (0-16)	3	10	7	0	6	7	0	0	0	2	16
Total (0-35)	16	24	22	12	23	20	9	13	0	17	33

Independent Variables

Data was collected from the period of 1990-2014 for provincial cases and from 1984-2014 for the federal cases.¹⁰ The data for the federal cases precedes the federal Lobbying Act of 1988 by four years. The data for the provincial cases began in 1990, which preceded the first provincial lobbying legislation (Ontario Lobbyists Registration Act of 1998) by eight years. These time periods allow for potential lags in the causal effect of the independent variables.

¹⁰ Political Culture was collected from the 1984 Canadian Election Studies (CES) data.

Figure 1: Changes to Canadian Lobbying Regulations



Methods & Analysis

This study will test the possible causal theories identified in the literature review. Observable hypotheses for each theory will be tested in a bivariate analysis.

Political Scandals

This theory proposes that political scandals result in increased negative attention and undermine democratic legitimacy. From this theory we can test the hypothesis that an increase in political scandals will result in an increase in lobbying regulations. A content analysis – a method which utilizes a set of procedures to make valid inferences from chosen texts (Weber, 1985) – was performed using data from The Globe and Mail newspaper.¹¹ The content analysis followed the precedent set by Ozymy (2013) and Rosenson (2005). It is prudent to note that the coding scheme is binary, meaning that scandals are not coded for magnitude but rather simply for presence; a scandal is coded as either present or not (0 or 1). The results of the content analysis yielded 160 political scandals over the time period.

Political scandals were coded using a two year lag. This was guided by the assumption that scandals need to be recent enough to be salient but not too recent (i.e. the current year) as legislation will likely lag, due to the time-consuming nature of the process. To assess the relationship between scandals and regulatory change, I compare the mean number of scandals when lobbying changes are present or absent.

¹¹ For an in-depth explanation of the content analysis see Appendix B

Table 2: Change in Lobbying Regulations following Political Scandals

Lobbying Regulations	Observations	Mean Number of political scandals	Standard Error	Standard Deviation
No Change	240	1.09	.10	1.55
Change	18	1.89	.43	1.84
Combined	258	1.14	.10	1.58
Difference		-.80	.38	-1.56
T = -2.09	Degrees of Freedom = 256			p-value= 0.04

Table 2 shows a statistically significant relationship between lobbying regulation enhancements and the presence of political scandals in the preceding two years. Specifically, there are on average .8 more scandals in the years preceding regulation changes compared to years preceding no change. Moreover, a p-value of .04 allows us to reject the null hypothesis.

Next, I ran a cross-tabulation evaluating the relationship between the frequency of political scandals and the magnitude of lobbying regulation change. In order to do this, lobbying regulations have been categorized into four groups: “stayed weak” indicating that no lobbying regulations were present; “stayed moderate” indicating that lobbying regulations stayed constant at 1-10 points; “became moderate” indicating that lobbying regulations increased between 1-10 points; and “became stringent” indicating that lobbying regulations increased over 10 points.

Table 3: Degree of Change in Lobbying Regulations following Political Scandals

Scandals 2 Yrs Prior	Modifications to Lobbying Regulations				Total
	Stayed Weak	Stayed Moderate	Became Moderate	Became Stringent	
0 Scandals	92 73.0%	29 23.0%	2 1.6%	3 2.4%	126 100.0%
>1 Scandals	53 40.2%	66 50.0%	7 5.3%	6 4.6%	132 100.0%
Total	145 56.2%	95 36.8%	9 3.5%	9 3.5%	258 100.0%
Pearson chi2 (3) = 28.55			p-value = 0.00		

Table 3 shows the relationship of political scandals and lobbying regulation change by magnitude. Notably, it shows that lobbying regulations became stringent nearly twice as often when there were scandals in the preceding two years. Moreover, lobbying regulations increased moderately three times as often following scandals in the two years prior compared to cases where no prior scandals were present. The p-value of 0.00 suggests we can reject the null hypothesis that there is no relationship between political scandals and lobbying regulations. In sum, both tests support the hypothesis that political scandals lead to new lobbying regulations that are often more stringent.

Political Culture

This theory posits that electorates who believe their governments are efficient and trustworthy—what Elazar termed “moralistic cultures” (1966)—will be more likely to implement lobbying regulations, as noted by Ozymy (2013) and Opheim (1991). Conversely, electorates who believe their governments are less responsive and untrustworthy—what Elazar termed “traditional” and “individualistic” cultures—will be less likely to enact lobbying regulations. Thus one can hypothesize that differences in provincial attitudes pertaining to trust and efficacy should reflect the provinces’ lobbying regulations.

A measure of political culture is drawn from Wiseman (2007) based on trust and efficacy survey questions from the Canadian Election Studies (CES) in 1984—the only year to pose various questions that probe the public’s level of trust in the government and the public’s perception of how responsive the government is at both the federal and provincial level (Henderson 2010a). It is assumed that relative trust and efficacy scores remain constant over the decades covered in the present study, as individuals’ political attitudes are slow-changing (Wiseman, 2007). The mean scores of trust and efficacy were evenly weighted to create a political culture score for each province and the federal government. Political culture has been categorized into three groups: individualistic political culture denotes low trust and efficacy scores (< 1.72); traditionalistic political culture denotes moderate trust and efficacy scores ($1.72-2.01$); and moralistic political culture denotes high trust and efficacy scores (> 2.01).¹² The first hypothesis tested is whether greater trust in government is positively related to lobbying regulation change.

¹² The terms individualistic, moralistic, and traditionalistic political cultures are borrowed from Elazar (1966) for the purposes of classification. However, these terms are not directly comparable to those in the present analysis due to methodological differences between the two studies.

Table 4: Relationship between Political Culture and Frequency of Change in Lobbying Regulations

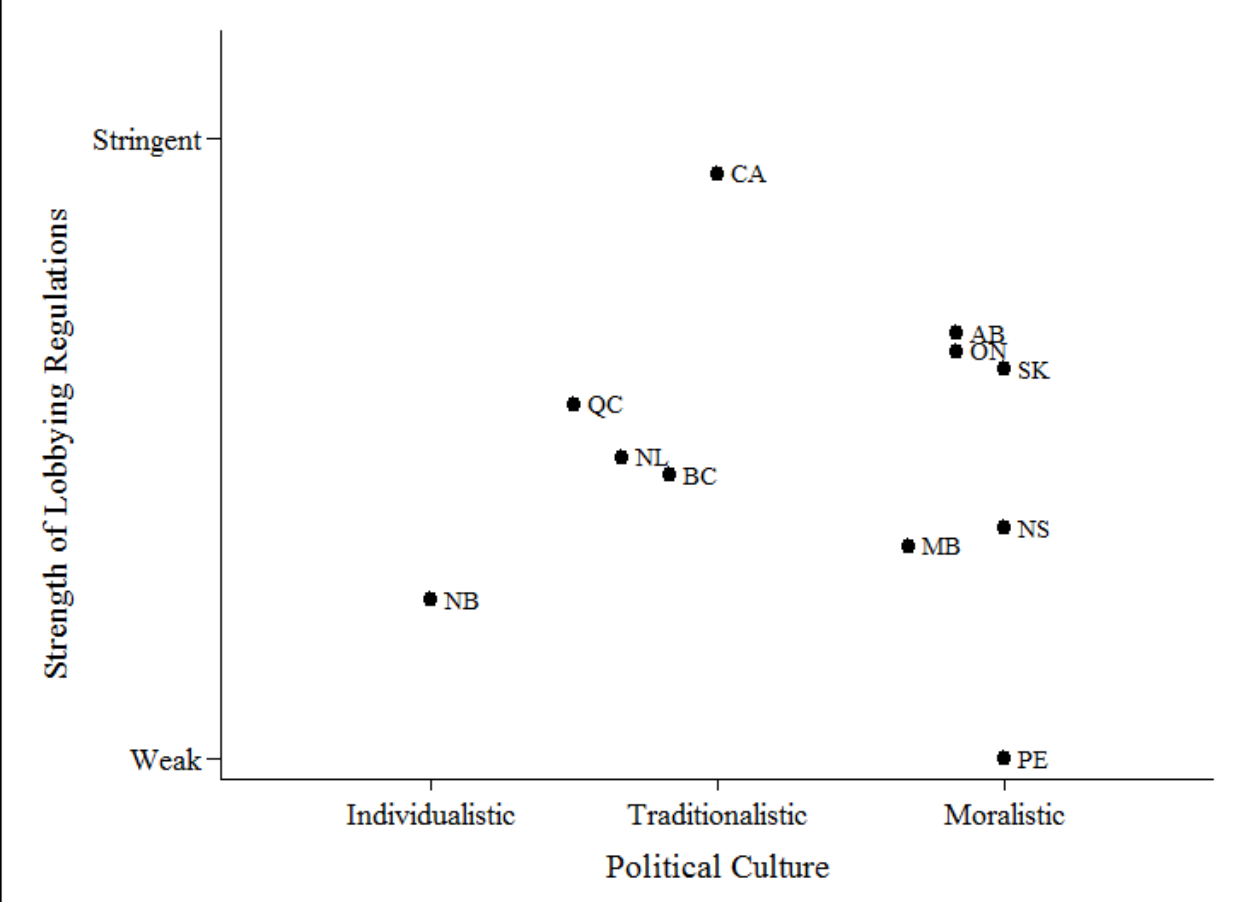
Political Culture— Government Trust and Efficacy	Changes to Lobbying Regulations		
	No	Yes	Total
Individualistic	72 96.0%	3 4.0%	75 100.0%
Traditionalistic	73 90.1%	8 9.9%	81 100.0%
Moralistic	118 94.4%	7 5.6%	125 100.0%
Total	263 93.6%	18 6.4%	281 100.0%
Pearson chi2 (2) = 2.49		p-value = 0.29	

The data presented in Table 4 shows that there is not a clear relationship between political cultures in Canada and the likelihood of an increase in lobbying regulations. The distribution of lobbying regulation increase across political cultures is highest (9.9%) with traditionalistic political cultures. In individualistic political cultures, lobbying regulations changed at a rate of 4.0%. Similarly, in moralistic political cultures, lobbying regulations changed at a rate of 5.6%. This suggests that political culture does not have a definable impact on lobbying regulations. Moreover, it is important to note that a high p-value reflects the possibility that the small sample size is too limited to reject the null hypothesis.

Figure 2 shows the strength of lobbying regulations and political culture in 2014. Here once again we do not observe a clear relationship. Notably, provinces with the highest trust and efficacy scores – Saskatchewan, Nova Scotia, Prince Edward Island – range in their current strength of

lobbying regulation, with Saskatchewan having relatively strong lobbying regulations at 22 points, followed by Nova Scotia with moderate lobbying regulations at 13 points, followed by Prince Edward Island with no lobbying regulations. These results run counter to the hypothesized results that moralistic political cultures would have tougher lobbying regulations.

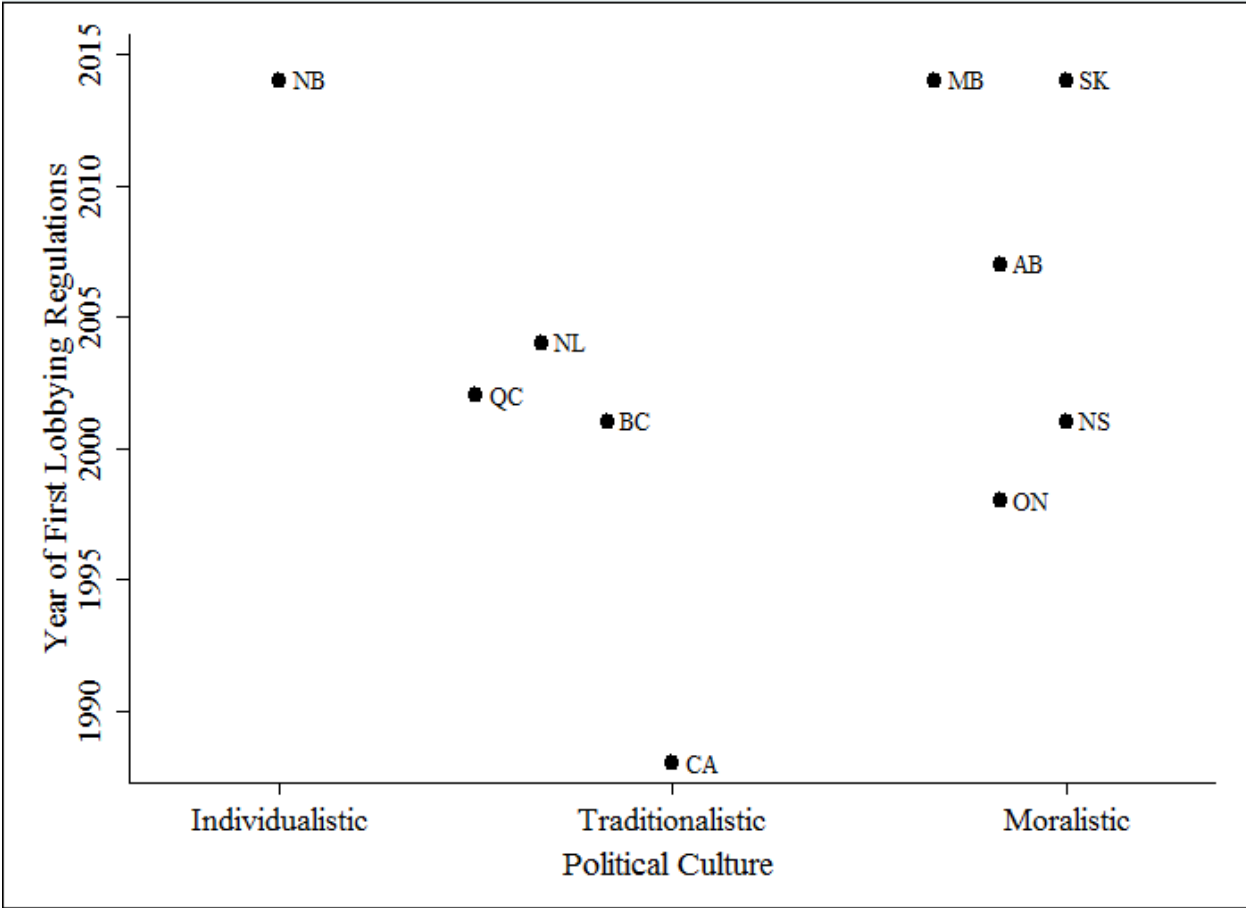
Figure 2: Relationship between Political Culture and Lobbying Regulations in 2014



A final hypothesis of this theory is that perhaps political culture primes lobbying regulation from the outset, but then becomes less responsive to subsequent changes. In other words, moralistic political cultures are more likely to be the first polities to enact lobbying regulations. Figure 3 demonstrates no relationship between the type of political culture a polity has and the timing of its first lobbying regulations. Notably, New Brunswick (an individualistic political culture polity) and

Saskatchewan (a moralistic political culture polity) both introduced lobbying regulations in 2014. Moreover, the Canadian federal government, which was the first to introduce lobbying regulations in 1988, is a traditionalistic political culture. In sum, these results suggest that across Canadian polities, there is no discernable link between political culture and strength or timing of lobbying regulations.

Figure 3: Relationship between Initial Lobbying Regulations and Political Culture



Financial Resources

This theory posits that more affluent polities will be more likely to enact lobbying regulations because wealthier polities have the resources to support costly lobbying regulations and/or because

wealthier polities need lobbyists' information less than poor polities. Thus it is hypothesized that wealthier provinces should be more likely to enact lobbying regulations and those regulations should be more stringent than lobbying regulations found in their less wealthy counterparts. In order to test this hypothesis, gross domestic product (GDP) data was collected from Statistics Canada for the period 1990-2014 for the provinces and 1984-2014 for Canada. GDP per capita was chosen as a proxy for polity wealth as it is a commonly accepted measure of state wealth and is not contingent on a government's fiscal position or overall size of the economy. Cases of GDP per capita were divided evenly into three groups: low = <\$29,881; middle = \$29,882-\$35,299; high = >\$35,300. GDP per capita figures are expenditure-based and are chained to CDN 2007 dollars.

Table 5 shows the relationship between GDP per capita and changes in lobbying regulations. The data shows a positive relationship between the wealth of polities and the frequency of which they strengthen lobbying regulations. There is a relatively high level of confidence to reject the null hypothesis that a relationship does not exist ($p = 0.06$). This data affirms the alternative hypothesis that there is a relationship.

Table 5: Relationship between Financial Resources and Change to Lobbying Regulations

GDP per Capita	Changes to Lobbying Regulations		
	No	Yes	Total
Low Wealth	91 97.9%	2 2.2%	93 100.0%
Moderate Wealth	88 93.6%	6 6.4%	94 100.0%
High Wealth	84 89.4%	10 10.6%	94 100.0%
Total	263 93.6%	18 6.4%	281 100.0%
Pearson $\chi^2(2) = 5.62$		p-value = 0.06	

Table 6 summarizes the next test which hypothesizes that more affluent polities are more likely to enact stringent lobbying regulations. The results show that there is a relationship between wealth and magnitude of lobbying regulation change, specifically, between less affluent “low” polities and the more affluent “moderate” and “high” wealth polities. We see increased lobbying regulations in only 2.4% of the years among less affluent polities. In contrast, among middle and high affluent polities, there was increased lobbying regulations in 6.6% and 10.7% cases, respectively. The cross tabulation reports a p-value of <0.00.

Table 6: Relationship between Financial Resources and the Degree of Change in Lobbying Regulations

GDP per Capita	Modifications to Lobbying Regulations				Total
	Stayed Weak	Stayed Moderate	Became Moderate	Became Stringent	
Low Wealth	76 89.4%	7 8.2%	1 1.2%	1 1.2%	85 100.0%
Moderate Wealth	54 59.3%	31 34.1%	1 1.1%	5 5.5%	91 100.0%
High Wealth	27 28.7%	57 60.6%	7 7.5%	3 3.2%	94 100.0%
Total	157 58.2%	95 35.2%	9 3.3%	9 3.3%	270 100.0%
Pearson chi2 (6) = 72.98			p-value = 0.00		

In sum, these tests shows within a reasonable certainty that the wealth of a polity is correlated to the strength of its lobbying regulations. In particular, low wealth polities were less likely to enact moderate and stringent lobbying regulations than moderate or high wealth polities.

Legislative Tenure

This theory suggests that as legislators increase in experience, their reliance on lobbyists’ information will increase due to fostered personal relationships developed over their tenure in

government. Election data was collected from the Canadian Elections Database¹³. To first test this theory, we should observe inexperienced governments strengthening lobbying regulations more often than experienced governments.

Table 7 is a cross tabulation of government tenure and the frequency of strengthening lobbying regulations. Government Tenure is categorized into the following 3 groups: Inexperienced = <3 years; Moderate Experience = 3-7 years; Experienced >7 years. We observe no discernable relationship between the rate at which governments increase lobbying regulations and the amount they have governed. The rate at which inexperienced and experienced governments strengthen lobbying regulations only differs by 2.4%, with inexperienced governments enacting lobbying regulations at a rate of 9.1% and experienced governments enacting lobbying regulations at a rate of 6.7%. Notably, moderately experienced governments enact lobbying regulations at a rate of 4.2%, negating any semblance of a relationship.

Table 7: Relationship between Legislative Tenure and Change in Lobbying Regulations

Legislative Tenure	Change in Lobbying Regulations		
	No	Yes	Total
Inexperienced	60 90.9%	6 9.1%	66 100.0%
Moderate Experience	92 95.8%	4 4.2%	96 100.0%
Experienced	111 93.3%	8 6.7%	119 100.0%
Total	263 93.6%	18 6.4%	281 100.0%
Pearson chi2 (2) = 1.62		p-value = 0.45	

¹³ Retrieved from Canadian Elections Database website:
<http://canadianelectionsdatabase.ca/PHASE4/?p=0&type=election> July 15, 2015.

I then tested whether increases in lobbying regulations are larger under less experienced than more experience governments. Table 8 shows the results of the cross tabulation. This second test affirmed the inconclusive results showed in the first test; tenure duration does not influence the magnitude of lobbying regulation changes. Inexperienced governments enacted stringent changes to lobbying regulations at a rate of 4.8%, whereas experienced governments enacted stringent changes to lobbying regulations at a rate of 3.5%. Moreover, the test's p-value of 0.78 further supports the inability to reject the null hypothesis that no relationship exists between tenure of government and lobbying regulations. In sum, these two tests were not able to conclusively demonstrate a relationship between legislative tenure and lobbying regulations.

Table 8: Relationship between Legislative Tenure and the Degree of Change in Lobbying Regulations

Government Tenure	Modifications to Lobbying Regulations				Total
	Stayed Weak	Stayed Moderate	Became Moderate	Became Stringent	
Inexperienced	38 61.3%	18 29.0%	3 4.8%	3 4.8%	62 100.0%
Moderate Experience	56 60.9%	32 34.8%	2 2.2%	2 2.2%	92 100.0%
Experienced	63 54.3%	45 38.8%	4 3.5%	4 3.5%	116 100.0%
Total	157 58.2%	95 35.2%	9 3.3%	9 3.3%	270 100.0%
Pearson chi2 (6) = 3.21			p-value = 0.78		

Ideology

The theory asserts that conservative political ideology is less interventionist and thus is less likely to regulate lobbying. Consequently, it is hypothesized that we should observe conservative political parties adopting lobbying regulations less often than more liberal parties. Moreover, if conservative parties do enact lobbying regulations, they will be less stringent than that of liberal political parties.

Ideology scores are drawn from the index in Simon & Tatalovich (2014). This index was created by utilizing expert survey data from Castles & Mair (1984) and Huber & Inglehart (1995) which scored all governing Canadian political parties from 0-10 (liberal-conservative) and subsequently averaged the ideology scores based on party. This index does not discriminate ideological variations within a political party, nor between regional differences of political parties of the same name. Furthermore, the index does not take into account change in party ideology over time. For example, all Canadian Liberal parties are scored at 5.2, regardless of potential ideological differences between regions and/or across time; that is to say, the 2001 British Columbia Liberal party is scored the same as the 1999 Liberal Party of Canada. To first test this hypothesis, I ran a cross-tabulation looking for a relationship between 1) ideology and 2) changes in lobbying regulations.¹⁴

Table 9: Relationship between Ideology and Change in Lobbying Regulations

Ideology (0-10)	Change in Lobbying Regulations		
	No	Yes	Total
Liberal (0-4)	60 96.8%	2 3.2%	62 100.0%
Moderate (4-6)	102 84.4%	6 5.6%	108 100.0%
Conservative (6-10)	102 91.9%	9 8.1%	111 100.0%
Total	264 94.0%	17 6.1%	281 100.0%
Pearson chi2 (2) = 1.74		p-value = 0.42	

Contrary to the hypothesis, Table 9 shows a positive relationship between conservative ideology and lobbying regulations; lobbying regulations are strengthened over twice as often under conservative governments (8.1% of the time in power) versus liberal governments (3.2% of the

¹⁴ All lobbying regulation change in Canada has been in the direction of more regulation.

time in power), with moderate parties neatly placing in the middle at 5.6% of the time in power. This result shows a near linear relationship between ideology and lobbying regulation change. However, these results must be viewed cautiously as there were only 17 cases of regulation change; moreover, the p-value of .42 indicates that this result may have been the product of a small sample size and random chance.

Table 10: Relationship between Ideology and the Degree of Change in Lobbying Regulations

Ideology (0-10)	Modifications to Lobbying Regulations				Total
	Stayed Weak	Stayed Moderate	Became Moderate	Became Stringent	
Liberal (0-4)	47 77.1%	12 19.7%	0 0.0%	2 3.3%	61 100.0%
Moderate (4-6)	52 50.0%	46 44.2%	4 3.9%	2 1.9%	104 100.0%
Conservative (6-10)	58 55.2%	38 36.2%	4 3.8%	5 4.8%	105 100.0%
Total	157 58.2%	96 35.6%	8 3.0%	9 3.3%	270 100.0%
Pearson chi2 (6) = 15.23			p-value = 0.02		

To address this uncertainty, I ran a second test to determine whether the regulation changes that occurred were smaller in magnitude under the conservative parties. Once again, this test shows a modest positive relationship between the magnitude of lobbying regulations and ideologically conservative parties. Most notably, conservative parties enacted changes over 10 points in magnitude in 4.8% of cases where they formed government. In contrast, liberal parties did so in 3.3% of cases and moderate parties in 1.9% of cases. In sum, conservative parties were slightly more likely to implement larger changes. Moreover, liberal parties do not enact lobbying regulations at a rate of 77.1%, thus demonstrating their unwillingness to enact any lobbying regulations; they are more content having no regulations when compared to conservative or

moderate parties. The p-value associated with this table is less than .05, and thus we have fairly compelling evidence that there is a relationship between party ideology and regulatory change. In sum, we can conclude that, in the Canadian context, contrary to the theory, conservative parties are marginally more likely to enact lobbying regulations.

Discussion

The bivariate analysis has demonstrated three relationships between the independent variable tested and Canadian lobbying regulations. Firstly, political scandals precede occurrences of strengthening lobbying regulations. Secondly, the financial affluence of Canadian polities is correlated with the strength of lobbying regulations in those polities. Thirdly, ideology plays a role, as conservative political parties strengthen lobbying regulations more often than moderate and liberal political parties. The two remaining independent variables, political culture and legislative tenure do not appear to be related to lobbying regulations. This section discusses the implications of the presence or absence of relationships between the independent variables and lobbying regulations, as well as discuss the limitations and generalizability of the analysis as a whole.

Political Scandals

The results of this analysis are consistent with results found by Ozymy (2013) in American states, as well as the position opined by many interest group scholars (Holman and Luneburg, 2012; Newmark 2009); namely, a positive relationship between political scandals and lobbying regulation exists in Canadian polities. However, the causal mechanism behind this relationship is unclear. The results do not necessarily conclude that political scandals *directly* cause the enactment and stringency of lobbying regulations, as these political scandals are not limited to scandals directly involving lobbyists. It could be the case that political scandals prime the electorate to be

more critical of the government. In turn, the government could enact tougher lobbying regulations as one of a variety of tools aiming to placate a disgruntled electorate. Thus, political scandals may in fact *indirectly* cause increases in lobbying regulations, along with other legitimacy-restoring tools at the government's disposal. However, if one were to limit measurement of political scandals to those which only involve lobbyists, they would risk failing to accurately capture the causal mechanism outlined in the literature, which includes a broader range of political scandals. Future research could deconstruct political scandals into finer categories, potentially isolating causal mechanisms.

The data and methodology also limit the scope of these findings. The data did not differentiate between the magnitude and salience of political scandals, as each scandal was coded for presence only. If the hypothesized causal mechanism of an indirect relationship is true, the overall saliency and magnitude of political scandals is likely to influence the corresponding reaction by the government. In turn, future research would benefit from examining political scandals more specifically and intensively, potentially employing a qualitative case study methodology.

Political Culture

The results of this analysis are inconclusive, as there was no relationship found between political culture and lobbying regulations. This finding is inconsistent with the scholarly literature, which found that political culture was a contextual factor that influenced lobbying regulations; both Opheim (1991) and Ozymy (2013) reported a strong relationship between political culture and lobbying regulation in the United States. The results of the present analysis does not necessarily negate the generalizability of Opheim (1991) or Ozymy (2013) to the Canadian political context. A possible explanation for the differences between studies is that Canadian political cultures are not different across Canadian polities to the extent that they are in the United

States. It could be speculated that differences in the federal structure of the two countries and/or public perception of government organization has created this difference. An alternative and intriguing explanation is that Canadian polities may be not be as responsive to political culture as their American counterparts; that is, political culture within Canada may not vary to the extent that it does in the United States.

Problems with data and methodology could also have led to this incongruence. Firstly, the trust and efficacy scores which combined to determine political culture are drawn from a single year—1984. Although political culture scores should remain relatively constant, the nature of the survey data utilized presents the possibility that salient political events influenced respondents' attitudinal answers.¹⁵ Secondly, there may have been cross- polity confusion on the part of the responder. For example, a responder who had been exposed to a salient political corruption event at the municipal level may have responded differently on trust and efficacy questions pertaining to the provincial government. Thirdly, political culture could be a contextual factor that primes the electorate for a more salient political event, such as a political scandals, to catalyze lobbying regulations. In conclusion, a multivariate analysis incorporating these considerations could further illuminate and provide a more conclusive commentary on this purported relationship.

Financial Resources

The results of this analysis are congruent with the speculated theory in the literature that wealthier polities are more likely to adopt lobbying regulations. However, the specific causal mechanism was not determined. There are two possible mechanisms that likely operate concurrently. The first causal mechanism postulates that wealthier polities enact more stringent

¹⁵ It should be noted that I also ran a separate set of provincial political culture scores borrowed from Henderson (2010a) data on trust and efficacy through the period 1968-1993. The results were similarly inconclusive.

lobbying regulations because they have the financial resources to pay for the set-up and operating fees. From this emerges an intriguing implication; lobbying regulations are not born out of necessity. In this sense, lobbying regulations can be viewed as a luxury which, in turn, could lead to the conclusion that lobbying is not a core threat to democracy; if it were, we would likely observe struggling polities placing higher value on lobbying regulations. This notion confirms the anecdotal evidence that advanced democracies have been the first to regulate lobbying. The second causal mechanism contends that wealthier polities enact more lobbying regulations because their wealth affords them legislative resources; thus they do not desire free information supplied by lobbyists. From this an additional intriguing implication is deduced; that legislators interact with lobbyists primarily to gain access to information. This implication would support the pluralist notion that interest group-legislator deliberations are normatively good for democracy. Further research aiming to isolate the effects of these two hypothesized causal mechanisms would provide great insight into this relationship and would subsequently bolster the generalizability of this theory.

Legislative Tenure

The results of this analysis produced inconclusive results. Consistent with the theory, Ozymy (2013) found that legislators who faced term limits were slightly more likely to regulate lobbying than those who did not. The discrepancy between Ozymy (2013) and the current study may be due to the institutional differences between Canadian and American political systems, in particular, differences in term limits. A noteworthy implication of this absence of relationship between legislative tenure and lobbying regulations is that it runs counter to the commonly held notion of an “old boys’ club” or “networking” interpretation of lobbying. This interpretation purports that the overall goal of a legislator-lobbyist relationship is primarily selfish: both use each other to

advance or maintain one's career, and the objective of good governing is an afterthought. If this were true, we should have observed a decrease in lobbying regulations as tenure advanced. Thus, these results illuminate a more complicated and nuanced legislator-lobbyist relationship than has been hypothesized.

The data and methodology used in this section present potential problems: namely, the measurement of legislative tenure. Firstly, a party that held government for a long duration and then lost power only to shortly regain it once again was categorized as inexperienced in this analysis, which may not be an accurate representation. Secondly, the data does not discern a first time legislator from a legislator who was a member of an opposition party. The latter legislator may have fostered rich personal relationships with lobbyists during his career as an opposition legislator, a circumstance not captured in the data. Future research should examine in-depth the legislator-lobbyist relationship, in order to isolate and explain the incentives for each.

Ideology

This analysis revealed that conservative parties were slightly more likely to enact lobbying regulations. This finding runs counter to the predominant existing theory. To be clear, there is limited empirical evidence in the literature to support this theory. As noted, however, many scholars assert that a relationship between ideology and lobbying regulations may exist. Given these results, the purported causal mechanism—that conservatism promotes free market principles which include deregulation and non-regulation—may be inaccurate when applied to Canadian politics. It may be speculated that the effect of ideological distinction with respect to lobbying regulations is marginal in the Canadian political context.

The data and methodology also present some problems. Firstly, these results must be viewed skeptically, as measuring ideology is inherently problematic. This particular measure does not

account for changes in party label ideology over time or over regions (federal and provincial), thus decreasing the validity of the data to accurately capture the concept of ideology in Canada. To discern whether the results were correlational or causal, further research should examine multivariate relationships between ideology and the other independent variables. It could be the case that ideology is also correlated with political scandals or financial wealth of polities.

Conclusion

This paper investigates the causes of lobbying regulations in Canadian polities. In particular, it tests potential causal theories that explain differences in both the timing of enactment and overall stringency of lobbying regulations found across Canada. Results reveal a relationship between the dependent variable and the following three independent variables: political scandals, financial resources, and ideology. No relationship was observed between the dependent variable and both political culture and legislative tenure. It is important to note that this analysis was solely bivariate in nature. Accordingly, future research should employ a multivariate analysis to determine potential interplay between the dependent variable and the independent variables. An additional objective of this thesis was to further develop the measurement of lobbying regulations across political contexts; more specifically, I broadened the scope of the measurement to include revolving door provisions, thereby accurately capturing the evolved state of lobbying regulations and providing a tool for others investigating similar phenomena.

Despite some similarities, namely, the influence of political scandals and financial resources on lobbying regulations, this paper has demonstrated that findings from the American literature cannot be generalized to other advanced industrialized countries. It is likely that additional causal factors affecting lobbying regulations vary based on a multitude of potentially related contextual factors, including institutional design, societal framework, and historical influences. Further

research studying advanced industrialized polities in Europe could determine the specific contextual factors (e.g., institutional design) that enable specific independent variables to affect lobbying regulations. Such research would lead to a more comprehensive understanding of the causes of lobbying regulations, including when and why the factors impacting such regulations differ across countries and sub-national units.

References

- Accountability: Methodology*. (2003, May 15). Retrieved from The Center for Public Integrity:
www.publicintegrity.org/2003/05/15/5914/methodology
- Allen, R., & Clark, J. (1981). State policy adoption and innovation: Lobbying and education. *State & Local Government Review*, 13(1), 18-25.
- Austen-Smith, D. (1993). Information and influence: Lobbying for agendas and votes. *American Journal of Political Science*, 37(3), 799-833.
- Baumgartner, F. R., Berry, J. M., Hojnacki, M., Leech, B. L., & Kimball, D. C. (2009). *Lobbying and policy change: Who wins, who Loses, and why*. Chicago: University of Chicago Press.
- Beth, R. (2005). *The shadowlands of conduct: Ethics and state politics*. Washington, D.C.: Georgetown University Press.
- Brinig, M., Holcombe, R. G., & Schwartzstein, L. (1993). The regulation of lobbyists. *Public Choice*, 77, 377-384.
- Canadian Elections Database: Elections*. Retrieved from:
<http://canadianelectionsdatabase.ca/PHASE4/?p=0&type=election>
- Carey, J. M., Niemi, R., & Powell, L. (2000). *Term limits in state legislatures*. Ann Arbor: University of Michigan Press.
- Castles, F. G., & Mair, P. (1984). Left-right political scales: Some 'expert' judgements. *European Journal of Political Research*, 12, 73-88.
- Chari, R., Hogan, J., & Murphy, G. (2010). *Regulating lobbying: A global comparison*. Manchester: Manchester University Press.

- Chari, R., Murphy, G., & Hogan, J. (2007). Regulating lobbyists: A comparative analysis of the United States, Canada, Germany and the European Union. *The Political Quarterly*, 78(3), 422-438.
- Clark, C. (2002, January 10). Legislation to target lobbying loophole critics say changes to law unnecessary, being made to protect unpaid aide to PM. A4. *The Globe and Mail*.
- Clement, W. (1997). *Understanding Canada: Building on the new Canadian political economy*. Montreal, Quebec: McGill-Queen's University Press.
- Cochrane, C., & Perrella, A. (2012). Regions, regionalism and regional differences in Canada. *Canadian Journal of Political Science*, 45(4), 829-853.
- Devi Prasad, B. (2008). Content analysis: A method in social science research. In D. Lal Das, & V. Bhaskaran (Eds.), *Research methods for social work* (pp. 173-193). New Delhi: Rawat.
- Elazar, D. J. (1966). *American federalism: A view from states*. New York, New York: Thomas Y. Crowell Company.
- Ensign, D. (n.d.). Reforming public integrity laws in an era of declining trust. In *The book of the states* (Vol. 31, pp. 477-484). Lexington, Kentucky: Council of State Governments.
- Fraser, G., & Sallot, J. (1987, February 9). Swirl of scandal lends impetus to PM's reform plans. A3. *The Global and Mail*.
- Hamm, K. E., Weber, A. R., & Anderson, R. B. (1994). The impact of lobbying laws and their enforcement. *Social Science Quarterly*, 75(2), 378-381.
- Hansen, J. M. (1991). *Gaining access: congress and the farm lobby, 1919-1981*. Chicago: University Press of Chicago.

- Henderson, A. (2004). Regional political cultures in Canada. *Canadian Journal of Political Science*, 37(3), 595-615.
- Henderson, A. (2010a). 'Small worlds' as predictors of general political attitudes. *Regional & Federal Studies*, 20(4-5), 469-485.
- Henderson, A. (2010b). Why regions matter: Sub-state politics in comparative perspective. *Regional & Federal Studies*, 20(4-5), 439-445.
- Holman, C., & Luneburg, W. (2012). Lobbying and transparency: A comparative analysis of regulatory reform. *Interest Groups & Advocacy*, 1(1), 75-104.
- Hrebendar, R. J., & Morgan, B. B. (2009). *Lobbying in America*. Santa Barbara, California: ABC-CLIO, Inc.
- Huber, J., & Inglehard, R. (1995). Expert interpretations of party space and party locations in 42 societies. *Party Politics*, 1, 73-111.
- Kanol, D. (2015). Comparative lobbying research: advances, shortcomings and recommendations. *Journal of Public Affairs*, 15(1), 110-115.
- Krishnakumar, A. S. (2006-2007). Towards a madisonian, interest-group-based, approach to lobbying regulation. *Alabama Law Review*, 58(3), 513-573.
- Lobbying Act, R.S.C., c. 44, 4th supplement, (1985). Retrieved from <http://laws-lois.justice.gc.ca/eng/acts/L-12.4/>
- Lobbying Transparency and Ethics Act, R.S.Q., c. T-11.011 (2002). Retrieved from http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=%2F%2FT_11_011%2FT11_011_A.htm
- Lobbyists Act, S.A. c. L-20.5 (2007). Retrieved from <http://www.qp.alberta.ca/documents/Acts/L20P5.pdf>

- Lobbyists Registration Act, S.B.C. c. 42 (2001). Retrieved from
http://www.bclaws.ca/Recon/document/ID/freeside/00_01042_01
- Lobbyists Registration Act, S.N.L. c. L-24.1 (2004). Retrieved from
http://www.assembly.nl.ca/Legislation/sr/statutes/l24-1.htm#8_
- Lobbyists Registration Act, S.O., c. 27 (1998). Retrieved from
<http://www.ontario.ca/laws/statute/98l27>
- Lobbyists' Registration Act, S.N.B., c. 11 (2014). Retrieved from
<http://www.gnb.ca/0062/acts/BBA-2014/Chap-11.pdf>
- Lobbyists' Registration Act, S.N.S., c. 34 (2001). Retrieved from
<http://nslegislature.ca/legc/statutes/lobbyreg.htm>
- Malvern, P. (1985). *Persuaders: Influence peddling, lobbying and political corruption in Canada*. Toronto: Methuen.
- Martimort, D., & Semenov, A. (2007). Political biases in lobbying under asymmetric information. *Journal of the European Economic Association*, 5(2-3), 614-623.
- McGrane, D., & Berdahl, L. (2013). 'Small worlds' no more: Reconsidering provincial political cultures in Canada. *Regional & Federal Studies*, 23(4), 479-493.
- Newmark, A. J. (2005). Measuring state legislative lobbying regulation, 1990-2003. *State Politics & Policy Quarterly*, 5(2), 182-191.
- Newmark, A. J. (2009). Personal relationships and information as lobbying strategies: Adaptation in the context American states. In C. McGrath, & C. McGrath (Ed.), *Interest groups and lobbying in the United States and comparative perspectives* (pp. 75-102). Lewiston, New York: Edwin Mellen Press.

- Nice, D. (1994). *Policy innovation in state government*. Des Moines: Iowa State University Press.
- Nova Scotia Lobbyists' Registration Act, c. 34, s 1 (2001). Retrieved June 20, 2015, from <http://nslegislature.ca/legc/statutes/lobbyreg.htm>
- Opheim, C. (1991). Explaining the differences in state lobby regulation. *The Western Political Quarterly*, 44(2), 405-421.
- Ozmy, J. (2010). Assessing the impact of legislative lobbying regulations on interest group influence in U.S. state legislatures. *State Politics & Policy Quarterly*, 10(4), 397-420.
- Ozmy, J. (2013). Keepin' on the sunny side: Scandals, organized interests, and the passage of legislative lobbying laws in the American states. *American Politics Research*, 41(1), 3-23.
- Potters, J., & van Winden, F. (1992). Lobbying and asymmetric information. *Public Choice*, 74(3), 269-292.
- Rosenson, B. A. (2003). Against their apparent self-interest: The authorization of independent state legislative ethics commissions, 1973-96. *State Politics & Policy Quarterly*, 3(1), 42-65.
- Rosenthal, A. (2000). *The third house: Lobbyists and lobbying in the states* (2nd ed.). Washington, DC: CQ Press.
- Simon, C. A., & Tatalovich, R. (2014). Party, ideology, and deficits: Provincial fiscal policy and the Cameron thesis, 1966-2009. *Canadian Journal of Political Science*, 47(1), 93-112.
- Smith, B. A. (2001). *Unfree speech: The folly of campaign finance reform*. Princeton, NJ: Princeton University Press.

- Stark, A. (1992). "Political-discourse" analysis and the debate over Canada's lobbying legislation. *Canadian Journal of Political Science*, 25(3), 513-534.
- Statistics Canada. (n.d.). *Gross domestic product, expenditure-based, provincial and territorial annual*, Table 384-0038 . Retrieved 10 22, 2015, from <http://www5.statcan.gc.ca/cansim/a26?lang=eng&id=3840038>
- The Lobbyists Act, S.S., c. L-27.01 (2014). Retrieved from <http://docs.legassembly.sk.ca/legdocs/Bills/27L3S/Bill27-120.pdf>
- The Lobbyists Registration Act, C.C.S.M., c. L178 (2008). Retrieved from http://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=L178
- Tocqueville, A. (2012). *Democracy in America: In two volumes*. Indianapolis: Liberty Fund.
Retrieved from Project MUSE
- Weber, R. (1985). *Basic content analysis*. New Delhi: Sage Publications.
- Wiseman, N. (2007). *In search of Canadian political culture*. Vancouver: UBC Press.
- Witko, C. (2007). Explaining increases in the stringency of state campaign finance regulation, 1993-2002. *State Politics & Policy Quarterly*, 7(4), 369-393.

Appendices

Appendix A: Lobbying Regulation Index Criteria

Definitions of Lobbyists & Public Office Holders include (Yes = 1; No = 0) 8 total:
1. Those seeking to lobby the legislature
2. Those seeking to lobby administrative agencies
3. Time standards for In-house ("Enterprise" -QC or "Organization") Lobbyists
4. Code of Conduct/Ethics
5. Members of Executive Council
6. Members of Legislative Assembly
7. Staff members of Legislative Assembly members and Executive Council members
8. Any other members of government ministries and agencies
Prohibited activities involving lobbyists and principals include (Yes=1; No=0) 2 total:
9. Contingency Fees
10. Those who have entered into contracts for advising the government
Registration and reporting requirements 9 total:
11. How many days can in-house lobbying take place before registration is required? ¹⁶
12. How many days can consultant lobbying take place before registration is required? ¹⁷
13. Name of Public Office holder required?
14. Subject matter required?
15. Grass-roots lobbying disclosure required?
Revolving Door Provision (<6 m= 0; 6m-1y = 1; 1y-3y= 2; 3y>= 3) 16 total:
16. A "cooling off" period before Executive Council members can lobby?
17. A "cooling off" period before Legislators can lobby?
18. A "cooling off" period before Executive Council staff can lobby?
19. A "cooling off" period before Legislators staff can lobby?
20. A "cooling off" period before members of ministries and agencies can lobby?
21. Any other limitations (disclosure on registration) on former Public Officer Holders?
Total Score (0-35)

¹⁶ Coded: 10 days or less = 3 points; 30 days to 10 days = 2 points; 60 days or 30 days = 1

¹⁷ Coded: 10 days or less = 3 points; 30 days to 10 days = 2 points; 30 days or more = 1

Appendix A: Lobbying Regulation Index Criteria

Criteria	BC2001	BC2009	AB2007	AB2014	SK2014	MB2008	ON1998	ON2014	QC2002
1	1	1	1	1	1	1	1	1	1
2	1	1	1	1	1	1	1	1	1
3	0	1	1	1	1	0	0	1	0
4	0	0	0	0	0	0	0	1	1
5	1	1	1	1	1	1	1	1	1
6	1	1	1	1	1	1	1	1	1
7	1	1	1	1	1	1	1	1	1
8	1	1	1	1	1	1	1	1	1
9	0	0	0	0	0	0	0	1	1
10	0	1	0	1	1	1	0	1	0
11	1	1	1	1	1	1	2	2	2
12	3	3	3	3	3	3	2	2	2
13	0	0	0	0	1	0	0	1	0
14	1	1	1	1	1	1	1	1	1
15	0	0	1	1	1	0	1	1	0
16	2	2	1	2	2	0	2	2	2
17	0	0	1	2	1	0	0	0	0
18	0	0	1	2	1	0	2	2	2
19	0	0	1	2	1	0	0	0	0
20	0	0	1	2	1	0	2	2	2
21	0	1	0	0	1	0	0	0	1
Total	13	16	18	24	22	12	18	23	20

Appendix A: Lobbying Regulation Index Criteria

Criteria	NB2014	NS2001	NS2010	NL2004	CA1988	CA1995	CA2003	CA2006	CA2010
1	1	1	1	1	1	1	1	1	1
2	1	1	1	1	1	1	1	1	1
3	0	0	0	0	0	0	0	0	0
4	0	0	0	1	0	1	1	1	1
5	1	1	1	1	1	1	1	1	1
6	1	1	1	1	1	1	1	1	1
7	1	1	1	1	1	1	1	1	1
8	1	1	1	1	1	1	1	1	1
9	0	0	1	0	0	0	0	1	1
10	0	0	0	0	0	0	0	0	0
11	1	1	1	3	3	3	3	3	3
12	2	3	3	3	3	3	3	3	3
13	0	0	0	0	0	0	0	1	1
14	0	1	1	1	0	1	1	1	1
15	0	1	1	1	0	1	1	1	1
16	0	0	0	0	2	2	2	3	3
17	0	0	0	0	2	2	2	2	3
18	0	0	0	0	2	2	2	3	3
19	0	0	0	0	2	2	2	2	3
20	0	0	0	2	2	2	2	3	3
21	0	0	0	0	0	0	1	1	1
Total	9	12	13	17	22	25	26	31	33

Appendix B: Content Analysis

Following an adapted methodological procedure from Devi Prasad (2008), I took the following three steps in performing my content analysis:

- 1. Formulation of the research objective:** The research objective of this analysis is as follows: to examine the frequency of occurrence of political scandals 1) within each of the Canadian provincial governments from the years 1990 to 2014 and 2) within the Canadian federal government from the years 1984 to 2014 in an effort to determine the impact of political scandals on the extensiveness of provincial and federal lobbying regulations.
- 2. Selection of communication content and sample:** The chosen communication content for this analysis was The Globe and Mail, Canada's largest-circulation national newspaper. The Globe and Mail was chosen as it is widely considered to be Canada's English-language newspaper of record (Clement, 1997, p.343) and thus presents the most comprehensive and relevant communication content required to answer the research objective. The communication content contained in The Globe and Mail (i.e., newspaper articles) was not sampled, meaning that every article that was returned via the defined search criteria (see Step 3) was analyzed for its relevance to the research objective. The Globe and Mail was surveyed from January 1990 to December 2014 for political scandals in each of the Canadian provincial governments and from January 1984 to December 2014 for political scandals in the Canadian federal government.
- 3. Developing content categories and units of analysis:** "Political scandals" was the *content category* chosen for this analysis. The *units of analysis* can be divided into *recording units* - the specific segment of content in which the search terms were counted - and the *context units* - the larger body of content that is searched to characterize the recording unit (Devi Prasad, 2008). The recording and context units are the same in this content analysis; individual newspapers articles containing the defined search terms (*recording units*) were further searched to characterize whether they discussed type of political scandals relevant to the defined research objective.

A "political scandal" was defined following (Ozmy, 2013) and (Rosenson, 2005); included in this analysis were scandals relevant to ethics regulation, such as bribery, corruption, and abuse of public office for personal gain. Following (Ozmy, 2013) and (Rosenson, 2005); sexual scandals and voter fraud scandals were excluded. Also excluded were exclude cases involving municipal officials; focus was placed exclusively on the premiers, prime ministers, and other provincial and federal legislators (Ozmy, 2013, p.19).

Digital archives of The Globe and Mail were accessed through *factiva*, an online, full text database of newspapers. I searched each province's name and the words "scandal," "political," "legislative," and "MLA."¹⁸ Boolean operators and wildcard symbols (i.e., "**")) were employed to promote more focused and productive results. For the federal analysis, the keyword "Canada" was searched along with "scandal," "political," "legislative," "MP" and "prime minister." Boolean operators and wildcard symbols (i.e., "**")) were again employed.

I screened the titles of all articles yielded by the outlined search terms. If the title appeared to denote an article containing information about a political scandal in the provincial or federal legislature under examination, then the content of that article was analyzed for the presence of a political scandal involving ethics violations. A political scandal was counted only once and in the year it was first reported.

¹⁸ The keyword MPP was employed to search for Ontario's members of provincial legislatures; MNA was employed similarly for Quebec; and MNA was employed similarly for Newfoundland and Nova Scotia. The keywords "assemblyman" and "councillor" were employed to capture members of Prince Edward Island's provincial legislature before 1996.