



Anne Taylor (right) at the Legislative Library. A former lobbyist for the Sierra Club, Ms. Taylor is now regulating some of the laws she helped pass.

Lobbying for the Public Interest

by Ruth Mary Meyer

During the winter and spring of 1973, Anne Taylor spent more time in the cinder block labyrinth of the General Assembly than in the comfort of her Raleigh home. She logged more hours on 'round-the-state telephone calls than in carpools for her children and got paid no more for attending countless governmental meetings than she did for cooking her family's dinners. But her efforts paid off. In the right place at the right time, she helped rescue the \$11.5 million state parks appropriation from certain defeat by tapping a broad-based "environmental" constituency.

"The environmental coalition worked all night to bring our statewide networks into action," recalls Ms. Taylor, a lobbyist for the Sierra Club in 1973. "A deluge of phone calls and telegrams saved the bill." Like other "public interest" lobby-

ists, Taylor had begun to appear more and more frequently at legislative hearings and at the lawmakers' doors. The protests of the 1960s had turned into concerted activities "within the system" for the 1970s. New political groups championing a cause or seeking to bring about a reform mushroomed throughout the country. They descended upon the U.S. Congress and swept through the halls of state legislatures.

"It was a natural outgrowth of the activism of the Kennedy-Johnson era," says Rep. George Miller of Durham, a 10-year House veteran whose legislative career spans this period. "The country needed

Ruth Mary Meyer is former state president of the League of Women Voters of North Carolina (1975-79). She served as a League lobbyist during the 1971 and 1973 sessions of the General Assembly.

“We don’t want (special interests) to use money in a way that corrupts the public process.”

John Gardner, 1980

a respite from the years of civil rights strife and anti-Viet Nam war demonstrations, and this seemed like a more peaceful way to get things done, by working through the system.”

What Is in the “Public Interest?”

While the numbers of “public interest” groups and lobbyists began growing in North Carolina during this period, they did not represent an entirely new genre of lobbyist for the General Assembly. The State Council for Social Legislation, for example, had lobbied for a wide range of social concerns since the 1920s, and the League of Women Voters had worked for legislative reforms since the 1950s, such as reapportionment of the General Assembly. But prior to 1970, the public interest lobbyist had almost always been a tangential force.

The escalation of public interest lobbying in the 1970s took several forms. Some lobbyists worked for a broad range of social concerns, from prison alternatives to public kindergartens. Others focused on single areas of interest – the environment, womens’ issues, welfare rights, labor needs, consumer complaints. At the same time, coalitions emerged, tapping the constituencies of many public interest groups, most notably around the Equal Rights Amendment and tax reform issues. Finally, near the end of the decade, lobbies became active around single-shot issues such as

abortion.

As public interest lobbyists multiplied, so did the study of this phenomenon. Writing in *Lobbying for the People*, published by Princeton University Press in 1977, Jeffrey Berry defined a public interest lobby as one that “seeks a collective good, the achievement of which will not selectively and materially benefit the membership or activists of the organization.” This definition excludes groups which engage in some public interest lobbying but have as their primary purpose the benefit and protection of their membership. The N.C. AFL-CIO, for example, worked for a wide range of issues during the 1970s, including the ERA and public kindergartens, but it acted as a special interest lobby when fulfilling its principal role of promoting labor legislation. Conversely, groups considered public interest lobbies by this definition might sometimes work for legislation of direct benefit to their constituency. For example, the N.C. Council of Churches, whose legislative agenda embraced many social concerns through the decade, occasionally functioned as a “church” lobby, protecting such “church” concerns as the tax exemption for a minister’s residence.

Establishing criteria for deciding which groups function as public interest lobbies leads to a more complex set of questions. In the August 24, 1980, issue of *The New York Times Magazine*, the Washington-based journalist Tom Bethell examined the 10-year history of Common Cause, a group

“I have never known much good done by those who affected to trade for the public good.”

Adam Smith, 1776



Collins Kilburn, lobbyist for the N.C. Council of Churches, confers with Rep. Henry Frye (D-Guilford) (left) and Sen. Robert Wynne (D-Wake) (above).

which has worked primarily to reform campaign financing, committee seniority systems, and other governmental systems. Bethell attempted to show how some of the legislation Common Cause sponsored early in the decade has led to abuses rather than to reforms. To support a major point, Bethell quotes Adam Smith, the 18th century social philosopher. "By pursuing his own interest (the individual) frequently promotes that of the society more effectually than when he really intends to promote it," Smith wrote over 200 years ago. "I have never known much good done by those who affected to trade for the public good." Bethell gives the founder of Common Cause, John Gardner, a shot at responding to the laissez-faire sentiments of Smith: "I have said since we (Common Cause) began that the special interests are legitimate. Most people belong to one. The right to influence Government is clear in the right-to-petition clause of the First Amendment. Where we balk is that we don't want them to use money in a way that corrupts the public process."

While Bethell focuses on the national level, his most probing question applies to North Carolina as well. "Does public-interest lobbying make good law?" Bethell asks. In order to answer that question for North Carolina, one must first understand the role of the public interest lobbies in the 1970s — the kind of legislation they helped get passed, the ramifications of their successes, and the reasons for some failures. Then a reader cannot only grapple with the question Bethell raises, but might also have some insights into the future. Will public interest groups be able to sustain their influence in the political climate of the 1980s? If so, how will they be most effective?

What Role in Success?

In the early 1970s, influential legislators like Willis Whichard of Durham shepherded a series of environmental bills through interim study commissions and into law. The N.C. Environmental Policy Act, the Environmental Bill of Rights, the Mining Act, the Pesticide Law, and the Clean Water Bond Act all passed in 1971. In 1973, besides voting \$11.5 million for state parks, the General Assembly passed the Sedimentation Control Act and the Oil Pollution Act. Despite these successes, a difficult battle remained in 1974 over a complex piece of land-use legislation, the Coastal Area Management Act (CAMA). Whichard, the bill's chief sponsor, knew CAMA needed a favorable report from the interim study commission to boost its chances of success. Getting such a favorable report required the assistance of public interest lobbyists, people like Anne Taylor.

"They were very helpful in orchestrating the regional hearings on CAMA," remembers Whichard, now a judge on the N.C. Court of Appeals. "Members of the legislature simply could not go out and look for people to testify. The environmental groups did this for us. But there is no way environmentalists could have pushed this bill through alone. They simply don't have that kind of influence. Put them together with the times being right, the executive support we had for the bill, and favorable economic conditions — then their support adds a very positive dimension."

In 1975, Senator William Creech of Raleigh sponsored landmark legislation providing for "mainstreaming" into the public school system many handicapped children who were previously excluded from attending regular classes. Asked

how much the support of public interest groups had helped, Creech said, "Unfortunately, I never felt it was a *cause celebre* with any of them (public interest lobbyists), which the bill deserved. They helped, of course, but the ultimate success of the bill was mostly due to the work we (legislators) did ourselves."

Most public interest lobbyists agree with the sentiments expressed by Whichard and Creech to a certain point. But they feel that "the times being right," as Whichard put it, didn't just happen. "Certainly it's true," says one lobbyist, "that we wouldn't get anywhere pushing bills that neither the legislature nor the public are ready for. "But," she adds, "it's often our spadework in educating both the public and the legislators that brings them to this point."

By spotlighting areas where reform is needed, public interest groups have helped to shape public awareness of problems and to prepare the way for legislation which addresses certain issues. At the same time, such groups have offered citizens concerned about highly visible problems — such as the

Two of the most publicized failures came despite the joining together of public interest forces into coalition efforts — North Carolinians for Tax Reform (26 organizations) and North Carolinians United for ERA (49 organizations). The tax reform group formed in 1973 behind proposals put forth by Sen. McNeill Smith which emphasized removing the sales tax on food. The ERA coalition, active throughout the seventies, has depended upon many persons already involved in broad public interest efforts, such as members of the League of Women Voters and the American Association of University Women. Others joined the pro-ERA coalition because of strong feelings on this single issue.

The successes and the failures of the public interest groups point towards a distinctive pattern of lobbying. Most of the successes involved a great deal of public education as well as persistent lobbying efforts over several sessions of the legislature. Similarly, what have been listed as failures might well have served a valuable educational function among the legislators and with the public.



150 Attend Tax Reform Rally

More than 150 people gathered in front of the Legislative Building in Raleigh, N.C., for a tax reform rally. The rally was held on the steps of the building, and the crowd was diverse in age and background. Many of the participants were members of various public interest groups, including the North Carolina Council of Churches, the League of Women Voters, and the American Association of University Women. The rally was organized by the North Carolina Council of Churches and was held in support of the tax reform bill introduced by Sen. McNeill Smith. The bill would eliminate the sales tax on food and other necessities. The rally was a success, and the organizers hope that it will lead to the passage of the bill.

Courtesy of N.C. Council of Churches

PCB spill along North Carolina highways — a channel through which to act and a means of exerting political muscle through collective action. Whether functioning as a prophetic voice or as a vehicle for wide-ranging citizen expression, these groups have had their greatest political impact when they involved the widest constituent support. One of a public interest lobbyist's most vital tasks has been to act as a communicator with the membership of the organization and to bring forth letters and telegrams from home districts at critical stages of a bill's progress.

During the 1970s, public interest groups have been the driving force behind a wide range of successes — from consumer and environmental bills to prison reform and day care licensing (see box). Organizations have also lost sustained battles over such controversial measures as abolition of the death penalty, no-fault insurance, merit selection of judges, a bottle recycling bill, and a statewide land use plan. These remain on the agenda as "unfinished business."

Shortcomings of Public Interest Legislation

Has the legislation these groups have helped to produce really turned out to be in the public interest? Common Cause received wide praise for the election and governmental reforms it helped to bring about, for example, but these same reforms may have resulted in unintended consequences. Political action committees (PACs) have proliferated, apparently sapping the strength of political parties and creating new election dynamics at both state and federal levels.

Rigid reporting requirements may have spawned more secretive campaign finance systems than existed prior to the reform being passed. And single-issue interest groups have become prominent, and at times fearsome, factors in elections across this state as well as the rest of the nation.

While disclosure of the source of contributions still meets with wide approval, civil libertarians and others have called the limitations on the

amount of contributions an infringement on the right to free political expression. Common Cause still stands behind these limitations as a means of curbing the influence of wealthy contributors, but recognizes that they have caused some new abuses. These, the group contends, should be addressed

through new reform legislation as they become apparent rather than by scrapping the limitations, as some advocate.

Reforms brought about by the work of environmental groups have also drawn criticism for adding to production costs and making U.S. pro-

SUCCESS STORIES in the Public Interest

During the 1970s, the number, size, and activities of public interest groups in North Carolina greatly increased. Below is a description of the principal public interest organizations active in the General Assembly during the last decade (in alphabetical order). Included is a synopsis of their major successes. (This is not a definitive list of groups but rather a representative sample.)

Carolina Action: Although not primarily organized for statewide lobbying, Carolina Action does on occasion appear at the General Assembly to lobby for certain issues. And the organization has sometimes maintained a paid lobbyist there. Attempting to channel the collective power of low and moderate income people in the political process, Carolina Action has worked on issues such as tax and utility rate reform which would transfer the burden to those most able to pay. In 1977, they succeeded in getting "lifeline" rates for senior citizens receiving social security payments. In 1979, along with Insurance Commissioner John Ingram, they supported a successful effort to get "clean risk" auto insurance, removing penalty fees for those with clean driving records. The group has some 2,300 families as members.

Common Cause: Founded by John Gardner in Washington in 1970, this group has focused on reforming the governmental processes to make them more open and accountable at the federal and state level. Common Cause first

lobbied in North Carolina in 1972; today the state chapter has about 3,000 members. Many state legislators consider this group a moving force behind the Campaign Finance Reporting Act (1974), the Legislative Ethics Act (1975), the revised Lobbyist Registration Act (1975), the installation of electronic voting equipment in the General Assembly (1975), the Sunset Law (1977), and the revised Open Meetings Act (1979).

League of Women Voters of North Carolina: The state chapter was founded in the 1920s, was dormant during the Depression and revived after World War II. Active in the General Assembly since 1951, the 1,400-member League has generally played a supportive role for many bills rather than a leading role with any one. In 1971, however, the League did originate a bill to ratify the 19th Amendment to the U.S. Constitution (women's suffrage). Taken tongue-in-cheek even by some League members at the time, it has served a purpose during the repeated attempts to ratify the Equal Rights Amendment, reminding legislators that their predecessors' fears about this once volatile issue had proved to be groundless. The League's strong involvement in the ERA campaigns during each legislative session of the 1970s has diverted some of its energy from other parts of its legislative program. Nevertheless, it has played an active role in the environmental coalition and lobbied for a number of other social issues.

N.C. Consumer Council and Consumer Center of N.C.: The primary lobbyist for these groups during the 1970s was Lillian Woo. Others such as Rep. Ruth Cook, formerly the State Council for Social Legislation lobbyist, and Wilbur Hobby, president of the N.C. AFL-CIO, joined Ms. Woo in working to keep interest rates down on small loans and to watchdog specific consumer issues. For example, in 1975, Ms. Woo helped get a bill passed that allows a monitoring of the amount pharmaceutical companies spend in the promotion of their products through free drug samples to physicians. "It was important to find out how much pharmaceutical companies were adding to product cost through this type of promotion," explains Woo. Another important success was the passage of the Retail Credit Installment Act, which pro-

ducts less competitive on the world market. The increased paperwork generated by environmental impact statements and other required reports have forced industry to take on added personnel and caused the government bureaucracy to grow. While conceding some negative effects, most

environmentalists remain convinced that these procedures safeguard the health of citizens and protect the environment for future generations. Responsible industry spokesmen contend, on the other hand, that the same results could be obtained with less costly and time-consuming methods.

fects the buyer using installment sales plans (1971).

N.C. Council of Churches: Throughout the 1970s the Council has been represented by Collins Kilburn, one of the most respected and durable of the public interest lobbyists. The Council represents 27 ecclesiastical bodies from 17 denominations, some 6,500 congregations and 1.4 million church members. It has concentrated on improving the prison system, working on such issues as community-based alternatives, fair sentencing legislation, and improvement of prison facilities and services. Speaking of the Fair Sentencing Act of 1979, Kilburn says, "That act would have passed anyway because it was the Governor's bill, but I definitely think we made some impact on the length of the sentences." The Council also claims credit for an increased appropriation in 1977 expanding the number of prison chaplains from 3 to 15.

Parent-Teacher Association: The PTA, another group that predates the 1970s, focuses its legislative efforts chiefly on the quality of public education and the health and welfare of children. In the past decade, the PTA helped in the lowering of class sizes and a number of improvements in school bus safety. It worked for the Equal Education Opportunities Act and lent citizen support to the Governor's primary reading program and competency testing bills (1977). Lobbyist Jan Holem calls the PTA a "sleeping giant" politically. With 212,000 members statewide, its clout could be enormous if its membership could be fully mobilized behind their programs.

Public Interest Research Group: PIRG, founded in 1972, now has chapters on seven university campuses (six of them at private colleges). Students themselves do the digging to find issues needing attention, then select their legislative priorities before each session of the General Assembly. Their early issues were an ophthalmologist bill concerning the pricing of eyeglasses, and support of the state OSHA bill (1973). In 1979, they spearheaded the passage of a generic drug bill which allows pharmacists to fill prescriptions with cheaper generic drugs if authorized by the physician and requires prescription blanks to provide a space for this authorization.

Sierra Club and Conservation Council of N.C. (CCNC): These two groups, together with the League of Women Voters, formed an effective environmental coalition throughout the 1970s. The Sierra Club, a national organization of over 150,000 members (2,500 in North Carolina), began in 1892 in California under the leadership of conservationist John Muir. Among other achievements, the Club was instrumental in helping to create the National Park Service and the National Forest Service. Active in the General Assembly throughout the 1970s, the Sierra Club has often provided technical information to legislators. The 500-member Conservation Council, launched early in the 1970s, has usually taken a more activist stance by initiating litigation efforts and proposing far-reaching conservation legislation. During the first half of the decade the General Assembly was literally spitting out major environmental bills during each session, and the coalition vigorously supported all of them. (The major ones are mentioned in the text of the article). The second half of the decade was chiefly a holding action, fighting off attempts to weaken or repeal the laws already passed. The victories of 1971, 1973, and 1974 made North Carolina a national leader in environmental legislation.

State Council for Social Legislation: This coalition of over 20 state organizations, ranging from the N.C. Library Association to the N.C. State Federation of Women's Clubs, has lobbied for various social concerns in every General Assembly since 1921. Rep. Ruth Cook of Wake County, the Council's lobbyist for four sessions before she became a House member in 1975, engineered the Council's most significant success in recent years: mandatory licensing of day care centers (1971). In 1967, the General Assembly defeated the proposal but established a study commission on the topic. During the two-year study, several legislators became advocates of the bill, and in 1969, the study commission recommended mandatory licensing. But still it failed. Finally, in 1971, it passed, demonstrating some critical aspects of successful public interest lobbying — education of legislators, patience, and persistence. Other significant successes include mandatory reporting of child abuse and neglect (1971) and the Bill of Rights for the mentally ill (1973).



Rep. George Miller at a study commission meeting of the Public School Finance Committee, October, 1980.

Declining or Maturing?

Some critics as well as some supporters of public interest lobbies feel these groups may have "peaked" in their effectiveness during the 1970s and indeed, conservative trends, the loss of seasoned leadership, and declining volunteerism may make public interest lobbies a less powerful force in future sessions of the General Assembly. "The times are less turbulent now," says Sen. Gerry Hancock of Durham, former Common Cause state chairman and lobbyist. "People are less willing to look to government for solutions."

Most observers of the General Assembly consider it a more conservative body than in recent years, less open to the social and consumer legislation public interest groups have traditionally worked for. Many of the legislators who worked closely with public interest groups, such as Willis Whichard and McNeill Smith, have left the legislature. "If I were going back to the General Assembly now," says former League of Women Voters lobbyist Barbara Smith, "I would seek out conservative legislators who at least see the problems if not necessarily the same solutions." Sen. Hancock adds, "It's going to be particularly incumbent on public interest groups to demonstrate as much interest in efficiency and responsible management in government as they have (shown) about other issues in the past."

Loss of leadership to jobs in state government and elsewhere may also hamper public interest

lobbying. Special interest lobbyists enhance their effectiveness by building up contacts, friendships, and trust in the legislature over a long period of time, which serves them and their clients well. Public interest lobbyists, in contrast, have a high turnover rate. Most cannot afford to work full-time for more than one or two sessions as a volunteer or at the modest salaries usually offered, no matter how great their commitment. Some of these people who had developed considerable expertise went into state government jobs at the beginning of the Hunt administration and are now pursuing their goals from inside state government. Anne Taylor, for example, now works in the state Department of Natural Resources and Community Development regulating some of the laws she helped get passed. While Taylor and others can play an important role "on the inside," they can no longer be outspoken advocates for their causes. They have a new set of political constraints. At the same time, the public interest groups have lost some of their most capable leadership.

Ten years ago there would have been an abundance of new talent to replace those who have moved on. Today, the near disappearance of the full-time volunteer limits the ability of public interest groups to function as they have in the past. While some groups such as the Council of Churches employ staff and a paid lobbyist, others have traditionally relied completely on volunteers. Many of those in the latter category are now trying to come up with funds to pay the people who will take their causes to the legislature. "For the first time ever, we have put into our annual budget a stipend for our lobbyist," says Marion Nichol,

League of Women Voters state president. This stretches already tight resources to the limit, and in today's depressed economy contributions to political groups, which are not tax deductible, are shrinking.

Some of these difficulties may explain the proliferation of the "single issue" lobby groups during the latter half of the 1970s. At a time when both volunteers and money are scarce, it is easier to get both committed to a single, passionate issue than it is to a broad legislative program. The effort is focused, understandable, and prone to make people take sides, all of which is appealing to individuals with multiple demands upon their time. The issues these groups rally around are often highly emotional: pro- and anti-ERA, pro-abortion vs. pro-life, pro- and anti-liquor by-the-drink, pro- and anti-nuclear energy.

Some public interest lobbyists, however, do not feel that the causes for which they have worked are on the decline. They believe that citizen effectiveness in government is maturing and may be

constituency during the 1980s." She points to a September, 1980, meeting with Gov. Hunt to illustrate her point. "Over 200 environmental leaders came to the reception," she says. "They demonstrated an awareness, a seriousness, and a sophistication far greater than in past years. I am convinced that the environmental lobby is having a strong impact on the environmental ethic of the people of the state."

Conclusion

Public interest groups in North Carolina have been a constructive force in the passage of progressive legislation over the past decade. They will undoubtedly continue to be, especially if they choose issues which strike a responsive chord with citizens and are politically attainable. Long-standing goals are not likely to be abandoned, but some might be addressed more successfully in public education campaigns than in the General Assembly. Monitoring the laws that

“Members of the legislature simply could not go out and look for people to testify. The environmental groups did this for us.”

former Sen. Willis Whichard

even more effective in the future, that single-issue groups may be the most visible but not the most persevering. Taking knowledge gained as a citizen activist into the systems that administer the laws offers a new stage for influence, some believe. At the same time, some public interest constituents are expanding their activities away from a legislative emphasis to regulatory issues, locally controlled enterprises (especially in the energy area), and monitoring the administration of the many laws already passed. "Throughout the 1970s, environmentalists gained sophistication," says Anne Taylor. "I wanted to be on the inside to try to make all those laws work. How they are implemented is the key to it."

Taylor does not see herself as an isolated example of a public interest lobbyist who has remained active in a different setting. "Environmentalists will be an even more recognizable

have been passed has become an important new function for public interest organizations, and may play an even greater role in their future activities.

Public interest groups continue to give a voice to concerned citizens who otherwise would have none. In the process, they tend to train some able political leaders for the future and to provide a balance in the General Assembly to the special interest lobbies, which would otherwise predominate. While critics may always regard them as "idealistic 'do-gooders,'" they play an important part in representing citizen interests in the law-making process.

"The information that the public interest groups are able to put in my hands is invaluable," says Rep. Miller. "To me that is the best thing they do. That forms the basis of my willingness to go to bat for an issue and convince other legislators." □