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# Assessing business advantage in Washington lobbying

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**Abstract** Popular accounts of business involvement in politics typically suggest that business interests enjoy relatively unfettered success in getting what they want from government. Scholarly work is more equivocal. In this article we use a random sample of 98 policy issues between 1998 and 2002 to examine whether business interests and other advocates get what they want from the policy process, and how their rate of success varies when they face different types of opponents. We find that business' efforts to affect public policy typically draw challenges from other types of interests. In the face of opposition, business is less likely relative to citizen interests to achieve its goals. But business does appear to have an advantage in the relatively rare instances when it acts to advance its interests on issues that do not draw opposition or interest from other actors. Under these circumstances, it is much more likely than other types of advocates who face no opposition to realize its policy goals. Our findings clarify how the nature and framing of issues and a favorable political climate can prove essential to business' prospects for achieving policy success.

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In early 2001, shortly after the new Bush administration came into office, congressional Republicans made use of an obscure law to overturn a series of workplace

health and safety standards designed to reduce on the job injuries that had been issued by the Occupational Safety and Health Administration only a few months earlier. This was a hugely significant victory for business groups. It restored the *status quo* policy they had effectively maintained for more than a decade before the passage of the new ergonomics regulations and saved them the costs of complying with the new safety standards. Although this is but one example of a ‘business win’, it helps to illustrate why the public perceives that business interests have an advantage in the policy process. Substantively, it was easy for the public to understand how removing regulations was beneficial to business. More generally, the policy reversal was consistent with media accounts of business involvement in politics that describe industries controlling their own oversight, corporate CEOs making contributions to influence electoral outcomes, and the like. Such media accounts imply that business interests enjoy relatively unlimited success in getting what they want from government.

Scholars, however, have a much more measured view of business’ ability to consistently get the policy outcomes it seeks. A growing body of scholarly literature identifies the limits and constraints on unfettered business success (Vogel, 1989; Mitchell, 1998; Smith, 2000; Rich, 2004; Kamieniecki, 2006). Indeed, in the case of ergonomics, the victory for business would have been impossible without a sympathetic Republican Congress backed by a supportive new president. Moreover, there are ample examples of policy outcomes where business interests do not prevail. For instance, although labor unions were not successful in sustaining the ergonomics regulations, they were (and remain) quite successful in maintaining prevailing wage rules – rules that establish minimum wage standards for federally financed construction projects – that business groups have for decades sought to repeal or weaken.

But even if we know that business does not win all the time, it leaves open the questions of how business fares relative to other types of advocates and who tends to get what they want when business and citizen interests are opposed. Do certain interests consistently prevail as policy decisions emerge? Are some types of interests more formidable opponents than others? These important questions help us understand whether certain interests or voices are advantaged in the policy process, and whether the constellation of allies and opponents on issues affect policy outcomes. To address these questions adequately requires attention to the full array of participants in the policy process and to an understanding of the extent to which business interests do or do not overlap with the interests of others. Although this is a straightforward and uncomplicated point, most existing assessments give scant attention to these variables.

In this article, we examine whether business interests and other advocates get what they want from the policy process, and how their rate of success varies when they face different types of opponents. Our analysis begins with a description of the organizational (for example, business, citizen) and governmental



(for example, congressional, executive branch) actors who align themselves on different sides of a random sample of policy issues. We then examine the patterns of opposition that emerge on these issues, with particular attention paid to how often one type of interest finds itself opposed by another or faces no opposition at all. Finally, we look at who comes out ahead in policy disputes between business and other interests. Importantly, our data demonstrate that in policy fights between business and citizen interests, business is no more likely than its opponent to win. In fact, it is only when business acts on issues that draw no opposition that it is more likely than other types of unopposed interests to achieve its policy objectives. Our findings also clarify how the nature and framing of issues and a favorable political climate can prove essential to business' prospects for achieving policy success.

## Who Wants What and Who Wins?

Nearly three decades ago, Salisbury *et al* (1987) argued that answering the simple question 'who works with whom?' was essential to understanding both the patterns of conflict that existed among actors who took an interest in different policy areas, and the types of policy outcomes that were likely to emerge. In the years since they posed this question, efforts to learn more about the structure and implications of cooperation and conflict remain rather limited. Although attention has been given to the nature and development of alliances that emerge between organized interests (Hojnacki, 1997, 1998; Hula, 1999; Carpenter *et al*, 2004; Heaney, 2004; Leach and Sabatier, 2005; Holyoke, 2009), most researchers do not consider whether policy goals are shared by different advocates who are active on issues nor is much known about how frequently different types of interests directly oppose the efforts of others. And, with few exceptions (Nelson and Yackee, 2012; Heaney and Lorenz, 2013), little effort has been made to investigate how the alliances that do emerge affect policy outcomes.

This lack of attention to the policy outcomes preferred by all of the active participants in an issue debate has important implications for our understanding of the policy-making process and for assessments of whether any particular type of interest has an advantage in affecting public policy. When one type of interest – organizational or government, business or citizen – realizes its policy goals, it is important to know who else shared their objectives (for example, were there powerful or influential allies, was there consensus among several different interests) and who, if anyone, stood in opposition. A number of recent studies do in fact suggest that policy outcomes may be shaped by the characteristics of advocates who take an interest in a given policy issue; also significant is whether and to what extent those participants oppose or support one another's objectives (Baumgartner *et al*, 2009; McKay, 2012; Nelson and Yackee, 2012; Heaney and Lorenz, 2013; Gilens and

Page, 2014). Relatedly, [Salisbury \*et al\* \(1987\)](#) show that the alliance and adversarial patterns that emerge in policy domains often are driven by the types of organized advocates involved in policy debates. Recent work also recognizes that organizations are not the only players relevant for interest representation; public officials also engage in issue advocacy and contribute to the representation of interests (Martin, 1994; Lowery and Gray, 2004; [Baumgartner \*et al\*, 2009](#)). Overall, it is increasingly apparent that any understanding of the policy process and its outcomes must consider the behavior and preferences of all types of advocates both in and out of government.

These ideas about how outcomes and policy advantage are affected by the objectives and interests of all participants in a policy debate are consistent with a more general argument about the importance of issue context. That is, whose preferences carry the day and whether any one type of interest enjoys an advantage is likely to be contingent on a host of factors that shape the contours of a particular policy debate. For example, any suggestion that business interests have an advantage in the policy process must consider how that advantage is constrained by an expanded policy conflict that draws attention from the media and general public (Schattschneider, 1975; Kamieniecki, 2006). Smith (2000) provides evidence that on salient issues where business interests are united in their opposition to citizen groups, business is unlikely to win.

Overall, evidence suggests that understanding policy outcomes and whose interests are likely to prevail in policy debates requires that we know whether and how different sets of participants – including those in and out of government – support or oppose one another. Knowledge of the teams of advocates that line up on different sides of an issue, and the context in which they take action, provides a more accurate picture of the policy process, one that allows us to better assess whether particular types of interests enjoy an advantage over others in getting the policy outcomes they prefer.

## Who Sides with and Who Opposes Whom?

Our investigation of the extent to which business and other interests share or oppose one another's policy objectives uses data collected by [Baumgartner \*et al\* \(2009\)](#) through the Advocacy and Public Policymaking Project (see Appendix A for detailed information about the project). Of particular interest are the 214 'sides' – the sets of major players who shared a policy goal – associated with the 98 issues included in the study. These sides are the primary unit of analysis here as they represent the interests engaged by, and in conflict over, each of the study issues.

In order to give attention to who sides with and who opposes whom in a random sample of public policy debates, we needed to develop a measure to reflect the interests that are part of a given side. With this goal in mind, we created a set of indicators to gauge the types of organized interests and the types of government



interests the sides represented. Specifically, we created three variables that distinguish between different types of organizational advocates—citizen interests (cause-related and public interest groups, religious groups, charities and unions); business, corporate or institutional interests; and professional, occupational or government-oriented interests (for example, Aircraft Owners and Pilots Association, National Wrestling Coaches Association, Association of State Drinking Water Regulators, National Association of Counties).<sup>1</sup> For government actors we created two variables in order to distinguish between members of Congress and actors in the executive branch. Included in the latter category are White House officials as well as civil servants working in government agencies such as the Environmental Protection Agency.

Once these interest type variables were defined, we determined whether a single type of organized interest dominated a side or whether different types of organized interests in relatively equal numbers were present on the side. Second, we characterized whether the government actors affiliated with a side reflected mostly or exclusively congressional interests, executive branch interests or both types of interests. To determine the type of organizational representation characterizing the sides, we assessed whether the percentage of one type of organized interest exceeded each of the two others by a margin of 30 percentage points or more. If it did, we categorized the side as reflecting primarily citizen interests, primarily business interests, or primarily occupational or organized government interests, respectively. If no one type of interest prevailed, we characterized the side's organized interests as representing a mix of different types.<sup>2</sup> Similarly, in order to determine the type of government representation characterizing the sides, we evaluated whether the percentage of congressional interests differed from the percentage of executive branch interests by a margin of 30 percentage points or more. If it did, we categorized the side as reflecting primarily congressional interests or primarily executive branch interests. If the difference in the percentage of these two types of government interests was less than 30 percentage points, we characterized the government interests associated with the side as mixed. Table 1 shows the distributions of organizational interests and government interests for all of the relevant active sides.<sup>3</sup>

As Table 1 indicates, the active organizations that make up a side typically reflect a single type of organizational interest and, more often than not, that interest represents the concerns and priorities of the business and corporate community. Overall, two-fifths of the active sides (40 per cent) primarily reflect the interests of business and just under a third (30 per cent) primarily reflect citizen interests. Far fewer of the active sides reflect a mix of different types of interests (18 per cent) or the interests of particular occupations, or organized entities related to government (13 per cent). Although it is not surprising to see that business interests are well represented in policy debates, the dominance of business interests shown here is not nearly as great as it is among organizations in Washington ([Schlozman \*et al\*, 2012](#)).

**Table 1:** Types of interests represented, by sides

	<i>All sides</i>
<i>Organizational</i>	
Primarily business interests	39.7%
Primarily citizen interests	29.6%
Primarily occupational or organized government interests	12.7%
Mix of organized interests	18.0%
Number of sides	189
<i>Governmental</i>	
Primarily congressional interests	75.6%
Primarily executive branch interests	12.5%
Mix of government interests	11.4%
Number of sides	176

*Note:* ‘Organizational’ classifies sides comprised of at least one organized interest. The 25 sides that consist solely of government actors are not included in this section of the table because they have no representation from organizations. ‘Governmental’ classifies sides comprised of at least one government actor. The 38 sides that consist solely of organizational actors are not included in this section of the table because they have no representation from government interests.

Turning next to the government interests represented by the sides, the data in Table 1 show that more than three quarters (76 per cent) of all the active sides reflect primarily the interests of Congress. That far fewer of the active sides reflect either a balance of congressional and executive branch actors or primarily the interests of executive branch officials likely reflects the fact that our study issues were identified by representatives from organizations that were registered to lobby, and the Lobbying Disclosure Act excludes much agency-oriented advocacy from the definition of lobbying.

In Table 2, we examine the types of interests that are represented on opposing sides of the study issues. Here, we focus exclusively on the types of *organizational* interests associated with each opposing side.<sup>4</sup> We examine how often different types of interests encounter opposition, whether interests of a given type stake out positions in opposition to one another and whether one type of interest tends to be opposed with some regularity by other types of interests.

The organized interests most likely to be observed on different sides of our sample of issues are citizen interests and those of businesses or corporations. Just about a quarter (24 per cent) of the 104 pairs of opposing sides involve one side comprised mostly of citizen groups working against a side comprised primarily of business groups or corporations.<sup>5</sup> At first glance this may not seem too surprising in that it reflects the iconic battle so often described in popular and scholarly accounts of lobbying. However, many studies that examine the participation of organized interests in the policy process describe the ubiquitous presence of business interests in Washington DC and on Capitol Hill, and the relative absence of countervailing

**Table 2:** Who opposes whom? Primary types of organizational interests by opposing sides

	<i>Business/ corporate/ institutional</i>	<i>Citizen</i>	<i>Occupational/ organized government</i>	<i>Multiple interests</i>	<i>Government only (no organizations)</i>
Business/corporate/institutional	8.7%	24.0%	3.8%	13.5%	10.6%
Citizen	—	7.7%	3.8%	10.6%	1.9%
Occupational/organized government.	—	—	1.0%	0.0%	5.8%
Multiple interests	—	—	—	1.9%	2.9%
Government only (no organizations)	—	—	—	—	2.9%
Number of opposing pairs with at least one side of this type	64	50	16	30	25
Percentage of all opposing sides ( <i>n</i> = 104)	61.5%	48.1%	15.4%	28.8%	24.0%
Number of sides with no opposition ( <i>n</i> = 40)	9	9	10	9	3
Percentage of all sides of this type	12.0%	16.1%	41.7%	26.5%	12.0%

*Notes:* There are 104 pairs of sides for which we can compare the primary type of organizational interests on one side with the primary organizational interests on the other side. These pairs serve as the base for the percentages shown in the upper third of the table. For example, the 8.7 per cent shown in the business-business cell in the upper left-hand corner reflects the percentage of all opposing pairs of sides in our sample that are characterized by a side dominated by business interests opposing another side dominated by business interests (9 of the 104 pairs). The percentages are symmetric for each type of opposing pairs.

The middle third of the table provides information about the relative distribution of interests represented by the sides in the opposing pairs.

The bottom third of the table shows the number and percentage of sides of a given type that encounter no active organizational or governmental opposition. For example, the last row shows that 9 of 56 sides dominated by the interests of citizens (16 per cent) faced no active organizational or government opposition.

voices (Schlozman, 1984; Petracca, 1986; Golden, 1998; for an exception see Salisbury *et al*, 1987). But Table 2 shows not only the opposition the business community faces from citizen interests, but also the relatively frequent opposition it encounters from sides comprised of different types of interests (14 per cent of opposing sides pit a mix of organized interests against the interests of business), and sides that include only government officials (11 per cent of opposing sides). Indeed, these three types of opposition characterize almost half (48 per cent) of all the opposing sides in the study. Overall, the data in Table 2 show that business interests are represented in nearly two-thirds (62 per cent) of all opposing sides. Business, clearly a dominant voice in policy debates, does not go unchallenged. Of course, these data also speak to the prevalence of business *as an opponent* to other interests.<sup>6</sup>





The relatively high rate at which business serves as opposition is consistent with its greater capacity to become involved simultaneously in as many issues as its interests and agendas dictate ([Baumgartner and Leech, 2001](#)). Its ability to do so in the face of active opposition suggests an even greater capacity for advocacy relative to other types of interests.

Importantly, these data also show that the challenges business interests face typically come from *outside* the business community. One argument against viewing business as a dominant force in Washington is that its many sectors line up on different sides of various issues; its influence is muted because it does not speak with a unified voice (Martin, 2000; Smith, 2000; Hart, 2004; [Kamieniecki, 2006](#)). But as Table 2 indicates, only 9 per cent of opposing sides involve two sides dominated by business interests (see also [Gilens and Page, 2014](#)).

A different pattern of opposition is apparent among the sides representing non-business interests. These sides are relatively unlikely to encounter much opposition beyond that which comes from business. As shown in the top third of Table 2 (above the first horizontal rule), the only opposition pairing that occurs with any frequency (in at least 10 per cent of the pairs) and does not involve a side dominated by business is that between citizen-dominated sides and mixed sides (11 per cent of all opposing sides). Business interests, it appears, are the primary sources of opposition in policy debates.

Of course, we know from Table 1 that business-dominated sides are quite common in the sample. But their prevalence among the sides associated with the study issues does not necessarily dictate that they be a major source of opposition. They might instead be well-represented among the sides with no opposition. But as the bottom rows of Table 2 illustrate, only a relatively small percentage of the business-dominated sides (12 per cent) encounter no active opposition from government or organized interests. Although a lack of opposition may initially appear to be good news for an advocate, recent evidence suggests that an absence of tangible opposition may actually serve as an indicator of a lack of serious attention from government actors and other policy advocates to the issues that command the attention of the unopposed groups ([Baumgartner \*et al\*, 2009](#)). No opposition can mean that an issue simply does not have a chance.

Overall, when we look at opposition on the study issues, two distinct patterns emerge, one characteristic of the business-focused sides, the other of sides reflecting all other types of interests. The sides dominated by business frequently encounter some opposition to the positions and policies they advocate, and most of the time the challenge comes from sides representing the interests of citizens. In contrast, for sides representing the interests of citizens, occupational or organized government interests, a mix of different interests and those sides reflecting only the interests of government actors, opposition comes primarily from business or does not emerge at all. As an example of how opposition manifests itself to different types of interests, consider the quintessential battle between business and labor interests, a pairing that is a subset of



the 24 per cent of opposing pairs involving business and citizen interests. Among the 64 pairs of sides that include business interests facing some opponent, about a fifth involve some opposition from labor. In contrast, among the 25 pairs of sides that include labor unions facing opposition, over half involve challenges from sides representing business.

## Are Business Interests More Successful?

Scholars have long been aware that business interests have the capacity to articulate their preferences on an array of policy issues, irrespective perhaps of whether those issues are priorities or are less critical to their agendas. Business interests vastly outnumber other types of groups in Washington, and on average spend more money on lobbying and donate more campaign contributions than almost any other type of interest (Baumgartner and Leech, 2001; Baumgartner *et al*, 2009). Does their broad participation translate into achievement of their policy goals even in the face of challenges from an array of other types of interests, including those representing citizens or government exclusively? How might the patterns of interest participation and opposition described above affect the policy process and final policy outcomes? On the one hand, interests that regularly encounter challenges to their policy preferences from business but not other types of interests might benefit from facing a familiar foe. For instance, relative to sides facing a variety of opponents, business' opponents might have a better sense of the tactics and activities business tends to engage in on issues, allowing them to anticipate and better plan their own advocacy efforts. On the other hand, the vast resources that make it possible for business interests to act on an array of issues might also allow them to overwhelm their opponents in a single policy debate. Business interests could use their assets both tangible (money, allies) and intangible (skill in executing their advocacy effort) to enhance their chances for policy success. A key question, then, is whether business comes out ahead when it faces its many opponents.

To address this question, we present in Table 3A the distribution of outcomes we observe when sides dominated by business are opposed by sides representing non-business interests. Table 3B shows the distribution of outcomes for each type of side when it is unopposed. These data show which side, if any, fully or partially achieved its desired policy outcome within a 2- and 4-year period from the time the study began. For the most part, sides that are dominated by business interests are no more likely to realize their policy objectives than are the sides representing other types of interests, and there is some evidence to suggest that they are less likely than citizen interests to realize policy success. Consider, first, the data in Table 3A for the opposing pairs that pit business-focused sides against those representing citizens. Of the 25 pairs of sides of this type, there were 10 pairs (40 per cent) where the sides representing business achieved their objectives after 4 years, another 10 pairs where

**Table 3A:** Policy success by pairs of opposing sides

<i>Opposing interests</i>	<i>Business side wins</i>		<i>Other side wins</i>		<i>Both sides win</i>		<i>Neither side wins</i>	
	<i>2 years</i>	<i>4 years</i>	<i>2 years</i>	<i>4 years</i>	<i>4 years</i>	<i>4 years</i>	<i>2 years</i>	<i>4 years</i>
Business versus citizen ( $n = 25$ ) (%)	24.0	40.0	56.0	40.0	12.0	16.0	8.0	4.0
Business versus mixed ( $n = 14$ ) (%)	57.1	57.1	35.7	35.7	0.0	0.0	7.1	7.1
Business versus government only ( $n = 11$ ) (%)	36.4	36.4	45.5	36.4	0.0	9.1	18.2	18.2
Business versus occupational/organized government. ( $n = 5$ ) (%)	60.0	60.0	40.0	40.0	0.0	0.0	0.0	0.0

*Note:* Percentages are the number of sides of a given type that realized partial or complete policy success by the designated time period divided by  $n$ , the number of opposing pairs.

**Table 3B:** Policy success for sides with no active opposition

	<i>Number of sides</i>		<i>Rate of success</i>	
	<i>With no opponent</i>	<i>Total</i>	<i>After 2 years</i>	<i>After 4 years</i>
<i>The primary interest represented is:</i>				
Business/corporate/institutional	9	75	66.7%	88.9%
Citizen	9	56	22.2%	33.3%
Professional/organized government	10	24	20.0%	20.0%
Multiple interests	9	34	44.4%	66.7%
Government only (no organizations)	3	25	33.3%	66.7%
Total sides:	40	214	—	—

*Note:* Percentages are the number of sides with no direct opponent that realized partial or complete policy success by the designated time period divided by the number of sides of with no direct opponent.

the objectives of the citizen-focused sides prevailed in the same time period, four pairs (16 per cent) where both sides achieved partial success and one pair (4 per cent) where neither side saw policy success after 4 years. If we use the shorter time frame, business is actually less likely relative to citizen interests to achieve its goals. As Table 3A shows, after 2 years, citizen interests were successful in more than half of their policy fights with business while the business-focused sides realized their goals less than a quarter of the time they faced opposition from sides representing the interests of citizens. Importantly, the election of George W. Bush as president had a direct impact on business interests' fortunes in this time period. The Bush administration's changes to Clinton-era policy on four issues (mine waste disposal; repeal of the estate tax; ergonomic standards; and the creation of a repository for spent nuclear fuel), in conjunction with their success in promoting passage of a measure for prescription drug coverage under Medicare, left business interests in a far better position in 2002 than they were in 2000. The Bush administration's efforts on these issues – no doubt with the assistance of various allies in the business community – allowed business interests to do about as well at the 4-year mark as citizen interests in achieving their desired policy outcomes. Importantly, the policy debates that ended favorably for business in the later period involved issues that were more salient than were the issues that ended favorably for citizen interests.

In the 2 years following the start of the study, citizen interests prevailed over those of business on 2 of the 10 most salient study issues.<sup>7</sup> Two years later, none of the business versus citizen policy battles that were won by the citizen-focused sides were among the 10 most salient. In the case of business, at the 2-year mark, they had been successful in the face of citizen-based opposition on 2 of the 10 most salient study issues. But at 4 years, business interests had won out on 5 of the 10.<sup>8</sup> Consequently, even though the overall 4-year success rates of business and citizen

interests were similar, the issues that ended most favorably for business were probably much more visible to the public than were the issues that favored the interests of citizens. To be sure, citizen interests carried the day on important matters of public policy, including setting limits on chlorine byproducts in drinking water, allowing manufacturers to produce generic versions of patented AIDS drugs for sale in Africa, and requiring mortgage lenders to provide greater disclosure of the costs associated with their services. However, none of these important issues commanded the same levels of media coverage and public attention as did the issues that were wins for business. Under circumstances like these, business interests could appear to have the upper hand in policy disputes even though, numerically, citizen groups were just as likely to realize success.

Of course, it is not surprising that the policies about which business and citizen interests disagree – like those that were implemented following the 2000 election – tend to be fairly salient (Smith, 2000). Indeed, according to Smith (2000), it is precisely the public interest and attention to these issues that ensures that business does not always prevail. Given this, what can we make of these data showing business success on salient issues? Is there evidence to question Smith's central contention? Perhaps not. For one, as we explain above, much of the policy success that business enjoyed in 2002 – and certainly the success it enjoyed on these highly salient issues – was the result of the priority given to these issues by the Bush administration. Absent this formidable ally, it is not clear whether business would have prevailed under the glare of the public eye. Indeed, as noted earlier, two of the successful and most salient policy outcomes that business interests enjoyed in 2002 were *changes* to Clinton-era policy that had favored citizen interests (repeal of the estate tax and creating a repository for spent nuclear fuel). In this way, our data highlight the importance of political context – such as a newly elected Republican administration and Republican congressional majorities – in affecting business interests' policy success on specific issues. In addition, a close look at some of the salient issues on which business came out ahead suggests the need for greater attention to the differences that may exist between the public's policy preferences as measured by public opinion (what Smith investigates) and citizen interests as tapped by the preferences of citizen groups in Washington (what we examine here). In the case of the estate tax, public opinion was probably more consistent with outcomes sought by business than it was with the policies promoted by organized citizen interests in Washington (Bartels, 2004, 2005).

Returning to Table 3A, we continue to see little evidence of business getting what it wants at the expense of other interests. The table shows that among the policy disputes where the business sides are opposed by both government actors and sides reflecting the interests of particular professions or government entities, there is little or no change in the 2- and 4-year success rates, with both showing that sides representing business interests and those reflecting the interests of the opposing side are about equally likely to prevail. When business interests face off against sides



representing a mix of different interests there is, however, a hint of a business advantage. As Table 3A shows, of the 14 opposing pairs of this type, there are eight (57 per cent) where business prevails. In only five cases (36 per cent) are the sides associated with a variety of interests successful.

Table 3B displays the outcomes observed when sides encountered no direct opposition from organized interests or from government (the 40 sides referenced in Table 2). As mentioned above, a lack of opposition is not necessarily beneficial to the unopposed interest (Baumgartner *et al*, 2009). Rather than providing an open opportunity for success, the absence of opponents may result in little to no movement on the policy issue in question. On the basis of the data we report in Table 3B, however, this is not the case for all types of interests. Sides representing business or corporate interests did quite well with no opponents. Six out of the nine sides representing business interests achieved some measure of success after 2 years and eight of nine were successful 2 years later. None of the other types of sides come close to this rate of success. In fact, the only types of sides that face better than even odds of success are those representing a mix of different interests and those representing only the interests of government. Two-thirds of these sides realize some measure of policy success after 4 years.

Precisely why business interests do relatively well when they lack opposition is not clear. It may be that business, relative to other types of organizational interests, has a keener ability to navigate the policy process and ‘work the system’ to their advantage. What does this mean exactly? It means that business organizations and business-dominated sides might have greater resources than do other types of interests to hire more experienced staff who can assist in their advocacy campaigns and help in negotiating favorable outcomes. Another possibility is that the issues on which business interests lack opposition are more amenable to easy resolution relative to the issues that do not draw opposition for other types of interests. For example, one of the issues on which a business-focused side facing no opposition was successful involved funding for CH-47 helicopters for the Army. Given that the helicopters are equipment the Army uses and needs, an advocate for funding might, in the absence of opposition, push an appropriation forward. The relative ease with which this could happen does not extend to some of the issues that involved an unopposed side representing citizen interests. For example, although the citizen-dominated side seeking changes to the criminal justice system attracted no organized opposition in the 4 years following the start of the study, it also lacked the momentum and support that would likely be needed to make measurable changes to the policy *status quo*. Business interests may be much better at (and be more inclined to) narrowing their policy objectives (Salisbury, 1984).<sup>9</sup> Citizen interests often are drawn to issues that are not easily defined or solved in the same way.

Finally, while the advantage business appears to enjoy when its interests are unopposed is substantively meaningful – success on eight of nine issues is a rate most advocates would be happy to realize – an observation made above bears repeating.

Business-dominated sides frequently draw opposition to their policy goals from sides representing other types of interests. So it is a relatively rare event that they find themselves without a tangible challenge (only 12 per cent of the sides dominated by business encounter no active opposition).

## **Allies, Opponents and Advantage in Policy Debates**

The research presented here contributes to what we know about interest representation and advantage by characterizing the types of alliances and opposition that are evident among the various interests active on a random sample of policy issues, and examining their rates of success in the face of various opponents. Most generally, the data show that different types of interests rarely pursue the same goals in policy disputes. Instead, sides on policy issues tend to be defined by a single type of interest – those of the business community or, less often, those of individual citizens.

Our analysis also reveals that business' efforts to affect policy frequently draw challenges from other types of interests, and, when they do, business interests are not especially likely to prevail. In fact, by the end of the first 2 years of the period under study, citizen interests were more likely than the business interests against whom they were pitted to realize some measure of success. After 4 years, business interests were about as likely as citizen interests to achieve policy success. Importantly, a key factor in business' newfound success was the fact that the policy priorities of the new Bush administration coincided with those of business on a number of key issues. With support from the Office of the President – and most certainly with effort put forth by the business community – business was able to do as well as citizen interests in realizing its policy goals. Percentage-wise, business and citizen groups had similar rates of success in achieving their desired outcomes when they faced off against one another in disputes about public policy.

The above notwithstanding, one limitation of our study is that it does not discriminate between degrees of success. That is, all 'wins' are treated equally when in fact advocates may value achieving their objectives more on some issues than on others. Moreover, when it comes to the policy outcomes associated with those successes, some will surely have broader social, economic and political implications than will others.

Yet the data we present do show that when business acts to advance its interests on a quite different set of issues – namely those that do not draw opposition or interest from others – it is much more likely than other types of unopposed interests to get what it wants. We suspect that one reason business does well in this circumstance is because, unlike other types of advocates, especially those representing the interests of citizens, it is sometimes able to craft its objectives in relatively narrow ways that are amenable to solution. But importantly, the data also show that business sides are rarely in a position, at least in the legislative arena, to define issues in these terms. It is rarely the case that business sides are unopposed.



So what conclusions should be drawn about interest representation from the evidence we present? Is the message simply that all advocates are likely to have their interests represented in the policy process at least some of the time? We think there is more to it than that. In addition to policy success being highly provisional, we show that business does not appear to have an edge over other types of advocates when the same issues engage their interests. But our research does not consider how variables that have been shown to affect success – such as support from the president or other political allies – do so differently for different types of interests. That is, the analysis we undertake does not investigate how government allies, a supportive public or other variables affect differently the success enjoyed by business and other types of interests. Going forward, researchers should consider whether and how interest type works in conjunction with different variables to shape advocates' prospects of success. Our evidence that an absence of opposition appears to be conducive for business success but is detrimental to the success of others suggests that this is a fruitful avenue for future research.

Along these same lines, scholarship about interest representation also would benefit from closer attention to a distinction we mention earlier between aggregate public opinion and citizen preferences as measured by the preferences of organized citizen groups. For many of the issues in our study, we have no way of knowing what outcome, if any, the general public preferred (see Burstein, 2014, p. 56 for a discussion of a similar problem in his random sample of policy proposals). Consequently, except for some highly salient issues, we cannot know whether the views of the general public are reflected by citizen interests, by business interests (as they were on the estate tax) or not at all. As a few recent studies have suggested, the preferences represented by organized interest groups – of any type – may not overlap directly with the preferences and priorities of average citizens (Kimball *et al*, 2012; Gilens and Page, 2014). In this way, the relatively similar rates of success that we observe for citizen and business interests may be more a reflection of the influence over policy outcomes enjoyed by interest group elites generally than it is an indication that business interests and the general public have equal sway over policy. Indeed, like the results we present here, Gilens and Page (2014) find that both mass-based and business groups have an impact on policy whereas public opinion – considered as a separate variable – does not. But rather than considering whether public opinion matters or not, researchers going forward should give more attention to how the preferences of the public align with those of different types of organized interests, and how, if at all, those alignments affect policy outcomes.

By describing the patterns of participation among advocates – looking at who is participating with, and who is opposed to, whom and how often – and examining who comes out ahead in the policy disputes that attract their attention, we gain a greater understanding of the highly provisional nature of the policy success enjoyed by any type of interest and an appreciation for the long term investments advocates make to achieve it.





## Notes

- 1 Unions are categorized as representing citizen interests because, like the other types of organizations included in this category, the interests they advance are often those of ordinary, unskilled workers and the policies they promote are not intended to benefit solely their members (for examples, see Novkov, 2001; Hacker and Pierson, 2010). Gerber (1999) and Strolovitch (2007) make similar arguments to justify their inclusion of unions in categories with citizen or public interest groups.
- 2 We set 30 percentage points as the cut off because it provided a relatively conservative indicator of the dominance of or balance between the different interests making up a side. For example, if business interests constituted two-thirds or more of the advocates associated with a side, it seemed reasonable to expect that the dominant voice of that side was the voice of business rather than that of the other outnumbered organizations.
- 3 The following advocates were initially classified as 'other' organizational or 'other' governmental interests: consulting firms, individual non-government experts, individual state or local government officials, *ad hoc* congressional committees, foundations and think tanks, and coalitions. These advocates were either difficult to classify (for example, a coalition) or sufficiently distinct (for example, a foundation) from the types of governmental and types of organizational interests we used to classify advocates. After the sides were categorized according to the dominant organizational and governmental interest their membership reflected, we examined the composition of any side that included one or more of these 'other' advocates to assess whether their presence led to misclassified sides. A side initially classified as having a mix of organized interests might also include a coalition comprised exclusively of business interests. In conjunction with the other business interests associated with the side, the presence of the coalition could (depending on its size and the number of organized interests associated with a side) lead us to reclassify it as primarily reflecting the interests of business. Our re-examination of the sides that included 'other' advocates led us to reclassify 23 sides.
- 4 Because of the widespread participation of members of Congress across the sides, they are the most common form of government opposition any organization encounters.
- 5 We identified 104 pairs of sides from the 214 active sides for which we can compare the primary type of organizational interests on one side with the primary organizational interests on the other side.
- 6 In addition to the data shown in Table 2, we computed the proportion of opposition that sides of each interest type encountered. With two exceptions, sides dominated by business interests were the most frequent opponent a side encountered. For example, 25 of the 50 pairs (50 per cent) with at least one side dominated by the interests of citizens involved opposition from business interests. As another example, 14 of the 30 pairs (47 per cent) with at least one side characterized by a mix of different interests involved opposing sides dominated by business. The only sides that were more likely to face opposition from a source other than business were business-dominated sides (citizen interests were the modal opponent) and those sides dominated by the interests of particular occupations or government related organizations (sides dominated by business interests and sides representing the interests of government actors, exclusively, each comprised about a third of the opponents encountered).
- 7 The measure of issue salience used here is a standardized scale based on counts of congressional bills, congressional hearings, testimony at congressional hearings, documents and statements found on House members' websites and the website for the Senate, floor statements made by members of Congress, *National Journal* stories, newspaper stories and television news stories (see Baumgartner *et al*, 2009).
- 8 A total of 5 of the 10 most salient study issues are included among the 23 issues where business interests are opposed by sides representing the interests of citizens. These issues are China trade, the rise in gasoline prices, Medicare prescription drug coverage, repeal of the estate tax and creating a repository for spent nuclear fuel. In 2000 (2 years after the start of the study), the preferences of citizen groups were reflected in the outcomes of the policy debates about the estate tax, and creating a repository for spent nuclear fuel, whereas business interests prevailed on the issues of China trade and gasoline prices.



By 2002, the *status quo* on the estate tax and the nuclear fuel repository had changed to reflect the outcomes sought by business and business sides also prevailed on the Medicare drug coverage issue.

- 9 The success business enjoys when it is unopposed does not appear to be driven by its pursuit of private benefits; only three of the nine issues on which business is unopposed involve policy benefits of this type. Although research has shown that business interests are very active in pursuing private policy ends (Hansen *et al.*, 2005; Godwin *et al.*, 2008, 2012), very few private benefit issues were included among the 98 sample issues. If the sample had included more regulatory issues, more private issues would no doubt be apparent (see Godwin *et al.*, 2012).

## References

- Bartels, L.M. (2004) Unenlightened self-interest: The strange appeal of the estate-tax repeal *The American Prospect* June: A17–19.
- Bartels, L.M. (2005) Homer gets a tax cut: Inequality and public policy in the American mind. *Perspectives on Politics* 3(1): 15–31.
- Baumgartner, F.R. and Leech, B.L. (1999) Studying interest groups using lobbying disclosure forms. *VOX POP* 18(1): 1–3.
- Baumgartner, F.R. and Leech, B.L. (2001) Issue niches and policy bandwagons: Patterns of interest group involvement in national politics. *Journal of Politics* 63(4): 1191–1213.
- Baumgartner, F.R., Berry, J.M., Hojnacki, M., Kimball, D.C. and Leech, B.L. (2009) *Lobbying and Policy Change: Who Wins, Who Loses, and Why*. Chicago, IL: University of Chicago Press.
- Burstein, P. (2014) *American Public Opinion, Advocacy, and Policy in Congress: What the Public Wants and What it Gets*. Cambridge: Cambridge University Press.
- Carpenter, D.P., Esterling, K.M. and Lazer, D.M.J. (2004) Friends, brokers, and transitivity: Who informs whom in Washington politics? *Journal of Politics* 66(1): 224–246.
- Gerber, E.R. (1999) *The Populist Paradox: Interest Group Influence and the Promise of Direct Legislation*. Princeton, NJ: Princeton University Press.
- Gilens, M. and Page, B.I. (2014) Testing theories of American politics: Elites, interest groups, and average citizens. *Perspectives on Politics* 12(3): 564–581.
- Godwin, R.K., Ainsworth, S. and Godwin, E.K. (2012) *Lobbying and Policymaking: The Public Pursuit of Private Interests*. Washington DC: CQ Press.
- Godwin, R.K., Lopez, E.J. and Seldon, B.J. (2008) Allocating lobbying resources between collective and private results. *Political Research Quarterly* 61(2): 345–359.
- Golden, M.M. (1998) Interest groups in the rule-making process: Who participates? Whose voices get heard? *Journal of Public Administration Research and Theory* 8(2): 245–270.
- Hacker, J.S. and Pierson, P. (2010) *Winner-Take-All Politics: How Washington Made the Rich Richer – And Turned Its Back on the Middle Class*. New York: Simon & Schuster.
- Hansen, W.L., Mitchell, N.J. and Drope, J.M. (2005) The logic of private and collective action. *American Journal of Political Science* 49(1): 150–167.
- Hart, D.M. (2004) ‘Business’ is not an interest group: On companies in American national politics. *Annual Review of Political Science* 7: 47–67.
- Heaney, M.T. (2004) Issue networks, information, and interest group alliances: The case of Wisconsin welfare politics, 1993–1999. *State Politics and Policy Quarterly* 4(3): 237–270.
- Heaney, M.T. and Lorenz, G.M. (2013) Coalition portfolios and interest group influence over the policy process. *Interest Groups and Advocacy* 2(3): 251–277.
- Hojnacki, M. (1998) Organized interests’ advocacy behavior in alliances. *Political Research Quarterly* 51(2): 437–459.
- Hojnacki, M. (1997) Interest groups’ decisions to join alliances or work alone. *American Journal of Political Science* 41(1): 61–87.

- Holyoke, T.T. (2009) Interest group competition and coalition formation. *American Journal of Political Science* 53(2): 360–375.
- Hula, K.W. (1999) *Lobbying Together: Interest Group Coalitions in Legislative Politics*. Washington DC: Georgetown University Press.
- Kamieniecki, S. (2006) *Corporate America and Environmental Policy: How Often Does Business Get Its Way?* Stanford, CA: Stanford University Press.
- Kimball, D.C., Baumgartner, F.R., Berry, J.M., Hojnacki, M., Leech, B.L. and Summary, B. (2012) Who cares about the lobbying agenda? *Interest Groups & Advocacy* 1(1): 5–25.
- Leach, W.D. and Sabatier, P.A. (2005) To trust an adversary: Integrating rational and psychological models of collaborative policymaking. *American Political Science Review* 99(4): 491–503.
- Lowery, D. and Gray, V. (2004) Bias in the heavenly chorus: Interests in society and before government. *Journal of Theoretical Politics*. 16(1): 5–29.
- McKay, A. (2012) Negative lobbying and policy outcomes. *American Politics Research* 40(1): 116–146.
- Martin, C.Jo. (1994) Business and the new economic activism: The growth of corporate lobbies in the 1960s. *Polity* 27(1): 49–76.
- Martin, C.Jo. (2000) *Stuck in Neutral: Business and the Politics of Human Investment Capital Policy*. Princeton, NJ: Princeton University Press.
- Mitchell, N.J. (1998) *The Conspicuous Corporation: Business, Public Policy, and Representative Democracy*. Ann Arbor, MI: University of Michigan Press.
- Nelson, D. and Yackee, S.W. (2012) Lobbying coalitions and government policy change: An analysis of federal agency rulemaking. *Journal of Politics* 74(2): 339–353.
- Novkov, J. (2001) *Constituting Workers, Protecting Women: Gender, Law, and Labor in the Progressive Era and New Deal Years*. Ann Arbor, MI: University of Michigan Press.
- Petracca, M. (1986) Federal advisory committees, interest groups, and the administrative state. *Congress and the Presidency* 13(1): 83–144.
- Rich, A. (2004) *Think Tanks, Public Policy, and the Politics of Expertise*. New York: Cambridge University Press.
- Salisbury, R.H. (1984) Interest representation: The dominance of institutions. *American Political Science Review* 78(1): 64–76.
- Salisbury, R.H., Heinz, J.P., Laumann, E.O. and Nelson, R.L. (1987) Who works with whom? Interest group alliances and opposition. *American Political Science Review* 81(4): 1217–1234.
- Schattschneider, E.E. ([1960] 1975) *The Semi-Sovereign People*. New York: Harcourt Brace Jovanovich.
- Schlozman, K.L. (1984) What accent the heavenly chorus? Political equality and the American pressure system. *Journal of Politics* 46(4): 1006–1032.
- Schlozman, K.L., Verba, S. and Brady, H.E. (2012) *The Unevenly Chorus: Unequal Political Voice and the Broken Promise of American Democracy*. Princeton, NJ: Princeton University Press.
- Smith, M.A. (2000) *American Business and Political Power: Public Opinion, Elections, and Democracy*. Chicago, IL: University of Chicago Press.
- Strolovitch, D.Z. (2007) *Affirmative Advocacy: Race, Class, and Gender in Interest Group Politics*. Chicago, IL: University of Chicago Press.
- Vogel, D. (1989) *Fluctuating Fortunes: The Political Power of Business in America*. New York: Basic Books.

## Appendix A

Our research uses data collected through the Advocacy and Public Policymaking Project (see Baumgartner et al, 2009; lobby.la.psu.edu). The project team conducted interviews with more than 300 Washington DC-based policy advocates (for example,



representatives of organized interests, congressional staff, agency personnel) active on 98 randomly selected policy issues. The issues were identified and the interviews conducted over the last 2 years of the Clinton administration (1999–2000) and the first 2 years of the George W. Bush administration (2001–2002). Through these interviews and by searching systematically through publicly available documents, the project team mapped out the constellation of government officials and organized interests mobilized on a given issue, and, through follow-up telephone interviews and by monitoring news, and official websites for 4 years after the initial interviews, the project team was able to find out who realized some measure of policy success and who did not.

The issues included in the study were selected by a set of organizational advocates called *issue identifiers*. These issue identifiers were chosen at random from the list of organized interests that registered to lobby Congress in 1996, the last year for which these registration data were compiled in a usable format at the time the team began the data collection (see Baumgartner and Leech, 1999). During the interviews, issue identifiers were asked to do the following: select the most recent issue they had spent time on; describe what they had done and what the organization was trying to accomplish on the issue; narrate the appeals and arguments they made when they spoke with others about the issue; specify with whom they had talked about the issue; describe the type of opposition they faced; and provide a variety of other information about their organizations. Interviewees were also asked to identify the ‘major players’ – those actors playing a prominent and important role – on each side of the debate. This typically elicited two lists, one of government officials and other outside advocates who shared the goals of the advocate, the other of a set of actors in opposition. Sometimes mentioned as well were sets of major players who were not necessarily opposed to what the advocate was trying to accomplish, but were seeking another outcome nonetheless. That set of major players who shared a policy goal was termed a ‘side’. The actors associated with a side may or may not have been working together; the team designated them as a side if they sought the same outcome even if they did not coordinate their activities.

The project team identified 214 ‘sides’ over the 98 issues and attempted to interview a leading representative from each side on the issue; in each interview the team asked the same questions about who was involved (about three interviews per issue was the norm). The number of sides per issue ranges from just one to seven but typically is just two: one side seeking some particular type of change to the existing policy and another side seeking to protect the *status quo*. The number of advocates on each side was determined by a count of major players who were mentioned by others (or, occasionally, were revealed through subsequent documentary searches). To be considered a major player, the organization representative or elected or unelected government official had to take a leading role in actively advocating either the retention of the *status quo* or some policy change. Major players could include organizations that directed the overall advocacy effort on an issue and were the



primary liaisons with congressional staff; members of Congress who served as bill sponsors and whose offices were involved in shepherding a measure through the chamber; and agency officials working with groups outside of government to develop language for a proposed rule. Many more interest organizations and other actors may have been involved in the issues (for example, taking a position, co-signing a bill), but they were not considered major players unless they took a leading role. Government decision makers who played a neutral role but who may have been the object of considerable lobbying also were not included. The number of major players per side ranges from just 1 to over 50; the average (median) side is composed of eight advocates. Overall, the team identified 2221 of these players across the 98 study issues. The 214 sides are the primary unit of analysis in our investigation as they represent the interests engaged by, and in conflict over, each of the study issues.