

*Finding the Weak Link:
The Choice of Institutional Venues by Interest Groups*

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We analyze venue choices by interest groups—the extent to which a group lobbies the Congress, executive branch agencies, and the judiciary—and develop two types of models tested with Jack Walker's 1985 Study of Voluntary Membership Organizations. The first explains the degree to which a group is involved in each venue separately. The second examines a group's level of institutional involvement in comparison to the other branches. What explains a group's greater utilization of Congress than the courts, of Congress than executive agencies, and of executive agencies than the courts?

One of the main purposes of interest groups in American politics is to represent their members' or their institutional interests before the government. Political scientists have given considerable attention to the tactics interest groups use to influence Congress, executive branch agencies, and the judiciary. For the most part, however, these studies focus on interest group interactions with a single branch. Less is known about what influences interest groups to choose one governmental institution, or a combination of institutions, rather than others as venues to influence public policy (Baumgartner and Leech 1998, 162).

Exploring venue choice is more than studying the narrow tactical choices made by interest groups. Venue choice confronts basic questions regarding the avenues through which citizens can voice their concerns to the government, and the ways in which interest groups influence government. For example, pluralists argue that the American system of separated powers and federalism allow multiple points of access for interest groups and that groups will shift among venues over time in order to find one that is most congenial to their goals (Dahl 1989; Truman 1951). Schattschneider (1960) also argues that groups will expand the scope of conflict to alternative venues when they believe themselves to be politically disadvantaged in the starting venue. Interest group participants in subgovernments also have access to multiple venues. By maintaining stable, low-profile relationships with both relevant congressional committees and executive agencies, and by excluding participation by public officials and interest groups opposing

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them, these groups can make policy favorable to their interests without regard for a larger public interest or majority opinion (McConnell 1966; Ripley and Franklin 1991). Although surveys of interest groups confirm broad involvement (e.g., Nownes and Freeman 1998; Schlozman and Tierney 1986; Walker 1991), these facts tell us little about how and why groups make the venue choices they do.

We believe that a fuller awareness of interest group lobbying strategies requires that we understand not just the factors involved in lobbying each particular branch of government, but also why interest groups choose to direct limited resources towards lobbying one branch rather than another. Hence, we attempt to explain the factors involved independently in lobbying Congress, the bureaucracy, and the courts, and we attempt to explain how these factors differ in group decisions regarding what branch to lobby. We model these lobbying decisions towards each branch independently to facilitate comparisons, and then we model these strategies relative to each other in order to explore the nature of strategic choice in which venue to lobby.

The Nature of Strategic Choice

Group leaders make strategic choices regarding how to maintain and how to advance the interests of their organization (Berry 1977; Salisbury 1969; Wilson 1995). Ideally, a group would be actively involved in all three branches simultaneously. Each branch has policy benefits to confer upon the group and each branches' activities affect policymaking in the other branches. Groups nevertheless have limited resources to devote to lobbying each branch (Bauer, Pool, and Dexter 1963; Berry 1977; Walker 1991). For example, to the extent that time, effort, and money are devoted to lobbying Congress, they cannot be devoted to lobbying agencies or the courts.

Chubb (1983, ch. 2) is one of the few to address the issue of venue choice theoretically. He argues that a group will choose the venue in which it can have the greatest marginal impact on policy for the lowest marginal cost. He argues that venue choice will depend on the group's resources, membership, and membership incentives. Chubb's model and evidence suggest that groups generally should receive the greatest marginal benefit from lobbying the legislature because they have the most to gain from a dramatic change in the *status quo*. Once the *status quo* is changed and a new law is passed, however, lobbying the relevant implementing agency will achieve decreasingly marginal benefits. Consequently, only those groups with considerable resources can afford to focus energy on lobbying agencies where the relative cost/benefit ratio is smaller than that for lobbying Congress. (He

does not include use of the courts in his model or survey questions.) He also finds that participation in coalitions enhances the resource advantage over competing groups; thus, groups that engage in coalitions should have a greater propensity for administrative lobbying. Given the resource advantage of profit sector groups, they also should engage in more administrative lobbying, especially in comparison to citizen groups.

Generally, we believe that interest groups have preferences over outcomes rather than venues (Shipan 1997). All else being equal, they will use the venue in which they believe they have the greatest probability of achieving their desired policy outcome. Yet the group's ability to achieve its goals may vary across venues because their ability to exchange their resources for access to officials in each branch varies (Browne 1990; DeGregorio 1997; Hansen 1991; Wright 1996). More broadly, groups are constrained in how they make strategic choices by organizational structures, constituency demands, resources, and their political environment (Berry 1977; Gais and Walker 1991; Spill 1997).

Chubb (1984) focused on the groups' financial resources and membership characteristics as the key variables affecting venue choice. Membership characteristics can include whether the group has citizens or institutions (profit or non-profit) as members and whether it relies on patrons (Nownes and Freeman 1998; Scheppele and Walker 1991). Others also have noted that groups can expand their resources to participate in more venues by participating in coalitions (Hula 1995; Hojnacki 1997; Scheppele and Walker 1991). Choices also may vary based on the group's issue specialty and the extent to which each branch of government emphasizes and is permeable to outside participation on that issue (Scheppele and Walker 1991).

The subgovernment model supports this notion of access cemented by resource exchange. The model is based on stable relationships between a limited number of interest group, congressional, and executive agency participants. Groups exchange information and political support to congressional committees and executive agencies for desired policies. More importantly, the subgovernment model posits that these relationships maintain their stability and exclude dissenting views by keeping the level of conflict low. Without conflict, there is little incentive for political entrepreneurs to enter the policy domain. The subgovernment model suggests that groups will seek politically stable venues and will avoid venues that engender controversy because these variables are detrimental to the group's ability to maximize its policy goals.

In contrast, recent scholarship finds that many subgovernments have been undermined by participation by alternative groups (Baumgartner and

Jones 1993; Berry 1999). Rather than avoiding conflict and developing stable relationships to maximize their policy goals, these groups seek conflict as a way of attracting new adherents and building new coalitions to create policies more amenable to them (Schattschneider 1960). Even if politics is more conflictual than portrayed by the subgovernment model, groups are likely to seek venues dominated by politicians who share their policy preferences and where they have succeeded in the recent past.

In addition, most interest groups do not spend the majority of their efforts on the “offense,” actively seeking ways to change government policy (Heinz et al. 1993; Nownes and Freeman 1998). Rather, much of lobbyists’ efforts are devoted to monitoring the political environment. Groups’ political strategies are often defensive—they are drawn into interaction with the government when proposed government action and/or mobilization by opposing groups impel them to protect their interests (Hansen 1985). Groups follow counteractive strategies (Austen-Smith and Wright 1994), becoming involved in the same venues as their opponents in order to provide alternative information to undercut their opponents’. Conflict with other groups or public officials is necessary in order to protect their super-ordinate public policy goals.

Under this scenario, groups are likely to be drawn to participation in venues in which they see political conflict rather than to a subgovernment model in which groups would avoid conflict in order to preserve their relationships with powerful government officials. Furthermore, in order to follow a counteractive strategy, groups must engage in the venue in which they disagree with public officials rather than “appealing” to an alternative venue (Baumgartner and Jones 1993; Schattschneider 1960). We also should expect that the nature of the group’s political environment (i.e., conflict with government, conflict with other groups) rather than its internal characteristics and resources is likely to explain its choice of political involvement and venue.

Existing empirical studies of venue choice clearly have contributed to our understanding of the types of variables that are related to these choices, but they do not provide the comprehensive test we envision in this article. Chubb (1984) and Nownes and Freeman (1998) study only the choice between the legislature and the bureaucracy. Nownes and Freeman (1998) focus on the characteristics of lobbyists rather than organizations, and they find that few characteristics are related to the extent of legislative or bureaucratic lobbying. Scheppele and Walker (1991) study only interest group use of the courts. Waltenberg (2002) studies the choice among all three branches, but only by labor unions.

Models and Hypotheses

We develop two models. The first explains the degree to which the group is involved in each venue separately, the *Involvement Model*. That is, how often does the group engage in congressional lobbying, administrative lobbying, and litigation? Second, we examine a group's level of institutional involvement vis-à-vis the other branches. What explains a group's greater utilization of Congress than the courts, of Congress than executive agencies, and of executive agencies than the courts? We call this the *Comparative Venue Choice Model*.

We test our models of group venue choice with Jack Walker's 1985 Study of Voluntary Membership Organizations (ICPSR #9601). This survey permits conclusions about how different internal and external variables affect lobbying strategies. The survey also addresses the importance of the three lobbying strategies discussed here, facilitating comparisons of group reliance on particular strategies.

To assess the relative importance of groups' governmental strategies, we first compare similar models of lobbying each branch of government. The importance of lobbying Congress, agencies, and the courts are each assessed with similar measures. The importance of a particular lobbying strategy to a group is modeled separately as a function of internal characteristics and the external environment. We estimate these three separate models, one each for lobbying Congress, lobbying executive agencies, and litigating in courts. Since our measure of lobbying each institution is a six-category dependent variable, we use ordered logit as the most appropriate estimation technique.

After exploring the impact of these factors on each type of lobbying, we model the relative importance of lobbying strategies based on the same set of independent variables. Ideally, a single dependent variable measuring each group's relative emphasis on the three types of lobbying would be computed, but this technique would lose much of the subtlety of the data which allows groups to rate the importance of each type of lobbying on a six-point scale. Consequently, we estimate three separate models which, when taken as a whole, can lead to greater understanding of groups' lobbying choices. These ordered logit estimations model groups' emphasis on congressional versus administrative lobbying, congressional versus court lobbying, and administrative versus court lobbying.¹

The dependent variables are measured in response to questions asking the importance of lobbying Congress, executive agencies, or using litigation,

on a six-point scale varying from 1, “not engaged in,” to 6, “one of most important.” The responses to each of these three questions served as the dependent variables for the first-stage models.

For the comparative models, we computed three additional dependent variables: relative importance of congressional lobbying versus administrative lobbying, relative importance of congressional lobbying versus litigation, and relative importance of administrative lobbying versus litigation. In each case, the measure was simply the score of the first minus the second. For both the Involvement Model and the Comparative Venue Choice Model, we model the dependent variables as a function of a variety of characteristics internal and external to the interest group. Each of these characteristics are expected to affect lobbying strategies in predictable patterns.

Internal Characteristics

Resources. Increased resources will increase involvement in each venue. Hojnacki and Kimball (1998) find the more resources a group has, the more it is able to expand its number and variety of contacts when lobbying Congress. Resources are measured by the log of the staff size. Walker (1991) argues that staff size provides a better measure of group resources than its budget.

Litigation requires specialized legal resources and their attendant costs (Berry 1977; Olson 1990; Spill 1997). Even if a group does not maintain an in-house legal staff, greater financial resources provide the ability to hire inside or outside legal assistance frequently. Because of the importance of the expense and/or specialized resources necessary to lobby the courts, we expect that greater resources will increase the probability of choosing to participate in the courts compared to Congress or the bureaucracy.²

Patron Support. Walker (1991) argues that a group’s reliance on patrons as a funding source is critical to understanding the group’s maintenance and influence strategies. Gais and Walker (1991) find that increased reliance on patrons decreases a group’s inside lobbying of governmental institutions, and it increases the use of outside strategies. This may mean that greater reliance on funding by patrons leads to less involvement in each venue. We have no expectation that patron funding will lead to the choice to lobby one venue more than other venues.³ Patronage is measured by the percentage of a group’s funding derived from private and governmental patrons on an original 0-100 scale defined in Walker (1991).

Local Units. Given the electoral concerns of members of Congress, they are likely to be an especially inviting target for groups that can demonstrate constituency concerns through large and diverse memberships that

penetrate many congressional districts (Wright 1996). Such mobilization is done most effectively through local organizational units (Anderson and Loomis 1998), and thus, they should be more likely to choose Congress relative to the other unelected branches. The variable assessing local units is dichotomous, coded 1 if a group has state or local offices in addition to other offices, 0 otherwise.

Coalition Participation. Groups who participate in coalitions should be more likely to participate in all venues. Frequent contact and collaboration with other groups is likely to indicate central status in an issue network which often includes public officials (Heinz et al. 1993). Members of Congress are concerned with the breadth and depth of political support for a position; coalitions are a traditional mechanism of demonstrating such support (Hula 1995; Hojnacki 1997). Thus, we expect that groups with higher levels of coalition participation are more likely to choose Congress relative to executive agencies or the courts.

The courts are different from the other branches in the adversarial nature of the conflict. One clearly identified party takes action against another clearly identified party; the court adjudicates the dispute. In contrast, group activities in other branches may have no identifiable opponents, or they may have many. Because of this, coalition participation is likely to be less efficacious to a group's participation in the courts. Thus, it is likely that coalition participants will favor the bureaucracy over the courts. The extent of coalition participation is measured by a 1-0 dummy variable indicating medium coordination and a 1-0 dummy variable indicating high coordination. Low coordination serves as the unobserved baseline category.

Issue Specialty. The group's issue niche may affect its venue choice. We can make several hypotheses regarding how a group's issue specialties will relate to its lobbying choices. All three branches make important decisions regarding economic policy from tax and regulatory bills in Congress to regulatory enforcement in agencies and to contract enforcement in the courts. Groups specializing in economic policy have an incentive to be involved in each venue, and it is not clear that they would necessarily favor one branch over the other.

Based on the "political disadvantage" theory, groups concerned with social issues are more likely to choose the courts as a venue rather than Congress or the bureaucracy. The "political disadvantage theory" (Cortner 1968) posits that groups with little access to Congress or the executive branch, because they represent politically marginal constituents, are more likely to turn to the courts to achieve their policy goals. Group involvement in civil rights and anti-poverty cases remains high even after the civil rights revolution during the Warren Court (1953-1969) (Olson 1990). Conservative

groups also frequently have used the courts on social issues such as limiting abortion rights and expanding the role of religion in schools (Epstein 1985; Ivers 1998). Thus, groups that are active on social issues are likely to be involved in the courts more than in Congress or the bureaucracies.

Groups that specialize in defense policy are more likely to interact with the bureaucracy, given the executive branch's traditional advantages in making foreign and national security policy (e.g., Wildavsky 1966). Although Congress may be more active on foreign and defense policy now than in the 1950s, its influence is situational (Ripley and Lindsay 1993; Shull 1991). Defense groups should be least likely to use the courts (Scheppelle and Walker 1991). The judiciary typically defers to the elected branches and the national security apparatus on defense questions (Spitzer 1993, 147).

The importance of social (e.g., housing and education), economic (e.g., transportation and energy), and defense policies are measured on separate three point scales. The social policy scale is the mean rating of the individual social policy measures; the constituent variables load on a single factor and have an alpha of .69. The economic policy scale is the mean rating of the individual economic policy measures; the constituent variables load on a single factor and have an alpha of .66. Defense policy is measured with a single variable. Higher values indicate that the group places greater importance on this policy area.

Profit Status. Because of the resources necessary for litigation, for-profit groups should be more likely to use courts than citizens' groups (Caldreira and Wright 1990; Epstein 1990; Olson 1990). Citizens' groups may rely on Congress more extensively than other groups since a demonstration of constituent preferences is more important to Congress than to the other branches. Likewise, since battles in Congress are usually more visible publicly than those in the bureaucracies, citizens' groups have an incentive to participate in Congress more often than in executive agencies for the purpose of membership maintenance (Schlozman and Tierney 1986, 272-273). Our measure is based on Walker's (1983) four-part typology of groups as either profit, non-profit, mixed, or citizen. Three separate 1-0 dummy variables indicate whether the group is profit, non-profit, or mixed. Citizen groups are the unobserved baseline.

Political Environment

The nature of the group's political environment should be critical in its venue choice. Generally, we believe that groups will act defensively and are most likely to become involved in a venue when their interests are threat-

ened (Heinz et al. 1993). They will participate in the venue in which they perceive conflict in order to counteract the activities of their opponents (Austen-Smith and Wright 1994), regardless of whether their opponents are other groups or public officials.

Political Sensitivity. If groups seek venues that are most sympathetic to their policy goals (Waltenberg 2002), they will avoid venues that easily can overturn their policy achievements because a new political coalition has come to power (Moe 1990). However, if groups lobby counteractively, they will be involved in politically sensitive venues. They must defend past policy accomplishments or prevent new threats at the hands of the new governing coalition in that institution. They will lobby the institutions where changes in political control are most likely.

Groups that are sensitive to partisan turnover should be involved in Congress and in the executive branch, and less involved in the courts (Schepple and Walker 1991). In the post-war period, the partisan control of the executive branch has changed more often than the partisan control of Congress. Although Congress is an institution that has considerable turnover among its membership, change of party control is not frequent in either chamber although Senate control has changed three times since 1980. Changes in the political control of agencies can have real consequences for groups (Waltenberg 2002). Appointees turnover frequently (Hecklo 1977), and they clearly are effected when the partisanship of the administration changes. Civil servants are less affected although they also respond to changes in administration (Wood 1988). These changes provide opportunities for those favoring policies of the new administration and risks for those favoring policy agreements with the outgoing administration. Groups sensitive to these changes in political control are likely to be involved with the executive agencies in order to take advantage of opportunities or to temper undesirable policy changes.

This may lead politically sensitive groups to be relatively more concerned with agency activity although they may be protected somewhat by the stability of civil servants. A group's political sensitivity is measured by questions assessing group sensitivity to changes in party control of executive branch agencies and those assessing changes in party control of Congress. The summary variable is the mean of these two 5-category scales. Higher values represent greater political sensitivity. The factors comprising the scale have a single factor structure and an alpha of .76.

Inter-group Conflict. Perceived conflict with other groups is likely to increase involvement in all three venues. When groups have conflict that cannot be resolved in the private sector, they turn to the government for its

resolution (Schattschneider 1960). Given the adversarial structure of conflict in the courts, groups that perceive frequent conflict with other groups may be more likely to use the courts relative to the other branches. Our intergroup conflict variable is based on questions regarding the intensity of conflict (“the association works in an area marked by intense conflict”) and the frequency of conflict (“the association works in an area where conflict erupts very often”). Our summary variable is the mean response to these two 5-category variables. Higher values represent greater frequency and intensity of conflict. The constituent variables have a single factor structure and alpha of .76.

Conflict with Agencies. Groups that have conflicts with executive agencies are likely to be involved in all three venues. They must be involved in the agency to protect their interests by supplying bureaucrats with information on the adverse consequences of agency action on their constituents. But they also are likely to attempt to “appeal” agency activity to Congress (e.g., the fire alarm model of oversight) or to the courts. The group attempts to trigger the workings of checks and balances to block disfavored agency action. However, when faced with a choice between venues, groups are more likely to engage the agency itself by confronting the problem at its source through counteractive lobbying. Conflict with agencies is measured similar to that of conflict with other groups, but a single question is used—“some important government agencies oppose the policy aims of this group.” Responses are on a 5-point continuum of agreement with the statement. Higher values represent greater conflict.

Conflict with Elected Officials. Similarly, when groups have conflicts with elected officials, they may be involved in all three venues, Congress directly and the others through “appeals.” Their involvement in the courts is likely to be less extensive, however, since the courts can only intervene after the fact. In the meantime, the group can lobby Congress counteractively, and it can lobby executive agencies to interpret and apply the statute in a favorable way during implementation. Court intervention is an expensive last resort against actions by Congress that egregiously violate the group’s preferences. Conflict with elected officials is assessed in the same manner as that with executive agencies except that the question queries opposition from “important elected officials.” Higher values again represent greater conflict.

All of our independent variables are recoded to a 0-1 range to allow a comparison of the relative effect size given a shift from the minimum to maximum value in that particular variable. The descriptive statistics for all variables can be found in the appendix.

Results

Involvement Models

The results of the Involvement Models, displayed in Table 1, show that many of the independent variables have similar effects on group priorities for lobbying each branch of government. The fit of the models is reasonable for survey data, with a pseudo R^2 of .30 for congressional lobbying, .22 for agency lobbying, and .28 for court lobbying. Especially in the case of group coordination and policy area, there is considerable correspondence between the size and statistical significance between the parameter estimates for the congressional and agency lobbying models, but there is less similarity for the court model. This is not surprising based on the traditional subgovernment model—groups are going to be involved with congressional committees and executive agencies that make and implement policies that effect the group.

Table 1 indicates that there are predictable relationships between internal group characteristics and extent of involvement in each of the venues. For example, greater staff resources lead to greater, and statistically equivalent, involvement in each venue.⁴ Concentration on economic policy increases lobbying in all venues although to a lesser degree in the courts. Higher levels of coordination also lead to greater involvement in lobbying Congress and the bureaucracy, but it does not lead to greater involvement in lobbying the courts. Groups that are more financially reliant on patrons are significantly less likely to lobby the courts, as found by Scheppele and Walker (1991), but the impact is not significant for the other venues.⁵

Group types play an important role in litigation and administrative lobbying strategies. There is limited support for the “political disadvantage thesis” (Cortner 1968). Citizen groups are more likely to turn to the courts than mixed and non-profit groups based on the evidence that these groups are significantly less likely to use the courts relative to the baseline of citizen groups. There is no difference, however, between for-profit and citizen group level of emphasis on the courts. For-profit and non-profit groups do appear to be more likely to turn to the bureaucracy than citizen groups to achieve their policy goals. Their operations are directly affected by rule making and rule application, and they do not need to be involved in highly public or symbolic contests as do many citizen groups. When it comes to lobbying Congress, though, group type does not appear to have any clear impact.

A group’s environment also influences extent of venue use. Greater political sensitivity, greater perceived conflict with other organizations and

Table 1. Involvement Model

	Congressional Lobbying		Administrative Lobbying		Litigation	
	coefficient	S.E.	coefficient	S.E.	coefficient	S.E.
Resources	.620**	.116	.442**	.110	.737**	.110
Patron support	-.389	.277	-.207	.264	-.936**	.287
Local units	.138	.155	-.175	.150	-.047	.152
Medium Coordination	.812**	.224	.873**	.219	.382	.244
High Coordination	.715**	.238	.745**	.232	.092	.258
Economic Policy	1.346**	.278	1.639**	.271	.762**	.262
Social Policy	-.142	.276	-.295	.264	.332	.266
Defense Policy	-.094	.199	-.316+	.192	-.243	.196
Profit Group	.353	.227	.888**	.217	.061	.214
Mixed Group	-.252	.335	.550	.328	-1.377**	.397
Non-profit Group	.416+	.213	.533**	.201	-.502*	.208
Political Sensitivity	.801**	.256	.362	.243	.739**	.237
Inter-group Conflict	.745**	.256	.549*	.245	.579*	.243
Conflict with Agency	.507+	.282	.266	.273	.657*	.271
Conflict w/elected officials	1.034**	.279	.499+	.271	.585*	.274
N		729		729		729
Pseudo R ²		.298		.221		.274

Source: 1985 Study of Voluntary Membership Organizations

Note: Dependent variables indicate amount of lobbying in venue on 6-point ordinal scale. Models are estimated using ordered logit.

**p<.01, *p<.05, +p<.10, two-tailed tests

with government officials lead to more extensive involvement. Greater political sensitivity leads to a greater involvement in all three branches. The extent of involvement in Congress and the judiciary are statistically significant. This offers mixed support for our hypothesis on political sensitivity: groups turn to the most politically sensitive venue, Congress, as well as to the least politically sensitive venue, the courts. Perhaps groups sensitive to the Republican's assumption of control of the executive branch in the early 1980s turned to the branches that may be more sympathetic to the group's policy preferences, providing some evidence that groups do "appeal" to alternative venues.

Similarly, groups seek to be involved when they perceive conflict in their environment. Conflict with other groups has a significant and statistically equal effect on the importance of lobbying all three venues. Groups

that cannot resolve their differences in the private sector turn to any available government institution to referee their disputes.

Interestingly, conflict with a government agency leads to more emphasis on a litigation strategy. Groups will “appeal” to the courts through litigation when faced with an unfavorable agency decision. With a less strict standard for statistical significance, groups also are more likely to lobby Congress when faced with administrative conflict. Perhaps following a fire-alarm model of congressional oversight (McCubbins and Schwartz 1984), groups are just as likely to lobby Congress as executive agencies when faced with conflict with agencies.

When groups have a conflict with elected officials, they place greatest emphasis on lobbying those officials directly in Congress. Conflict with elected officials is less important in litigation although it is statistically significant; it is marginally significant in lobbying agencies. This evidence indicates that when groups have a conflict with elected officials, they lobby counteractively by lobbying Congress itself, and they simultaneously seek to involve other branches in an effort to gain assistance from elsewhere in government.

Comparative Venue Choice Models

We now turn to the Comparative Venue Choice Models to assess the factors affecting the importance of one venue relative to another. The explanatory power of these models is considerably lower than the Venue Involvement Models with a pseudo R^2 ranging from .11 in Congress versus agencies to .05 in Congress versus courts. Nonetheless, the results presented in Table 2 indicate distinctive patterns with regards to groups’ preferences regarding one venue over another. Given that staff size was equally important for all lobbying in all venues, it is not surprising that this measure of resources fails to reveal differences between the relative importance of venues. Contrary to Chubb’s predictions, these results indicate that resources play a fairly equal role influencing all activity in all three venues.

Groups that engage in coalition strategies are significantly more likely to emphasize congressional and agency lobbying over litigation. Groups that prefer to go it alone are most likely to focus their energy on the courts, relative to the other branches, where conflict is structured adversarially. We find no relationship between level of coalition activities and preference of agencies over Congress predicted by Chubb.

The economic policy variables show a clear preference ranking of venues by interest groups. Groups interested in economic policy are significantly more likely to turn to the bureaucracy than either to Congress or the

Table 2. Comparative Venue Choice Model

	Congress— Courts		Congress— Administration		Administration— Courts	
	coefficient	S.E.	coefficient	S.E.	coefficient	S.E.
Resources	-.060	.101	.169	.116	-.158	.101
Patron support	.305	.253	-.237	.288	.483+	.254
Local units	.143	.141	.248	.162	-.016	.141
Medium Coordination	.716**	.214	.157	.241	.795**	.213
High Coordination	.782**	.226	.208	.255	.792**	.226
Economic Policy	.455+	.246	-.537+	.282	.591*	.246
Social Policy	-.213	.248	.159	.282	-.315	.248
Defense Policy	.034	.181	.284	.206	-.091	.181
Profit Group	.141	.203	-.785**	.234	.545**	.204
Mixed Group	.715+	.316	-1.052**	.361	1.388**	.319
Non-profit Group	.538**	.193	-.382+	.219	.742**	.194
Political Sensitivity	.113	.226	.370	.258	-.096	.226
Inter-group Conflict	.035	.228	.256	.261	-.083	.228
Conflict with Agency	-.118	.256	.289	.294	-.126	.256
Conflict with elected officials	.321	.257	.600*	.297	-.099	.256
N		728		729		729
Pseudo R ²		.047		.112		.067

Source: 1985 Study of Voluntary Membership Organizations

Note: Dependent variables relative amounts of lobbying of first venue minus second; e.g., in first model positive values indicate more use of Congress relative to Courts. Models are estimated using ordered logit.

**p<.01, *p<.05, +p<.10, two-tailed tests

courts, and they are significantly more likely to use Congress rather than the courts. The differences are less clear for other types of policy. Groups interested in social policy are more likely to turn to the courts as predicted by the social disadvantage theory, but the results do not attain statistical significance. Also consistent with predictions, groups involved in defense policy are less likely to use the courts although these results also fail to achieve statistical significance.

With regard to a group's profit status, for-profit, mixed and non-profit groups are all considerably more likely to lobby executive agencies than the courts with respect to citizen groups. Citizen groups appear to be significantly more likely to rely on Congress than agencies or the courts with respect to other groups. This evidence is consistent with the prediction that

citizen groups will seek more public forums in order to advertise their activities to potential members.

In terms of comparative lobbying emphasis, conflict is only important when it is with elected officials. Groups responded to this form of conflict by placing increased emphasis on lobbying elected officials in Congress relative to the bureaucracy. Rather than avoiding the source of conflict and seeking support from stable relationships elsewhere, or “appealing” to more favorable venues, groups confronted Congress head-on. They acted to counteract the threats in Congress by attempting to mobilize congressional allies, to persuade fence sitters, and/or even to demobilize potential congressional antagonists.

Discussion and Conclusion

This article contributes to our understanding of interest groups by demonstrating that groups are strategic actors in their choices of institutional venue. They respond both to internal and environmental constraints in deciding their levels of involvement in each branch of the federal government. Groups have distinctive reasons and resources for involvement in the three branches and for emphasizing action in one branch instead of others. Groups with resources that are valuable to a particular venue exchange those resources for access in predictable patterns. This evidence also demonstrates that these choices are not merely dependent on situational factors (cf. Baumgartner and Leech 1998, 165-167).

The finding that both internal and external characteristics of the group affect venue choice supports and extends Chubb’s (1983) strategic actor model. Our evidence that a group’s level of resources matters also supports Chubb, but our evidence is not supportive of some of his more specific predictions. We find that groups with more resources have greater ability to be involved in all three venues, and the well-endowed groups do not favor the bureaucracy. In fact, they do not particularly favor any venue. For-profit groups, however, are more likely to use the bureaucracy than citizen groups. Groups that participate in coalitions are involved in the bureaucracy, but they are equally involved in Congress.

We also find some evidence that the choice of one venue over another comports with Heinz et al.’s perspective that groups behave defensively. They choose one venue over another, not because of any inherent political advantages, but because they are drawn into that venue by the activities of public officials or by other interest groups. Though we are not able to test this directly with the results of a cross-sectional survey, groups are likely to

shift venues in response to counteract their adversaries as the nature of political conflict changes.

Our findings provide some support for the pluralist notion that the U.S. government is accessible to many different types of groups. To the extent that a group's resources do not permit easy access to one branch, another branch may be more hospitable. For example, citizen groups are more likely than for-profit groups to work in Congress, probably because their membership appeals to the electoral interests of members of Congress. Likewise, groups adept at coalition building are involved in and are especially able to gain access to Congress.

We still have much to learn about the strategic decision making of interest groups. Although substantial attention has been devoted to studying lobbying each branch of government, there has not been sufficient effort to studying simultaneous venue choices or the union of these decisions into a single theoretical framework. When a group allocates resources towards lobbying one branch of government, it is not doing so in a vacuum. The group will have fewer resources to lobby the other branches. Thus, a more thorough understanding of interest group lobbying strategies entails that we further explore not only what factors advantage groups in each type of lobbying but also what causes groups to emphasize one venue for lobbying over another. In particular, we should gather cross-time data to explore group strategic decision making as their internal resources and political environments change over time. Such data would allow a careful assessment of how groups adapt to new challenges by other interest groups and new actions by government officials.

APPENDIX **Descriptive Statistics**

	Minimum	Maximum	Mean	Standard Deviation
Congressional Lobbying	1.00	6.00	4.4120	1.8640
Administrative Lobbying	1.00	6.00	4.3841	1.7867
Litigation	1.00	6.00	2.4077	1.6445
Congress–Courts	-5.00	5.00	2.0080	1.9426
Congress–Administration	-5.00	5.00	.0272	1.2518
Administration–Courts	-5.00	5.00	1.9772	1.9787
Resources	.00	3.48	1.0701	.7060
Patron support	.00	2.02	.1956	.2938
Local unit	.00	1.00	.4842	.5000
Medium Coordination	.00	1.00	.5234	.4997

APPENDIX (continued)

	Minimum	Maximum	Mean	Standard Deviation
High Coordination	.00	1.00	.3400	.4740
Economic Policy	.00	1.00	.4128	.3135
Social Policy	.00	1.00	.3862	.3051
Defense Policy	.00	1.00	.3214	.3973
Profit	.00	1.00	.3655	.4818
Mixed	.00	1.00	5.605E-02	.2302
Non-profit	.00	1.00	.3150	.4648
Political Sensitivity	.00	1.00	.2946	.3215
Inter-group Conflict	.00	1.00	.3887	.3410
Conflict with Agency	.00	1.00	.4276	.3759
Conflict with elected officials	.00	1.00	.4870	.3987

NOTES

¹Ideally, both sets of models would be estimated with seemingly unrelated regression because the decision to use one type of lobbying is clearly related to the emphasis a group places on another type, but unfortunately, this technique is not applicable when models feature identical independent variables (Pindyck and Rubinfeld 1991). The scales used to measure group emphasis on a particular type of lobbying ask groups to place the importance of a particular type of lobbying on a scale of 1 to 6, values which are only ordinal and which have no true relationship except that one is higher than the other. Thus, we use of ordered probit analysis as our estimation technique.

²The formalized rules for access to the courts set them apart from the ways in which organized interests can interact with Congress and the bureaucracy. “Standing” requires that the party filing suit must be personally affected by the specific actions of the opposing party. This barrier to participation varies in its stringency over time, loosening during the 1960s and 1970s (Orren 1976) and tightening during the 1980s and 1990s (McSpadden 2000). Walker’s 1985 survey occurs near the beginning of the recent decline. Regardless of the rules of standing, interest groups can voice their position via an *amicus curiae* brief. The Court rarely rejects the requests of parties seeking to file *amicus* briefs.

³Schepple and Walker (1991, 176), however, find that reliance on patrons decreases use of the courts.

⁴All comparisons of coefficients were computed with post-hoc F-tests at a .05 significance level.

⁵Future efforts probably should separate the governmental and private portions of patronage in the event that it is governmental patronage that inhibits governmental lobbying.

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