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CHAPTER 4



Interest Groups in the States

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If we want to understand the major changes that have taken place in state politics—particularly changes in power relationships—interest groups and lobbying are among the best elements of state politics to study. This is because lobbyists quickly sense the changing needs of state officials and adapt their operations accordingly. They are among the first to detect changes in power relationships and direct their efforts toward these power points. Furthermore, changes in the number and types of groups active in state politics, the rise of some and the decline of others, are indicators of the changing importance of issues in a state.

Although state interest groups are a political bellwether for political scientists, the general public sees them from a different perspective. The public sees some positive elements in them, but generally their attitude is negative, particularly toward lobbyists (Benedict, Hrebenar, and Thomas, 1996). Over the years, much of this negative attitude has been shaped by interest group activity in the states. Such activities include states being dominated by one or a few powerful interests, events involving groups thwarting the public will, and scandals involving lobbyists. All states have gone through eras in which one or a handful of interests dominated state politics to the extent that they could determine what state government did and—often of more importance—did not do. During the late nineteenth and early twentieth centuries all forty-eight contiguous states experienced politics dominated by railroad interests. And as late as the 1960s, for example, Montana was captive to the Anaconda Copper Company and Delaware to the DuPont Corporation. The nefarious activities of railroad lobbyists in states such as Wyoming and Nevada at the turn of the century contributed to the

negative image of lobbyists, an image reinforced by recent scandals involving lobbyists in Arizona and South Carolina in the 1990s.

Although these abuses did occur, today they are less extensive than is generally believed. There remains considerable variation across the states in the power of groups, and what are and are not acceptable operating techniques for interest groups and their lobbyists. In all but a few states the power of the railroads has long since waned, and many of the old manufacturing, agricultural, mining, and forestry interests have seen their political power eroded. Although some states still have one or more prominent interests (the Mormon Church in Utah, Boeing in Washington state, agriculture and agribusiness in Arkansas, the coal companies in West Virginia, for example), the days of states being dominated by one or a few interests are likely gone forever. In addition, interest groups perform functions essential to the democratic process, including representation, providing information to policy makers and the public, and offering opportunities for people to acquire political training.

In this chapter we explore these three elements of interest group activity: (1) their significance as a bellwether of state politics, including the types of groups operating past and present, their strategies and tactics, and their power in the public policy process; (2) how and why state interest group systems vary from state to state and the consequences of this; and (3) the pros and cons of interest groups as they affect the democratic process in the states. First, however, we need to define some key terms.¹

KEY TERMS

An *interest group* is an association of individuals or organizations, usually formally organized, that attempts to influence public policy. There are, however, many definitions of *interest group* (Baumgartner and Leech, 1998, 25–30), and often the term is more narrowly defined in studies of state groups. Most often the legal definition is used, confining the focus of study to those groups required to register under state laws and excluding those not required to do so. Yet many groups and organizations engage in lobbying but are not required to register. The most important are those representing government itself, particularly state government agencies. Most states do not require public officials at any level of government to register as lobbyists.

1. The data in this chapter come mainly from studies on various aspects of state interest groups undertaken by the authors over the past twenty years. In particular is the Hrebenar–Thomas study of interest groups in all fifty states conducted between 1983 and 1988 and two updates of that study in 1993–1994 and 1997–1998. The results of the original project, which involved eighty political scientists, can be found in Hrebenar and Thomas 1987, 1992, 1993a, and 1993b; syntheses can be found in Thomas and Hrebenar, 1990 and 1996. Research for the two updates of the study, also involving all fifty states, focused on changes in interest group power, expansion in the range of groups, and changing group strategies and tactics.

Those contributing data to the 1997–1998 update, which provided much of the new material used in this chapter, are listed at the end of the text of this chapter.

It is also important to study interest group activity in the entire state capital—not just in the capitol building. Some studies focus only on the legislature, which is certainly the major target of lobbying for many groups. But the executive branch has always been lobbied, particularly the bureaucracy where major policy and regulatory decisions are made that affect a host of interests, and this target of lobbying is increasing (Nownes and Freeman 1998b, 96–97). Although less prominent, lobbying through state courts is also on the rise.

The terms *interest*, *lobby*, and *sector* are often used synonymously and interchangeably with the term *interest group*; but each is a more general term and they are used in a variety of ways. The term *lobby* always has political connotations (usually referring to a collection of interests such as business groups); but *interest* and *sector* may or may not. They may refer to a part (a sector) of society with similar concerns or a common identity that may or may not engage in political activity, such as farmers or minorities. It is from these similar concerns and common identities of interests and sectors, however, that interest groups and lobbies are formed. Furthermore, the distinction between an interest or lobby and an organized interest group is sometimes difficult to make in practice. This is partly because organized groups such as antitax groups often act and are perceived as representing a broader political interest than their official membership.

Interest groups operate in the state public policy-making process mainly by using one or more lobbyists. A lobbyist is a person who represents an interest group in an effort to influence government decisions in that group's favor. The decisions most often targeted by lobbyists are those concerning public policies, but they also include decisions about who gets elected and appointed to make those policies. Lobbyists include not only those required to register by law but also those representing nonregistered groups and organizations, particularly government.

Finally, we need to explain the concept of a *state interest group system*. This is the array of groups and organizations, both formal and informal, and the lobbyists who represent them working to affect public policy within that state. As one element of the socioeconomic and political life of the state, it is this interest group system's characteristics—size, development, composition, methods of operating, and so on—in its relationship to the economy, society, and government in a state that is particularly important. The idea of a state interest group system is an abstraction, of course, because even though there are relations between various groups and lobbyists representing various interests, never do all the groups in a political system act in concert to achieve one goal.

TYPES OF INTEREST GROUPS ACTIVE IN THE STATES PAST AND PRESENT

Interest Groups Active in the States before 1970

Before the 1900s there were few organized interests operating in state capitals and what ones there were, mainly business and agriculture, were usually intent on killing legislation, particularly regulations, rather than promoting policies. The fact

that most states were dominated by one or a few interests until World War II, and in some cases much later, reflected their usually underdeveloped economies and their minimal role of government (Gray and Lowery 1996, 13–31). The most wide-ranging power within the contiguous forty-eight states was that of the railroads like the Northern Pacific in North Dakota, Montana, Idaho, and Washington and the Pennsylvania Railroad and Baltimore & Ohio in the Middle Atlantic states.

By the 1930s five broad categories of interests had established themselves across the then forty-eight states: business, predominantly business associations and some individual businesses; labor, both federations and individual unions; education, mainly teachers unions and school boards; agriculture, both general organizations and commodity groups; and local government, associations, elected officials and employees. These five interests have been called the traditional interests in state politics as they were the major ones active in the states for more than two generations until the 1970s (Zeigler 1983, 99). However, with the minimal role of state government, entire legislative sessions would go by without any activity by some of the groups that composed these interests.

Explaining Increased Interest Group Activity since 1970

All this began to change in the late 1960s and the change continues today. Not only has there been a marked increase in the number of groups lobbying in state capitals, the variety or range of groups operating has also expanded. A host of new groups and organizations, from individual businesses to social issue groups (for the poor, the handicapped, victims of crime, and so on) to minority groups to religious organizations to good government groups (Common Cause and the League of Women Voters) began to establish a presence as lobbying forces in the states. Five major factors appear to be at the root of this expansion over the past thirty years.

The first is the increase in the level and range of economic activity in the states, resulting in a diversification of business and other interests, though again to differing degrees across the states. Many southern states, for example, benefited from businesses moving from the Rustbelt of the Northeast; high technology has come to states such as Washington, Oregon, and Colorado; and so on. With the expansion of economies comes an increase in the middle-class, which has important consequences for group formation, as we will see. Second, as state governments became more involved in the economic and social life of their states in areas such as business regulation, environmental protection, and health, more and more interests were affected. They became politically active either to protect their interest from government or to take advantage of some new state program or benefit. Third, the expanding range and complexity of issues dealt with by government meant that the old general interest organizations, such as trade associations, were not able to deal with many of the specific needs of their members. The result has been a fragmentation of certain traditional interests. Fragmentation has been particularly evident within the business and local government lobbies. Individual corporations and businesses and individual cities and special districts (especially school districts)

have increasingly lobbied on their own. Although they usually remain part of an umbrella organization (state chamber of commerce, municipal league), they see their specific interests as best served by a separate lobbying operation. Fourth, a combination of factors—heightened political awareness (resulting from such events as the Vietnam War and the civil rights movement), an increase in the size of the middle class, the transition of America into a postindustrial society—has propelled the rise of many social issue and public interest groups, from environmentalists to gay rights groups to abortion groups. And fifth, although there is less hard evidence for this, changes in the role and competition of political parties has had an effect. On the one hand, the decline of parties has apparently led many people to join an interest group in an attempt to achieve their specific goals. On the other, increased party competition is also seen as increasing the number of groups.

The Interest Group Scene in the States in the Late 1990s

The latest research from the Hrebemar–Thomas study reveals an expansion in both numbers and variety of groups since the mid-1990s. The increasing prominence of several interests that are active in virtually all states is worthy of special mention. The most prominent of state agencies in all states are the departments in charge of education, transportation, and welfare and state universities and colleges. Associated with this rise in government lobbying has been the increased prominence of public sector unions, particularly unions of state and local employees, including police and fire fighters, as well as teachers' unions. Ideological groups, which are often single-issue groups such as antiabortionists and the Religious Right, have also become quite active in recent years. Good government, environmentalist, and senior citizens groups are other forces that now have a significant presence in almost all state capitals.

Interests that do not have a presence across all the states tend to be newly formed groups, such as school choice (favoring vouchers or charter schools), children's rights groups, and family value groups, or those representing an interest concentrated in certain states, such as Native Americans, commercial fishing interests, and professional sports franchises. The general trend for most interests is to expand to more and more states. Since 1990 several interests have emerged that were not politically active before, such as victims' rights groups and organizations concerned with responding to environmental disasters. Still other groups, particularly gaming interests, Hispanics, and pro- and antismoking groups, have expanded their presence in the states. And more groups, senior citizens, and Native Americans, for example, are active in virtually every legislative session.

According to work by Gray and Lowery, expansion of the number of interests in state capitals tells only one side of the story. Although many groups enter the lobbying scene, others leave it largely because the groups cease to exist. Mortality, the authors have argued, is much more likely to occur with membership groups and associations than with institutions (businesses, state agencies, and so on). In general, they have argued that the state interest group scene is more fluid in composition

than has hitherto been believed (Gray and Lowery 1996, 124–125, 243; Lowery and Gray 1998).

Besides the greater number and variety of groups, the groups that already exist are lobbying more intensively than was the case in the mid-1970s or even in the mid-1980s. They have more regular contact with public officials and use more sophisticated techniques. In addition, ad hoc coalitions of groups come together to promote or fight issues more often than ever before.

This overview of changes in the number and types of interests active in state capitals is a good illustration of one way in which interest group activity is a bellwether of changes in state politics in recent years. The rise in the number of groups was both partly responsible for and a reflection of the increased role of state government, particularly from the 1970s onward. And the changing role of state government as the “Reagan revolution” affected the states also brought some groups into state capitals that had not been active before, such as antitax groups, individual local governments, groups promoting the arts, and the like. Similarly, the increase in the variety of groups both generated and reflected the much broader range of issues dealt with by state government, including issues about what responsibilities state government should shed as a result of the Reagan revolution.

It is important not to assume that a group’s presence or high visibility automatically translates into political power. Just because a group or interest is active in state politics does not by itself ensure its success in achieving its goals. This will become clear when we consider the power of interest groups.

THE PRIVATE GOALS AND THE PUBLIC ROLES OF INTEREST GROUPS

Unlike political parties, which originate and exist primarily for political purposes, most interest groups are not primarily political organizations. They usually develop from a common economic or social interest, as, for example, workers forming a trade union, gays forming a self-help association, or model railroad enthusiasts forming a club. Such organizations promote programs and disseminate information to enhance the professional, business, social, or avocational interests of their members. Much of this activity is nonpolitical, as when the American Dental Association publishes its journal or provides cut-rate life insurance for its members. However, many nonpolitical interest groups are forced to become politically active because there is no other way to protect or promote their interests. In promoting their private goals in the public arena, interest groups perform some indispensable public roles, the most important of which will be discussed in turn.

The Aggregation and Representation of Interests

Together with political parties, interest groups are a major means by which people with similar interests and concerns are brought together, or aggregated, and their views articulated to government. Interest groups are an important vehicle of political participation; they act as major intermediaries between the governed and

the government by representing the views of their members to public officials, especially between elections.

Facilitating Government

Groups contribute to the substance of public policy by being significant sources of both technical and political information for policy makers. In most instances groups help to facilitate the process of bargaining and compromise essential to policy making in a pluralist system. And in some cases they aid in the implementation of public policies, as, for example, when the Iowa Farm Bureau distributes information about a state or federal agricultural program.

Political Education and Training

To varying degrees, interest groups educate their members and the public on issues. They also provide opportunities for citizens to learn about the political process and to gain valuable practical experience for seeking public office.

Candidate Recruitment

Groups often recruit candidates to run for public office, both from within and outside their group membership.

Campaign Finance

Increasingly these days, groups help to finance political campaigns, both candidate elections and, at the state and local level, ballot measure elections (initiative, referendum, and recall).

Certainly, each of these five functions is subject to abuse by interest groups, particularly campaign finance. But that does not make them any less essential to the working of democracy or lessen the importance of the public role of interest groups. What is contradictory about the relationship between these private political goals and public roles of interest groups is that the positive public roles are purely incidental. With the minor exception of good government groups, such as Common Cause and the League of Women Voters, and some think tanks, in their private capacity interest groups do not exist to improve democracy or to improve the functioning of the political process. The positive public role of interest groups is a paradoxical byproduct of the sum of their selfish interests.

**THE POLITICAL PARTY-INTEREST GROUP
CONNECTION IN THE STATES**

Three aspects of the party-group relationship are particularly important for understanding the role and influence of interest groups in the states. First is the tension between the competitive and cooperative elements of the party-group relationship (Cigler, 1993, 408-410). On the one hand, interest groups compete with parties. Their competition centers around performing three overlapping functions: acting as vehicles of political representation and influence in securing policy objec-

tives; as providers of information, both technical and political, to public officials; and as sources of electoral support, particularly the provision of campaign funds. At the same time, parties and groups cooperate in several ways. This includes working together to build broad coalitions at elections or to enact policies; interest groups providing funding for party organization operations as well as financial and other support during elections; and parties adopting group policy goals into a party platform to enhance the policy's chances of success. On this last point, association with a political party may be the only chance of success for small or new groups with few resources such as poverty action groups.

Second is the effect of party competition (or lack of it) and of party control on interest group activity and on state politics. Party competition raises political uncertainty because with changes of party control all types of groups may find their vital interests adversely affected. So more groups mobilize to protect their causes (Gray and Lowery 1996, 204, 244; Lowery and Gray 1995). As a consequence, party-competitive states often produce a nonpartisan or bipartisan lobbying community. Lobbyists and group leaders need to support each party, not to the extent that they antagonize the other but enough to ensure access after an election.

Party control affects interest group activity in two ways: by creating policy uncertainty in some instances and clear policy direction in others (Morehouse 1997). When moderate or liberal Democrats control a legislature or executive, their heterogeneity and their support for reform policies often causes policy uncertainty and increased group activity. Party control is also important in giving certain groups an advantage in access and influence. Moderate and liberal Democrats, and sometimes moderate Republicans, tend to favor liberal causes and unions. These interests lose prominence when there are strong conservative Republicans or conservative Democrats in control. The most recent update of the Hrebennar-Thomas study clearly shows that since 1994, when Republicans swept into many governorships and legislatures, business and prodevelopment interests and those favoring privatization of many government services have risen in prominence at the expense of traditional and public sector unions and liberal causes.

Third is the power relationship of parties and groups. This relationship is complex, however, and only partly understood by political scientists. In general, the stronger the party, the more control it has in determining the policy agenda and ensuring its passage. Strong parties also control the access of interests and interest groups to the policy-making process. The weaker a party, the more leeway is given to other elements of the political system to fill the power vacuum. The trend in the states since the 1960s has been that groups have gained strength and parties have gotten weaker (see Morehouse 1981, 101-118; Thomas and Hrebennar 1990, 147-148).

Interest groups have gained strength at the expense of parties for three reasons. First, groups have been more effective in securing policy goals for many organized interests, and this has put them in the ascendancy in relation to parties. Second, they have been more effective sources of information and so gotten the ear of pub-

lic officials much more than parties. Access often leads to the leveraging of influence. Third, groups play an increasing role in the financing of elections—probably the single most important explanation for their greater prominence and power in recent years.

It was once believed that there was an inverse relationship between the relative power of parties and groups: Strong parties, such as in the Northeast, meant weak interest groups; and weak parties, such as in the South, resulted in strong interest groups (Key 1964, 154–165; Zeigler 1983, 111–117; Zeller 1954, 190–193). Although this may once have been the case, this inverse relationship does not stand up to scrutiny in the states today. Often (but not always) weak parties do produce strong interest groups as in parts of the South and West; but strong parties often go hand in hand with strong interest groups, as New York, Illinois, and Michigan attest. Several lines of research have undermined this two-dimensional, inverse relationship (if, indeed, it ever was valid), including a greater understanding of the relationship and access of individual groups to parties; the fact that strong and effective party organization is not necessarily a constraint on group access and influence and, for certain groups, may even enhance it; and that other factors may affect this party–group power relationship or fill power vacuums such as a strong governorship or a political culture. For example, both South Dakota and Vermont have moderate to weak interest group systems that, according to the old theory, would lead to the assumption that they have strong parties. South Dakota, however, has a weak party system and Vermont a moderate one with increasing party competition. In South Dakota what fills this void is a strong governorship and in Vermont a strong executive branch, plus a socially regarding political culture (Burns 1998; Christy 1998).

Although parties may have declined in power and as vehicles of representation since the 1960s, they are not going to disappear. Both parties and interest groups are here to stay in the states. The symbiotic relationship between parties and interest groups and the unique functions of parties—such as organizing legislatures—will dictate that. However, the party–group relationship does undergo constant change both across the states and within particular states. For instance, the move to the Republicans in many states since the mid-1990s has seen a party reassertion of power—at least for the GOP—in relation to many interest groups.

EXPLAINING DIFFERENCES IN STATE INTEREST GROUP SYSTEMS

The party–group relationship is just one of many variations in state group systems. There are, in fact, variations of some type in all fifty state group systems. Why do such differences exist and what are their lessons for understanding state interest group activity?

At the most general level, there is agreement among scholars that the socioeconomic and political environment shapes interest group systems and that differences in this environment produce variations in group system development and operation. There is both agreement and debate, however, as to the importance of the ef-

fects of the various elements in producing such variations. Wide agreement exists on the importance of the level of economic development and on the role of government. There is less agreement on such things as the role of political parties, political culture, and regional and interstate influences. One aspect of this debate revolves around whether the major factors that shape interest group systems are internal to the state, as Gray and Lowery in essence have argued, or whether there is a combination of internal and external factors as the Hrebenar–Thomas study has argued. In the absence of any definitive answers, it is most useful to combine the two perspectives to explain differences in group systems. This is done in the analytical framework set out in the box on pages 123–124.

This framework sheds light on such key aspects of group activity as the development of state group systems; the types of groups that are active; the methods they use in pursuing their goals; the power they exert; and short-term variations resulting from electoral changes and shifts in policy priorities. Not only can the framework be used to understand differences in the interest groups systems, it also sheds light on the particulars of the operation of individual systems. The five categories of factors and their components in this framework are very much interrelated. A change in one may reflect or lead to a change in one or more of the other factors.

INTEREST GROUP STRATEGIES AND TACTICS: TIME-HONORED METHODS AND NEW TECHNIQUES

Interest groups employ a much wider range of strategies and tactics in their never-ending quest to gain access to and influence public officials than they did in the 1970s or even the 1980s. Although modern technologies such as computers and television have expanded their options, group strategy and tactics are still very much an art rather than a science. The essence of this art is interpersonal communications from an advocacy perspective between group members and leaders on one side and policy makers on the other. Effective personal contacts are the key to lobbying success and form an enduring element of any group's involvement in politics, despite the development of modern techniques. In fact, the new techniques are simply more sophisticated tools for increasing the effectiveness of group contacts in the policy arena.

Choosing a Group Strategy and Deciding on Specific Tactics

The essence of any group strategy is the ability to marshal group resources to achieve the goal at hand. Exactly how these resources should be marshaled and managed varies according to the nature of the group, its available resources, the way it is perceived by policy makers, the issue it is pursuing, and the political circumstances at the time. As a consequence, no one strategy is a guarantee of success for all groups or for any one group at all times. This is what makes lobbying an art and not a science and provides a continual challenge to lobbyists and group leaders and gives interest group politics its variety and fascination.

Box 4-1 Five Major Categories of Factors Affecting the Development, Makeup, Operating Techniques, and Influence of Interest Group Systems in the American States

Available resources and extent of socioeconomic diversity

Key Elements

- Level of economic development and state wealth
- Governmental expenditure and taxing levels
- Extent of social development and social/demographic diversity

Significance

The more resources available and the greater the level of social development and social and demographic diversity (for example, higher percentage of the middle class and minorities) the wider the range or diversity of groups, but not necessarily the density of groups—the number per capita. The level of state economic development and wealth (measured by Gross State Product, GSP) and the level of government spending makes more resources available for the organization and maintenance of groups, though high state taxation can restrain both. Generally, however, this factor produces a more diverse and competitive group system; a decline in the dominance of one or an oligarchy of groups; use of more sophisticated techniques of lobbying; and a rise in the professionalization of lobbyists.

State political environment

Key Elements

- Political attitudes: political culture, political ideology, and public opinion
- Political party-interest group relations
- Level of campaign costs and sources of electoral support

Significance

Political attitudes influence the types and extent of policies pursued; the strength/weakness of political parties; the level of integration/fragmentation of the policy-making process; what are and what are not acceptable influence or “lobbying” techniques; and the general context in which interest groups will operate and the attitudes toward them. Political party-interest group relations affect avenues of access and influence; group strategies and tactics; in the short run, the specific policies pursued and enacted, among other things. An increase in campaign costs puts increased pressure on candidates to raise funds. The more support coming directly to candidates from groups and their PACs, the more candidates are beholden to them.

Governmental institutional capacity

Key Elements

- State policy domain/areas of policy jurisdiction
- Level of integration/fragmentation of the policy process: extent to which this process is centralized or dispersed
- Level of professionalization of state government
- Stringency and enforcement of public disclosure laws including lobbyist registration, ethics, and campaign finance laws

Significance

State policy domain will determine which interests will attempt to affect state policy. As the area of policy authority expands, the number and types of groups lobbying will increase. The level of integration/fragmentation of the policy process will have an impact on patterns of group access and influence. Generally, the more integrated the system (strong parties, strong executive including appointed cabinet, no or little provision for direct democracy, and so on.) the fewer the options available to groups. Conversely, the more the system is fragmented, the larger is the number of access points and available methods of influence. The level of professionalization (including state legislators, the bureaucracy and the governor’s staff) makes more varied sources of information available to policy makers. It also creates a higher demand for information by policy makers, including information from groups and lobbyists. Public disclosure laws increase public information about lobbying activities. This affects the methods and techniques of lobbying, which in turn affects the power of certain individual groups and lobbyists, though not necessarily system group power.

Box 4-1 *Continued**Intergovernmental and external influences**Key elements*

Intergovernmental spending and policy making authority
 The “nationalization” of issues and intergovernmental lobbying

Significance

The distribution of intergovernmental spending and policy authority refers to the policies exercised and the amount of money spent by state governments versus policies and spending by federal and local governments. Changes in responsibilities between levels of government will affect the types of groups that lobby federal, state, and local governments and the intensity of their lobbying efforts. The “nationalization” of issues such as antismoking, term limits, and stiffer penalties for drunk driving have spawned similar groups across the states; increased out-of-state funding for group activity, especially on ballot propositions; and generally increased intergovernmental contact by all groups, including traditional interests.

*Short-term state policy-making environment**Key elements*

Political party effectiveness in government
 State public policy and spending priorities

Significance

Changes in party control of government, in either the legislative or executive branch, especially when this is accompanied by party, caucus, or ideological cohesiveness, can affect the access and effectiveness of certain groups and interests. Spending and policy priorities, which may change as the result of an election or other event such as a financial crisis, refer to the policies and spending that state governments emphasize at a particular time, as opposed to their general constitutional/statutory responsibilities. Groups directly concerned with and affected by the areas of policy priority will often be given preferential access by government. The extent of this preferential access is related to the degree to which the group is needed by policy makers for advice in policy development and implementation. Thus, shifts in policy and spending priorities will also affect both the access and influence capability of certain groups and the relative power of groups within specific policy areas.

SOURCES: Developed by the authors from the fifty state chapters of the Hrebenar–Thomas study (Hrebenar and Thomas, 1987, 1992, 1993a and 1993b) and the two updates of the study, 1994 and 1998, and by reference to: Anderson (1997); Brace (1993); Elazar (1984); Erikson, Wright, and McIver (1993); Gray and Lowery (1996); Lowery and Gray (1995, 1998); Hunter, Wilson and Brunk (1991); Morehouse (1981, 1997); Olson (1982); Rosenthal (1996, 1993); Thomas and Hrebenar (1991a); Wilson (1990); Zeigler (1983); Zeigler and Baer (1969); and Zeller (1954).

Two other basic factors about a group’s choice of a strategy are important to bear in mind. First, particular strategies are largely determined by whether the group is currently involved in a defensive, maintenance, or promotional situation. A group trying to stop the passage of a law need only halt it at one point in its tortuous journey to enactment. Therefore, it is likely that the group will concentrate on a particular point in the system—such as a sympathetic committee chair. In contrast, to achieve enactment, the group must clear all the hurdles in the process, and thus a more broadly based strategy is required. Between these two situations are those groups that are simply working to maintain good relations with policy makers for the time when they will need to fight for their interests. Maintenance lobbying requires yet another strategy, which varies from group to group. Parallel-

ing the increased activism of state government, one major change in state capital lobbying since 1960 has been the increase in the number of groups pursuing promotional strategies. Before 1960 most lobbying was defensive. In general, more resources and greater sophistication in their use are required to promote something than to kill it.

Second, most lobbying campaigns require a multifaceted approach. Few lobbyists today deal solely with the legislature. This is because a successful lobbying campaign, especially one that seeks to promote something, requires the cooperation and often the active support of one or more executive agencies. Without this support the chances of even partial success are considerably reduced. Moreover, passing legislation is only the first step in effective law making. Implementation of a law is the job of the bureaucracy and in many cases, such as with health care and environmental legislation, this involves writing regulations before the law can be effectively enforced. Lobbyists and group leaders must closely monitor this implementation process as it can make or break the effectiveness of a law.

Deciding on Tactics: Direct and Indirect Approaches

It has become common in academic writing about group tactics to divide them into direct (sometimes called *insider*) and indirect (*outsider*) tactics. Although the division is not always a clear one (and not a distinction made by lobbyists and group leaders), direct tactics are those involving direct contact with public officials to influence their decisions, such as lobbying the legislature and executive and using the courts. Indirect lobbying includes activities aimed at getting access to and influencing the environment in which officials make decisions, such as working on election campaigns and contributing money to them, trying to influence public opinion through public relations campaigns, and even mounting demonstrations, boycotts, and sit-ins.

In their contact with the public policy process, according to a recent three-state study, the major activity in which interest groups engage is not directly contacting public officials but monitoring—keeping tabs on the activities of policy proposals and the activities of public officials and other groups that may affect their interests (Nownes and Freeman 1998b, 89). When it comes to direct involvement, by far the most common and still the most effective of group tactics is the use of one or more lobbyists. In fact, until very recently it was the only tactical device used by the vast majority of groups; and it remains the sole approach used by many. Since the 1960s, however, increased competition between groups as their numbers expanded, the changing needs of public officials, an increased public awareness of both the activities and potential of interest groups, plus the fact that certain issues affect many groups have spawned other tactical devices. These include mobilizing grassroots support through networking (sophisticated member contact systems); building coalitions with other groups; and, as we shall see, intergovernmental lobbying activities. It is important to note, however, that such tactics are not viewed as a substitute for lobbying. Rather they are employed as a means of increasing the ability of the

group's lobbyists to gain access to public officials and to influence them. Shrewd and experienced group leaders and lobbyists choose the most cost-efficient and politically effective method that they can to achieve their goals. This is particularly evident in the increased use of three tactics: money, the courts, and ad hoc issue coalitions.

Over the past twenty years or so there has been a significant increase in spending by certain interest groups both in their lobbying efforts in the state capital and in contributions of group members, lobbyists, and political action committees (PACs) to state-level candidates. PACs, in particular, have become major campaign fund providers in the states. Although scholarly evidence is mixed regarding the effect of PAC contributions on the voting behavior and actions of elected officials, evidence from the Hrebenar–Thomas study strongly suggests that those organizations that make the biggest contributions to campaign chests also wield most of the influence. There also appears to be a strong relationship between the overall amount of money spent by a group on lobbying and its success in the political process in the states. Money is not the only reason why groups are successful, but it does appear to be an important—probably the most significant—factor. Regardless of the strength of party in a state, the money triangle of elected official, lobbyist, and PAC is becoming increasingly significant.

Because of the role state courts play—like their federal counterparts—in interpreting their respective constitutions, some interest groups have increasingly turned to the courts to achieve their goals. The business community often challenges the constitutionality of regulations. And groups that cannot get the legislature to act or the administration to enforce mandated functions, such as certain mental health provisions, also often use the courts. One of the most publicized uses of the courts in recent years was their overthrow of a statewide initiative passed in Colorado in 1992 to limit the rights of gays and lesbians (Thomas and Hrebenar 1994).

Increasingly these days, viewing state lobbying efforts as being conducted by individual groups can be misleading. Coalitions of groups and particularly ad hoc issue coalitions are increasingly important. To be sure, groups with long-term common goals and a similar philosophy have been natural allies for years—business and professional groups, social issue and public interest groups, and so forth—and have always used coalitions when it was to their advantage. But today certain issues, such as tort reform, economic development, health care costs, and education quality, affect a wide range of groups, sometimes cutting across philosophical boundaries and dividing traditional allies, and have produced a new type of coalition—the ad hoc coalition. This usually consists of a number of groups and may last for no more than the life of a legislative session or for the life of an initiative or referendum campaign. The campaign to deal with increasing health care costs is a good example. In many states it brought together business groups (particularly small business), farm groups, universities, local governments, and social issue and poverty groups.

Lobbyists

Few, if any, occupations are held in such low regard by the general public as that of the lobbyist. For 100 years following the Civil War the flamboyance and flagrant

abuses of many lobbyists gave ample justification for this attitude. Although the images linger, the reality has changed drastically. The fundamental changes in American government and politics since 1970 have had a significant effect on the types of people who make up the lobbying community, the skills required of them, and their styles and methods of doing business—as well as an increasing number of women in the field. Overall, developments in the state capital lobbying community have been even more dramatic than those in Washington, D.C.

An in-depth understanding of the state capital lobbying community requires that we distinguish between categories or types of lobbyists. Different types of lobbyists have different assets and liabilities and are perceived differently by public officials. Such perceptions will determine the nature and extent of the lobbyist's power base. In turn, the nature and extent of this power base will affect the way a lobbyist approaches his or her job of gaining access to and influencing officials (Thomas and Hrebenar 1991b). Today's state capital lobbying community is composed of five categories of lobbyists: contract, in-house, government, volunteer, and private individual or self-appointed lobbyists.

Although they only constitute about a quarter of the state capital lobbying community it is the contract lobbyist, sometimes referred to derisively as a "hired gun," about whom the public hears most through the press. This is partly because some contract lobbyists earn six- or seven-figure incomes (although by our estimates these sorts of salaries make up less than 15 percent of the total) and partly because most of them represent the interests that spend the most money and have the most political clout—mainly business and professional associations. Often they represent more than one client at a time, approximately 25 percent of them representing five or more clients. Their percentage in the makeup of the state capital lobbying community has increased steadily since contract lobbyists began to appear in the 1930s; and it has increased markedly since the late 1960s.

In-house lobbyists are the executive directors, presidents, and employees of a host of organizations and businesses from environmental groups, state AFL-CIO affiliates, school board associations, and trade groups to telecommunications companies and large corporations such as General Motors and Boeing. These were the first type of lobbyists to appear on the political scene beginning in the mid-nineteenth century, when big business and especially the railroads became a significant part of the American economy. As a group they have probably always constituted the largest segment of the state capital lobbying community, and today account for about a third of all lobbyists. Probably because of the negative connotations raised in the public's mind by the word *lobbyist*, in-house lobbyists are often given a euphemistic title by their organizations, such as *representative*, *agent*, *advocate*, *government relations specialist*, or, more often, *legislative liaison*.

Possibly for the same reason lobbyists have a negative image—in addition to the fact that governments attempt to maintain at least a facade of unity—no state officially refers to those lobbying for government agencies as *lobbyists*. Instead they most often use the designation *legislative liaison* as well. As we noted earlier, howev-

er, in practice they are very much lobbyists. They include heads and senior staff of state government agencies, representatives of state universities, both elected and appointed officials of local governments, and some federal officials. Government lobbyists constitute between a quarter and a third of the state capital lobbying community, more in states, such as those in the West, that are more dependent on government economically. About half of all government lobbyists are women.

Citizen, cause, or volunteer lobbyists tend to represent small nonprofit organizations, social welfare groups, or community organizations. Because they usually receive reimbursement only for their expenses, if that, as a group they tend to be personally committed to their causes. These constitute about 10 percent of the state lobbying community; about 75 percent of them are women.

Private individuals, "hobbyists," or self-appointed lobbyists, who constitute only 1 or 2 percent of the state lobbying community, lobby for pet projects or direct personal benefits or against a policy or proposal they find particularly objectionable. In Florida, for example, one such "hobbyist" stalked the capitol for thirty-seven years. Armed with the concept that "knowledge is power," Nell Foster "Bloomer Girl" Rogers (so named for her distinctive attire) took up issues that affected the lives of "ordinary folks" (Kelley and Taylor 1992, 134). In addition, the category of individual lobbyist has seen a "return of the moguls" in the mid- and late-1990s, as prominent, often very wealthy individuals such as Peter Angelos, owner of the Baltimore Orioles baseball franchise and a prominent trial lawyer, work state government to benefit their economic interests (Gimpel 1998).

The common denominator of lobbyists is that they provide information. Different types of lobbyists, however, frequently have different types of political assets and different methods of access and influence.

Technical knowledge is often not the greatest asset of contract lobbyists, who, as political insiders, are hired primarily for their knowledge of the system and their close contacts with public officials. What they usually possess is special knowledge of certain parts of the governmental process—for example, the budget or a particular department—and so they may be used by legislators and other officials to assist in the policy-making process. In most cases they are facilitators of dialogue between their clients and public officials. Often, they have a great influence on the disbursement of campaign funds on behalf of their clients. Many contract lobbyists also organize fund-raisers for candidates and work to help them get elected or re-elected. They usually represent clients with important economic influence, and this fact is not lost on public officials.

The major political asset of many in-house lobbyists is their unequalled knowledge of their particular interest. This knowledge is often supplemented by campaign contributions from their association or business in cash and in kind and by their ability to mobilize their membership. Government lobbyists, in contrast, have only one important tool—information—although they can, and often do, use their constituent groups to their advantage. For example, state departments of education often work, unofficially, with state parent-teacher associations and other client

groups, such as those for handicapped or gifted children, to secure increased funding or to promote legislation. As voters and members of the public, these constituent groups can add political clout to the department's attempt to achieve its policy agenda. Volunteer lobbyists usually rely on moral persuasion to sell their causes to public officials. They may also provide information not available elsewhere, but they usually lack the status of political insiders or access to big campaign contributions and sophisticated organizations. Self-appointed lobbyists have the fewest political assets of all, unless they have been major campaign contributors and are major economic forces in their state. These differing assets and liabilities very much shape the way that public officials view these lobbyists, and that view in turn partly determines their power base.

Overall, the state capital lobbying community has become much more pluralistic and has advanced greatly in its level of professionalism since the early 1960s. Although the level of professionalism varies from state to state, its general increase among contract lobbyists is evidenced by several developments. These include an increase in the number of those working at the job full-time, the emergence of lobbying firms that provide a variety of services and represent as many as twenty-five clients, and an increase in the number of specialists among contract lobbyists in response to the increasing complexity of government. One California contract lobbyist, for example, specializes in representing California high tech interests. Other contract lobbyists specialize in representing such interests as agriculture, health care, education, and local governments.

As mentioned earlier, lobbying is no longer a male-dominated occupation in state capitals. Women now make up about 20 percent of state capital lobbyists compared with less than 5 percent twenty years ago. Differences still exist, however, in the activities males and females perform as lobbyists. Women tend to have less experience than men at the job and are more likely to represent religious, charitable, or citizen groups, and less likely to represent business and unions than men. Nevertheless, women use the same methods as men in trying to affect public policy. Furthermore, in many cases women are consulted more often by public officials on some policy issues—mainly social issues, because they offer a contrasting perspective (Nownes and Freeman 1998a).

Do all these developments mean that the old wheeler-dealer has passed from the lobbying scene in state capitals? In the raw form in which he used to exist, as with Artie Samish, the legendary "boss" of California in the 1940s, the answer is probably yes. Today's issues are more complex than they were in Samish's time, and many more campaigns are promotional. The old wheeler-dealer was not much of a technical expert and was more adept at killing than promoting legislation. Still, under a more sophisticated guise, wheeler-dealers do exist today and are very successful lobbyists. Like the old wheeler-dealers, they realize the need for a multifaceted approach to establishing and maintaining good relations with public officials. This includes everything from helping in election campaigns to aiding officials with their personal needs. In addition, the modern-day wheeler-dealer is aware of the greater impor-

tance of technical information, the higher degree of professionalism in politics, and the increased public visibility of lobbying. The result is a low-key, highly skilled, effective professional who is a far cry from the old public image of a lobbyist.

THE INTERGOVERNMENTAL CONNECTION AND THE NATIONALIZATION OF STATE INTEREST GROUP ACTIVITY

So far we have discussed state interest group activity largely as though it was isolated from other levels of government. Yet, as indicated in the box on pages 123–124, one important aspect of state group activity is interaction with affiliate and like-minded organizations at other levels of government and in other states. This interaction has always been important as epitomized by the Anti Saloon League at the turn of the century; but it has become increasingly important since the early 1980s (Anderson 1997). Scholars have disagreed on the effect of intergovernmental and external influences on individual state interest group systems. However, a recent study demonstrates that their effect is considerable (Anderson 1997, 214–217). Although differences continue to exist between the levels of the American interest group system, a nationalization or homogenization of interest group activity is taking place. The trend is especially evident in state group systems. There are several, interrelated reasons for this development.

Many state groups are, and always have been, federations operating at more than one level of government and often in all fifty states such as the National Education Association, the Farm Bureau, and the National Federation of Independent Business. Numerous businesses have also had operations at two or three levels of government and in many states. These federations and businesses benefit from the experience and experiments of their affiliates. Added to this is the nationalization of issues such as tobacco, abortion, term limits, and antitax attitudes brought about by the increased communications ability offered by television, computers, fax machines, fiber optics, and greater media attention to politics, and, on the political front, the expanding role of states in policy making and implementation. The result is increased cooperation between groups at the three levels of government and thus the exchange of ideas and techniques. This often leads to interstate and federal, state, and local cooperation between like-minded groups, including out-of-state funding for lobbying campaigns, particularly referenda and initiative drives.

As a result of these developments, few organizations today confine their activities to one level of government alone. More and more, groups and organizations as diverse as the AFL-CIO, American Telephone and Telegraph (AT&T), the League of Women Voters, and the American Legion are finding it necessary to have a presence at more than one level of government. In many cases, largely because of greater overlapping of jurisdictional authority among levels of government, they must be active at all three levels. For example, many national groups that once operated only in Washington, D.C., find themselves having to operate in states and communities. This is the case for the tobacco industry as it tries to ward off antismoking provisions across the country. Such needs have spawned a new breed of political

consultant in Washington, D.C.: firms such as Multistate Associates and Statewide who set up lobbying operations in state capitals for out-of-state organizations and firms.

THREE PERSPECTIVES ON INTEREST GROUP POWER IN THE STATES

To be successful in the policy process an interest group and its lobbyist must possess influence or power. It is important to be aware, however, that the term *group power* as used in interest group studies can mean one of three things. First, it may refer to the ability of a single group or coalition to achieve its policy goals. Second, it may refer to the most effective interest groups and interests overall in the state over a period of time such as five years. Third, it may refer to the strength of interest groups as a whole within a state in relation to other organizations or institutions, particularly political parties. We refer to the first as *single group power*, to the second as *overall individual interest power*, and to the third as *group system power*.² Political scientists have long realized that power is not the simple phenomenon that the press and the public often believe. In particular, scholars have found power to be one of the most elusive aspects of interest groups to study, particularly the measurement of overall individual interest power and group system power. Single group power is much easier to assess definitively.

Single Group Power

Single group power is defined as the ability of a group or coalition to achieve its goals as it defines them. As a consequence, the only important assessment of the degree of success is an internal evaluation by the group. Some groups can be very successful in achieving their goals but keep a low profile in a state and not be singled out as powerful by public officials. This could be the case for several reasons. It might be because the group is only intermittently active when they have an issue such as an association of billboard owners working to defeat restriction on the size of highway billboards. It could be an ad hoc group coming together on one issue and then disbanding when success is achieved, such as a coalition to defeat an anti-smoking ballot initiative in California or one to defeat a proposal for school vouchers. Or it could be that the group's issue is far from public view and of minor public concern, such as working with a department to write regulations as might be the case with dentists interested in the occupational licensing process. Rarely are dentists listed as among the most effective groups in a state; but they may be among the most successful groups in achieving their limited goals. Many groups involved in the regulatory process are very successful because they have captured their area of

2. This is a slight change of terminology from our previous studies. Our recent research strongly indicates that this change more accurately explains group power. We have introduced the *single group power* category because it is an important element in considering group effectiveness but has so far been ignored by most researchers. The overall individual interest category is identical to our former individual group power designation, and the system group category designation remains the same.

concern (in other words, gotten control of policy making) through dependence of bureaucrats on their expertise. The last thing most of these groups would want is public attention and to be singled out as an “effective group.”

What do we know about the bases and exercise of single group power? Research has identified certain elements as essential to the foundation and exercise of political power by groups. The three most important elements are the possession of resources (money, members, and so forth), the ability to mobilize these resources for political purposes, and political acumen or leadership (Stone, Whelan, and Murin 1986, 196–208). In terms of the two single most important practical factors the Hrebenar–Thomas study singles out the degree of necessity of the group to public officials and good lobbyist–policy maker relations (Thomas and Hrebenar, 1991b).

Overall Individual Interest Power

This is the aspect of group power that most interests the press and the public who are less concerned about the minutiae of government and more with high profile issues and questions such as, “Who is running the state,” or, “Who has real political clout.” Whereas the only important assessment of single group power is internal to a group, overall interest power is based on external assessments of informed observers.

There are several problems involved in such assessments, however. First, political scientists agree that the acquisition and exercise of power encompass many factors. Second, it is hard to compare groups whose activity varies over time and from issue to issue. Given these problems, researchers have used three methods, singly or in combination, to assess overall interest power: sending questionnaires to public officials and sometimes conducting interviews with them; drawing on the expertise of political scientists; and consulting academic and popular literature on the states. Our assessment uses the Hrebenar–Thomas study, which combined quantitative and qualitative techniques employing the first two methods. This study has assessed overall interest power in all fifty states on three occasions (1989, 1994, and 1998). The 1998 assessment is set out in Table 4-1. The three assessments, in addition to an earlier fifty-state assessment conducted in the late 1970s (Morehouse 1981, 108–112), enable us to compare trends over twenty years.

First, however, we must be clear on exactly what these assessments (particularly Table 4-1) do and do not reveal. They do reveal the interests that are viewed by policy makers and political observers as the most effective in the states over a five-year period prior to the assessment. For this reason they tend to be the most active groups or those with a high profile. The assessment should not be viewed as indicating that the groups near the top of the list always win or even win most of the time; in fact, they may win less often than some low-profile groups not listed. The place of an individual interest in the ranking, however, does indicate its level of importance as a player in state politics over the period assessed and the extent of its ability to bring political clout to bear on the issues that affect it. The factors