Interest Groups in Texas
Part I

Enough to using Texas as a workshop for fattening the wallets of special interest friends and supporters. And enough of politicians listening only to each other, rather than real Texans.

Wendy Davis
The Problem with Interest Groups

• Texas has long been a state where strong interest groups prevailed (the Grange in the late 1800s, the oil industry throughout the early 1900s and the dominance of business interests since the latter half of the 1900s).

• Texans worry that powerful interest groups and effective lobbyists may skew public policy toward narrow private interests rather than toward the broader public interest.

• Organized interests, along with their PACs and lobbyists, are particularly numerous, well-funded, aggressive and effective in Texas.

• Texas's very permissive campaign finance system, which allows unlimited contributions and demands only modest reporting requirements, gives the established interests and their agents a formidable role in Texas politics.
The Problem with Interest Groups

• The dominant interest groups in Texas tend to lobby government officials directly and to come to the support of elected officials in their campaigns.

• Business and professional groups, like the Texas Association of Business, the Texas Oil and Gas Association and the Texas Medical Association, wield decisive influence.

• Less effective groups in Texas are left to demonstrate, lobby the public and appeal to the courts.

• Labor, civil rights and environmental groups do the best they can, but they are at distinct disadvantages when it comes to numbers, money, talent and relevant expertise.
What is an interest group?

• An interest group is an organization of people who join together voluntarily on the basis of some interest they share for the purpose of influencing policy.

• In Texas, various types of interest groups have become organized for the purposes of participating in politics and they vary considerably from each other in every way.

• Representative government is designed to encourage the representation of competing interests.

• Institutional arrangements, such as the design of the legislature and laws regulating interest group activities, shape both the capabilities of interest groups to affect policy making and the distribution of influence among groups.
What is an interest group?

Some of the more active groups in Texas are:

• National Organization for Women [www.now.org](http://www.now.org)
• National Rifle Association [www.nra.org](http://www.nra.org)
• Texas Association of School Boards [www.tasb.org](http://www.tasb.org)
• Texas Common Cause [www.commoncause.org](http://www.commoncause.org)
• Texans for Public Justice [www.tpj.org](http://www.tpj.org)
• Texas State Teachers Association [www.tsta.org](http://www.tsta.org)
• Texas Trial Lawyers Association [www.ttla.com](http://www.ttla.com)
• think tanks in Texas:
  • Center for Public Policy Priorities [www.cppp.org](http://www.cppp.org)
  • Center for Responsive Politics [www.opensecrets.org](http://www.opensecrets.org)
  • Citizens for a Sound Economy [www.cse.org](http://www.cse.org)
  • Texas Public Policy Foundation [www.tppf.org](http://www.tppf.org)
What is an interest group?

• **pros**
  - Interest groups are beneficial in that they **represent a wide range of interests**.
  - They give citizens a **way to exert pressure on government** and **mobilize citizens** to get involved in political action.

• **cons**
  - **Unequal distribution of resources** between interest groups
  - Interest groups do not take state interests into account. **Very narrow interests** are represented.
  - Interest group competition for influence can and does at times **stalemate government action**.
  - Interest group influence leads to **inefficiency**.
Interest groups have an overwhelming influence in Dominant states.

In Dominant/Complementary states group influence is strong but limited by the influence of other political actors such as party organizations, governmental institutions or the electorate.

In Complementary states group influence is balanced with other political actors.

In Complementary/Subordinate states, group influence is secondary to the influence of other political actors.

To be placed in the Subordinate category, group influence in a state would have to be weak or inconsequential – a situation not apparent in any of the states.

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The political effectiveness of interest groups varies according to their organizational resources and level of political interest.

Well-organized interest groups with well-defined political interests tend to be politically more effective in promoting their interests.

Many other groups are well organized but largely uninterested in politics.

Still other groups are poorly organized and politically uninterested.
Interest Groups vs. Political Parties

- Interest groups may not seem much different from political parties. They are both organizations of individuals sharing some common attitudes and opinions, and they both seek to influence elections, government officials and public policy choices. But there are crucial differences.
- **Political parties** have **broad interests**, an **inclusive membership** and seek to **win elections**.
- **Interest groups** have **narrow interests**, an **exclusive membership** and seek to **influence elected officials**.
- Political parties run candidates for office and while interest groups electioneer, they don’t run candidates.
- Elected officials have direct influence over government activity. Interest groups have only an indirect influence, relying on politicians to achieve their goals.
Functions of Interest Groups in a Democratic System

• In the process of attempting to influence politics and policy, interest groups
  • organize government
  • inform members, the public and elected officials
  • a selection of interest group voter guides
  • link the local, state and national political systems
  • organize individuals with similar interests
  • organize electoral competition
Kinds of Interest Group Benefits

- **private goods**: the enjoyment of private goods can be shared with or denied to anyone (excludible)
- **public goods**: non-excludible since people can enjoy public goods whether or not they contribute to the cost of obtaining those goods ... environmental protection, better highways and roads, safer neighborhoods, fire protection, etc
- Many goods produced in and by the political system have the quality of public goods.
Kinds of Interest Group Benefits

• If a cause produces only (or primarily) a public good it is generally more difficult to get people to work for it.

• **Free riders** will conclude that they may enjoy the benefits of a group's success regardless of the extent of their own efforts ... There’s no incentive to bear the costs of attempting to achieve public goods.

• Some groups attempt to overcome the free rider problem by offering private goods as incentives. In addition to the public goods a group pursues, it might **provide supplemental private goods** to those who contribute, buy a membership, etc.

• Some **use activities** to keep their members involved via newsletters, telephone and e-mails which identify hot issues that can mobilize membership to apply grassroots pressure on elected politicians.
Factors that Favor Interest Group Influence in Texas

- **traditional monoculture economy**: single, homogeneous culture without diversity or dissension, with emphasis on group hierarchy, communal beliefs and maintaining social customs ... cultural routine and familiarity over change and progress.

- **traditional political culture**: emphasizes deference to elite rule within a hierarchical society ... Government activity is discouraged unless it reinforces the power of society's dominant groups.

- **fragmented government**: fragmented executive branch with no single elected official responsible for the quality of public services.
Factors that Favor Interest Group Influence in Texas

• one-party dominance: Democrats held a lock on state politics and government throughout the first half of the 20th century. As the natural Republican base in the state grew, it was only a matter of time before Republicans overcame the entrenched Democrats (whose own electoral base was steadily eroding) and became the new dominant party.

• low levels of political participation: Texas has the 44th lowest voting rate in the US due to voter cynicism and apathy.

• legal framework: State constitution doesn’t mention interest groups and state laws and courts have made it easy for groups to operate.
Types of Interest Groups

- Interest groups are most commonly distinguished by the types of interests they serve. Some attempt to serve wider public interests, while others serve narrower private interests.

- **Public interest groups**: seek to achieve results that may be enjoyed by the general population ... tend to have fewer resources at their disposal ... clean air, improvements in public health ... often pursue public goods.

- **Private/special interest groups**: seek to influence public policy for the specific and often exclusive benefit of their members or of people with similar interests ... pursue private goods ... Pursuing private interests doesn’t necessarily harm public interest (and might even help it) but the effect on the public isn’t the goal.
This 1873 lithograph illustrates the benefits of membership in the Grange, an agricultural interest group.

Types of Interest Groups

• private interest groups
• economic groups
• religious groups
• public interest groups
• advocacy and environmental groups
• government groups
• racial and ethnic minority groups
• ideological groups
• single issue groups

Vote Smart’s Texas Interest Groups
Types of Interest Groups: Economic Groups

- Certainly the largest category, economic groups include business groups and trade associations, labor and employee groups, agricultural groups and professional associations.

- Business groups and trade associations (the latter representing entire industries) are the most powerful interest groups in Texas politics. They pursue their political goals as individual firms (Reliant Energy) and through trade associations (Texas Association of Business).

- These groups are effective because they are organized, well-financed and skilled in advocating their positions.

- They generally agree on the need to maintain a good business climate, a political environment in which businesses prosper.
Types of Interest Groups: Economic Groups

- When business groups and trade associations are united, they usually get what they want in Texas.
- **Tort reform and medical malpractice insurance reform** in particular have been important issues in recent Texas politics.
  - tort reform: the revision of state laws to limit the ability of plaintiffs in personal injury lawsuits to recover damages in court
- Between 1987 and 2002, malpractice insurance premiums rose by 400% in Texas and many physicians declared they could no longer afford to remain in practice.
- Groups on either side of the medical insurance controversy attempted to influence the policymaking process by a variety of strategies and tactics.
Types of Interest Groups: Economic Groups

• The controversy over rising costs in malpractice insurance led to a battle over medical malpractice insurance reform that featured some of the most powerful interest groups in Texas politics.

• The Texas Medical Association (TMA), a professional organization of physicians, believed that the solution to the problem was a cap on the amount of money a jury could award for noneconomic damages.

• The Texas Trial Lawyers Association (TTLA), which is an organization that primarily represents plaintiffs in personal injury lawsuits, blamed bad doctors and a weak stock market for rising medical malpractice premiums rather than excessive jury awards.
Types of Interest Groups: Economic Groups

- During the 1990s, several tort reform measures were enacted.
- In 2003, the legislature and governor adopted an additional set of tort reform measures (HB4).
  - caps on noneconomic measures: Patients injured by medical malpractice can recover no more than $250,000 in noneconomic damages from a physician or other healthcare provider.
  - protection against product liability suits
  - joint and several liability reform
Types of Interest Groups:
Economic Groups

• The state adopted additional tort reform measures in 2005 pertaining to asbestos- and silica-related exposure lawsuits and obesity-related health lawsuits.

• In 2017 (just before Harvey blew in), the legislature passed a bill that would make it harder for property owners to sue insurers over weather-related damage to property.

• What the reforms have done and will continue to do is save money for wealthy Texans. Insurance companies are saving money, and many doctors are starting to see some savings in their insurance rates. Whether or not these laws will translate into real savings for consumers is still something that has yet to be seen ... the costs of healthcare and insurance continue to increase steadily.
Types of Interest Groups: Economic Groups

- **Texans for Lawsuit Reform** is arguably the most powerful interest group in Texas politics, in large part because of the massive amounts of money it raises from the state's business community and spends on elections. In return it expects legislators to approve bills that limit businesses' exposure to big lawsuits ... and it’s branching out.

- **Meet the New Money Behind School Reform in Texas**

- The group was established in 1994 and is the state’s largest justice system reform organization.

- The group's power was obvious in the 2010 elections where more than 90% of the candidates sponsored by TLR won.
Types of Interest Groups:
Economic Groups

• examples of the power of business groups and trade associations in Texas:
  • Why Texas Banned Tesla Motors (Spoiler: Because we don’t have campaign finance reform).
  • Why Texas businesses back reforming the state’s criminal justice system
  • Craft Brewers Celebrate New Beer Laws but Texas breweries could be forced to pay distributors for taproom beers
Types of Interest Groups: Economic Groups

- Contemporary *organized labor* is relatively weak in Texas.
- Short-lived labor unions were established by printers and carpenters in Houston during the Republic of Texas, and Workingman‘s or Mechanic‘s associations, more along the lines of benevolent societies, were constituted in Houston, Galveston, Austin and New Braunfels before 1860.
- Galveston was the earliest center of union activity in the state. The Carpenter's Local No. 7, organized there in 1860, has a nationally recognized claim to a longer history uninterrupted by reorganization than any other local in the US.
Types of Interest Groups: Economic Groups

- Texas labor has played a rather prominent role at various times in the state’s past but only after WWII did organized labor emerge as a political and social force in Texas.

- Union membership in Texas peaked in 1960 and has declined steadily since then for a number of reasons:
  - an increase in minority and female workers
  - the increasing conservative bent of the state and national social and political climates
  - national administrations’ less than vigorous support of unionization, sometimes even undermining unions vis-à-vis management
  - increasing numbers of highly mobile employees
Types of Interest Groups: Economic Groups

- In recent decades, unions have been able to achieve little more than token opposition to corporate control of the workplace, certainly not the political power of the past.

- Texas is a right-to-work state in which state laws prohibit union shops.
  - **union shop**: a workplace in which every employee must be a member of the union, membership is a condition of employment
  - In a right-to-work state, union organizers are forced to try to recruit members individually.

- In 2016, only 4% of Texas workers belonged to unions, compared to a national unionization rate of 10.7%. 
Types of Interest Groups: Economic Groups

- Texan ranked 46th among the 50 states in the level of unionization in 2016.
- Most Texas unions belong to the American Federation of Labor–Congress of Industrial Organizations (AFL–CIO), which is a national organization of labor unions.
- Texas unions include not only private sector unions but also public employee organizations such as those of fire fighters, police officers and teachers.
Types of Interest Groups: Economic Groups

- **Agricultural interest groups** have long been a powerful force in Texas politics. At the 1875 Constitutional Convention the Grange, a powerful farmers group, had a large role in drafting the new Texas constitution.

- Agriculture is a **major component of the Texas economy** and as such, state government listens to its lobbyists.

- As a group, farmers and ranchers are **politically astute, organized and knowledgeable** about how to exert influence in state politics.
Types of Interest Groups: Economic Groups

- Agricultural groups such as the Texas Farm Bureau, Plains Cotton Growers, Inc., Corn Producers Association of Texas and Texas Soybean Association are politically active at all levels of government.

- Issues of interest to agriculture groups are property rights, trade policy, taxation, eminent domain, water, land use regulation, transportation, animal care, producer protection, etc.

- Agricultural Groups in Texas
Types of Interest Groups: Economic Groups

• **Professional associations** represent occupations.
  • the economic interests of members of various professions including doctors, engineers and lawyers
  • often set rules for their members, including rules about certification and conduct, such as professional codes of ethics
  • provide direct economic benefits to their members, including personal or professional insurance as well as professional development opportunities

• Professional associations are politically influential because of the relatively high socioeconomic status of their members.
Types of Interest Groups: Economic Groups

• Professional associations concern themselves with **public policies that affect their members** (doctors, dentists, lawyers, realtors, college academics, etc) such as professional liability, workplace challenges, laws impacting their profession, etc.

• Groups such as the Texas Medical Association, Texas Trial Lawyers Association and Texas Community College Teachers Association **hire lobbyists** to work on behalf of their members.
Types of Interest Groups: Public Interest Groups

- **Public interest groups** include **consumer advocacy groups** (such as the Texas Tenant Association) and **environmental organizations** (such as the Texas League of Conservation Voters).

- Public interest groups **do not usually expect to profit directly** from the policy changes they seek.

- As the name implies, public interest groups enjoy an image of **non-partisanship**, even though some of them engage in clearly political activities.

- These groups also usually receive **disproportionately positive news coverage**, even when there is serious disagreement over their policy proposals.
Types of Interest Groups: Public Interest Groups

- **Citizen groups** are organizations created to support government policies that they believe will benefit the public at large. For example, Common Cause Texas is a group organized to work for campaign finance reform and other good government causes.

- **Advocacy groups** are organizations created to seek benefits on behalf of persons who are unable to represent their own interests. For example, Vibha Austin is a non-profit organization that seeks to restore to underprivileged children their basic rights to food, shelter, health and education.
Types of Interest Groups: Government Groups

• Given the structure of the US federal system, it is not surprising that there are organizations to bring the issues of local and state governments to Congress and of local governments to the state.

• *Government interest groups* include the Texas Municipal League, Texas Police Chiefs Association and Texas Association of Counties.

• One critical task performed by these groups is helping state and local governments get *national grants*. These funds are important because they are a central means by which states get back money taken away through national taxes, and because they can play a major role in county and city budgets.
Types of Interest Groups: Government Groups

As budgets have tightened and as more Republicans have won governorships, government groups have become more likely to seek more local control over policies instead of more cash ... an issue of great importance in Texas due to state government’s increasing incursions on local control.
Types of Interest Groups: Religious Groups

• The separation of church and state does not preclude religious interest groups from lobbying ... all religious groups are involved in politics to some degree.

• Churches and other religious institutions provide the foundation for a number of political organizations.

• Roman Catholic and Protestant churches have helped organize political groups to support health care, education and neighborhood improvement for the state’s poor.

• The most active and probably most influential religiously oriented political groups statewide are associated with the Religious Right, made up of individuals who hold conservative social views (Texas Christian Coalition).
Types of Interest Groups: Racial and Ethnic Minority Groups

- The National Association for the Advancement of Colored People (NAACP), the Mexican–American Legal Defense and Education Fund (MALDEF), the National Organization for Women (NOW), and the National Gay and Lesbian Task Force represent groups that historically have faced legal discrimination and, in many respects, continue to lack equal opportunity. Their concerns involve more than civil rights, however, and encompass social welfare, immigration policy, affirmative action, a variety of gender issues and political action.

- Minority groups are interested in the enforcement of laws protecting the voting rights of minority citizens, the election and appointment of minority Texans to state and local offices, college and university admission policies and inner–city development.
Types of Interest Groups: Racial and Ethnic Minority Groups

- The two best-known minority rights organization in the state are affiliates of well-known national organizations.
- The Texas League of United Latin American Citizens (LULAC) is a Latino interest group.
- The Texas chapter of the National Association for the Advancement of Colored People (NAACP) is an interest group organized to represent the interests of African Americans.
- Although racial and ethnic groups are considerably more influential today than in the early 1960s, they are not as powerful as the more established interest groups in the state.

With the support of the Texas NAACP, Lonnie Smith, a black dentist from Houston, filed a lawsuit to gain the right to vote in the Texas Democratic Primary... *Smith v. Allwright* (1944).
Types of Interest Groups: Ideological Groups

- **Ideological interest groups** view all issues through the lens of their political ideology, typically liberal or conservative. Their support for legislation or policy depends exclusively on whether they find it ideologically sound.

- Examples are the Texas Conservative Coalition, the Heritage Alliance, Republican Liberty Caucus of Texas and the Texas Patriots PAC.

- Ideological interest groups promote a reactionary, conservative, liberal or radical political philosophy through research and advocacy.
Types of Interest Groups: Single Issue Groups

• ...organizations whose members care intensely about a single issue or a group of related issues ... Among them are the Texas Right to Life Committee, the Texas Abortion and Reproductive Rights Action League, the National Rifle Association of Texas.

• Some interest groups are formed to advocate for or against a single issue.

• Although other interest groups may have a position for or against gun control, it is the only issue in the political arena for the National Rifle Association (NRA) and the National Coalition to Ban Handguns (NCBH).
Types of Interest Groups: Single Issue Groups

- These groups aren’t literally single-issue, because most positions embrace a variety of similar issues. NRA Texas, for example, pursues a broad variety of gun-related goals. So think of them as pursuing clusters of usually-related policy goals.

- Single-issue groups usually claim to be non-partisan, supporting initiatives regardless of whether Democrats or Republicans advance them.

- Single issue groups lean heavily on lobbying and, to some extent, electoral activity to achieve their goals.
continued in
Interest Groups in Texas
Part II