

Does the involvement of interest groups improve US policymaking?

The 'interest industry' is often pointed out as one of the unusual features of the American political system. A structurally weak state is seen as being penetrated by wealthy and vigorous lobbying groups, raising the questions of to whom elected politicians are in practice accountable, and of how real political power is allocated. While these interest groups are sometimes effective in achieving their own aims, the bias towards business groups suggests that, far from improving policymaking, the influence of interest groups actually worsens it.

The strong presence of interest groups is certainly not in doubt. The representation of interests is the third-largest source of employment in Washington D.C., providing work for around 40,000 active lobbyists. Groups are also organised in state capitals, especially in Sacramento, CA and Austin, TX. This impressive presence, in comparison to other countries, stems at least partly from the structural weakness of other parts of the American political system. The framers of the Constitution fragmented the state into competing institutions, thus providing plenty of leverage points for interest groups; those which do not get satisfaction in one branch of government can pursue it in another. In addition the main political parties are ill-disciplined and weak; legislators who vote against the party line are rarely sanctioned for doing so, and indeed it is fully expected by party leaders that this will occur when constituency pressure demands it. Finally there are weak ideological and class differences among the American people, providing the opportunity for conflicting groups to spring up on a wider range of issues than in many European countries.

It has been argued that the interest group system is simply a transmission mechanism for the legitimate exercise of political influence in a system with a strong civil society and comparatively weak state. This pluralist view suggests that the 'public interest', which is what policymaking should seek to satisfy, is no more than the result of all private interests freely competing in an open market. Despite some lack of transparency in the executive branches of government, the USA is on the whole a very open state, with Congress especially easily lobbied. Most public policy is both legitimated and implemented in public. However, liberal critics who are concerned about the excessive influence of interest groups have argued that openness is a necessary but not sufficient condition for pluralism, and that two other conditions need to be satisfied. Firstly, there must be no single dominant group, and all interested groups must be represented. Secondly, it is essential that the leaders of interest groups accurately represent their members' views and the intensity with which those views are held. It will be argued that neither of these conditions are satisfied.

Critics of the 'interest industry' often focus on its dominance by business interests at the expense of the poor and the broader public interest. Schattschneider argues that the representation of latent interests is no way automatic, and that the interests of the poor and broad publics remains unorganised. The post-1960s increase in the number of 'public interest' groups and those representing the 'political have-nots' has gone some way towards redressing this balance, but businesses still dominate to a massive extent. Large corporations often meet their lobbying needs via contractors, or through in-house Political Action Committees (PACs), which exist in over half of the five hundred largest companies in the USA. Generally those companies most affected by Federal government rulings and those which routinely bid for Federal contracts are most likely to have such committees. In total they spend twice as much as trade unions and vastly more than all other participants, for example consumer, environmental and 'public interest' groups. In 1984, 45.7% of all interest groups with a Washington presence were representing business interests, and similar representation remains today. In contrast, under 5% of such organisations represented the political have-nots, even in the broadest reasonable definition, and only 4% of organisations were 'public interest' or consumer groups. At an individual level, research by Schlozman suggested that the number of people represented by business and professional groups was overstated, while the number represented by homemakers and students was understated, suggesting an even stronger bias towards business than the above figures suggest. The class bias in the system is unambiguous; professionals and managers, at only 16% of the population, were represented by 86% of all organisations with a Washington presence. Add to this the fact that business interests are often represented at many different levels, and the bias becomes even clearer. It is unsurprising that Schattschneider was led to claim that 'the flaw in the pluralist heaven is that the heavenly chorus sings with an upper-class accent'. Since he wrote this, the proportion of groups representing business interests has not declined, though it has tended to swing away from unions and towards professional organisations. On the other hand, non-economic divides in the system did tend to favour the marginalized. For example, in 1984 there were within Washington forty organisations representing women, and none representing men. Twelve organisations represented senior citizens, while none represented the middle-aged. On ethnic, age and gender issues, it is the have-nots who are best represented, but on the economic side of the policy debate they remain massively in the minority. Dahl suggests that the problem could in theory be resolved by ensuring that the resources of organisations were proportional to the number of members; not only is this impossible in a practical sense, but there are also formal problems with the argument, relating to multi-group membership and the variation in inputs between members.

The other problem for the pluralist theory is that leaders of interest groups do not necessarily reflect the views of their members (or perceived 'constituents') accurately, nor the intensity with which those views are held. A good example of this problem might be some of the positions taken by the NRA on gun control. The NRA claims to speak for the owners of the approximately two hundred million firearms in private hands in the USA, and its fee-paying membership is roughly three million, so it must represent a wide range of people. The leadership have however adopted some overly stubborn positions which may well not have accurately represented their members' wishes, and which would have horrified the average gun owner, such as their opposition to a ban on armour-piercing bullets, and to a ban on useable plastic firearms (undetectable by X-ray security checks).

Intensity of views is a problem for any theory of group participation regardless of any empirical data. At an individual level, a utopian scheme for political equality suggests that all citizens are equally active on all levels, while intensity of concern is expressed through the proportion of one's time devoted to an issue; so long as the total input of all individuals is equal, the problem can be resolved. However this does not work when applied to groups with massive differences in membership, money, skills and ranges of campaign issues. Besides, some groups with representation in Washington, such as companies, public interest law firms, universities and hospitals do not have any 'membership' as normally defined, so it is hard to see how groups within the system could represent individuals' preferences in an unbiased way. In fact, interests are at least as often represented outside the interest groups system as within it. For example, agricultural subsidies come about not so much through pressure from farmers' unions, but by the election-oriented actions of rural legislators strategically placed on agricultural committees. Another example is seen in American policy to Israel; legislators are less concerned with the pronouncements of the American Israel Public Affairs Committee (AIPAC) than they are with courting all six million Jewish-American votes.

Having ascertained that America's interest group system is clearly no 'pluralist heaven', it is also important to see how effective it is at influencing policy by studying the methods by which it does so. In doing this one can determine whether a biased interest group system really is a threat to American democracy, or just an ineffective distraction from other aspects of the system.

Research in the 1960s and 70s questioned for the first time the influence of interest groups, claiming they were less impressive as organisations than had previously been supposed, usually struggling to maintain income and membership rather than dominating politicians. Milbrath claimed that interest groups achieved their influence not by coercing or threatening politicians with lost votes but by providing those politicians with a reliable source of information - a much

weaker position than previously imagined. Bauer, Pool and Dexter's study claimed that interest groups were not influential, under-financed, divided, poorly staffed and rarely in contact with all but the friendliest legislators. Legislators, representing large and diverse constituencies, could choose which groups on which to base their support. Destler claimed that the institutions of the state were after all robust enough to deflect interest group pressure - in the 1950s and 60s, Committee Chairmen from safe seats could 'lose' interest group demands in a mire of rules and regulations. Comparative studies also suggested that the interest groups were not so strong after all - only 17% of the workforce was unionised, compared to 80% in Scandinavia. Even the NRA seemed weak in comparison to the LO in Sweden, which directly helped to formulate policy on a wide range of socio-economic issues.

However, changes in Congress since then have increased the power of lobbyists. A reduction in party loyalty among the electorate has left more scope for cross-party canvassing by interest groups. The powers of Committee Chairs have been reduced, and there is an increasing proliferation of sub-committees. This means that legislative power has moved to less senior, less electorally secure politicians. Despite the extraordinarily high re-election rate of Representatives (98% in 1986, for example) most legislators acted as if this was due to their own skills in anticipating the wishes of their electorate, rather than the advantages bestowed on them by incumbency. In 1974 the Campaign Finance Act allowed the formation of PACs, which were allowed to contribute up to \$10,000 per candidate per election. Interest groups often acted also as conduits for donations by individuals (limited to \$1000). In the mid-1980s incumbents in the Senate seeking re-election spent on average around \$3.3 million on their campaigns; in other words, \$2200 for every working day of their six-year term. It has been suggested that rejecting the advances of one PAC is not critical, as there are many different groups a politician can choose from. However, this ignores the fact that PACs tend to 'hunt in packs' - support from certain large groups such as the AFL-CIO can trigger support from smaller groups as well.

Not only money is donated to Members of Congress, but also staff, equipment, propaganda and endorsements. Propaganda may not be especially influential in delivering votes from members of those groups, but it helps to foster a 'general image' of a candidate. For example, both Bush and Dukakis in 1988 sought the backing of major police unions in order to appear reliable on crime. Negative endorsements have also become more common, for example the environmentalists' list of legislators with the worst pollution records, known as the 'Dirty Dozen'. It may have been fear of negative endorsements from the ACLU, NAACP and NOW (among others) which caused the Senate to reject Reagan's appointment of Judge Bork to the Supreme Court. Though

it is hard to prove that legislators vote in return for PAC contributions, there is some correlation between them. This is more the case in committees than on the House or Senate floor.

There have also been changes outside Congress that have enhanced the power of interest groups. Courts became more willing to consider challenges from them, and gave them 'standing to sue' in civil cases, previously allowed only to individuals. Interest groups can lobby courts in one of four ways: as a direct party to a civil suit, as the persuader and financial backer of an individual taking a test case to court, as the challenger of the decisions of a regulatory agency in the Appeals Courts, or as an intervener (through *amicus curiae* briefs) in cases to which they are not party but which raise crucial issues for them. Increased judicial activism in the USA since the 1950s suggests that judges are happier than ever to make policy, not just on civil rights cases (such as *Roe vs. Wade*) but also on economic issues, and it is worth bearing in mind for the latter point that corporations in the USA are in a far better financial position to use the legal system than are, for example, environmental groups.

The executive branch of government is also subject to lobbying by interest groups. The American bureaucracy, unlike most others, is constantly forced to make political decisions; it is the servant of two (or sometimes three) masters. The greatest fear of the bureaucracy tends not to be the President (its Chief Executive) but the Congressional Committees, as it is dependent upon them for funding and legislation, and comes into contact with them far more often than it does the President. It has been suggested that an 'iron triangle' develops, whereby the agency pleases interest groups in order to please the Congressional Committees, whose members are in turn eager to please those groups representing their constituents. Agencies also must often take on a quasi-judicial character, making emergency rulings that can be challenged in Appeals Courts. As such there is plenty of scope for interest groups to influence the bureaucracy.

The influence of interest groups depends not only on their own ability to perform effectively, but also on the rest of the political system. The changes since the 1970s outlined earlier have allowed them more influence. In order to pass budget cuts in 1981 in the face of strong opposition, Congress had to target those with the least political power and avoided imposing burdens on well-organised groups such as senior citizens and aircraft manufacturers. In 1986, Reagan's 'tax reforms' gave concessions to the wealthy and corporations partly in order to ensure the smooth passage of the Bill itself.

However, the impact of interest groups varies to a great extent with their tactics, resources, legitimacy, substantive expertise and political skill. Businesses and unions make up (or employ) the vast majority of lobbying groups in Washington and have far greater resources to deploy than

any other type of group. Where the interests of businesses come into conflict with the interests of consumers, for example over the import of Japanese cars to America, it is too often the businesses who, through their lobbying power, win the argument and defeat the public interest. It is hard to argue that the presence of interest groups improves policymaking in the USA; the pluralist model on which that argument depends simply does not stand up to empirical scrutiny. Indeed such examples as the above strongly suggest that interest group pressure has the potential to worsen, not improve, US policymaking.