


THE INTEREST GROUP SOCIETY

SIXTH EDITION













JEFFREY M. BERRY
AND CLYDE WILCOX

ROUTLEDGE

The Interest Group Society

Considered the gold standard of interest group politics, this widely used text analyzes interest groups within the intuitive framework of democratic theory, enabling readers to understand the workings of interest groups within the larger context of our political system. Comprehensive coverage includes not only the traditional farm, labor, and trade associations, but also citizen groups, public interest organizations, corporations, and public interest firms. It covers new social movements and networks of organizations and activists.

Brief in page count yet comprehensive in coverage, the book is flexible for different class settings. The book's rich content and lean size allow it to stand alone as the centerpiece of a course, or be assigned as one of several texts.

New to the Sixth Edition

- Updates the role of money in interest group activity following the *Citizens United* Supreme Court decision, including the emergence of 'dark money' in campaigns
- Covers new interest groups and social movements, including the Tea Party, Occupy Wall Street, Black Lives Matter, and others
- Explores the dazzling array of organizational forms through which interest groups can be involved, including PACs, Super PACs, 527 committees, and 501(c)(4) and (c)(6) groups
- Demonstrates how the increased polarization of American politics has forced interest groups to become more partisan
- Examines new developments in key interest group arenas including health care and the environment
- Looks at the role of social media in interest groups

- Adds a comparative look at interest group action, organization, and scholarship abroad

Jeffrey M. Berry is Professor of Political Science at Tufts University.

Clyde Wilcox is Professor in the Government Department at Georgetown University.

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For Jessica and Rachel
Elaine and Neil

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Preface

It has been nine years since I last updated *The Interest Group Society.* Many things have changed since the last edition, and many have remained the same. The greatest change has been in the way interest groups are involved in elections. When Jeffrey Berry wrote the first edition of this book, interest groups were primarily involved in contributing to candidates through their PACs. Today there is a dazzling array of organizational forms through which interest groups can be involved, including PACs, Super PACs, 527 committees, 501(c)(4) and (c)(6) groups, among others. Each of these organizational forms entails a different set of regulations, which groups that seek maximum impact on elections circumvent in a variety of creative ways. Interest group activity in elections is far less transparent than it was when the last edition appeared. Large sums of "dark money" pass between various organizations, making it difficult and often impossible to know who provided the funding.

In addition, the increased polarization of American politics has forced many groups to become more partisan, and to work more closely in larger political networks. Although many citizens' groups still seek to support friendly candidates of both parties, most have discovered that the fate of their agendas depends on which party controls Congress and the White House. Increasingly, interest groups act as part of partisan networks, and this constrains their ability to work with both parties. Corporations remain largely an exception, although they too are pressured to become more partisan.

But many things remain the same. Many years ago, Jeffrey Berry described the myriad groups and lobbyists of the Washington, DC, policymaking community, and that community has grown and become more complex in the years since. Although they are an enduring part of American political life, interest groups today have more resources, represent more constituencies, and do more lobbying than ever before. We depend on them to speak for us before government and to ensure that legislators and administrators understand our needs and preferences. When we stop to think about the political issue that we care most about, we usually think of it in terms of interest group dynamics. We are truly an interest group society.

The new edition is going to production in the early days of the Trump administration. President Trump has regularly tweeted messages that question the value of pluralism, checks and balances, and democratic processes. Interest groups face a complicated set of institutional and partisan challenges in 2017, and I hope that this book will shed some light on how they are likely to respond.

I started this revision several times over the past several years, and then set it aside because of the rapid change in campaign finance regulation and practice. I have relied on research and assistance from Neil Wilcox-Cook, Rentaro Iida, Angelia Doye, Jingyu Gao, and especially Wesley Joe. Thanks to many other colleagues including Frank Baumgartner, Christopher Bosso, Bob Biersack, Christopher Hull, Michael Malbin, Hans Noel, Paul Herrnson, Mike Bailey, and many others. Jeff Berry provided his usual sage advice. Thanks also to those who provided comment on this edition of the book: Nina Kasniunas, Goucher College; Andrea McAtee, University of South Carolina; Amy McKay, University of Exeter; Patricia Rachal, Queens College; and Mike Wolf, Indiana University-Purdue University Fort Wayne.

CLYDE WILCOX

1 Madison's Dilemma

The image of a lobbyist in the popular mind has changed little over time. In 1888, the cover of *Harper's Weekly* showed a well-fed man in top hat in a comfortable leather chair, cigar in hand and a table full of glasses and flasks offering a choice of alcoholic refreshment, and a look that seemed to invite a legislator to sit with him, drink, and be drawn into some corrupt scheme. In 2006, the news was full of

photos of lobbyist Jack Abramoff, who pled guilty to charges of tax evasion, mail fraud, and conspiracy to bribe public officials. Abramoff was at the center of a corruption investigation that eventually led to guilty pleas or convictions of 21 other policymakers, lobbyists, and congressional aides. More recently, summing up the popular vision of lobbyists, the *Daily Show's* segment *On Topic—Division of Power—Interest Groups* concluded, "lobbyists help Congressmen write legislation. They also provide them with transportation, meals, physical therapy, cocaine, and strippers."

But although the popular imagination is drawn to stories of corruption, much of the work of interest groups and lobbyists involves legal methods of influencing government policy. Some of this interest group activity is highly visible. For example, when Congress was drafting the Affordable Care Act in 2009, the media was full of stories of battles between insurance companies, doctors, nurses, hospitals, and other economic interests, and especially over lobbying efforts over abortion coverage. But some of this activity takes place with little public scrutiny. Every five years the U.S. Department of Agriculture issues dietary guidelines for Americans, drawing on a panel of 15 academic experts who consult thousands of published studies. In 2015, the panel recommended that sustainability be considered in evaluating foods, and concluded that a diet based on plants is superior to one based on meat. Agricultural interests, and especially meat producers, immediately attacked the recommendation, charging that ideology and not "science" was the root of the recommendation. The head of the South Dakota Cattlemen's Association threatened that if the recommendation on meat was not removed he would go to the funding source (Congress) and overturn the draft guidelines. Dairy interests lobbied to change the guidelines to direct Americans to greater milk consumption.[1]

A troubling dilemma lies at the core of the American political system. In an open and free society in which people have the right to express their political views, petition their government, and organize on behalf of causes, some segments of the population are likely to pursue their own selfish interests. Farmers push Congress to adopt price subsidies, even though it means families will have to pay more at the grocery store. Manufacturers and labor unions press for tariffs

and other trade barriers to protect profits and jobs. Consumers, however, will be saddled with higher prices as a result. Outdoor enthusiasts fight for increasing the number of parks and wilderness preserves, even though development of those lands might provide jobs for some who are out of work. In short, people pursue their self-interest, even though the policies they advocate may hurt others and may not be in the best interest of the nation.

The dilemma is this: If the government does not allow people to pursue their self-interest, it takes away their political freedom. When we look at the nations of the world in which people are forbidden to organize and to freely express their political views, we find that there the dilemma has been solved by authoritarianism. Although the alternative—permitting people to advocate whatever they want—is far more preferable, it also carries dangers. In a system such as ours, interest groups constantly push government to enact policies that benefit small constituencies at the expense of the general public.

This dilemma is as old as the country itself, yet it has never been more relevant than today. As lobbying has grown in recent years, anxiety has mounted over the consequences of interest group politics. Interest groups are said to threaten the integrity of congressional elections. Liberal citizen groups are blamed for slowing economic development with the regulatory policies for which they have fought. Labor unions are held responsible because America fails to compete effectively in many world markets, while tax cuts granted to businesses seem to increase their profits at the expense of huge federal budget deficits. Environmental groups are accused of imposing standards that put companies out of business and workers out of their jobs, while companies are accused of blocking legislation that would preserve public health and slow global warming. Beyond the sins allegedly committed by sectors of the interest group community is a broader worry. Are the sheer number of interest groups and their collective power undermining American democracy?

It is important to remember that not all interest groups and lobbyists seek policies that enrich themselves. Despite the *Daily Show*'s skewering of lobbyists, former host Jon Stewart lobbied Congress on behalf of an organization seeking to make permanent a

health care program for first responders in New York after the 9/11 attack on the World Trade Center. Religious bodies have lobbied for greater assistance to the poor, for changes in immigration policies, for policies to promote religious liberties at home and abroad, and for greater environmental protections.[2] Thus, interest groups can be thought to represent both efforts of individuals to pursue their own self-interest, sometimes by seeking narrow benefits that will enrich them at the expense of others, and also efforts by groups to represent the views of larger groups of citizens about the collective good. Some interest groups even lobby for reform of the lobbying process and urge government to enact stricter laws on lobbyists' gifts to policymakers.

Curing the Mischiefs of Faction

Although the founding fathers might not have anticipated the myriad ways that lobbyists seek to further their group's causes, they did foresee the dilemma of interest group involvement in politics. Contemporary discussions of this question inevitably turn to *The Federalist*, for James Madison's analysis in essay No. 10 remains the foundation of American political theory on interest groups.[3] Although at the time he was writing, the country had no political parties or lobbies as we know them, Madison correctly perceived that people would organize in some way to further their common interests. Furthermore, these groupings, or "factions," as he called them, were a potential threat to popular government.

Factions were not anomalies, nor would they be occasional problems. Rather, as Madison saw it, the propensity to pursue self-interest was innate. The "causes of faction," he concluded, are "sown in the nature of man."[4] As any society develops, it is inevitable that different social classes will emerge, that competing interests based on differing occupations will arise, and that clashing political philosophies will take hold among the populace. This tendency was strong in Madison's eyes: He warned that free men are more likely to try to oppress each other than they are to "co-operate for their common good."[5]

Madison worried that a powerful faction could eventually tyrannize others in society. What, then, was the solution for "curing the

mischiefs of faction"? He rejected out of hand any restrictions on the freedoms that permitted people to pursue their own selfish interests, remarking that the remedy would be "worse than the disease."[6] Instead, he reasoned that the effects of faction must be controlled rather than factions themselves eliminated. This control could be accomplished by setting into place the structure of government proposed in the Constitution.

In Madison's mind, a republican form of government, as designed by the framers, would provide the necessary checks on the worst impulses of factions. A republican form of government gives responsibility for decisions to a small number of representatives who are elected by the larger citizenry. Furthermore, for a government whose authority extends over a large and dispersed population, the effects of faction would be diluted by the clash of many competing interests across the country. Thus, Madison believed that, in a land as large as the United States, so many interests would arise that a representative government with checks and balances would not be dominated by any faction. Instead, government could deal with the views of all, producing policies that would be in the common good.

Madison's cure for the mischiefs of faction was something of a leap of faith.[7] The structure of American government has not, by itself, prevented some interests from gaining great advantage at the expense of others. Those with large resources have always been better represented by interest groups, and the least wealthy in society have suffered because of their failure to organize. Still, even though the republican form of government envisioned by Madison has not always been strong enough to prevent abuse by factions, the beliefs underlying *Federalist* No. 10 have endured.

This view that the natural diversity of interests would prevent particular groups from dominating politics found a later incarnation in American social science of the 1950s and 1960s. *Pluralist* scholars argued that the many (that is, plural) interests in society found representation in the policymaking process through lobbying by organizations. The bargaining that went on between such groups and government led to policies produced by compromise and consensus. Interest groups were seen as more beneficial to the system than Madison's factions, with emphasis placed on the positive

contributions made by groups in speaking for their constituents before government. Although the pluralist school was later discredited for a number of reasons (these will be outlined shortly), it furthered the Madisonian ideal: groups freely participating in the policymaking process, none becoming too powerful because of the natural conflict of interests, and government acting as a synthesizer of competing interests. Moreover, pluralists imagined that groups might form to pursue not only the narrow interests of their members but perhaps also broader conceptions of the public good. The ideal of multiple groups that offset each other's power remains contemporary America's hope for making interest group politics compatible with democratic values.

Madison's solution was centered on the diversity of interests across the nation, even when a few interests might dominate at the state level. Today, states differ dramatically in the diversity of their economic interests; some states have one or two industries, others, like California, are extremely diverse. States differ in the strengths of their unions, and the diversity of their religious and civil society groups. Moreover, some states have government structures and political parties that provide interest groups with easier access to government. As a result the interest group ecology of states differs dramatically.[8]

Interest Groups and Their Functions

One purpose of this book is to re-examine the fundamental questions raised by *Federalist* No. 10. Can an acceptable balance be struck between the right of people to pursue their own interests and the need to protect society from being dominated by one or more interests? Can we achieve true pluralism, or is a severe imbalance of interest group power a chronic condition in a free and open society? Is the interest group universe today balanced, as the pluralists had hoped, or is it dominated by narrow groups seeking their own benefits at a cost to the larger society?

Our means of answering this question will be to look broadly at behavior among contemporary interest groups. We will often follow research questions that political scientists have asked about the internal and external operations of lobbying organizations. Data for

this study come not only from the literature on interest groups but also from interviews with interest group lobbyists, PAC and other campaign finance officials, candidates, policymakers, and party activists conducted by both of us at various times.[9] Although the topics addressed are varied, one argument runs throughout: Important changes have taken place in interest group politics in recent years, because of which renewed thought must be given to controlling the effects of faction.

On the simplest level, when we speak of an interest group, we are referring to an organization that tries to influence government. There are many civic associations that are not interest groups because they do not try to influence government personnel or policy. People often join groups because they share hobbies or other interests. Most of the time, groups such as motorcycle clubs, soccer leagues, and charitable associations do not function as interest groups. But sometimes they do, at least for a time. Motorcycle clubs may seek to change local traffic patterns, or statewide motorcycle safety regulations. Soccer leagues frequently interact with local governments about their use of park facilities, and charitable associations lobby government about the tax deductibility of contributions. Even churches, synagogues, and mosques can function as interest groups if they seek to mobilize their members to oppose or support a government policy, a candidate, or a party.[10] Interest groups are organizations that are not part of the government they are trying to influence.[11] Interest groups are often equated with voluntary organizations, membership groups composed of people with similar interests or occupations who have joined together to gain some benefits, yet the lobbying world is full of organizations that do not have members. Corporations and public interest law firms, for example, have no members, although they have constituencies they represent before government. Our focus here includes organizations that try to influence government policy through lobbying or electoral activity, regardless of whether they have members.

Interest groups are distinct from political parties because political parties run candidates for office under their banner, whereas interest groups do not. However, some interest groups do recruit candidates to seek the nominations of particular political parties, and a collection

of interest groups can operate as a faction within a political party.[12] In the United States, many interests form groups that work within political parties. Although some environmentalists support the Green party, most are members of groups such as the Sierra Club or Friends of the Earth, which seek to influence the Democratic Party and, to a lesser extent, members of a more environmentally friendly faction within the Republican Party. Religious conservatives in the United States have formed myriad political groups that seek to influence Republican nominations and policies, whereas in Israel similar types of groups have formed several distinct political parties. More recently, Tea Party groups have been active in the Republican Party, and have worked together in Congress as a faction. Contrary to the name, the Tea Party is not a political party, but rather a social movement that takes its name from the Boston Tea Party in 1773. Tea Party groups have challenged Republican incumbents in primary elections, trying to change policy by changing Republican politicians.

This leads us to the distinction between *interests* and *interest groups*. Farmers do not constitute an interest group, yet the National Association of Wheat Growers, the American Farm Bureau Federation, and the National Milk Producers Federation are all bona fide interest groups. The critical distinction between farmers and any one of these groups is *organization*. Farmers are people in a similar occupation and they may share some views on what the government's farm policy should be. Farmers, however, do not all belong to an organization that acts on their behalf in attempting to influence public policy. People may share an interest or a concern without belonging to the same interest group.

The distinction may seem like an exercise in semantics; members of Congress may be worried about how "farmers" (rather than any particular organization) will react to legislative proposals.[13] Political reality is that most interest groups represent only a part—possibly a very small part—of their potential membership. Government officials rightly care about what the larger constituency feels on policy issues as well as being attentive to specific interest group organizations. Just why it is that not all people who share an interest join an organization representing that interest is an important question, which we will address at length in Chapter 3. Interest groups are thus

important not only because of their actual memberships but also because they may represent the views of even larger constituencies.

Interest groups are often also distinguished from social movements, although the boundaries are difficult to define because social movements are composed of interest groups.[14] Social movements are broad, decentralized, and diverse and may comprise several competing interest groups that offer differing ideologies, agendas, and strategies. The LGBT movement includes many groups, such as the Human Rights Campaign, the National Gay and Lesbian Task Force, Freedom to Marry, Gay and Lesbian Alliance Against Defamation, Gay and Lesbian Advocates and Defenders, Gay and Lesbian Victory Fund, and Lambda Legal.[15]

When an interest group attempts to influence policymakers, it can be said to be engaging in *lobbying*. (The word comes from the practice of interest group representatives standing in the lobbies of legislatures, so that they could stop members on their way to a session and plead their case. In earlier times, when many legislators had no offices of their own, the lobbies or anterooms adjoining their chambers were a convenient place for a quick discussion on the merits of a bill.) Although lobbying conjures up the image of an interest group representative trying to persuade a legislator to vote in the group's favor, we should see it in a broader context. Lobbying can be directed at any branch of government—legislative, judicial, or executive. Interest groups can even try to influence those institutions indirectly by attempting to sway public opinion, which they hope in turn will influence government. Lobbying also encompasses many tactics, including initiating a lawsuit, starting a letter-writing campaign, filing a formal comment on a proposed regulation, and talking face-to-face with a member of Congress or a bureaucrat. Just about any legal means used to try to influence government can be called lobbying.

Roles

In their efforts to influence government, interest groups play diverse roles in American politics. First and foremost, interest groups *represent* their constituents before government. They are a primary

link between citizens and their government, forming a channel of access through which members voice their opinions to those who govern them. The democratic process can be described in the most eloquent language and be based on the noblest intentions, but in the real world of politics it must provide some means by which manufacturers, environmentalists, conservative Christians, construction workers, or whoever can speak to government about their specific policy preferences and have the government listen. For many people, interest groups are the most important mechanism by which their views are represented before the three branches of government.

Interest groups also afford people the opportunity to *participate* in the political process. American political culture leads us to believe that participation is a virtue, apathy a vice. A person who wants to influence public policymaking may not find voting or other campaign-related activity to be enough. Elections come only at intervals and do not render decisive judgments on most issues. If one wants a larger role in the governmental process, other ways of participating must be found. Pro-life and pro-choice groups, for example, offer members a chance to do something on an issue about which they feel strongly. If people care deeply about abortion, voting by itself is not likely to make them feel that they have done much to resolve the question. By contributing money to a lobbying organization—and possibly participating through it to do other things, such as writing letters or taking part in protests—members come to feel they have a more significant role in the political process. However, interest groups do more than facilitate participation. They actively try to promote it by stimulating members and potential supporters to take action on behalf of a particular lobbying cause. In the process, group members may develop important political skills.

Interest groups *educate* the American public about political issues. With their advocacy efforts, publications, and publicity campaigns, interest groups can make people better aware of both policy problems and proposed solutions. An inherent trait of interest groups is that they present only their side of an issue to the public, offering facts and interpretations most favorable to their position. For example, after the shootings in Newtown, Connecticut, in December

2012, some pointed the finger toward violent video games as a source of this and other murder sprees. Those who favored regulation sought a federally funded study into the impact of video gaming, and cigarette-style warning labels on violent games. Game manufacturers, through their trade association the Entertainment Software Association, employed five outside lobby firms and their own in-house lobbyists to tell policymakers that the current labels are sufficient to allow parents to make informed decisions, that the Supreme Court had overturned California's ban on violent games on free speech grounds, and that major retailers such as GameStop have refused to sell games rated as "mature" to minors.[16]

Frequently, interest groups struggle to *frame* political issues. Public policy issues can be considered in different ways, each evoking different values. For example, in the years before the U.S. Supreme Court established a right to same-sex marriage in *Obergefell v. Hodges*, gay and lesbian rights groups and civil rights groups sought to frame the debate around equality, arguing that it was fundamentally unfair to deny same-sex couples the same rights that heterosexual couples enjoyed. Christian conservative groups argued that same-sex marriage was a threat to traditional marriage and mounted a "defense of marriage" campaign. Neither side spent much time addressing the arguments of the other; instead, they promoted their own frame of the issue to the media and general public. More recently, the Brady Campaign and the American Public Health Association have attempted to frame gun violence as a public health issue.

A related activity is *agenda building*. Beyond educating people about the sides of an issue and framing the general debate, interest groups are frequently responsible for bringing the issue to light in the first place. The world has many problems, but not all are political issues being actively considered by government. Agenda building turns problems into issues, which become part of the body of policy questions that government feels it must deal with. In 2015, after a series of videos showed police shooting unarmed black men, Black Lives Matter sought to highlight the issue through hashtag advocacy, demonstrations, and celebrity endorsements. Other civil rights

organizations moved to take advantage of this heightened scrutiny to advocate for reforms in policing and police oversight.[17]

Sometimes agenda building is related to framing. In the 1990s, the National Federation of Independent Businesses (NFIB) beefed up its political operations behind an agenda that had as its first priority the repeal of the inheritance tax. To help frame the debate, the NFIB coined the phrase “death tax” to refer to the inheritance tax, and, when the media adopted the term, it helped catapult the issue onto the national agenda.[18]

Finally, interest groups are involved in *program monitoring*. Lobbies closely follow programs affecting their constituents and often try to draw attention to shortcomings through such tactics as issuing evaluative reports and contacting people in the media. They may also lobby agency personnel directly to make changes in program implementation or even go to court in an effort to exact compliance with a law. A number of organizations, such as the Campaign Finance Institute, the Center for Responsive Politics, and the Sunlight Foundation monitor campaign finance activity and enforcement, and conduct research designed to show better ways to implement existing policies, and to advocate for changes to campaign finance regulations.

Understanding Interest Groups

Important as the roles of interest groups are, these organizations remain misunderstood and maligned. Americans distrust interest groups in general but value the organizations that represent them. People join an interest group not simply because they agree with its views but because they equate those views with the “public interest.” Groups that stand on opposite sides of the same issues are regarded with disdain. Intellectually, we accept the legitimacy of all interest groups; emotionally, we separate them into those we support and those we must view with suspicion. This is not surprising, for studies have shown that even highly educated citizens prefer to hear messages that conform to their own. A recent study of blog readership found few readers who read blogs on the other side of the

ideological divide, and other studies have found little overlap in the membership of liberal and conservative interest groups.[19]

The basis of any reasoned judgment about interest groups is a factual understanding of how they operate. This is not easy; though all interest groups have the same goal—to influence government—organizationally and politically they seem endlessly diverse. However, patterns are recognizable, and throughout this book such factors as size, type of membership, and resources are used to distinguish among basic forms of interest group behavior.

To place this analysis in perspective, we must step back to see how political scientists' perceptions of and attitudes toward interest groups changed in the latter half of the twentieth century. This is more than an interesting piece of intellectual history: a critical change in the thinking of political scientists helped broaden acceptance of the role of interest groups in public policymaking. That change, in turn, helped spur the growth of interest groups.

Pluralism

Early observers of interest group politics thought that interest groups formed easily and naturally and that, because of this, any imbalance in interest group politics would naturally lead to its own remedy. If one set of groups began to exert undue influence on the political system, then unorganized interests (called "latent interest groups") would organize and fight to bring politics back to a natural equilibrium. In *The Governmental Process*, published in 1951, David Truman makes a simple assertion: Politics can be understood only by looking at the interaction of groups.[20] He casts his lot with Madison, agreeing that "tendencies toward such groupings are 'sown in the nature of man.'"

A decade later, Robert Dahl published *Who Governs?*, a study of local politics in New Haven, Connecticut.[21] Dahl was responding to sociologists such as C. Wright Mills, who in *The Power Elite* (1956) had argued that America was ruled by a small stratum of wealthy and powerful individuals.[22] Members of this power elite were said to be the true decision makers in society, "democracy" being an effective illusion perpetrated on the masses. However, if the power elite thesis

was false, as most political scientists believed it was, what was the counter theory?

Dahl examined three areas of local politics to see just who influenced policy outcomes. His crucial finding was that in the three areas—political party nominations, urban redevelopment, and public education—different groups of people were active and influential. New Haven did not have a small, closed circle of important people who together decided all the important issues in town politics. Dahl found policymaking in New Haven to be a process by which loose coalitions of groups and politicians became active on issues they cared about. Although most citizens might have been apathetic about most issues, many did get interested in the issues that directly affected them. Businesspeople were very active in urban redevelopment; teachers, school administrators, and the Parent-Teacher Association (PTA) were involved in school politics. Politicians courted groups as a way to build their own political support base. Consequently, not only were groups representing different interests active but their support was sought and their views carried weight.

Dahl argued that a realistic definition of democracy is not 50 percent plus one getting their way on each and every issue. Rather, as he wrote in an earlier work, the "'normal' American political process [is] one in which there is a high probability that an active and legitimate group in the population can make itself heard effectively at some crucial stage in the process of decision."[23] Through bargaining and compromise between affected groups and political elites, democratic decisions are reached, with no one group consistently dominating.

Critics charged that studies such as *Who Governs?* focused on too narrow a set of questions.[24] Social scientists using the pluralist framework did research on selected issues being debated by the relevant government authorities because they wanted to know who actually made policy decisions. On those issues, there may well have been participation by a number of affected interest groups, but critics argued that this did not mean that the governmental process was truly democratic. Instead, they suggested that the issues Dahl analyzed did not threaten to change the basic structure of New

Haven society or its economy, no matter how they were resolved. In this view, only issues that do not fundamentally alter the position of elites enter the political agenda and become subject to interest group politics. However, elites combine to keep various issues, such as relative distribution of wealth among different segments of society, off the government agenda.[25]

Over time, the validity of the pluralist description of politics came into question. The civil rights movement that began in the 1950s made it all too clear that, for many decades, blacks had been wholly outside the normal workings of the political system. Eventually, it became clear that some groups are not as well represented in American politics as others. In some cases, there are simply no groups representing large segments of the public. There are large and active groups taking pro-life and pro-choice positions on abortion, for example, but none advocating that abortion be allowed under some but not all circumstances—even though this is what the majority of Americans believe.[26]

In other cases, groups have unequal resources, and this persists for decades without any obvious countermobilization. The business community has long had more resources than consumer groups, for example. The National Rifle Association (NRA) and other pro-gun groups have long had more money, members, and clout than groups that advocate for gun control, although surveys usually show that a majority of Americans favor tougher gun control laws. Some types of groups form more easily than others, so that the interest group environment is not always, or even perhaps ever, in equilibrium. Thus, while it may not be the case that a single elite dominates all of American politics, neither is it true that all groups are equally represented and have equal resources to engage in politics.

Although pluralism was no longer seen as a valid description of the world, many in the 1960s took it as a reasonable prescription for the way that politics should work. In a way, pluralism was seen as a resolution to the Madisonian dilemma. If interest groups are not part of some type of balance in society, they present dangers. Failing a new resolution to the Madisonian dilemma, the solution has been to try to make pluralism a reality. Scholars, political activists, and

policymakers have tried to justify and to improve interest group politics by proposing means to make it more balanced.

Some of those who have written about how to make America a true, pluralist democracy have focused on curbing what is seen as excessive privilege and influence of certain kinds of interest groups. Most conspicuous have been the arguments for reducing the role of interest groups in the financing of political campaigns, yet few believe that the power of business and trade groups is going to be brought into balance with other sectors of society merely by instituting campaign finance reform.

Instead, many critics focused on ways of enhancing the representation of those poorly represented in our interest group system. Political reformers sought to design government programs to require citizen participation in the programs' development at the local level.[27] Foundations sought to fund programs that might help develop interest groups to represent previously disenfranchised groups. Congress required bureaucracies to consult more broadly with interest groups in making rules to implement public policy. More recently, coalitions of interest groups sought to create still other interest groups that would help register and mobilize various segments of the population in elections.[28]

Interest Groups and Civil Society

Although Madison focused on the potentially divisive aspects of interest groups in politics, interest groups may also play a positive role in social and political life. After touring the United States in 1831–1832, Alexis de Tocqueville wrote of the importance of the many political, moral, and intellectual associations that formed a key part of the public life.[29] In an influential study of the effectiveness of regional governments in Italy, Robert Putnam reported that government worked much better in regions that had a vibrant civil society—where individuals were involved in political and nonpolitical groups. Putnam argued that these regions were richer in social capital, which is comprised of social trust, norms of reciprocity, and networks of civic engagement.[30]

Scholars have posited three types of positive effects of interest groups. First, some types of groups can enhance the democratic

capacities of their members. By being involved in interest groups, people can learn about issues and the political process, as well as think more clearly about their own interests.[31] By working with others, people can enhance their feelings of efficacy—the belief that they can make a difference in politics. Deliberating together with others may help them develop better political skills, such as the ability to make a strong argument, to bargain with others, and to build coalitions. Not all groups may be equally able to mold better citizens, however. In some groups, membership means simply writing a check, so those who are unhappy with a group's decisions may simply decline to renew their membership. In other groups, members meet face-to-face and discuss policies and strategies, and these groups may help develop members' civic skills.[32] Nonpolitical groups can also help them develop these skills; one study showed that churches are especially useful in helping socially disadvantaged individuals learn to be politically effective.[33]

Second, interest groups can help build social capital. Within groups, members may form bonds of friendship that involve shared identities, trust, and social relationships. Putnam refers to this in his book *Bowling Alone: The Collapse and Revival of American Community* as "bonding social capital."[34] In the 1990s, Christian fundamentalists and Catholics came together to work in pro-life and Christian conservative groups, and many reported that they had overcome previous religious disagreements.[35] But these civic virtues may not extend to those outside the group. As evangelicals and conservative Catholics discovered the values they had in common, they became increasingly convinced that they shared very little with liberals.[36]

In contrast, "bridging social capital" involves the development of trust and tolerance of those outside of particular groups. Some types of community associations are especially focused on building networks across racial, class, and other lines. In other cases, bridging capital may occur from overlapping group memberships.[37] Within a single group, such as the National Rifle Association, there may be people who are also members of the Sierra Club, the American Civil Liberties Union, or Focus on the Family. Truman suggested that overlapping memberships in interest groups help

increase social trust and ameliorate the problem of “factions,” and research has shown that individuals who are members of cross-cutting social networks have higher levels of political tolerance.[38]

Finally, interest groups can help government perform various functions better; some interest groups perform civic actions. Between 1968 and the end of 2015, for example, AARP has assisted nearly 50 million older Americans with their income taxes.[39] The Sierra Club has group expeditions to help the National Park Service repair trails and other facilities. Government programs to help the poor are supplemented by programs of interest groups, and in some cases interest groups have contracts to administer governmental programs. Public schools benefit from the activities of parent-teacher associations, which also lobby for increased funding for schools. Interest groups help control professional licensing, and monitor government functioning. They provide spheres for public deliberation and enhance representation. In emerging democracies, the U.S. government helps fund the development of nongovernmental organizations (NGOs) to help perform some of these functions, but many countries lack this network of groups that can assist government.[40]

Many scholars have studied the impact of interest groups on civil society in recent years. In a rich analysis of the types of voluntary associations and their complex effects on democracy, Mark Warren has argued that some groups are far better than others at building social capital and that not all groups have a positive impact on democracy.[41] Some groups build trust among members by building distrust of other citizens. And membership in political interest groups is far more common among the better educated and more affluent citizens and therefore may magnify their advantages. But, overall, this research shows that the negative effects of interest group divisions are sometimes partially offset by the positive effects on civil society.

Conclusion

Critics of pluralism and those who extoll the virtue of groups for civil society have agreed on one thing: Expanding interest group participation by the chronically underrepresented is at least a first

step toward finding a new solution to the dilemma of *Federalist* No. 10. The past thirty years have seen an explosion in the number and activities of interest groups and the range of interests they represent. But this extraordinary growth in all types of lobbying organizations has raised new questions about curing the mischiefs of faction.

In the remainder of this book, we will explore the role of interest groups in American politics. Chapter 2 examines the growth in the number of interest groups and tries to explain the underlying causes of the expansion of lobbying activity. Chapter 3 is devoted to the organization of lobbies, with the discussion emphasizing the origins, maintenance, marketing, and governing of interest groups. Chapter 4 analyzes the relationship between political parties and interest groups. In Chapter 5, attention turns to the way interest groups try to influence election outcomes.

In Chapter 6, the focus shifts to the lobbyists who represent interest groups before government. Chapter 7 considers how interest groups try to influence people at the grassroots level and how Washington lobbyists try to mobilize support among constituents as part of their advocacy campaigns. Chapter 8 covers direct lobbying of the three branches of government. Chapter 9 extends that discussion to coalition politics and networks among Washington lobbies. Bias and representation in the American interest group system are the subjects of Chapter 10.

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11 However, one level of government may organize a lobbying office or join a trade association trying to influence another level of government. Most states maintain lobbying organizations in Washington, and governors, state legislatures, counties, and cities have all formed special organizations to press for their collective interests.

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2 The Advocacy Explosion

There is a pervasive belief in this country that interest groups are out of control. They have grown in number and influence while rank-and-file Americans have become disempowered. This view has prevailed for many decades and is echoed constantly in the press. In 1986, *Time* told us that "at times the halls of power are so glutted with special pleaders that government itself seems to be gagging."[1] Twenty years later, Hendrik Hertzberg argued in *The New Yorker* in 2006 that the Abramoff scandal was not an isolated instance; rather, "it's simply the currently most visible excrescence of a truly national scandal: the fearful domination of private money over the public interest." Nearly twenty years later, former Senator Gary Hart opined that "There has never been a time… when the government of the United States was so perversely and systematically dedicated to special interests, earmarks, side deals, log-rolling, vote-trading, and sweetheart deals of one kind or another."[2]

Bemoaning the growing lobbying industry, the *New Republic* noted in 1986, "What dominates Washington is not evil and immorality, but a parasite culture. Like Rome in decline, Washington is bloated, wasteful, pretentious, myopic, decadent, and sybaritic. It is the paradise of the overpaid hangers-on."[3] Jack Abramoff, who served time in federal prison on corruption charges and was the center of a large corruption investigation nearly a decade ago, recently wrote that

> corruption has dulled the luster of the American political experiment and left our citizenry confused and irascible. And nothing has provoked outrage across the fruited plain as has the chicanery of the special interests and their emissaries, the lobbyists….During the years I was lobbying, I purveyed millions of my own and clients' dollars to congressmen, especially at such decisive moments. I never contemplated that these payments were really just bribes, but they were.[4]

Observers of the Washington scene produce a steady stream of books and articles warning that democracy is in peril. Jonathan Rauch argues that interest groups are at the heart of both economic decline and governmental decay. “As [the interest group industry] grows, the steady accumulation of subsidies and benefits, each defended in perpetuity by a professional interest group, calcifies government. Government loses its capacity to experiment and so becomes more and more prone to failure.”[5]

Political scientists have been more temperate in their language, but many scholars have found the growth of interest group politics troubling. Robert Dahl, who, as noted in Chapter 1, once championed interest group democracy, was more critical in 1994. “In recent decades,” he writes, “both the number and variety of interest groups with significant influence over policymaking in Washington have greatly increased.” At the same time, “The increase in the number and diversity of interest groups has not been accompanied … by a corresponding increase in the strength of integrating institutions.”[6] Nearly two decades later, a team of leading experts on interest groups wrote:

> We find that the lobbying agenda bears no resemblance to the policy priorities of the public, regardless of which measure of public opinion is used. When we scrutinize public concerns and lobbying issues within the same policy domain, we find additional evidence that the issues being pushed by lobbyists tend to be unrelated to the specific policy concerns of the public. We also find relatively few differences between the policy priorities of low-income and high-income Americans. As a result, the lobbying agenda fails to represent the policy concerns of all broadly defined income groups.”[7]

Americans of all ideological stripes believe that interest groups are at the core of government’s problems. In 1964, 64 percent of those polled agreed with the statement that government “is run for the benefit of all the people.” Only 29 percent agreed that government is “run by a few big interests looking out for themselves.” In 1995, a mere 15 percent agreed that the government was run for the benefit of all, while 79 percent agreed that government is run by a few big interests. In 2002, after the 9/11 terrorist attacks focused public attention on the war on terror, a majority of Americans had shifted back to believing that the government was run for the benefit of all,

but within two years this pattern had reversed itself, and a majority of Americans again believed that a few big interest groups dominated politics. In 2015, Gallup found that a majority of Americans view Congress as corrupt, and nearly a third of Americans believe that their own member of Congress is corrupt. Nearly half believe that their own representative focuses primarily on the needs of special interests.[8] In a satiric fake news story, *The Onion* reported that the American people had hired a lobbyist to represent them in Congress. The lobbyist was quoted as saying that although he had lobbied successfully for major corporations, representing the American people was the challenge of a lifetime.[9]

In short, there is a widespread popular perception that interest groups are a cancer, spreading unchecked throughout the body politic, corrupting and weakening it. Indeed, many interest groups seek to get more support from their members by arguing that they are helping oppose "special interests" on the other side. For example, during the long lobbying campaign over the proposed construction of the Keystone XL Oil Pipeline that would connect the oil sands in Alberta Canada to an existing pipeline in Nebraska, proponents proclaimed that opponents were environmental extremists, and environmentalists portrayed themselves as protecting the public interest from oil companies. In recent elections, interest groups have spent millions of dollars accusing candidates on the other side of their issue of being in the pocket of special interests.[10]

The Interest Group Spiral

The impassioned denunciations of interest group politics raise two important questions. Has there really been a significant expansion of interest group politics? Or are these the same kind of complaints that have always been heard in American politics?

The answer to both questions is yes. Surely nothing is new about interest groups being seen as the bane of our political system. The muckrakers at the turn of the twentieth century voiced many of the same fears that showed up in news stories in the 1980s, the early 2000s, and today. Even if the problem is familiar, however, it is no less troubling. The growth of interest group advocacy in recent years should not simply be dismissed as part of a chronic condition in

American politics. Although the complaints are not new, it is clear that the magnitude of interest group politics has grown explosively in recent decades. There are many more interest groups active in politics today than in the past, and many groups are far more active than before.

But knowing just how much growth has occurred is complicated, because most of our measures are imperfect indicators of actual activity. There are encyclopedias of associations, but not all associations seek to influence public policy. There are counts of registered lobbyists, but this number does not include many lawyers, public relations and media specialists, researchers, and others who seek to advocate on behalf of interest groups. There are measures of campaign spending, but these have many gaps, as we will see in Chapter 5. Nonetheless, by any measure the number and activity of interest groups is increasing over time.

Studies have shown that the number of interest groups grew dramatically in the 1960s and 1970s. Jack Walker's 1981 study of 564 lobbying organizations in Washington showed that approximately 30 percent of the groups that were active at the time had formed in the previous two decades.[11] A study by Kay Schlozman and John Tierney of a 1981 lobbying directory showed that 40 percent of the groups had been formed since 1960, with 25 percent formed since 1970.[12] Using a different approach, in 2005, Frank Baumgartner reported that the number of associations listed in the *Encyclopedia of Associations* increased from around 10,000 in 1968 to around 22,000 in the mid-1990s and remained relatively unchanged since.[13] More recently, Kay Schlozman, Philip Jones, Hye You, Traci Burch, Sidney Verba, and Henry Brady have documented the growth of organized interests in Washington, from the fewer than 7,000 groups in 1981 to more than 14,000 in 2011. Figure 2.1 shows the growth by type of group. The figure highlights the explosive growth of corporate lobbies, and the stagnation of labor unions.[14]

It is not only the number of organizations that seek to influence national policy that has increased; it is also the magnitude of their efforts. Schlozman and her colleagues document an increase in the number of in-house lobbyists and external lobbying firms per organization between 1981 and 2011, and a very substantial

increase in lobbying expenditures between 2000 and 2011. Other data from the Center for Responsive Politics shows that lobbying expenditures increased by fully 143 percent from 1998 to 2010, but has since declined slightly.[15]

Existing organizations have established Washington offices or have moved their headquarters to the nation's capital to become more involved in politics. Corporations and trade associations have increasingly established permanent Washington offices. Between 1978 and 2004 the number of corporations with DC offices increased by nearly 25 percent, and the trend has continued.[16] Many have opened these offices very close to Capitol Hill, for easier lobbying access. FedEx and UPS both have townhouses near the Capitol, and the National Association of Realtors has built a glass tower nearby. The U.S. Chamber of Commerce has opened an additional office only a short walk from Congress, in a neighborhood that includes the Sheet Metal and Air Conditioning Contractors National Association, the National Rural Electric Cooperative Association, and the Associated General Contractors of America.[17] In 2014 Google moved into a new office near Capitol Hill, whose 55,000 square feet is slightly larger than the White House.[18] At the end of 2016, Boeing announced that it would move the headquarters of its $30 billion defense contracting business from St. Louis to the Washington, DC, area.[19]

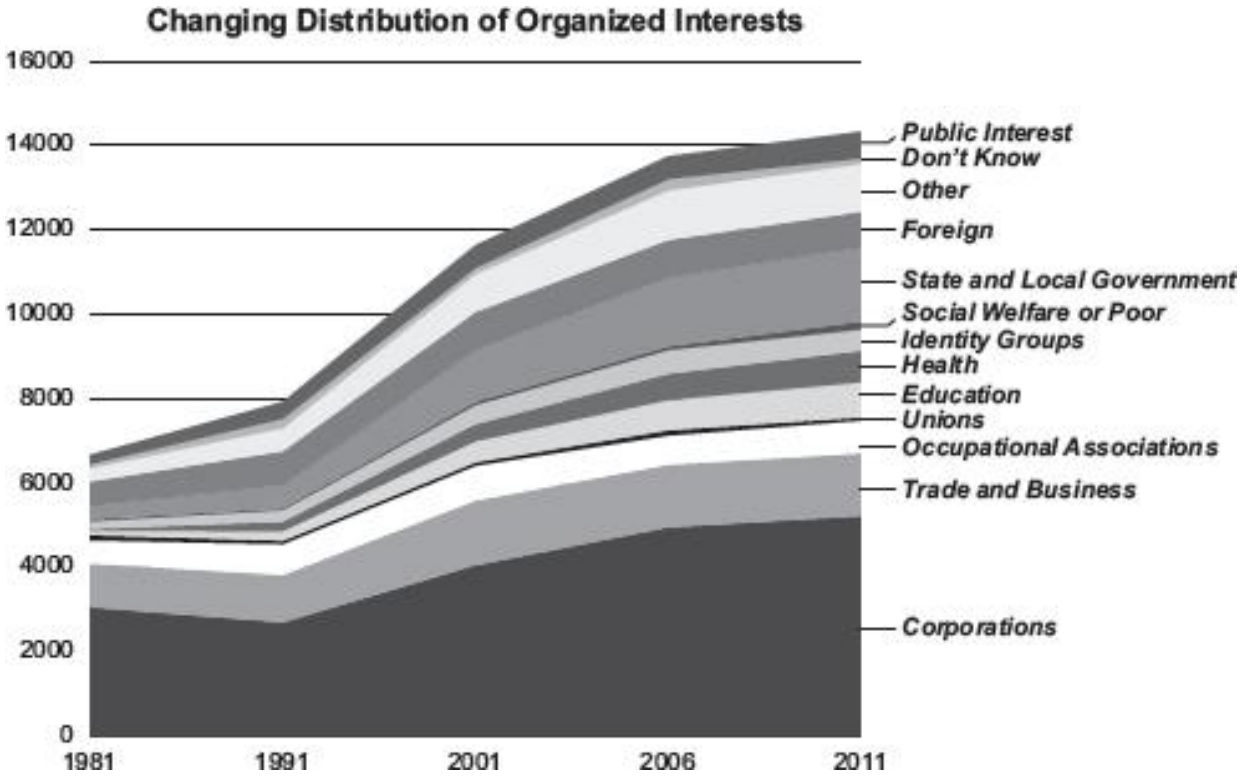

Figure 2.1 Interest Groups by Type of Group, 1981–2011

Source: Kay Lehman Schlozman, Philip Edward Jones, Hye Young You, Traci Burch, Sidney Verba and Henry E. Brady, "Louder Chorus – Same Accent: The Representation of Interests in Pressure Politics, 1981–2011." In *The Organization Ecology of Interest Communities*. Edited by Darren Halpin, David Lowery and Virginia Gray (New York: Palgrave, MacMillan, 2015). pp. 157–181.

Equally important, many corporations expanded their in-house lobbying operations and hired additional professional lobbyists. Businesses have also expanded their use of public opinion pollsters and media consultants, because many have concluded that they are unlikely to win political battles without the support of public opinion.[20] They have also expanded their use of attorneys specializing in regulation, as the implementation of programs like the Affordable Care Act and the Dodd-Frank financial reforms has increased the stakes for administrative rulemaking.

During the 1980s, many organizations also formed political action committees (PACs) in order to contribute to congressional candidates. PACs raise money from members of the group, then make donations to candidates for public office. Most are simply separate funds administered by existing organizations, such as

AT&T, the AFL-CIO, and the National Rifle Association (NRA). Some PACs are separate organizations in their own right, such as EMILY's List, which recruits, trains, and helps fund pro-choice Democratic women candidates for Congress.

PACs began to form in the mid-1970s in response to changes in federal law. Labor unions pressed Congress to allow PACs in the Federal Election Campaign Act of 1974, but it was corporations that quickly moved to form new committees. In December of 1974, there were 89 corporate PACs and 201 labor PACs, but six years later there were more than 1,200 corporate PACs and fewer than 300 labor PACs. In the 2014 election cycle more than 3,600 PACs made contributions to candidates, an increase from the 3,000 in 2012. Included in this count was nearly 1,477 Corporate PACs and 182 labor committees.[21]

In the 1980s, PACs were often depicted as corrupting influences on Congress, but today there are a multitude of additional organizational forms in which interest groups contribute to candidates and spend money in campaigns. The organization du jour is the Super PAC, which can raise contributions in unlimited amounts and spend that money to advocate on behalf of candidates, but not make direct contributions. Candidates and political parties sponsor Super PACs, but many are independent interest groups. Super PACs raise and spend far more than ordinary PACs: in 2014 the League of Conservation Voters' Super PAC spent nearly $9 million while Karl Rove's American Crossroads Super PAC spent more than $21 million.

Interest groups have also become more involved in lobbying national government. One measure of this is the number of members of the Washington bar. Washington law is lobbying law, and major law firms are hired by corporations, trade associations, foreign governments, and others to work with the government to try to solve specific problems. The number of lawyers in the bar increased from 11,000 to around 63,000 between 1972 and 1994. In the next decade, with the GOP in control of Congress, the number exploded to more than 81,000—a 25 percent increase in only ten years. By March of 2007, the number had further grown to 85,762. The figure

has since leveled off as some law firms downsized during the recession.

Many companies have greatly increased their lobbying over time. Consider the technology industry. Google spent only $80,000 on lobbying in 2003, but increased that total over three years to $800,000 in 2006. In 2012, the company spent more than $18 million on lobbying, making it one of the largest lobbying forces in Washington. Amazon.com increased its spending from less than $1 million in 2005 to more than $9 million in 2015.[22] Apple Inc. increased its spending on lobbying under new CEO Tim Cook, increasing from $760,000 in 2005 to $4.1 million in 2014. Apple hired Amber Cottle, former staff director for the Democratics on the Senate Finance Committee, which deals with tax matters, and CEO Tim Cook testified before Congress defending Apple's offshore cash holdings, and calling for comprehensive tax reform.[23] Other firms such as Spotify, Pandora, and Twitter have more recently begun to beef up their lobbying activities.[24] Bear in mind that these spending totals do not include a wide range of advocacy activities by those who are not registered lobbyists, often working in the same firm. Christopher C. Hull, president of advocacy firm Issue Management, Inc., estimates that for every registered lobbyist in Washington, there are 10 other individuals working on advocacy. He notes that "Registered lobbyists are just the tip of the iceberg. Others in Washington advocacy form a vast underwater mass lost in the gloom, but no less able to slit the sides of a Titanic that happens too close to their interests." Lobbying at the state level has also grown considerably.[25]

Although the number of and activity of all kinds of groups have been growing, not all types of groups have grown at the same rate; in fact, some are declining. The number of labor unions has not grown over the past several decades, and the number of labor PACs has fallen by nearly a third since 1982.[26] Moreover, as Figure 2.2 shows, the percentage of workers in the labor force who were union members declined from more than 32 percent in 1948 to only 11 percent in 2014.[27] Union membership declined for many reasons. Employment in manufacturing and mining, two highly unionized sectors of the economy, declined, and many former union jobs have moved to overseas subsidiaries. Employers have also been more

aggressive in trying to prevent their employees from forming unions. In recent years, the two most rapidly growing labor unions have focused on service employees, as well as on workers for national, state, and local governments. But in recent years Republican politicians have targeted state employees and teachers unions by passing laws making it more difficult for them to organize or be politically effective.

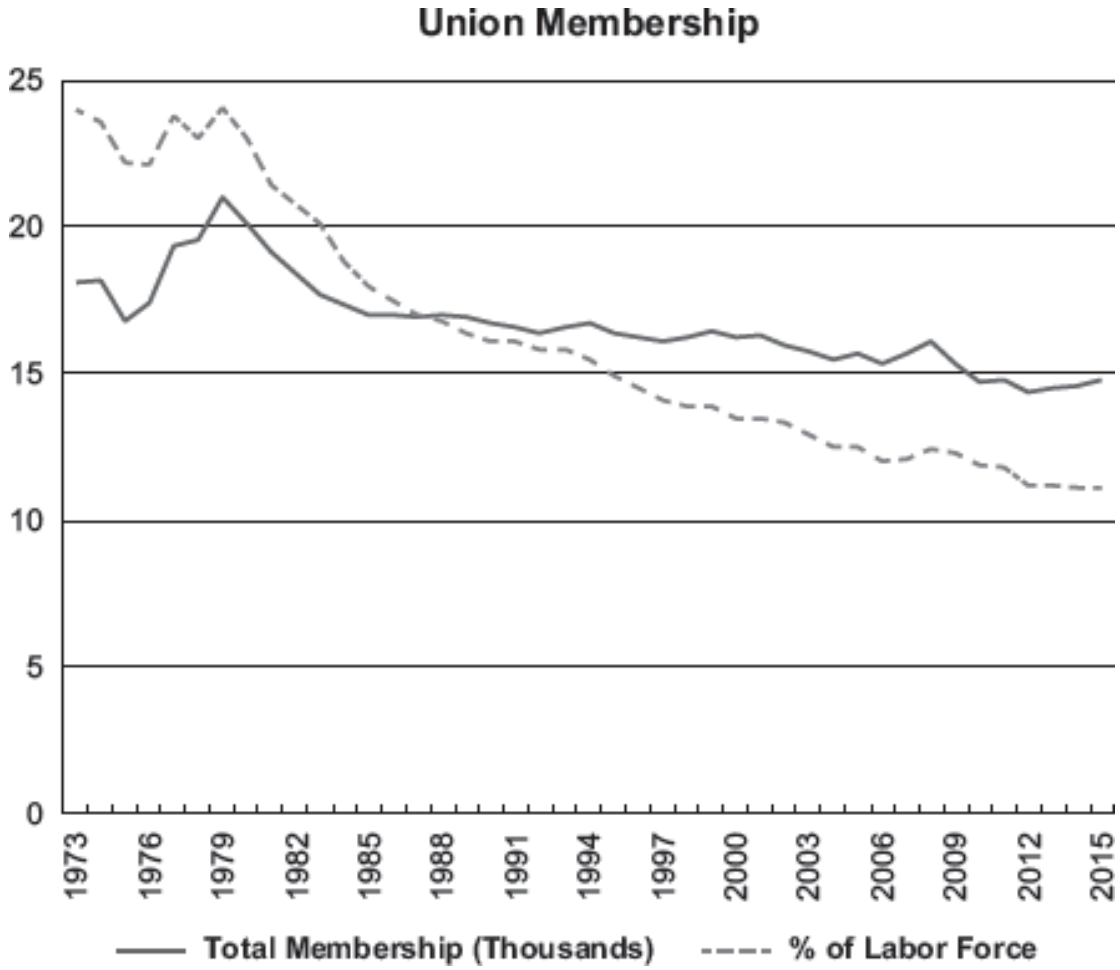

Figure 2.2 Union Membership, in Thousands and as a Percentage of the Labor Force

Source: Data from http://www.unionstats.com/.

In contrast to unions, there has been robust growth by health care lobbies. Schlozman and colleagues report that the number of health lobbies tripled between 1981 and 1991, more than doubled again by 2001, and increased by another 80 percent the following decade.

The overall increase from 1981 to 2011 is a staggering 1,094 percent. As government spending on Medicare and Medicaid increased, there was increasing pressure to control health costs. In the 1990s there was an unsuccessful push to create an expanded national program of health care, in 2003 Congress added prescription drug coverage to Medicare, and later in that decade Congress passed the Affordable Care Act. When the government writes health care statutes and regulations, its decisions do not affect every part of the industry uniformly. What is good for teaching hospitals might be damaging to small community hospitals. A policy designed to help general practitioners might come at the expense of physicians who are specialists. With vast sums of money at stake every time government takes up health care reform, it is understandable that different sectors of the industry have enhanced their representation in Washington.

In analyzing the development of interest groups, scholars must look at numbers of organizations, their memberships over time, and financial resources. By whatever standard used, however, we can be confident that the increase in lobbying organizations since the early 1960s is real and not a function of overblown rhetoric about the dangers of contemporary interest groups. The emergence of so many groups and the expansion of those already in existence fundamentally altered American politics. Let us look more carefully at the mobilization of different types of political groups.

Movement Politics

The growth of interest group advocacy in different sectors of society comes from many of the same roots. At the same time, the sharp growth in numbers of interest groups also reflects different sectors of society responding to each other. As one segment of the interest community grew and appeared to prosper, it spurred growth in other segments eager to equalize the increasing strength of their adversaries. This spiral of interest group activity began in large part in the civil rights and antiwar movements of the 1960s.

Many citizens' groups are linked to social movements, which are large, decentralized efforts by many people to enact social and political change. Social movements typically involve a grievance

about the treatment of a group of people, a belief that this treatment is unfair and must be changed, and a belief in the power of collective action. Social movements typically involve a number of groups that sometimes compete for members and money, and to define the grievance and way to remedy it, and that sometimes cooperate to achieve broader goals.

The interest group texts of the 1950s barely make mention of citizen groups.[28] Today, citizen groups seem to be everywhere in Washington, and they are major participants in a wide range of policy areas. What catalyzed this change was the civil rights movement. The drive of African Americans for equality began to gather steam with the 1954 Supreme Court decision banning school segregation and the 1955 Montgomery, Alabama, bus boycott. In Montgomery, blacks refused to abide by the segregated system that required that they ride in the back of the bus, depleting the financial resources of the city's transit system. Although it took a Supreme Court order to force integration of the system a year later, many other boycotts and sit-ins followed, increasing national awareness of discrimination. African American leaders organized many civil rights groups, which helped mobilize and coordinate movement activity.

Public opinion was not fully galvanized, however, until the early 1960s, when blacks began holding marches and demonstrations, many of which ended in confrontation with white authorities. Some ended in violence, with marchers being attacked by police. The demonstrations, shown on network news telecasts, helped turn the public decidedly in favor of civil rights legis-lation.[29] The immediate outcome was the Civil Rights Act of 1964, outlawing many basic forms of discrimination, and the Voting Rights Act of 1965, which ended the exclusion of blacks from voting in many areas of the South.

Citizen group politics was also fueled by the anti-Vietnam War movement that took form in the mid-1960s. Its success was not as clear-cut as the civil rights movement's, because so many American soldiers continued to fight and die during years of protest. Many Americans were hostile toward the antiwar movement because they felt it was disloyal for citizens not to support American soldiers once they were committed to a military action. Most would agree, however,

that the antiwar movement hastened the end of America's role in the war in Vietnam. This unpopular war helped push President Johnson out of office and put pressure on President Nixon to end American participation in the fighting. The antiwar groups spearheaded opposition to the war, and their periodic demonstrations were visible evidence of growing public anger over the fighting.

From the successes of the civil rights and anti-Vietnam War movements came the realization that citizen groups could influence the course of public policy.[30] This model of citizen group advocacy was soon copied by others suffering from discrimination who saw parallels between blacks and themselves. Hispanic farmworkers in California were organized for the first time by Cesar Chavez and his United Farm Workers union. Most conspicuous was the rise of the women's movement, deeply influenced by the citizen advocacy of the 1960s. Women saw the tools of these earlier groups as directly applicable to their own plight. Evans describes how the National Organization for Women (NOW) was formed:

> The lessons of the NAACP and its legal defense arm were not lost on the women who founded NOW: to adult professional women in the early 1960s the growth of civil rights insurgency provided a model of legal activism and imaginative minority group lobbying.[31]

Evans points out that many of those who became pioneers in the women's movement first gained experience working for those earlier causes.

Minorities and women were not the only ones influenced to organize by the civil rights and antiwar movements. Political activists began to look at the range of policy areas that interested them, such as consumer rights, environmental affairs, hunger and malnutrition, corporate responsibility, and access to media. Although the success of civil rights and antiwar groups inspired the formation of new groups in these areas, the protest orientation of these earlier organizations seemed inappropriate. Leaders of these new groups wanted to transcend "movement politics" with organizations that could survive beyond periods of intense emotion. The organizations that were needed could put the idealism of young, liberal activists in

harness with financial support and policy interests of the middle class.

Many other groups, such as the Environmental Defense Fund, Zero Population Growth, and the Children's Foundation, started up as well. Older groups, such as Consumers Union, the League of Women Voters, and the Sierra Club, prospered, too, and devoted new resources to Washington lobbying. Indeed, public interest groups have existed for years, and the most recent wave of groups is in the tradition of American reform movements.[32] Public interest groups are distinguished from earlier reform movements, though, by the breadth and durability of the lobbying organizations. Some of the liberal public interest groups have developed into huge organizations, with large memberships and budgets in the millions of dollars (see Figure 2.3).[33] More important, these organizations have pushed their issues onto the nation's political agenda and have become major influences in the formulation of public policy. Indeed, one recent study suggested that liberal citizen groups are far more visible and active in politics than their numbers suggest and that they are "at the center of debate in Washington over public policy."[34]

Public interest groups of this era directly benefited from the growing force of the pluralist ideal. The lack of an acceptable alternative theory of democracy and the reality of interest group politics made pluralism a compelling idea, a goal toward which America should strive. As it became accepted that pluralist democracy did not, in fact, exist, how was its absence to be remedied? The solution was quite simple: The influence of existing groups had to be *balanced.*[35] Madison's words were echoed: Democracy could be achieved not by limiting the freedom of private interests to lobby but, rather, by "controlling" the "effects" of the one-sidedness. The Ford Foundation articulated this simple premise in defending their sponsorship of public interest law firms during the early 1970s:

> A central assumption of our democratic society is that the general interest or the common good will emerge out of the conflict of special interests. The public interest law firm seeks to improve this process by giving better representation to certain interests.[36]

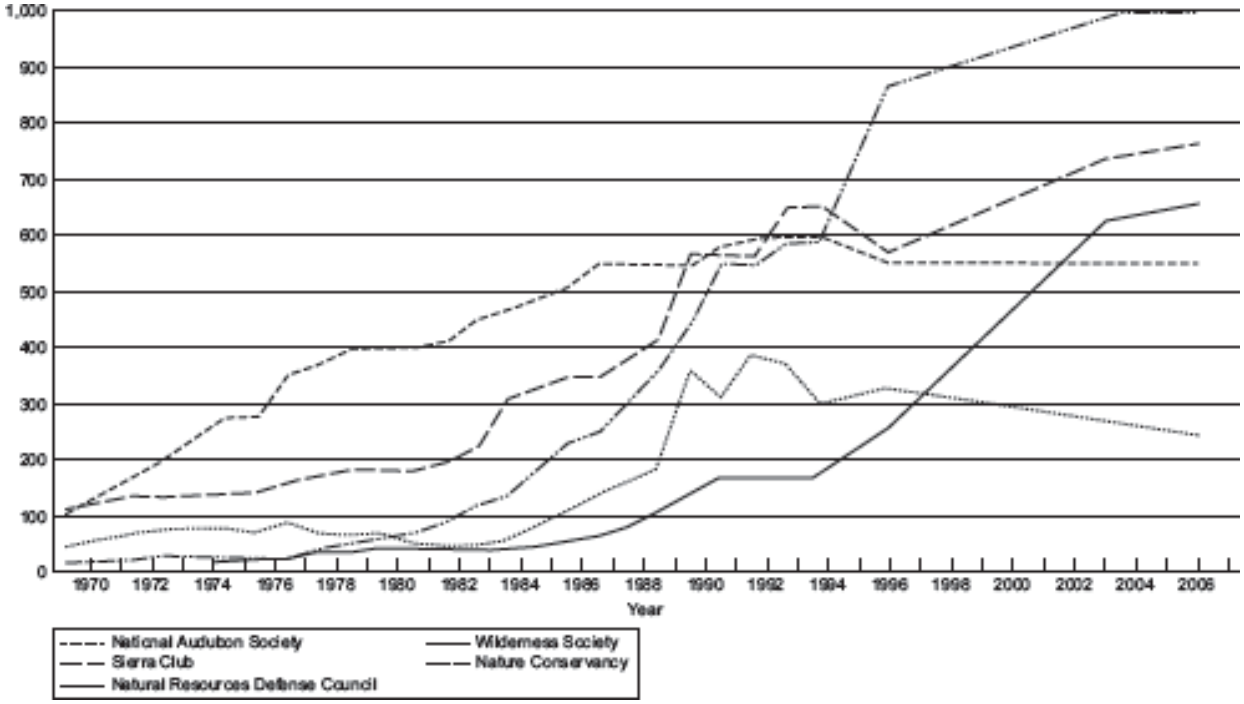

Figure 2.3 Membership in Environmental Groups

Source: Data from Christopher J. Bosso, *Environment, Inc.: Grassroots to Beltways* (Studies in Government and Public Policy) (Lawrence: University Press of Kansas, March, 2005), and authors' work.

The liberal public interest movement thus was built on a vision of how democracy could work, and the leaders of these groups came to a common conclusion as to how reform could be achieved.[37] Broad, sweeping reforms of the policymaking process were given only limited attention. Working through the political parties or initiating a third party was not given much credence as an alternative way of achieving their goals. The philosophy of the public interest movement of this period was that, no matter how much government was reformed, government by itself was inherently incapable of protecting the common good. Left to its own devices, the government would always be overly influenced by private sector groups. The only solution was continuing involvement by citizen groups in policymaking to balance the influence of other organizations. Making pluralism come true was the answer.[38]

Although the term *public interest group* has fallen out of common use, the pluralist logic remains active today in the formation of other types of groups. Many organizations formed in the 1990s and 2000s

have sought to protect their view of the common good. For example, MoveOn.Org, a liberal group that is active in elections and lobbying, describes its mission like this:

> MoveOn is a community of more than 8 million Americans from all walks of life who use the connective power of the Internet to lead, participate in, and win campaigns for progressive change. For more than 17 years, the MoveOn family of organizations has used digital tools to lower the barriers to participation in our democracy, so real Americans have more of a voice in a political system where big money and corporate lobbyists wield too much influence. Increasingly, MoveOn members are stepping up as the leaders of their own campaigns for social change using the MoveOn Petitions DIY organizing platform to enlist other MoveOn members' support.

The most successful movement organizations in the past few years has been the coalition of LGBT groups, which have successfully pushed for marriage equality nationwide as well as nondiscrimination laws in a number of cities and states. The success of these groups was unthinkable twenty-five years ago, but these organizations, like the civil rights and feminist movements before them, managed to persuade the public of their claim for fair treatment. Public opinion changed remarkably on same-sex marriage: from 57 percent opposed and 35 percent in favor in 2001 to 55 percent in favor and 39 percent opposed in 2015. Like those earlier social movements, the LGBT movement focused on cities, state governments, and the federal government, and lobbied the public as well. It used a variety of tools, with movement leaders and organizations sometimes disagreeing about the best strategy.

Conservative Counterattack

While liberals were trying to balance interest group politics by bringing "the people" into the political process, conservatives were coming to believe that the liberals were so successful that they had *unbalanced* the representation of interests in Washington. When the Carter administration welcomed these lobbies into the policymaking process and appointed many public interest leaders to major positions in agencies and departments, conservatives began to

mobilize in response. Conservatives worked to create their own think tanks, social movement organizations, and networks.

The 1973 *Roe v. Wade* decision energized opponents of abortion, most of whom were conservative. Many national, state, and local pro-life groups formed in the 1970s, and their membership and resources grew rapidly. These groups have used a number of tactics and strategies in working toward a goal to end most or all abortions. Some have sought a national amendment to the U.S. Constitution, others have focused on electing Republican presidents and senators to change the composition of the U.S. Supreme Court, still others have worked on changing national and state laws to make abortions more difficult to obtain, and a few have tried to change public attitudes about abortion, so that fewer women will choose to have them. In recent years, pro-life groups have been active in passing state laws to ban or restrict abortions, and in trying to influence Supreme Court appointments so that the Court would uphold these state laws.

Christian conservatives more generally organized around the themes of preserving traditional families and promoting religious values. These groups reacted to liberal policies and values that they believed led to an increase in crime, the divorce rate, illegitimacy, abortion, and other social ills. They sought to defeat the Equal Rights Amendment, to reinstate school prayer, to fight gay rights, and to maintain traditional gender roles. Many Christian Right groups that formed in the late 1970s, including the Religious Roundtable, Christian Voice, and Moral Majority, had broad agendas. Stop ERA and Eagle Forum both centered their efforts on stopping policies that promoted gender equality. Other groups had less of a religious focus, including the National Conservative Political Action Committee (NCPAC), which sought to reduce taxes and support an anticommunist foreign policy.

Although many of the groups that formed in the 1970s did not long endure, new organizations, such as the Christian Coalition, Focus on the Family, and Citizens for Excellence in Education, formed in the 1990s. In the early 2000s, new organizations formed to oppose same-sex marriage. For the most part, these conservative moral groups got little support from the mainstream media, which were

likely to feature public statements that made group leaders seem extreme in the public's eyes. Moral Majority founder Jerry Falwell blamed the terrorist attacks of September 11 on liberals and feminists, for example, while Pat Robertson of the Christian Coalition stated that feminism is a "socialist, anti-family political movement that encourages women to leave their husbands, kill their children, practice witchcraft, destroy capitalism and become lesbians."[39]

Conservative groups built their own networks to communicate their messages, unfiltered, to supporters. Religious conservatives developed their own magazines and newspapers, their own colleges and universities, and their own radio and television shows. Most important, they used white evangelical churches to mobilize members and supporters. Although churches are forbidden from engaging in explicitly partisan political activity, they can organize and work to support values and policies that are consistent with their teachings. The ability of Christian Right groups to pass out information in churches was a considerable asset, because the white evangelicals who constituted the target constituency of the movement are, for the most part, regular attendees. The Christian Right could assume that the people who would support them would be in a conservative church on Sunday morning, making it much easier to find and mobilize their base.

Concerned that the Supreme Court was supporting a liberal agenda, conservative groups worked to elect Republican presidents who would appoint more conservative justices. A network of conservative legal firms was created, as counterweights to the public interest firms discussed above. These firms worked together with other conservative organizations to develop a comprehensive legal strategy.[40] Some of these legal firms are libertarian, and challenge campaign finance laws, while others represent the conservative Christian movement. For example, in 2015 the Liberty Council offered pro-bono services to Kentucky county clerk Kim Davis, who mounted a series of suits challenging the requirement that she perform same-sex marriages, which she claimed violated her religious faith.

Since 2010, a new movement called the Tea Party has provided the organizational matrix for conservative values in America. The Tea

Party is not a political party, but is instead a social movement that is primarily active in the Republican Party, just as feminists are primarily active in Democratic politics.[41] The Tea Party movement involved a variety of national organizations, but also had many unaffiliated state and local organizations. National groups include Freedom Works, Americans for Prosperity, the Tea Party Express, and the Tea Party Patriots. But the King William County Tea Party, which managed to unseat two incumbents in local elections in 2015, had no ties with national organizations and received no financial support, as is true of many similar organizations. And its chair, Robert Shannon, was critical of both Democratic and Republican incumbents at all levels of office.

Tea Party groups have a broad agenda, advocating for dramatically lower taxes and decreased spending, tighter enforcement of immigration laws and adoption of English as the national language, an end to crony capitalism where companies benefit from insider connections, and an end to various environmental programs. The Tea Party was upset by the same things that upset protesters in Occupy Wall Street – the financial crisis and the way that large banks and corporations were able to emerge unscathed while average citizens bore the brunt of the losses. But the Tea Party blamed big government for these problems, whereas Occupy Wall Street put the onus on large banks and corporations.[42]

Tea Party activists tend to be older white Americans, many of whom believe that their way of life has been challenged in recent years. They had great success in Republican primaries in 2010 and 2012, defeating some powerful incumbent Republican legislators including Eric Cantor, House Majority Leader. In 2015 a coalition of Tea Party-backed legislators forced John Boehner to resign as Speaker of the House, and demanded concessions from incoming Speaker Paul Ryan.[43]

Business Fights Back

The rapid rise of liberal and conservative citizen groups frequently captures the public attention, for social movement group leaders frequently make extreme statements and use unconventional tactics.

The dramatic growth of business lobbying is easily as important to understanding the role of interest groups. Business has always been well represented in Washington, but in recent years the community has become more active in response to challenges by liberal citizen groups and opportunities created by Republican control of government. Today business interests dominate the interest group community in Washington.

A Plague of Regulation?

During the 1970s and 1980s, business executives inevitably explained why they had opened a Washington office or expanded one already there by talking about what they saw as unreasonable government regulations. A Conference Board study revealed that, of the executives indicating a change in their government-relations work, 71 percent cited increased government activity as the reason.[44] The successes of consumer groups, environmental groups, labor groups, and other citizen organizations were part of the reason that business groups mobilized during this period.

The regulatory process is particularly conducive to interest group advocacy because it deals with the most complex and esoteric aspects of public policy. As technology has complicated policy in such areas as air and water pollution, health care, telecommunications, and genetic engineering, the opportunity for regulatory advocacy has increased. Regulatory decisions in such areas must be made after considering relevant technical data—data often difficult to obtain and open to competing interpretations. No one has more incentive to collect industry data than the industries themselves. At its heart, regulatory lobbying is a process of interest groups bringing their data to policymakers and trying to make these data the information base from which decisions flow.

The growth in business lobbying during the late 1960s and 1970s was not just a response to an increase in the number of regulations being adopted but also a response to the changing nature of regulation. Many of the new agencies created during this time were given jurisdiction over broad problem areas, such as pollution or occupational health, rather than specific industries, such as

broadcasting or securities trading. The breadth of regulatory authority for agencies such as the Environmental Protection Agency and Occupational Safety and Health Administration is immense, and many industries found themselves subject to their regulation. Businesses have found the new "social" regulation especially disturbing, "with its more detailed, multi-industry intrusions into areas of longstanding managerial discretion and its cost- and liability-enlarging potential."[45]

Since the late 1970s, however, there has been a move toward deregulation. In many industries, such as telecommunications and financial services, there has been significant deregulation. During the Reagan and Bush administrations, and later in the George W. Bush administrations, many regulations were relaxed, and the pace of new regulations slowed considerably. If businesses increase their lobbying efforts in response to regulation, it might seem logical for them to reduce lobbying in times of deregulation.

This did not happen, for several reasons. First, even at a time when government is relaxing regulations, the details of those regulations remain critically important to companies. If one set of regulations is relaxed more than another, one set of companies may gain financially at the expense of others. Indeed, companies sometimes need to hire more lobbyists just to keep track of the changes in regulations, so that their business can make changes to profit from them. Second, when government relaxes its regulations, businesses become encouraged to press for even more concessions. If the government has already lowered its requirements in this area, with additional lobbying it may relax them still further.

Finally, even in an atmosphere of deregulations, specific companies face regulatory issues. We noted above the Google spent $18 million in lobbying in 2012. But that total does not include its contributions to nearly 140 trade associations, advocacy groups, and think tanks. A report by *The Washington Post* notes that Google's activities "includes financing sympathetic research at universities and think tanks, investing in nonprofit advocacy groups across the political spectrum and funding pro-business coalitions cast as public-interest projects."[46] This surge in activity is sparked by issues relating to regulation of the internet, the ability of the company to collect

consumer data and shield it from government, concerns that antitrust action in Europe might be duplicated in the US, and issues relating to new projects such as drones and self-driving cars.

In addition, firms that seek to merge face regulatory scrutiny, and this provides an incentive to increase lobbying. Recent proposed mergers in the health insurance industry, such as Cigna's merger with Anthem and Aetna with Humana, sparked substantial lobbying. In both cases, the companies hired additional lobby firms to represent them before regulators, in response to efforts by the American Hospital Association and the American Medical Association to scrutinize these mergers for anti-trust violations. In telecommunications, proposed mergers between AT&T and T-Mobile, and between Comcast and Time Warner Cable were abandoned after they encountered opposition from consumer groups and competing industry groups. Despite more than $25 million in lobbying spending and millions in campaign contributions by Comcast and Time Warner, only a handful of legislators signed onto the final bill.

Seizing the Initiative

During the late 1970s, as consumer and environmental groups organized and made gains, business leaders began to believe that more control was needed over the policy agenda. Business responded with a series of changes designed to help business regain control over the policy agenda in areas of concern. Benjamin Waterhouse reports that business leaders perceived an "antibusiness bias that coursed through the veins of the American body politic… Heavy-handed, hyper-regulatory government, abetted by a public deeply hostile to business, increasingly saddled American companies with resource-sapping regulation, devastating taxes, and crippling labor policies."[47]

In the 1970s, the business community devoted considerable attention to building its political muscle. Corporations established lobbying operations; set up Washington, DC, offices; and formed PACs. Trade associations moved to Washington and established PACs. Existing business peak associations, such as the Chamber of Commerce, expanded their role in coordinating the business