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THE ROLE OF LOBBYING IN LAW-MAKING

The article is intended to analyze the impact of lobbying on lawmaking, as one of the subjective factors of lawmaking. In lobbying law, lobbying is an activity that affects the legislative process to introduce their interests into the regulatory legal act of certain social groups. The purpose of the research is to determine the role of lobbying in the implementation of lawmaking and justify the need for its professional regulation.

The scientific significance of the work outlines the necessity of lobbying methods in the world legal practice, its positive and negative aspects, and the need to create a unified system of lobbyist legal regulation.

Research methods are comparison, analysis, synthesis, induction, deduction, statistical method, dialectical method, historical.

As a result of the research, the lobby is an integral, very important institute of law. It was concluded that in Kazakhstan it is necessary to define the goals, possible methods and forms of the lobbying activity, taking into account the best international experience in creating a unique, effective system of legal regulation of lobbyist activity.

Lobbying is a factor that influences the creation of legislative texts, as well as the formation and adoption of the text of the law, which is an effective tool that promotes common understanding and broadening democratic principles in the life of the state, reaching a common agreement on draft laws.

In the article the effect of lobbying on the effectiveness of lawmaking, its useful results are determined.

Key words: lawmaking, lobbying, legal act, bill, legal regulation, subjective factors of lawmaking.

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Лоббизмнің заң шығармашылығындағы рөлі

Мақала заң шығармашылығының субъективтік факторларының бірі ретінде лоббизмнің заң шығармашылығына тигізетін әсерін саралауға арналған. Заң шығармашылығы саласында лоббизм қандай да бір әлеуметтік топтардың қабылданудағы нормативтік-құқықтық актіге өз мүдделерін енгізу мақсатында заң шығару процесіне әсер ету жөніндегі қызметін білдіреді.

Ғылыми зерттеудің мақсаты болып лоббизмнің заң шығармашылығын жүзеге асырудағы рөлін анықтап, оның кәсіби реттелу қажеттігін негіздеу табылады.

Зерттеу әдістері: салыстыру, талдау, синтез, статистикалық, жекеден жалпыға, жалпыдан жекеге, диалектикалық, тарихи.

Зерттеу нәтижесінде лобби заң шығармашылығының ажырамас, өте маңызды институты болып табылады, Қазақстанда лоббисттік қызметті құқықтық реттеудің өзіндік, тиімді жүйесін жасау үшін озық шетелдік тәжірибені ескере отырып лоббисттік қызметтің мақсатын, оның

мүмкін болатын әдістері мен нысандарын анықтап алу қажет деген қорытынды жасалды. Заң шығармашылығына қозғау салатын, заңның мәтінінің қалыптасуына және қабылдануына әсер ететін фактор ретінде лоббизм – бұл заң жобаларына қатысты ортақ келісімге келуге қол жеткізетін, ортақ мүддені көтеріп, мемлекет өмірінде демократиялық қағидаларды тереңдету мен кеңейтуге ықпал ететін ықпалды құрал.

Мақалада лоббизмнің заң шығармашылығының тиімділігін арттыруға тигізетін әсері, оның пайдалы нәтижелері анықталды.

Жұмыстың қорытындыларының практикалық маңыздылығы: зерттеу тұжырымдарын елімізде жүзеге асырылы жатқан құқықтық реформалардың негізіне алуға болады

Түйін сөздер: заң шығармашылығы, лоббизм, құқықтық акті, заң жобасы, құқықтық реттеу, заң шығармашылығының субъективтік факторлары.

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Роль лоббирования в законотворчестве

Статья посвящена исследованию одного из субъективных факторов законотворчества – лоббизму, который влияет на процесс создания законов. В сфере законотворчества лоббизм означает деятельность определенных социальных групп, заключающуюся во влиянии на принятие нормативного правового акта в целях внедрения в его содержание собственных интересов.

Целью научного исследования является определение роли лоббизма в осуществлении законотворчества и обоснование необходимости его правового регулирования.

Методами исследования являются сравнение, анализ, синтез, индукция, дедукция, статистический метод, диалектический метод, исторический метод.

В результате исследования сделаны следующие выводы: лобби является неотъемлемым, особо важным институтом законотворчества; для создания в Казахстане эффективной системы правового регулирования лоббистской деятельности надо определить его цель, возможные методы и формы осуществления лоббизма, учитывая зарубежную практику.

В статье определены влияния лоббизма на уровень повышения эффективности законотворчества, а также его результаты.

Ключевые слова: законотворчество, лоббизм, правовой акт, законопроект, правовое регулирование, субъективные факторы законотворчества.

Introduction

Legislative activity is conscious and purposeful actions aimed at creation of legislative acts of the relevant persons. This creative activity is derived from the needs and needs of the people, their goals and interests. And, in turn, people's needs are associated with society. The common law, including law enforcement, is that the creative activity is influenced by a certain force or situation. This force is called «factor» in philosophy. That is a factor that is the driving force behind a particular phenomenon (Yskakov 1983:23).

Lawmaking is carried out in the context of a complex, multilevel social system such as any social process. Legislators are often exposed to influences from various social factors that can lead to the process of creating and changing the legal regulation system. This is a natural and unquestionable phenomenon. The reason is that

public relations, social reality are the main cause of legal certainty, which determine the legal regulation. However, not all social factors are of particular objectivity. Legislators must allow their legal action to affect their social performance, which is justified by the legitimate laws and interests of public life and development.

The theory and practice set two factors that influence the law-making process: objective and subjective. The objective factor is the key to the subjective factor. The reason is that it is the first time in the historical process, in terms of meaning. The development of the subjective factor is eventually determined by objective conditions. However, this approach, which reflects the role of objective factors, is not a reason to conclude that subjective factors are not essential, but are derivative. After all, the subjective factors, which are determined by objective conditions, in turn, develop or modify the objective basis. Hence, these two categories are the

two sides of interconnected, unified and historical development.

Main part

The legal nature of the factors affecting the law determines that they are based solely on their objectivity, nature, and the functioning of the social mechanism. Such factors should only be the basis of the fundamental interests of social life and development and be free from the purely subjective factors, in particular the will of the individual, their own personal interests, their spiritual qualities, national mentality and other personal characteristics.

According to D.V. Chuhvichev, otherwise the law-making process would turn the law into a law-breaking process with the intentions of personal interests and small social groups, misunderstanding of social needs, ambitions, intrigues of politicians, and other situations that could not be influenced by law (D.V.Chuhvichev, 2012:183).

Before moving to lobbying as one of the subjective factors affecting the law, it is necessary first to define the concept of a subjective factor category. However, since subjective factors are widely studied by philosophical science rather than legal science, we have found that the explanation of the relevant term should be considered in connection with philosophical science. Accordingly, in the philosophical science, the category of "subjective factor" is widely studied, and there are plenty of explanations and thoughts that make sense of its meaning. A group of scientists calculates themselves as subjective factors. For example, D. Kammari defines the subjective factor as the people, groups, mass population and parties that create history (D.M. Kammari, 1956:16). A scientist in this group, I.E. Zuev also explains the subjective factor as "a person who realizes the objective process of material life in the process of materialization and performs socio-political and spiritual activity on the basis of this process" (Zuev 1966: 113). These views are wrong. The reason is that the subjective factor is that of the person, the group, the general public, and others. It is a force that depends on the consciousness and will of the subject, the creative energy of specific subjects, the action within certain subjective situations.

The next group of authors is subject to subjective and human emotional and psychological conditions. "As a subjective factor we understand the intellectual-emotional, moral-psychological and political-organizational sphere of activity of people, groups and peoples. It is the sphere of will

and emotion of conscious service, fight and strength of people. People's activities were supposed to be based on certain goals, ideas, attitudes, moral and other impressions and prices," – writes B.A. Chagin (Chagin 1968: 14).

This concept is relatively full and successful than previous and later viewed. A.V. Bodakov also compares the subjective factors to the psychological state of the people and ultimately connects to the interests of the dominant class, which in his article "Subjective Factor and Its Role in Development of Society" gives the following definition: "... a subjective factor in the development of society – it is conscious, sociopolitical, philosophical, moral and legal, aesthetic and so on. the activities of public groups, based on a certain system of ideas, which are actually reflected in the dominant class of society in the society" (Bodakov 1959: 11). It is wrong to conclude that the subjective aspect of the subjective factor is a dominant activity in the society, which does not correspond to the legitimacy of the historical development. The subjective factor is the influence of not only one group, but also the whole group of people, social groups, and masses.

The concept of subjective factors of legalism is related to the activity of the subjects that affect the law-making. That is why it is a subjective aspect of the practical activity of the relevant creative activity participants. The category of subjective factors of legislation indicates the mechanism of influence of individuals on objective conditions and relationships in the spheres of life of society

Among the many factors that determine the nature and direction of the law-making and change activities, the focus is on the individual's interests and influence. Their influence on the legislative process will allow legislators to take into account the differences in the interests of different social groups. Such groups promote the law through the lobbying institute. Lobbying is a unique institution of the political system. It is, in essence, a mechanism for individuals and public organizations to influence the decision-making process of government agencies on internal and external policies.

Some Russian scientists have discovered that lobbying is one of the institutions of individuals, corporate structures (and professional lobbying firms and public organizations) that represent the process of representing interests in public authorities in order to achieve acceptable political decisions (Bykova 2006: 35). The next scientists I.M. Stepanov and T.Ya. Khabriyeva define the lobbying legitimacy. In particular, "lobbyism in a legal sense is a lobbying activity that regulates interactions with

state authorities in order to facilitate the protection of the interests of citizens, groups of citizens, public associations, organizations, enterprises, other legal entities, who specialize in lobbying, a set of norms” (Stepanova 1999:385).

As a rule, lobbyists are also called repression groups. In this regard, there are approaches that define lobbying as pressure. Such attitudes can often be seen among political scientists. “Lobbyism is an act of pressure on legislators and public officials to adopt laws or decisions that are in the interests of individual parties, corporations, movements and organizations” (Kapesova 1995: 199). Such pressure groups can be settled through laws, economic and social, and so on. to solve issues in their own interests.

Lobbying is a service that is restricted to the law-making process to influence the process of making, discussing and adopting legislative acts, as well as the amendments and additions to the legislative acts of the Republic of Kazakhstan established by the law and other normative legal acts adopted in accordance with it.

Thus, in the light of the above, the common lobbying lobby shows the different subjects’ ability to influence any decision-making, including legislative acts. In lobbying for specific lawmaking, lobbying is a function of influencing lawmaking in order to introduce their interests into a legislative act on the adoption of certain groups (industrial, financial, national groups, political organizations, etc.). In addition to the past, the general practice of law shows that political parties are an active force in organizations (entities) that promote the creation of textual texts. Their influence on law is always visible. During the Soviet era, a political party (KP) had a very important leadership role in law. A well-known example of this is that the Communist Party has identified the priority areas of the Council of Commons, and the decisions of the Communist Party congresses and plenary sessions of the Central Committee of the Communist Party became the basis of the content of any legal acts. The evidence for this is the following: The party makes scientific and ideological foundations for the development of socialist law and makes decisions that are the basis of the law and other legal acts of the socialist state (Khalfina 1981: 107).

By the Decree of 30 December 2009, the Government of Kazakhstan introduced a draft law “About lobbying” to the Mazhilis of the Parliament of the Republic of Kazakhstan. This project was long considered in the Mazhilis and finally was revoked by the Government of the Republic of Kazakhstan

on 30 June 2012. In this project lobbying service was defined as an interest support service and commented on it as follows: “Lobbying is the activity of expressing and promoting its interests in the process of participating in legislative work in the Parliament of the Republic of Kazakhstan” (<http://adilet.zan.kz>, 1st article].

Lobbying is recognized as an integral part of the legislative process in the current legislative activity. In general, lobbying has long been an indispensable symbol of political, legal, and legislative activity.

The Russian scientist D.V. Chuhvichev noted that the term “lobby” in Russia is not supported by the general public, it is not recognized as a positive phenomenon, it is associated with dirty political technology in the legislature, secretive political games and bribes, “in many contemporary states it can not be overlooked that his (lobbism) is an integral part of the legislative process” (Chuhvichev 2012: 196).

The aim of the research is to lobby the effect of lobbying on the law, and to define the forms of this phenomenon (lobbying) to form and create public needs. Lobbying can and should be a means of communication between the members of the legislative activity and the social groups with special interests considered in the law-making process. Such linkage is required not only to cover large numbers of population, but also to consider the interests of large groups not only large groups, but also relatively small groups. From a number of countries, lobbying is considered more organized and systematized in the United States. The United States is proud of its most liberal form of lobbying.

The experience of lawmaking demonstrates that there are some conditions for lobbying and development in the law-making process:

1) different groups (including political, economic, religious, national, etc.) capable of formulating their common goals in society and mobilizing their efforts, monitoring and implementing their goals in the current legislation;

2) The state recognizes the differentiation of interests within the company and is prepared to take into account this fact in the legislative activity;

the possibility of participation of representatives of different political and social groups in the law-making activity, the establishment of genuine parliamentarism in the state (Chuhvichev 2012: 197).

It is normal that lobbying in the current legislation is common in many states. Lobbying is considered to be not only characteristic of the states but only the totalitarian states. Because in such countries

there is no possibility to differentiate the interests of different social groups and achieve genuine access to social consensus on the law.

As the world's law-making practice shows, lobbying is observed in various forms. There are many ways to do it, classifying methods. One of the techniques that can be applied to any legislative technique of lobbying implementation can be summarized as follows:

1. Material lobbying (influence). It is widely known as the most common form of influence on the legislature by stakeholder groups. It involves the interest of lawmakers in the material interests of protecting the interests of certain groups.

As a rule, lobbying is associated with simple buying attempts – transferring cash to a lawmaker or transferring a bank account. However, in today's developed countries where there is an effective anti-corruption system, this method of lobbying is complex and rare in the case of controlling the income of legislators.

While the fact of direct material influence (lobbying) does not take place, public and political life is often used indirectly, the latent methods of lobbying are more complicated and it is difficult to determine the fact of their use.

2. Psychological influence (lobbying). Psychological intervention means psychological pressure on the part of legislators to refer them to a particular channel. Examples of forms of psychological influence (lobbying) include: sending high-level officials, holding a company of psychological pressure in the media, avoiding written and other petitions from the legislature's participants, showing public activity, disorderly conduct, harassment, harassment, public discrimination, etc.

Psychological lobbying is a vicious example of political struggle. It is considered hard to find ways to counteract it.

3. Intelligent lobbying (influence). This type of influence is the most positive in terms of law-making. It implies the intellectual support of legislators and is aimed at providing guidance to legislators. Accordingly, legislators are subject to intellectual implications by those who master the law-making technique or who are experts in the field of public relations. Intellectual lobbying in legislative activity is not only a factor of influence on lawmaking, but also a crucial form of helping to effectively implement it. The most commonly encountered forms of intellectual information are the following: providing consultation on legislative issues, providing alternatives to draft law, providing

independent research results that are crucial for legal regulation of legislators, reporting on the draft law discussed at committees, those who deal with the issues of scientific regulation and legalization of issues of legal regulation, the meaning of the opinion of the majority of the population, delivery, etc.

It should be noted that not only legislators (deputes), but also all participants in the preparation and adoption of draft laws can be objects of material, psychological and intellectual influences. The reason is that their activity is an integral part of the lawmaking process and can have a significant impact on its outcome.

In the current situation, there should be professional lobbyists for the formation of a full-fledged lobbying, that is, there should be professional mediators between lawmakers and direct participants of legislative work to consolidate their interests. In the law-making activity, professional lobbyists are not just as intermediaries, but as professionals in expressing abstract social interests, not just as individuals who know who they are and why, but also in the concrete legal framework. They determine whether certain interests should be reflected in what kind of legal act.

In addition, lobbyists will be experts in the formulation and development of specific interests in the regulatory environment. They should help the stakeholders – to represent interests of interested parties in the textual form of draft laws. For this reason, lobbyists are considered to be the most important and active participants of lawmaking, and they need to learn the systematic knowledge of lawmaking.

For lobbyists, the lobbyists have to be one of the key social interests of the lobbyists for the legislative process and to be a part of a society that is united with these interests. Accordingly, lobbying is necessary and useful to legislators only if they are a means of representing the interests of a particular social group, rather than the personal interests of specific politicians. In this case, lobbying is another way of expressing public interest as a means of bringing together the participants of lawmaking.

In this case, he is a means of influencing the development of democratic traditions and exercising the constitutional right of citizens to participate in the creation of a legislative system, says Russian scientist D.V. Chuhvichev (Chuhvichev 2012: 202). Indeed, professional lobbying gives a great deal of importance to the interests of different groups, expanding the information base of decision-making by legislators, delivering objective information to the legislators on the views of any group of the

population. Thus, lobbying the public interest, distinguishing the mainstream of the interests, determining their role in social life and development, the possibility of conclusions about the priority of certain interests and their importance for the society gives special importance to the lobbying activity and, consequently, demonstrates its importance.

Lobbying (lawmaking) allows legislators to choose the right interests to be dominated by a variety of diverse, often contradictory interests. Professionally developed lobbying will help keep the balance in society and achieve a compromise of interests among different social groups.

The Institute of Lobbyism is able to achieve all of the above-mentioned positive results only when social groups are integrated into the common interests of the lobby. Therefore, the state policy should focus on the lobbying activities of the respective groups, and the legal and regulatory regulation of lobbying should be directed to that end. Unfortunately, in our country there is no single system of legal regulation of lobbyism. It is indirectly enforced in some of the laws, and acts only regulate individual cases of lobbyism in general lawmaking.

For example, the Law on Legal Acts of April 6, 2016 reveals that the act of elaborating normative legal acts, drafting the project and carrying out scientific expertise of the projects involved other entities than the receiving authority, and that the lawmakers could influence the issuing entities to make their own decisions. Specifically, the proposals of state and other bodies and organizations, including scientific organizations, as well as the legal monitoring of the National Chamber of Entrepreneurs and other interested parties, when drafting the general regulatory legal acts, as specified in article 15 of the relevant law (paragraph 4) the recommendations made based on the results are taken into account.

Although the Constitution of the Republic recognizes deputies of the President of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan and the Parliament of the Republic of Kazakhstan as the entities implementing the bill, the Law «On legal acts» provides a wide range of subjects as drafters of the bill.

In particular, in the case of the President's implementation of the law-making right, drafters of the bill may be the Presidential Administration, the Government, other government agencies, organizations and citizens. At the same time, the central government agencies are the developers of the legislative acts drafted in the order of the Government of the Republic of Kazakhstan. The

drafters of the bill are deputies of the Parliament (adilet.zan.kz/kaz/docs/Z1600000480, 17th article). As you can see, the law of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, which develops draft laws, constitutional laws, codes, consolidated laws and regulations, resolutions of the Parliament of the Republic of Kazakhstan and its chambers, make amendments and additions to the Constitution of the Republic of Kazakhstan. Only MPs themselves will be the developers of legislative acts only if the right of the legislative initiative is exercised by parliamentarians themselves.

Specialists in various fields of education, research institutions and researchers may be involved in the preparation of draft laws and other regulatory legal acts in the Republic. It is related to the drafting body of the draft law. Specifically, if the legislation does not stipulate, the developer body may initiate drafting of the regulatory legal act first by its subordinate bodies and organizations; Secondly, it may delegate the budget allocations and grants allocated for this purpose on a contractual basis to specialists, the National Chamber of Entrepreneurs of RK, associations of private enterprise entities, scientific institutions, individual scientists and collectives, including foreigners, experts in the relevant fields.

In addition, draft laws may involve specialists in various fields of education, academic institutions and researchers, representatives of public associations (adilet.zan.kz/kaz/docs/Z1600000480, 18th article). It is quite possible that non-profit organizations and citizens may be involved in the development of draft laws (including rights, freedoms and obligations), including legislative acts, as provided in Article 20 of the Law "On Legal Acts". At the same time, in order to involve non-profit organizations and citizens, public councils are established in the relevant process.

Articles 18, 30, 31, and 21 of this law provide for the preparation (development) of alternative projects by several state bodies and organizations or on a contractual basis, including by the National Chamber of Entrepreneurs, scientific institutions, scientists, (legal, linguistic, ecological, economic and other) scientific institutions and institutions of higher education, academics and specialists (including experts from foreign states and international organizations), foreign and international organizations to the public authorities and organizations, to approve the comments and suggestions made by the relevant authorities and organizations regarding the project. Therefore,

these provisions indicate that, while drafting the law, a lobbyist service is still being implemented, and some actors have the opportunity to vote for the legislature or to make a decision. As a rule, lobbyists are also called repressive groups. Such groups can be legislated through economic and social, and so on to solve issues in their own interests.

One of the main factors in the modern world are social organizations. They want to incorporate their strategic interests into legislation. Most often, these groups are financial, industrial and trade organizations that act to protect their economic interests in the legislative process. These organizations are the party wishing to influence the process of General law-making, including legal creativity. M.V. Bates has shown that “lobbying in the richest democratic traditions, countries pursue priority social and economic goals related to issues of ownership, granting the right to conduct a particular activity, government order, license, quota, providing economic and tax incentives, funding for social programs” (M.V. Bates, 1998: 46).

Lobbying in the law-making activity is professional activity aimed at solving, solving and lobbying certain issues in the Parliament. The status of executive lobbyists, ways and procedures for its implementation, methods, and subject matters should be regulated by law. As we have already noted, lobbying brings useful results for lawmaking only when social groups are integrated into common interests. Accordingly, the legal regulation of the lobbying activity should be aimed at this purpose.

Absence of legislation regulating lobbyist activity does not allow legislators to use lobbyism in a properly organized manner to have positive (positive) impact on their activities, and criminalize the lobbying institute for the use of criminal structures. Criminalization of lobbyist activity allows private political adventurists to influence the law, implementing their own, usually anti-social propaganda in the regulatory legal acts. Moreover, the lack of systematic lobbying activities will lead to the creation of criminal, public-interest interests, for example, the interests of those criminal structures, for example, in legislative acts. Therefore, systematic legal regulation of lobbyist activities is deemed necessary, as it is a guarantee that the relevant service is beneficial for lawmaking.

In our country, we should not be unduly suspicious that such a multifaceted factor affecting lawmaking – the lobbyist service should be carefully considered by taking into consideration the foreign experience and that adoption of the law governing it would only lead to negative results. Mukhtar Kul-Mukhammed, in his capacity as a lobbyist official,

could give positive results for our state:

First, lobbying will be a mediator between the state and the citizen (their association). They will be able to bring their legitimate interests to government agencies;

Second, the legal regulation of lobbying promotes the implementation of political pluralism by providing various political and legal opinions that can be taken into account in the law-making process by the state;

Thirdly, the legitimacy of lobbying supplements the constitutional system of representation in the Parliament, the Government, and other state bodies (lobbyists can participate in the preparation and adoption of decisions on behalf of different groups);

Fourthly, legitimate lobbying can, to some extent, limit the use of corruption, bribery and other forms of abuse;

Fifth, lobbying for political and legal consciousness of citizens will contribute to the development of culture (Muhtar Kul-Muhammed 2000: 2-3).

In the event of successful organization and lobbying activities, the mechanisms of the society and the law-making process increase the degree of democratization and influence the adoption of legal acts, the personal responsibility of the lobbyist in the protection of the socially important interests, the objectivity of the interests of the state and the lobbyists it will be appropriate. In addition, lobbying is one of the subjective factors of lawmaking, which promotes the formation of public opinion. Specifically, lobbyists may carry out various activities, including noisy activities, through the media during their respective activities. In turn, such measures are one of the main ways of public opinion formation. And public opinion can not be neglected without taking into account the law, including the law. Thus, properly organized, well-organized lobbying increases the level of democratization of the law, promotes a number of criminal acts, improves the legal consciousness and culture of citizens, increases the efficiency of lawmaking.

As mentioned above, foreign experience should be taken into account in the legal regulation of the lobbying institute that has a significant influence on the law. Studying some foreign scientific theories and practices shows that lobbying is applied in the largest foreign countries, evenly, equally, with different distinctions. Therefore, taking into consideration the foreign experience of this institution, it should be thoroughly examined and gained positive results. In the US, lobbying has been used as a basis for the beginning of the legal process. Any person involved in a fee-based activity with a

view to influencing the adoption or rejection of any act in the Congress shall be registered with the Senate and the House of Representatives before proceeding with any action relating to the achievement of the said goals. They must submit a written application for registration. It specifies the surname and address of the registered person and the person employed by him / her, the amount of rent, amount of money and the amount of funds allocated for the loss. In this state, lobbyists are required to report quarterly targeted and spent money. The Clerk of the House of Representatives and the Secretary of the Senate summarize and summarize the reports and publish it in the "Congressional Reports" (Strashun 1996: 464-465).

In the United States, lobbyists have no right to conceal the costs associated with their lobbying of the bill, as they are subject to higher taxes. And in France you can see the opposite case. There is little opportunity for genuine lobbying, and it is more rigid. Accordingly, the French model of lawmaking is characterized by a low level of communication between the people and legislators, the inability of legislators to move away from vitality and their ability to respond quickly to the changes in public relations (D.V.Chuhvichev, 2012:204).

Conclusion

Lobbying is a factor that influences the creation of legislative texts, as well as the formation and

adoption of the text of the law, which is an effective tool that promotes common understanding and broadening democratic principles in the life of the state, reaching a common agreement on draft laws.

Based on the foregoing above, we can conclude that the lobby is an integral part of the law-making process. In order to create a unique, effective system of legal regulation of lobbyist activity in Kazakhstan, it is necessary to define the objective of the lobbying activity, its possible methods and forms, taking into account the best international experience. Lobbyism can be an effective, positive factor for lawmaking, which provides links between society and participants in the legislative process.

Representatives of the people are responsible for the implementation of legislative activity. Even if the influence of influential groups (lobbyists) on the lawmaking is regulated, it is the right of parliamentarians responsible for the quality of the law. At any time, parliamentarians need to bear in mind that lawmakers should not only protect and protect the interests of a particular group of society, but should respect the law. The problem, which is the subject of lobbying, may also be incompatible with the interests of the state and society as a whole. That is why parliament deputies should not be indifferent to the will and influence of some influential actors (lobbyists) as the only source of power. They should always put the interests of the state and society above the interests of individual groups. This is a requirement of time.

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