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Like Oil and Water: How Federalism Muddies the Waters of Interest Group Decision-Making

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LIKE OIL AND WATER: HOW FEDERALISM MUDDIES THE WATERS OF INTEREST GROUP DECISION-MAKING

by

Melissa Shaffer-O’Connell

A dissertation submitted to the Graduate College in partial fulfillment of the requirements for the degree of Doctor of Philosophy Political Science Western Michigan University June 2014

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LIKE OIL AND WATER: HOW FEDERALISM MUDDIES THE WATERS OF INTEREST GROUP DECISION-MAKING

Melissa Shaffer-O’Connell, Ph.D.

Western Michigan University, 2014

Federalism often creates additional decisions for interest groups in determining how best to advocate for their policy recommendations in the legislative process. Should they focus their advocacy at the local, state, or national level of government? What activities should they use at each level of government? This dissertation examines interest group behaviors in water quality policy in the Great Lakes region from 1940 to 2000, in oil policy in the Beaufort Sea region from 1970 to 2000, and in both policy areas in 2010-2013. I evaluate the reasons for interest group decisions in choice of tactics and targeted level of government. I use two major research strategies: (1) historical analysis of two case studies and (2) interviews with interest group representatives. The results of these analyses show that in many cases groups are influenced in their decision-making by which level of government has greatest jurisdiction over the policy, the internal resources and organizational capacities of each group, and their relationships with policymakers.
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CHAPTER I

INTRODUCTION

Exploring Interest Group Decision-making in Federal Systems: Canada and the United States

On December 21, 2005, the U.S. Senate failed to pass a defense appropriations bill that included funds for troops in Iraq and aid for victims of Hurricane Katrina. The reason for the failure was a Democrat-led filibuster over a provision that would allow oil drilling in the Alaska National Wildlife Refuge (ANWR) (Branigin, 2005). Why would Democrats, along with one independent and three Republicans, filibuster such an important piece of legislation over one provision? And why was that provision in the defense appropriations bill to begin with? To a large extent, the answer to this question can be summed up in two words: interest groups.

Senator Ted Stevens of Alaska added the measure to the bill, with the support and encouragement of business and industry groups active in Alaska, including the Alaska Oil and Gas Association, Alaska Chamber of Commerce, and Arctic Power. Environmental and conservation groups like the National Audubon Society, Northern Alaska Environmental Center, and Wilderness Society actively worked to prevent passage by pressuring legislatures to vote against it. Brian Moore, Legislative Director for the National Audubon Society, described their actions on the 2005 defense appropriations bill: “National Audubon Society engaged its full membership in letters and postcards, emails and phone calls, and visits to Washington. It was our number one issue at the time. By far it was the thing we worked on the most nationwide”
(2013, May 21. Telephone Interview). This dissertation is not about legislators, but rather about the groups working influence those legislators and how those groups make decisions about which level of government to target and what tactics to use in federal systems.

Different levels of government may be more welcoming or create greater hurdles for various interest groups (Baumgartner 2007; Thornburn 1985). These institutional discrepancies can lead to a complicated maze for interest groups to navigate as they attempt to make their voices heard in the legislative process. Environmental policy is particularly complicated as the jurisdictional delineation is vague for most environmental issues in federal systems such as the United States and Canada. For example, water policies and policies regarding drilling for oil both onshore and offshore are passed at the national and regional governments in the United States and Canada; thus, conceivably, interest groups have the opportunity to achieve their legislative aims at either level of government. Due to a lack of time and resources, interest groups must act strategically. So, where do they concentrate their efforts and resources?

Many scholars have used large-scale studies to answer similar questions¹, yet, as Andrews and Edwards (2004: 492) point out, studies focused on a narrow issue or policy area can often better test rival explanations and specific causal mechanisms. For this reason, I focus on environmental policy, and specifically water quality policy and oil policy, to test multiple explanations of group behavior.

¹ These studies are discussed in more depth in the literature review in Chapter 2.
In addition, the environmental policy arena offers a wide array of available tactics for interest groups, ranging from direct lobbying to nonviolent protests to grassroots mobilization. Do interest groups use different tactics at different levels of government? If they do use different tactics; why? Based on neoinstitutional theory, I posit that interest groups make the decision of which level of government to target and which tactics to use based in part on the level of policy centralization within federal systems in environmental policy. The level of policy centralization is a result of the federal division of powers and court interpretation of that division of power.

This dissertation focuses on federalism and level of policy centralization as an important variable for two reasons. First, the number of countries with federal systems has increased to more than twenty since the latter half of the twentieth century, including some of the largest countries in the world in both territory and population (Woodward 2004). Secondly, both developing and developed nations are increasingly transferring power to lower levels of government (Dillinger 1994). This is in part because decentralization is seen by many as inherently important to democracy (Agrawal & Ostrom 2001). Additionally, policy shifts toward decentralization have led to an increase in groups at the local and state level (Kempton et al. 2001; Lester 1994; Rabe 2000; Sirianni & Friedland 2001). For example, the average number of interest groups registered to lobby in state legislatures increased threefold between 1970 and 1990 (Gray & Lowery 1996). In Europe, the level of centralization has also been found to affect the frequency at lobbying at the regional and national levels (Constantelos 1996, 2007), but little research has been done on this topic in North America. This
dissertation seeks to find out how federalism impacts the decision-making of groups seeking to influence the legislative process in the United States and Canada.

In addition to neoinstitutionalism, elite theory, organizational theory, and political opportunity structures theory will also be tested. Elite theory emphasizes the role of the relationships between elites in explaining group behaviors, while organizational theory focuses on resources and tradition as the driving explanation of group behaviors. The external factors such as party in power are hypothesized to be most influential according to political opportunity structures theory. Which of these variables is most influential for group decisions? I test these theories through historical analysis of water policies in the Great Lakes region and oil policies in the Beaufort Sea region and through interviews with representatives of interest groups that were active in these two issues. In brief, I find that neoinstitutionalism and elite theory have the most support across the three analyses.

**Importance of Study**

The natural environment might transcend political boundaries, but environmental policy is developed within the constraints of political institutions. We know a great deal about how those institutions shape the behavior of politicians and the public, but we still know relatively little about how institutions affect the role interest groups play in the legislative process (Hamm & Hogan 2004). The interest group literature has addressed their organization and the tactics they use, but little research has been done on how interest groups choose which level of government to
target in federal systems\(^2\) or which tactics to use (Gray & Lowery 2002; Hamm & Hogan 2004). This study demonstrates how interest groups make decisions about where and how to focus their resources. It also shows which tactics they employ at the state and national level of government. More broadly, it shows how specific institutions influence those decisions and thus impact interest representation in democracies. Knowledge about the decision-making process of organized interests is one more step toward understanding the development of environmental policy in federal systems. By providing some answers through these two case studies, my research fills a lacuna in our knowledge about how interest groups operate.

Additionally, the answers to these questions impact the theoretical debates in the political science literature about the role of institutions. One of the findings of this literature has been that federalism imposes constraints on actors’ behaviors, by requiring actors to apportion their time and resources between regional and national governments (Beyers, Eising and Maloney 2008; Pross 1975: Pralle 2006). This is especially the case with environmental policy as there is no federation in the world in which authority over the environment is given to just one jurisdiction (VanNijnatten 2000, 23). Instead, multiple jurisdictions, in addition to multiple interest groups and citizens, have a stake in environmental policy. How do interest groups make the decision on how to act within these constraints? If, in this crucial policy area where many powerful interests have stakes, institutions affect how groups participate in the policy process, it constitutes important evidence that institutional variables matter.

\(^{2}\) Constantelos 2010 begins to answer these questions for economic interest groups, but does not include
Furthermore, if variation in interest group involvement and behavior exists among federal systems, it would indicate that traditional measures of federalism might need to be reconsidered in order to address these nuances.

**Canada and the United States: Comparing the Two Cases**

Canada and the United States are both federal systems and similar in many ways yet the environmental policy arenas of the two countries pose different challenges for interest groups. The national government of the United States passes most comprehensive environmental legislation, often with detailed standards and implementation plans. In Canada, due to the decentralized nature of Canadian environmental policymaking, much environmental legislation is passed at the provincial level (Caldwell and Bartlett 1997; Fafard and Harrison 2000; Inscho and Durfee 1995). Thus, in general, we would expect interest groups in the United States to target the national government and interest groups in Canada to target the provincial governments.

My specific research questions are: 1) How do individual interest groups in the United States and Canada determine which level of government to target and what explains any variation? And, 2) Which tactics do interest groups use at each level of government and why? I test these questions through historical analysis of water policies in the Great Lakes region and oil policies in the Beaufort Sea region and through interviews with representatives of interest groups currently active in these two cases.

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other types of interest groups.
One benefit of these two environmental cases is that they are contained to a specific geographic area and yet cross the border between the two countries, allowing for natural controls of geographic and issue specific peculiarities. The Great Lakes water basin falls directly on the border between Canada and the United States, with four of the five lakes actually creating the border. The Alaskan National Wildlife Refuge and the Beaufort-Mackenzie oil fields lie on either side of the U.S.-Canadian border at the juncture of the Brooks Range and Mackenzie Mountains on the Beaufort Sea. The geography and natural resources of both cases are the same in both countries.

In addition, these cases have blurred jurisdictional boundaries, with policies passed at both regional and national legislatures to address the issue. This offers interest groups the opportunity to choose to focus their efforts at either level of government. Finally, both water policy and oil policy are scientifically complex and also highly salient, thus encouraging a high level of activism among interest groups. In these two cases there is a wide diversity of groups that have been and continue to be active, ranging from the more traditional business and environmental groups to recreational and Native American/First Nations groups and from small local groups to transnational interest groups.

Methodology and Data Collection

I conducted research in two stages: (1) a historical analysis and (2) interviews with group representatives of groups involved in each issue area. I conducted the historical analysis first, and it is presented first in this dissertation, because it forms the backdrop to the interview data.
Historical Analysis

For both the Great Lakes water policy case study and the Beaufort Sea case study, I conducted a detailed historical analysis. Relatively recent debate among scholars (e.g. Baumgartner and Leech 1996; Austen-Smith and Wright 1996) has included a push for more longitudinal studies of interest group behaviors. This analysis addresses that push with data that begins with the root of the problem and shows developments within the area to 2000. The goal of the analysis is to show the shifting environmental jurisdiction in each case study, the groups that were/are involved in each issue, which level of government they targeted, and what tactics they used in a concise historical narrative. This data is the basis for a longitudinal analysis, as well as supplying background information on the groups interviewed.

The data included for the historical analysis includes research by other scholars on both areas and original document analysis. Documents included legislative documents, media reports, and interest group press releases and websites. While data is less available for the earlier years of the historical study, I am still able to show a historical progression of group activities.

Interview Analysis

In addition to the historical analysis, I conducted 42 interviews with group representatives: 26 active in the Great Lakes area and 16 in the Beaufort Sea area. The interviews focused on interest group decisions within the past two years. Since organizational memory is limited, asking about decisions any further in the past would
have been futile. Instead, this data explains the rationale behind recent decisions about the dependent variables, which are explained below.

**Dependent Variables**

As mentioned above, I hypothesize that the choice of which level of government to target and which tactics to use is primarily determined by the level of centralization of federalism in environmental policy. Other hypotheses tested are drawn from elite theory, organizational theory, and political opportunity structures theory.

**Level of Government**

The first dependent variable in this research is the level of government that interest groups target. Although this research is concerned with the national and state/provincial levels, some of the groups may target local or international government or institutions as well. These responses are recorded and analyzed even though they do not fit into the levels of government specifically of interest to this research, as the reasons groups opt to target those levels may support a given hypothesis.

In the historical analysis, this variable is measured by interest group activity and resource expenditure at the regional and national levels of government as reported by government documents, the media, and the interest groups themselves via press releases and other supporting documents. Historically, there may be fluctuations in which level of government interest groups target. These fluctuations will be documented and used to test the hypothesis across time.
This is followed by two measures during the interviews: a series of questions in the interview about which level of government the group targets and a series of question about the allocation of resources, including budget and staff. Interest groups are expected to allocate more resources toward the level of government they are targeting and yet there is the possibility that an interest group may spend more time and money on a level of government that they are not targeting. In the case of divergent results between which level of government the interest groups say they are targeting and the level of government toward which they commit the most resources, more weight will be given to the former. These questions will be limited to the more recent group history, within the past few years.

Choice of Tactics

The second dependent variable is tactics used by the interest group in attempting to influence legislative policy. All tactics used were included in this investigation, but three were of particular interest: coalition building, lobbying, and grassroots mobilization. These tactics have been shown by research to be three of the most common tactics. Additionally, they do not require an invitation, as most testifying in committees does, and are directly targeted toward legislators, unlike media campaigns.

For the historical analysis, I used evidence of interest group activities found in the media and interest group documents such as press releases and newsletters. This may have led to a bias in results, as the media is more likely to cover lobbying and interest group accounts typically focus on grassroots mobilization and lobbying.
However, the results of the interviews indicated these are the top two most utilized tactics, which indicates any bias in the historical analysis is minimal.

This is followed by two important questions during the interviews: a question about what tactics the group uses in general and another question about whether those tactics are tailored by the level of government or are the same at each level of government. The first question gets to the issue of which tactics groups utilize most, while the second determines whether different tactics are used at varying levels of government.

**Limitations of the Study**

Some of the limitations of this study were briefly referenced above, but merit more attention. The greatest limitation of this study is that it covers only two countries, both of which are developed democracies with institutions that protect the freedom of association, speech, and other essential civil liberties necessary for pluralism at both the national and subnational levels of government. It cannot be generalized to countries in which the national or subnational level institutions are not democratic.

As mentioned above, due to the nature of media, the range of tactics reported are those that are considered most noteworthy, which often excludes less publicized and attention-getting tactics such as coalition building and grassroots mobilization. I attempted to address this bias through using interest group newsletters and press releases to balance the media sources.

The same potential limitation applies to both the interest group sources used in the historical analysis and the interview themselves: the bias of self-reporting. Group
representatives and newsletter editors may be uncomfortable highlighting lobbying as a tactic frequently used as it is considered by many in the United States and Canada to be unsavory. One way I attempted to moderate this possible bias was through use of an open-ended question at the interview about a particular issue or action by the group. The expectation was that group representatives might be more honest when reporting about the tactics used in a particular campaign than when asked explicitly to state the tactics the group uses most frequently.

Even with these limitations, this study is useful for several reasons. The primary goal of the study is to explain interest group decision-making on tactics and which level of government to target. The historical analysis offers background on group activities and the interviews offer the rationale. This purpose is fulfilled, even with the limitations. Secondly, it offers a comparative perspective on policy area where that has been lacking. Research has analyzed institutions but few studies have investigated interest group decision-making in a comparative perspective. Finally, it offers a starting point for further research on interest groups in federal systems.

Organization of the Dissertation

This introduction has laid the foundation for the rest of the analysis to follow in this dissertation. The methodology and theoretical contributions are expanded in Chapter II. Each hypothesis to be tested in later chapters is explained in that chapter, with an explanation of the theory generating each hypothesis. Additionally, important concepts, definitions, and the particulars of data collection are covered.
Chapter III presents a historical overview and analysis of the Great Lakes case study and Chapter IV does the same for the Beaufort Sea case study. The purpose of each chapter is to give a background of the respective case study, offer a historical narrative of interest group involvement in the policy area, and to evaluate the relative strengths and weaknesses of each hypothesis for the cases.

The interview data for both case studies is presented in Chapter V. The chapter reports the quantitative analysis of the data and further uses specific quotes and excerpts to illustrate support or lack of support for each hypothesis. This is the heart of the study: why do groups do what they do?

Finally, Chapter VI brings the two types of analysis together for a conclusion. It discusses the implications of my findings, speculates on new questions brought forth with the data, and suggests future research to continue this line of study.
CHAPTER II

THEORETICAL FOUNDATIONS

Introduction

The study of interest groups has had a long history that began in early research on the pressure group system and lobbyists (Andrews & Edwards 2004). Many scholars focused on the debate about whether or not interest groups are beneficial to society and government (Federalist Papers 1788; Schattschneider 1960; Lowi 1979; Dahl 1982), while in the 1960s and 1970s scholars turned their attention to the origins and organization of interest groups (Olson 1965; Moe 1980) and actual influence on government (Ziegler & Baer 1969; Lowi 1979; Berry 1997).

The methodology of studying interest groups has also varied. In the past 30 years there have been a number of studies using surveys of national interest groups (Baumgartner & Leech 1998), some of which have built large datasets of national interest groups based in Washington DC (Schlozman & Tierney 1986; Berry 1989; Walker 1991; Heinz et al. 1993). Laumann and Knoke (1987) and Knoke (1990) focused their research on large, national organizations. Fewer large-n studies have looked at interest groups at the state level, though both Gray and Lowery (1996) and Nownes and Freeman (1998) examined interest groups at that level.
These large-scale surveys have been good for profiling the organizational structures of national interest groups and documenting the impact of contextual factors on the organizational structure. Additionally, these studies have found that businesses and occupations are better represented among national interest groups than public interest groups (Edwards & McCarthy 2004), which would seem to show some support for Schattschneider’s (1960) assertion about a “mobilization of bias” in the interest group system. There are two things lacking from these large-scale studies: smaller organizations and focused attention on group decision making.

There has been some attention given to small groups, but typically these studies are limited to specific issues or policy areas, for example environmental, anti-drunk driving, peace, feminist, and homeless groups (Alter 1998, Cress & Snow 1996, Edwards & Marullo 1995, Kempton et al. 2001, Lofland 1993, Martin 1990, McCarthy & Wolfson 1996) and are focused on public interest groups rather than all types of groups.

My research focuses on how interest groups make decisions in attempting to influence government rather than on these questions. Specifically, how do interest groups determine which level of government to target and which tactics do interest groups use at each level of government? Although recent scholarship has a lot to say about interest group mobilization and bias in the interest group system (Schattschneider 1960; Walker 1991) and on the types of lobbying tactics used by interest groups (Berry 1977; Milbrath 1963; Heinz, et al. 1993), we still know very little about the role they play in federal systems or how they choose their tactics and
the level of government to target. I posit that neoinstitutionalism can help us to fill in these gaps. However, neoinstitutionalism is not the only theory that proposes answers to these questions.

There are a number of literatures that have addressed the issue of interest group behavior and tactics, sometimes with similar variables and concepts but with a different emphasis on which variable has the most explanatory power. While neoinstitutionalism places the burden of explanation on institutions, elite theory explains it through the power of the ruling elites, organizational theory uses structure and tradition as explanations, and political opportunity structures theory (POS) suggests that political variables, such as party in power, play an important part in their decisions. The goal of this chapter is to discuss these literatures with a focus on their findings in regard to interest groups and my research questions.

There are other literatures that have some bearing on this topic as well but will not be tested in this research. Sabatier and Jenkins-Smith (1993, 1999), in their advocacy coalition framework (ACF), describe an advocacy coalition as a collective of actors and groups that share the same broad values and goals in relation to a particular issue and attempt to change public policy to reflect those goals. The primary concern of the framework is policy outcomes and stability over time, rather than the behavior of the members of the coalition (Sabatier 2007, 192) thus has little to contribute to these research questions. Also, as a framework rather than a theory, ACF does not generate testable hypotheses about the genesis, maintenance, or behaviors of coalitions (Pralle 2006, 79). For these reasons, ACF will not be utilized in this research.
The organizational studies version of neoinstitutionalism very closely resembles the neoinstitutional theory being used in this research. This variant of organizational studies recognizes the influence of forces outside of the organization boundaries; institutions both formal and informal (Powell & DiMaggio 1991; Scott 1995). Those institutions are seen as constraining the choices made by organizations (Hoffman 1999). As does the neoinstitutional theory used in this research, organizational neoinstitutionalism views institutions as independent variables affecting organization choices and therefore will be reflected in the hypotheses derived from neoinstitutional theory.

The first section below focuses generally on interest groups. Following that is a discussion of neoinstitutionalism, elite theory, organizational studies, and social movement analysis, including political opportunity structures. Drawing on this literature, I posit alternate hypotheses to the central research questions.

**Interest Groups**

While there is a large literature on interest groups, there is no single agreed-upon definition of interest group among interest group scholars. A broad definition, and the one used for this research, is offered by Thomas (2004: 4): “An interest group is an association of individuals or organization… that, on the basis of one or more shared concerns, attempts to influence public policy in its favor.” This definition includes a wide variety of groups who may be active within environmental policy, including traditional membership groups, organizational interests and for-profit groups.
Traditional membership groups may also be referred to as citizen groups or public interest groups and may be formal or informal. They are organized around an idea or cause and have little to no occupational barriers to membership (Walker 1991, 61). According to Berry (1977: 3) this type of group “seeks the collective good, the achievement of which will not selectively and materially benefit the membership or activists of the organization.” In a study of groups active in the Washington DC area, Walker (1991) found that approximately 24 percent of the groups were public interest groups. Informal traditional membership groups are those groups that do not have a leadership structure or contact address, such as impromptu protest groups. It is often difficult to identify the leadership and actions of informal groups and therefore informal interest groups are not included in this research. Especially for the interview segment of the research, it is important to be able to identify the leadership of the groups.

Other types of groups that fall under the broader definition of interest groups include organizational interests and for-profit groups. Organizational interests are groups acting on behalf of organizations, such as associations of public universities (Salisbury 1984). For-profit groups are groups of professionals advocating for a group of firms or an industry. One example of these groups is the Chemical Manufacturer’s Association, which represents firms that produce chemicals. Walker (1991, 59-60) found that 38 percent of the groups in Washington, DC were from the for-profit sector.
While government agencies may act like interest groups through lobbying other agencies and the legislature, the essential difference remains that interest groups do not assume the responsibility of running the government (Presthus 1973). For this research I did not include any group involved in actively fulfilling a government function.

Interest groups may arise out of social movements or be associated with certain political parties but are distinct entities. Interest groups are typically concerned with one or more specific issues and “seek to influence who wield power, not to place their own in power, at least not officially” (Duverger 1972, 101). Political parties specifically attempt to control the government and encompass many different issues and viewpoints. There may be political parties that embrace the same values as similar interest groups and thus are often linked to one type of group, such as the Green party and environmental groups, but these entities still act as political parties and attempt to gain votes and elect members to the Congress (Presthus 1973; Berry 1984).

Social movements are much broader than interest groups and may include many organizations and groups in an attempt to change not only public policy but also society as a whole (Asch 1972). Movements often lead to the development of similarly oriented groups (Thomas 2001). For example, many environmental interest groups in the United States arose during the environmental movement of the 1960s and 1970s. A similar movement occurred in Canada at approximately the same time, also with an upsurge in environmental groups. Some scholars attempt to differentiate social movement groups from interest groups based on characteristics of the group (Lofland 1996); however, many scholars have moved away from trying to distinguish between
social movement groups and interest groups due to the theoretical and empirical problems with such attempts (for example, how to measure institutionalization of groups) (Andrews & Edwards 2004; Burstein 1998). Thus many scholars have moved to a broader focus on all advocacy groups rather than distinguishing between the two types. This is the path that this research takes: I do not distinguish between the two types of groups in this research, but include both.

Some scholars have attempted to categorize groups based on membership and recent literature has found four types of membership: “(a) no members of any kind, (b) individual members only, (c) organizational members only, or (d) a mix of organizations and individuals” (Andrews and Edwards 2004, 488). In his study of Washington DC-based groups, Walker (1991: 65) found that 32 percent of these groups had only individuals as members, 39 percent had exclusively organizational members, and the rest used a mix of the two membership strategies (see also Edwards & Foley 2003). I do not limit selection of groups based on membership and thus have a range of groups that fall within each of the four membership types listed above.

Interest group scholars are often concerned with both strategies and tactics and may use the terms interchangeably; however, the terms are not synonymous. A strategy is “an overall plan for gaining access and influence and securing specific policy goals” (Thomas 2004, 141). It is a broad plan that may include many different specific activities. The specific activities utilized within a strategy are the tactics, which may include lobbying, grassroots mobilization, purchasing media advertisements, generating public comments, creating informational brochures and videos, influencing
elections (especially local), campaign contributions and/or PAC contributions, litigation, direct action, legislative testimony, policy research, public education, coalition building, and even land acquisition (Berry 1977; Duffy 2003; Heinz et al. 1993; Schlozman & Tierney 1986). This same blend of activities can be found at both the national and state level of governments (Nownes & Freeman 1998). The use of protests, demonstrations and violence are outsider tactics but are often not included in research on interest group tactics. These tactics are associated more with social movements than interest groups (Hrebenar 2004, 187). This research will focus on three specific tactics: lobbying, grassroots mobilization, and coalition building. These three tactics are the most frequently and widely used across different types of interest groups. I also include other tactics when discussing the two cases and showing descriptive statistics.

The definition of lobbying varies between scholars. Some scholars consider it to be any activity a group takes in order to be politically represented, which may include grassroots mobilization, donation to PACs, legislative testimony, or coalition formation (Graziano 2001). Other scholars characterize lobbying as solely the face-to-face meetings with legislators to convey information and make arguments (Salisbury 1992, 357). Much of this confusion stems from the activities of professional lobbyists, who often do a little of everything. For this research, lobbying includes gaining access to policy makers, creating a favorable view of the group for the policy maker, and influencing the policy maker by a senior member of a group or a paid lobbyist (Thomas 2004, 140). As a distinction from paid lobbyists and lobbying by executive
members of groups, contact with legislators by the group membership on a mass scale will be considered grassroots mobilization. Similarly, working with other groups in coalitions will also be considered separately from lobbying as much of this activity happens away from policy makers. These two tactics are widely available to groups, regardless of resources, and thus will be considered along with lobbying in this research.

Schlozman and Tierney (1986: 150) found that over 95 percent of groups use lobbying tactics. According to Browne (1998: 360), federalism allows for more opportunities to lobby at all levels or “all-directional advocacy: “there always is someone who occupies a political office who will eventually listen to nearly any interest”. Groups do not just lobby allies, but may spread lobbying across allies, opponents, and legislators that are still undecided about a piece of legislation (Leech & Baumgartner 1998).

The traditional type of lobbying employed by interest groups is direct, personal lobbying of legislators, which can be quite expensive. Part of the expense is the cost of hiring a professional lobbyist; however, Heinz, et al (1993: 65-66) found that most interest groups still rely on internal representatives, or members of the groups (approximately three quarters of all groups) rather than professional lobbyists for lobbying Congress. While this reduces the cost of a paid lobbyist, there is still the expense of time and travel for the representatives to meet with legislators.

As mentioned above, legislative testimony is considered by many scholars to be part of lobbying (Heitshusen 2000). This is because studies have shown that the groups
that are invited to speak at legislative hearings are the groups with dedicated lobbyists and large research staffs. In interviews with staffers who invite groups to participate in legislative hearings, Leyden (1992) found that staffers invite groups that have established ties with the legislators through lobbyists prior to the hearing and have research staffs dedicated to the issue at hand. It is often the same, large groups that are invited as they have proven their input is relevant. In a separate study, Leyden (1995) discovered that resources and the presence of professional lobbyists had a direct impact on whether a group would be invited to speak at a legislative hearing. Due to the overlap with lobbying, and the fact that groups are not all able to utilize this tactic as it is by invitation, this tactic will not be included in this research.

Grassroots mobilization is the exertion of pressure on lawmakers by citizens and has become more popular with advances in communications technology (Berry 1997; Cigler & Loomis 1995; Goldstein 1999; Kollman 1998). It is used frequently in the United States and Canada (McCarthy 2005) and even though it has been found to be less effective with large-scale, impersonal mail campaigns (Berry 1997). Schlozman and Tierney (1986: 150-55) found that 80 percent of the groups that they surveyed use grassroots lobbying and that use has increased among those groups.

Coalition building is an important tactic for groups because it shows unity of purpose, combines resources and abilities, and also activates a larger “reference public”, or group of constituents (Lipsky 1968). Lawmakers are more likely to listen to a large coalition than to a small, independent interest group. This is especially true with the plethora of groups existing in the United States and Canada since the 1960s.
(Hula 1995). For these reasons, more groups are showing an interest in forming and working within coalitions (Rochon & Meyer 1997). However, due to the diversity in goals and resources within a coalition, these coalitions are often difficult to form and maintain (Duffy 2003, 113; Hula 1995).

Even with these drawbacks, Milne et al. (1996) found that at least two-thirds of environmental interest groups form coalitions with other groups. Similarly, Andrews and Edwards (2002) found that environmental groups in North Carolina formed more than twelve coalitions for distinct issues in order to organize and maximize their activities. These coalitions range from informal coalitions without resource sharing to formal coalitions that maintain a staff and budget. They may be temporary, organized around a single issue or piece of legislation, or they can be maintained long-term for continuing cooperation (Graziano 2001).

Groups use various combinations of these tactics, whether the group is local or national in scope or a combination of both. There are many groups in the United States and Canada that are federal or multi-tiered in structure: they have a national or state level headquarters and then multiple local chapters. Edwards and Andrews (2002) and Kempton, et. al. (2001) found that in a sample of geographical areas, ranging in size from a peninsula to a state, about twenty five percent of groups are affiliated with a national organization. As decisions are made at all levels of government, this makes sense for interest groups to spread their resources this way. In addition to a national headquarters and local chapters, many groups also have an intermediate level at either the state or regional level (McCarthy 2005).
Multi-tiered groups form a challenge for this research. The level of group with the most involvement in the policy was the level of group contacted for an interview. However, this often impacted which level of government the group targeted as the groups often targeted the level at which they were organized (state chapters focused on the state level of government, national groups focused on the national level, etc.). In the interview chapter, these groups are identified as multi-tiered and separated from the groups that are not multi-tiered in order to prevent those responses from biasing the analysis.

It is exceedingly difficult to define the population of interest groups that are active within a particular policy area (Doyle and McEachern 2001, 61). As Salisbury (1992: 167) found in attempting to delineate the participants in agriculture, energy, health, and labor policy, there is no existing list of participants in most public policy areas, including environmental policy. Unlike for-profit organizations, non-profits are not required to register with the IRS and many smaller groups and local chapters do not (McCarthy 2005; Smith 2000). According to Boris and Krehely (2002), between 1.2 percent and 1.5 percent of all 501(c)(3) organizations reported lobbying expenses between 1989 and 1998. The rest would not be required to register. In fact, it is virtually impossible to define the population of groups involved because it can vary so widely and include groups that have very little interest in the policy area in general but may be active on one particular issue.

For this research, names of groups active in both policy areas were compiled from media mentions, coalition listings, and suggestions from prior interviewees.
Other researchers have used The Encyclopedia of Associations for a listing of federal groups and state-level databases from tax documents for state level groups. However, as mentioned above, many groups are not listed in the state-level databases because they are not required to register if they do not report lobbying expenses. There is evidence that groups that are not captured by national listings or tax-based databases make up a relatively large subset of groups (Edwards and Foley 2003). The method I used to compile names included groups from very small organizations with quite limited goals to larger, national, multi-issue groups and is frequently used by researchers to compile or augment lists of groups (Andrews & Edwards 2004, 499). Those groups were then contacted for interviews. Before further discussing group responses to the interviews, it is important to lay the theoretical foundations for the questions asked in the interviews and to discuss the expectations and hypothesis derived from the influential theories in political science.

Theories and Hypotheses

Neoinstitutionalism, elite theory, organizational theory, and political opportunity structures theory all propose different answers to the research questions. Neoinstitutionalism suggests institutions are the driving explanatory variable behind individual and group behaviors. Elite theory places elite interactions at the forefront of investigation. Meanwhile, organizational theory suggests tradition and resources of the organization are the primary determines of organizational behavior. Social movement theory, particularly political opportunity structures theory, states that political
variables, such as the party in power, are important to group decision-making. Each of these will be described in more depth below.

Targeted Level of Government

Below is a brief summary of each theory, followed by hypotheses from these theories for the research question regarding targeted level of government. The research question on choice of tactics is addressed in the following section.

Neoinstitutionalism

Neoinstitutional explanations have been used among scholars to explain how institutions shape the relationships between groups and thus structure political outcomes (Thelen 1991). In environmental and natural resource studies, institutional explanations have been present since Elinor Ostrom’s (1990) book *Governing the Commons*, which applied a neoinstitutional approach to natural resource management. Neoinstitutionalism builds on the old institutionalism set aside during the behavioral revolution following WWII. The old institutionalism focused almost exclusively on formal constitutional structures, while neoinstitutionalism takes into account the role of actors within those institutions. Causation can go either direction, with individuals or groups influencing institutions and vice versa (Peters 2005). While recognizing this circularity, my work focuses on how institutional constraints and opportunities affect interest group behavior so the focus will be on how institutions constrain or create opportunities for these groups. The impact of actors on institutions is typically seen as being greatest at the creation of the institution; however, there are times when a group
or groups makes a concerted effort to change an institution in its favor, which may or may not be successful. This typically happens within the executive branch, which is not the focus of this research. The primary change with the legislative branch is pressure from groups to change jurisdiction over an issue from one level of government to another. These attempts will be noted as they occur within the research because they also illustrate the importance of the relationship between actors and institutions. However, for the bulk of the research it is expected that the institutions influence the decisions of actors rather than vice versa.

There are several variations of neoinstitutionalism. While there are important differences between these variations, many recent authors have suggested that the strict adherence to an individual variation and more focus on the similarities may serve scholars well (Peters 2005; Bartley et al. 2008). What each of these types of neoinstitutionalism share is an emphasis on institutions as important variables in political research (Peters 2005) and an “opinion that institutions can and should be seen as ‘rules’ which, in one way or another, influence behaviour of political and social actors” (Keman 1998: 110). Neoinstitutionalism generates mid-level theory that connects the micro and macro levels, thus answering these research questions better than a solely micro approach like rational choice theory or macro approach such as Marxist theory. It recognizes the agency of individual groups while emphasizing that their behaviors are constrained by institutions and context (Thelen and Steinmo 1992).

3 A table of the theories and hypotheses can be found in Appendix A.
Institutional studies have varied, primarily based on the approach taken, from historical accounts of institutions and institutional evolution to rational choice models of actor decisions within institutional constraints. Presidential and parliamentary systems, federalism, electoral systems, interest representation, such as corporatist structures, policy networks, and the party system have all been recognized as important political institutions. Many of the institutions listed above have an important effect on interest group decision-making (for example, Heitshusen 2000: Lomis and Cigler 1998).

Federalism, especially, is important in the environmental arena, as “whether people live in healthy or polluted environments depends very much on the joint activities of local state, and national officials” (Anton 1989, 1). In addition, scholars argue that federalism is an important institutional variable to study in comparative analyses of Canada and the United States (Rabe and Lowry 1999). According to neoinstitutionalism, institutions, in this case federalism, can be used to explain the behavior of groups. The term ‘federalism’ is used to describe the division of powers between national and subnational governments (Riker 1975). Which level of government has the most authority over a particular issue depends on the level of policy centralization. The level of centralization in a federal system refers to the balance of power between the national and subnational levels of government. A high level of centralization would indicate that power is concentrated at the national level,

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4 For a discussion of these institutions refer to Linz (1994), Horowitz (1996), Przeworski et al. (2000) for presidential/parliamentary systems, Schmitter and Lehmbruch (1979) and Dahl (1982) for interest representation, Heeke (1972) and Rhodes and Marsh (1992) for policy networks, and Duverger (1954) and Sartori (1976) for an analysis of party systems.
while decentralization “refers to the devolution of governance from higher to lower level organizations in the governmental hierarchy” (Bartley et al. 1998, 163). The level of policy centralization is a result of the division of powers in a federal system and the way the courts interpret that division. It is usually specified in a constitution, although there is often jurisdictional overlap with more than one government having authority within an issue area (Bowman 2002).

In addition to the impact federalism has on environmental policy and resultant environmental conditions, it also allows for multiple venues of participation for interest groups determining policy, so it is important to interest groups as well. However, as mentioned above, the level of centralization is not static, but rather it changes over time with court decisions and shifts in jurisdiction. It is important to recognize the impact of these changes and their impact on interest group behavior.

Due to the division of power in federal systems, interest groups must apportion their time and resources between regional and national governments when jurisdiction is split between the two (Pross 1975; Schultz 1980). For example, smaller groups may not be able to spread their resources across both national and regional arenas, but may be forced to choose on which arena to focus (Baumgartner 2007). Most research on interest groups has focused on interest group activity at one level of the federal system, without analyzing why interest groups chose to target that level rather than other levels of government (Thomas 2004). Shaffer\(^5\) (1995), in a survey of 94 environmental groups in the United States, found that approximately twenty-five percent focus on the

\(^5\) Shaffer and I are of no relation.
national and state levels each, while nearly half focus on the local level. However, in further analysis, Shaffer combines national and state lobbying into one category, thereby losing the ability to determine why interest groups chose to lobby one level of government over the other.

In some cases, groups may react to disliked legislation at one level by attempting to change venues. Pralle (2006: 26) studied interest groups involved in forestry policy in California and British Columbia and found that the groups practice venue shopping: “venue shopping refers to the activities of advocacy groups who seek out a decision setting where they can air their grievances with current policy and present alternative policy proposals.” Policy venues include Congress, the bureaucracy, the judiciary, or levels of government (Baumgartner and Jones 1993, 31). Pralle (2006) found that interest groups changed venue when they perceived that they would have more success in a different venue and avoided government venues with little authority over the issue of concern. For example, the environmental groups who were attempting to stop logging in Clayoquot Sound, in British Columbia, realized that they were constrained at the provincial level because of the political economy of logging in the province and also constrained at the national level because forestry is considered a provincial matter. Thus they targeted the international level. While unsure about opportunities at the international level, they still perceived the chance of success to be higher at that level than at the provincial level, because of industry dominance, and national level, because it has little authority over forestry, and this perception proved correct (Pralle 2006).
In the case described by Pralle, the national government had little authority over forestry and was thus avoided by interest groups. This leads to the first neo-institutional hypothesis:

\[ H1: \text{Interest groups are more likely to target the level of government which has the greatest jurisdiction over environmental policy in the group’s issue area than a level with less authority.} \]

The literature on environmental politics suggests that typically the provinces/territories have a more predominant role in crafting environmental policy in Canada than the states do in the US (Caldwell & Bartlett 1997; Inscho & Durfee 1995; Kelemen 2004). According to this hypothesis, in general, I expect interest groups to focus their efforts at the provincial level in Canada rather than the national level. I also expect that the efforts of interest groups in the United States are concentrated at the national level.

Of course, interpretations by the high courts shift jurisdictional boundaries over time and jurisdiction also varies over issue area, so there is variation over time. For this reason, this hypothesis can be tested through time with the jurisdictional shifts within each country. Over time, groups will be expected to change the level of government at which they focus their efforts as jurisdiction over that particular issue area is shifted due to high court interpretations of constitutional jurisdiction. Thus, as jurisdictional authority shifts over time, interest groups will shift their targeted level of government to the level with greater authority.

There is another institutional explanation for interest group decisions about which level of government to target, which may come into conflict with \( H1 \). Every
government has its own bias on environmental issues and this creates incentives for interest groups to focus on a government more welcoming to their interests (Baumgartner 2007, 4). Due to the design of federal systems, often the level of government creates a bias. In both the United States and Canada, there is an emphasis on economic development at the state and provincial levels of government that often favors business groups over environmental groups, for example logging interests in British Columbia (Pralle 2006) or developers at the state and local level (Bosso 1994). This is because states and provinces are forced to compete for businesses and corporations to fund their tax base and create employment within the state (Koontz 2002; Moe 1989). Free, at least in part, from this competition, the federal government is more likely to favor policies that favor the well-being of individuals in general (Baumgartner and Jones 1993, 221). Bosso (1994) found that environmentalists often shift their activities to the federal level when local developers are strong at the municipal and state level and thus the environmental groups have little success at that level (Bosso 1994, 195). This leads to the second neo-institutional hypothesis:

H2: Interest groups are more likely to target the level of government where they perceive a higher likelihood of success.

This hypothesis predicts that business and industry groups target the state/provincial level while environmental groups target the national level. There are situations when this hypothesis conflicts with H1. For example, if an environmental group feels they have little chance of success at the regional level because of a bias that benefits business interests, yet legislation in their issue area is rarely if ever passed
at the national level, which reason has greater influence over their decision of which
level to target? There is no clear hierarchy between the two hypotheses. Rather it is the
context that will determine which hypothesis takes precedence.

Elite Theory

Elite theory disregards the impact of institutions and focuses on elites as
explanatory variables. Elite theory, also sometimes referred to as elite accommodation,
began in the early 1900s, fell out of favor because many scholars considered it
undemocratic and simplistic, and then experienced a resurgence beginning in the
1960s (Higley & Pakulski 2000). Elite theorists posit that most governmental
decisions are centralized, made by the elites in government and society (Bachrach &
Baratz 1962). Especially in countries with many cleavages within society, elite
accommodation allows for governmental decisions to be made with less conflict
through a system of private negotiations and accommodations among the elite.

According to Presthus (1973: 60), elites are “that minority in any society who
possess and manipulate disproportionate shares of such scarce and highly valued
resources as prestige, security, education, income, authority, power, and influence.”
While Presthus (1973) includes leaders in the non-profit sectors as members of the
elite, many elite theorists focus on economic elites as dominant decision makers
(Bachrach & Baratz 1962, 1970; Bond 2007). Presthus (1973) has argued that elite
theory is especially useful for understanding the Canadian political system and
interaction with interest groups due to the centralization of power in the cabinet,
cleavages in the society, and the culture of deference to authority. Traditionally, elite
theory has focused on who the elite are, what their policy stances are, how representative of the masses they are, and how elite accommodation affects policy outcomes (Higley & Pakulski 2000, 35); however, it also suggests a few hypotheses regarding my research questions as well.

In order to avoid societal conflicts, elites discuss issues and make decisions among themselves, therefore relying on more interpersonal means of communication and decision-making. Rather than constant interaction about specific legislation, elites rely on frequent social interaction with occasional lobbying or pressure on important legislation by a united coalition (Presthus 1973, 61). For this reason, and because they often want to keep a low profile, economic elites are most likely to intervene when the status quo is being threatened (Bachrach and Baratz 1970, 49-50). Rather than appear demanding by constantly pressuring political elites, economic elites typically wait until their interests are being threatened by environmental legislation to make their voices heard. Thus, according to elite theory, corporations and businesses would be most likely to target the level of government where they perceive a threat to the status quo, in the form of anti-business legislation, or perceived anti-business legislation.

\[ H3: \text{Corporate and business elites target the level of government that is making pro-environment or perceived anti-business legislation.} \]

Business groups, according to elite theory, would be expected to target the level of government at which they feel a threat to the status quo, through perceived anti-business legislation. The expectation is that business groups mobilize when pro-environment or anti-business legislation is being introduced or debated at either level of government, but otherwise maintain a low profile. If there is mobilization to
introduce pro-business legislation or no action when pro-environment legislation is introduced then this theory will be disproven.

Organizational Theory

Organizational studies have two foci: the behavior of individuals within organizations and the behavior of organizations in the greater social environment. Neoinstitutional organizational theory has been influential in organizational studies with regard to the latter. For this research, it will be incorporated into the neoinstitutional hypotheses due to its similarity to neoinstitutionalism: both theories emphasize the importance of institutions in constraining and influencing the goals and tactics of organizations (McAdam & Scott 2005).

However, there are several hypotheses that can be derived from organizational theory, specifically bureaucratic theory and organizational learning theories. Bureaucratic theory is rooted in Max Weber’s *Economy and Society* (1922), in which he states that organizations governed under a bureaucracy are characterized by rule-governed decision-making, professionalism, and chain of command. Organizational studies since Weber argue, in part, that groups become bureaucratized and professionalized over time, often relying on tradition or rules to determine action (Campbell 2005; Starbuck 1983). Additionally, conflict within the group over how decisions are made, and by whom they are made, leads to prescribed rules of action and routine decision making.

This is exacerbated by the costs associated with learning new things, like operating in a new venue or utilizing a heretofore unused tactic. One way
organizations can operate smoothly in a complex environment is to specialize, or focus on a narrow competence (Levinthal & March 1993, 97). Groups that have experience and have learned to advocate at the state level, will continue to specialize on the state level due to bureaucratization and the cost of learning the ropes of the national level. Additionally, organizations that see their efforts as successful are less likely to search for a new venue (Cyert & March 1992).

This leads to the hypothesis:

*H4: Groups target the level of government which they have targeted in the past.*

According to this hypothesis, groups will continue to target the level of government they have targeted in the past, rather than targeting a different or additional level of government. This will be tested in the historical chapters.

In addition, organizational theory recognizes resources as an explanatory variable for group behavior. The overall resources of the group may determine which level of government a group is able to target (Walker 1983). For example, it is more expensive for a small group to target the national government than to target the state legislature, especially if there is physical distance with which to contend.

*H5: Groups with more resources are more likely to target the national government than groups with fewer resources.*

As it is difficult to accurately identify resources for groups historically, this hypothesis will only be tested with the interview data.

**Political Opportunity Structures Theory**

Social movement theory, as the name implies, has primarily dealt with social movements rather than interest groups. However, increasingly attention has turned to
the study of social movement organizations (SMOs): defined as “a complex, or formal, organization which identifies its goals with the preferences of a social movement or a counter movement and attempts to implement those goals (McCarthy & Zald 1977: 1218).” These organizations are similar to interest groups and often overlap with advocacy interest groups. The Political opportunity structures (POS) literature within social movements focuses on the influence of political institutions on social movements and SMOs (McAdam, McCarthy, & Zald 1996; Tarrow 1994). Similar to neoinstitutionalists, POS scholars recognize that these structures are not static but rather change over time (Campbell 2005).

POS posits that movements and groups act within a set of political conditions that influence their behavior through constraints on action and the opening of opportunities (McAdam et al. 1996). In many ways, this theory would produce similar hypotheses as neoinstitutionalism; however there are a few differences that would generate competing hypotheses. The primary component of the political environment that may impact which level of government a group may target is the presence or absence of political allies within elites (Campbell 2005). Political allies can refer to individual persons or to a party that is receptive to the goals of the group. Young and Everitt (2004) found that the receptivity of the government is directly tied to the party in power and the correspondence between the goals of the interest group and those of the party. Many scholars recognize that Leftist governments are more receptive to environmental groups while parties toward the Right are more receptive to business groups (Dalton et al. 2003). Interest groups recognize this receptivity and are more
likely to focus their attention on receptive lawmakers rather than those that are not receptive to the group’s goals (Milbrath 1963; Bauer, Pool, and Dexter 1963). A hypothesis derived from this is:

\[ H6: \text{Groups are more likely to target the level of government in which there is a political party receptive to their goals.} \]

This hypothesis can be tested through time with changes in the party in power. Over time, groups will be expected to change the level of government at which they focus their efforts as receptivity shifts. It can also be tested through interviews with interest groups about their recent activities. If groups target a level of government with a party in power that is not receptive to their goals then that would disprove this hypothesis.

Choice of Tactics

In addition to questions of why interest groups decide to target a particular level of government, little research has been done regarding their choice of tactics at each level (Loomis & Sexton 1995, 193). The following section gives the hypotheses derived from each theory.

Neoinstitutionalism

From a neoinstitutional approach, the degree of centralization within federal systems also has an effect on the choices made by interest groups in terms of tactics. Interest groups have a variety of tactics to choose from and it is reasonable to believe that they will use the most influential for the level of government at which most legislation is passed. Personal lobbying has been shown to be one of the most
influential tactics at both the national level (Berry 1977; Milbrath 1963) and state level (Zeigler & Baer 1969).

Interest groups are also expected to reserve the more expensive tactics for the level of government with greatest jurisdiction. Even when interest groups may be attempting to influence a level of government that has lesser jurisdiction over the issue, they will be less likely to use resource-intensive tactics at that level. If this is the case, then interest groups would be more likely to use expensive tactics, such as personal lobbying, at the targeted level of government than at an alternate level of government. While personal lobbying is influential, it is also quite expensive, especially at the national level (Schlozman & Tierney 1986). However, inexpensive tactics, such as grassroots mobilization can be expected at both the targeted and non-targeted venues. This leads to the first hypothesis regarding tactics:

\[ H7: \text{Interest groups are more likely to use the most influential, but expensive, tactics, such as personal lobbying, at the level of government that has the most jurisdiction.} \]

Thus, we would expect that interest groups are more likely to use personal lobbying on the targeted level of government than a secondary level. If groups do not use personal lobbying at the targeted level, use it at the secondary level, or use it at both levels, then this hypothesis will be shown false.

There are also some general hypotheses that can be generated about choice of tactics in a federal system. As national legislators have a larger number of constituents and interests vying for their attention, interest groups may choose tactics that are more likely to bring attention to their group. With current technology, grassroots
mobilization is an inexpensive tactic and many groups feel that it is quite effective: Browne (1995) found that members of Congress pay more attention to information from constituents than information from anywhere else. Additionally, large-scale campaigns, regardless of message, show the ability of groups to mobilize large numbers of constituents on an issue; a feat few elected officials can ignore, especially national legislators (Graziano 2001, 58).

*H8: Interest groups will be more likely to use grassroots mobilization and coalition building strategies at the national level than other tactics.*

At first glance, this hypothesis may seem at odds with *H7*. However, *H7* is about the use of tactics at the targeted level of government compared to other levels of government while *H8* is about the use of some tactics at the national level compared to other tactics. It does not exclude the use of lobbying at the national level if that is the targeted level, and it only suggests that grassroots mobilization and coalitions will be used more frequently.

**Elite Theory**

According to elite theory, members of the elite share many common characteristics, such as education, socio-economic class, membership in associations, etc. This leads to a connection among the members of the elite (Farazmand 1999; Presthus 1973). They are more comfortable conversing privately among themselves and making decisions outside of the public sphere. In terms of tactics, this would suggest a prominence of lobbying over more public activities such as grassroots mobilization (Doyle & McEachern 2001). This is confirmed in the finding by Presthus
(1973) that Canadian groups were more likely to use personal lobbying over grassroots mobilization, especially business groups. Thus,

\[ H9: \text{Business and economic groups will be more likely to use personal lobbying at all levels of government.} \]

This hypothesis would be quickly disproven if business and industry groups used grassroots mobilization more frequently or rarely used lobbying.

Organizational Theory

Tradition plays an important role in the choice of tactics, according to organizational theorists. Groups frequently have the tendency to use the tactics that they have always used because the related organizational capabilities are already developed. For example, Staggenborg (1991) found, in a study of pro-choice groups, that leaders tended to bureaucratize and formalize operations of a group, which often meant a reliance on the same tactics over time. The hypothesis derived from this theory is:

\[ H10: \text{Group tactics do not change over time.} \]

This differs from institutional theories that posit that group tactics will shift for different levels of government and changes in jurisdiction. This will be difficult to determine through historical analysis, as it will be unclear whether repetition of the same tactic is due to operational capabilities or another reason. However, in the interviews, part of the question about reasons for deciding on tactics will include whether they choose tactics because they have been used traditionally.
Political Opportunity Structures Theory

Social movement theorists posit that the goals of the group are important in the choice of tactics as well. While some social movement scholars have emphasized that groups challenging the status quo are more likely to use unconventional methods such as protests (McAdam 1997: Opp, et al. 1995), POS scholars instead argue that groups should, and do, use tactics which are more likely to bring them success within a system (Dalton et al. 2003). However, in challenging the status quo of the current system, groups would be more likely to use grassroots mobilization to show broad support, while groups working to maintain the current system would be more likely to use more conventional methods such as lobbying. As advocacy groups are more likely to be challenging the status quo and business groups more likely to support the status quo:

\[ H11: \text{Advocacy groups are more likely to use grassroots mobilization at all levels of government than business groups.} \]

If business groups are found to use grassroots mobilization at the same, or at higher levels, than advocacy groups, then this hypothesis will be shown false.

Other Control Variables

There are other control variables that are frequently included in research on interest groups: resources, date founded, and group membership. These variables will be included in the interview data for both targeted level of government and choice of tactics. Unfortunately, the scarcity and unreliability of data for resource and membership for the earlier years in the long time period covered in this dissertation
(Heitshusen 2000) precludes the use of these variables for the historical analysis. The date a group is founded will be apparent in the historical data by the number of groups discussed within each time period.

**Conclusion**

In federal systems, interest groups have choices to make in which level of government to target and which tactics to use. Each of the literatures mentioned above offer different answers to these questions. Are institutions the driving explanatory variable? Tradition? The goals of the group?

Institutional theory generates two different hypotheses regarding the targeted level of government: that all groups will target the level with the most jurisdiction or that groups will target the level with the highest likelihood of success for the group based on the bias built into the federal system. For both Canada and the United States, this second hypothesis would suggest that economic groups target the provincial/state level while citizen groups target the national level. The POS theory is similar in mechanism to the second institutional theory, in that it suggests that all groups will target the government with a political party in power that is more receptive to group’s views because the group has a higher likelihood of success with that level. Organizational theory would suggest that institutions and parties have little role to play in group decisions of which level to target, but that rather the bureaucratization of the group is what is important. Due to the costs of learning and benefits of bureaucratization, groups will formalize procedures of focus on current competencies, thus targeting the level of government with which they are familiar and using tactics
with which they have experience. Finally, elite theory focuses primarily on economic elites and posits that due to the norms of elite accommodation, economic groups will target the level of government with the most anti-business legislation. This would be the opposite of both the POS hypothesis and the second institutional hypothesis. It may dovetail with the first institutional hypothesis if the level with the greatest jurisdiction is passing the most anti-business legislation.

As for tactics, institutional theories suggest that groups will use the most influential, which are often the most expensive, tactics at the level of government with the most jurisdiction. In addition, institutionalism suggests that the nature of the federal structure will lead groups to use grassroots mobilization and coalitions at the national level. According to elite theory, business groups will be more likely to use personal lobbying than other tactics at all levels, rather than just the level with the most jurisdiction as the institutional hypothesis posits. Counter to elite theory, POS suggests that advocacy groups will be more likely to use grassroots mobilization at all levels than business groups. Finally, according to organizational theory, what really determines the choice of tactics is tradition and groups will use the same tactics they have used before and therefore there will be no change in tactics over time, even if jurisdiction shifts.

The historical analysis and survey data in the following chapters will evaluate each explanation against the data and determine which answer holds the most weight. Chapter III investigates groups involved in Great Lakes water quality historically and Chapter IV tests these hypotheses through a historical analysis of group actions on oil
policy in the Beaufort Sea region. Chapter V discusses the results from the interviews and how those results support or do not support the theories discussed above.
CHAPTER III

INTEREST GROUPS IN THE GREAT LAKES REGION, 1940-2000

Introduction

The health of the Great Lakes has been of concern for the citizens of the United States and Canada for over a century. It has prompted bilateral action by the two countries, national, state, and provincial policies addressing water quality and other issues affecting lakes’ health, and the creation of numerous interest groups formed solely for the purpose of advocating on behalf of the Great Lakes and the citizens living in the region. Those groups, and other groups that added Great Lakes water issues to their agendas, found a complex legislative environment within which to work. Overlapping policies and the influence of binational institutions offered multiple opportunities for advocacy but also increased costs. How did these groups decide at which level of government to target their actions? How did they determine the tactics that they would use? This chapter seeks to answer these questions by investigating interest group activities from 1940-2000.

The first segment of this chapter covers the importance of the Great Lakes region and the three main issues of concern in the Great Lakes ecosystem: water quality, water diversions, and invasive species. A brief section on the methodology utilized in this chapter follows that segment, then an explanation of the hypotheses regarding targeted level of government and the theories from which they are derived.
In the fourth section of the chapter, I delve into the analysis of group activities historically and how those activities support or do not support the hypotheses in the section before. I find that neoinstitutional theory is best supported for targeted level of government as, in both Canada and the United States, groups targeted the level of government with the most jurisdiction. The successive two sections do the same for choice of tactics. In those sections, I find that lobbying was used by industry at all levels, by all groups at the level with the most jurisdiction, and that citizen groups used grassroots mobilization at the national level. These findings support neoinstitutional, elite, and POS theory for explanations of the tactics used. The other theories consistently had less support. The final part of the chapter is the summary and concluding remarks.

The Great Lakes Region

The Great Lakes region is important to both the United States and Canada for a number of reasons, including economic, recreational, and aesthetic reasons. However, the lakes have encountered a number of threats in the past 100 years. The importance of the region and the salience of the threats have led to increased mobilization by groups of all types in this policy area and are important to understand as a basis for the activities discussed in latter portions of the chapters. The following section demonstrates the importance of the lakes to the two countries and explains the three major threats to the Great Lakes region: the decline of water quality, water diversion, and invasive species.
The Great Lakes Basin includes the watershed of the Great Lakes and the St. Lawrence River. This area includes two countries (United States and Canada) eight states (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin), two provinces (Ontario and Quebec), and several Native American and First Nations tribes (Donahue 1988) (See Figure 1). While Quebec is included in the greater watershed and ecosystem, many of the agreements surrounding the Great Lakes have not included the province (for example, Quebec is not included under the Boundary Waters Treaty nor the Great Lakes Water Quality Act) due to the fact that it does not border one of the lakes. For this reason, Ontario will be the only province discussed in this research. While primary legislation surrounding Great Lakes water quality in each country is developed domestically, binational institutions, especially the International Joint Commission, have a substantial impact on the legislation of the domestic governments and therefore are included in this project as well.
The Great Lakes is the largest freshwater inland lakes’ system in the world (Farrah 2005; Sheikh 2006). The watershed of the Great Lakes is approximately 300,000 square miles (Sheikh 2006), with 95,000 square miles of surface water and 65 trillion gallons of water in the lakes themselves (Donahue 1988). The lakes provide

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6 Map from Great Lakes Information Network, 2011.
fresh drinking water, employment and recreational opportunities for the eight million
Canadians and 35 million U.S. residents who make their homes in the Great Lakes
system, as well as visitors to the area (Krantzberg 2009). The “industries of the Great
Lakes region account for more than a third of the combined Canadian and U.S. gross
national product” (Krantzberg 2009, 301), a quarter of the agricultural production in
both countries is found in the basin, as well as a fishery worth over a billion dollars
(Swackhamer 2005) and a tourism industry that employs over 200,000 people
(Vaccaro & Read 2010).

The human activity and industry in and around the Great Lakes created a slew
of environmental stressors on the ecosystem. The result of these stressors began to be
seen in the late 19th century with build-up of industrial waste and illnesses caused by
raw sewage; however over the next century they expanded to include drops in lake
levels, contaminated sediments, invasive species, and eutrophication, to name just a
few (Krantzberg 2009: Sheikh 2006). These problems can be categorized into three
main issues, which have dominated institutional attention about the Great Lakes: lake
levels and diversions, water quality, and invasive species.

The first issue that developed prominence in Canadian-US relations, as early as
the early 1900s, was the issue of lake levels and the impacts of diversion and
consumption. The issue of water levels developed out of the competition for use of the
lakes’ water, between users and between the two countries (Carroll 1983). Although
the level of the water was the first issue, water quality is by far the most notorious. The
issue became prominent in the 1960s because of the number of people and industries
effected (Carroll 1983) and has encompassed a number of smaller problems, including industrial waste and sewage treatment. Invasive species have been a problem in the Great Lakes for a long time, but more attention has been focused on this issue in the past 50 years with the advent of the zebra mussel, sea lampreys, and the recent concern about Asian carp. Over 160 non-native species are in the lakes today, at an estimated economic cost of $5 billion annually (Sheikh 2006). These three issues persist and are frequently addressed by the various governments operating within the Great Lakes region.

Although the issues do overlap, investigating all three issues is beyond the scope of this project, so instead the focus will be on water quality rather than water levels or invasive species. There are a number of reasons for this decision. First, water quality is the broadest of the three issues and has had more government intervention at more levels of government. This led to increased group advocacy and therefore offers the most activity and variation in interest group behavior of the three issue areas. Secondly, the issue of water levels has moved from the domestic arena to be dominated by international institutions such as the IJC and Great Lakes Compact. While not excluding international institutions, I focus on domestic policy as it is most likely to be affected by federalism. Lastly, while invasive species have been present in the lakes since humans have inhabited the area, invasive species as a legislative issue has occurred relatively recently. The ability to study group action on invasive species would be limited historically to the past twenty years.
For the reasons mentioned above, water quality, rather than water levels or invasive species, will be the focus of this chapter. The next section details the methods used in collecting data on interest group behavior for the 60 years between 1940 and 2000. The following section will also explain the reason for studying that particular time period.

Methodology of Historical Analysis

Through secondary sources and primary sources, my research develops a narrative of interest group involvement in Great Lakes water policy in the United States and Canada from the mid 20th century to the present, with a focus on which level of government interest groups focused their efforts and what tactics they relied on at each stage. There have been very few surveys of interest group behaviors in the Great Lakes region or more broadly, so much of this evidence is anecdotal. These sources highlight specific case studies, but a broader picture of interest group involvement in Great Lakes water-quality policy is lacking. My research fills this gap by bringing together these sources and evaluating theories based on the limited evidence available.

My findings are drawn primarily from the existing scholarly work, newspaper articles, and interest group websites⁷. I used existing scholarly work, including studies of particular issues areas or time periods, to build the framework of the narrative. Newspaper accounts and group histories published on their websites were used to fill in gaps in the narrative and augment the scholarly work. I did not include press
releases in this research, but rather focused on journalist accounts of activities or group histories. Press releases rarely discuss particular tactics; instead, they often explain a group platform or judgment of legislation, neither of which is pertinent to this particular study.

Water quality policy is quite broad, incorporating sewage issues, industrial pollution, agricultural pollution, and deposition from acid rain and air pollution to name just a few. Groups were active on a wide range of legislative initiatives, from legislation dealing specifically with water quality (the Clean Water Act in the United States, for example) to legislation that had only a slim connection to water quality (legislation on toxics or agricultural bills, for example). In my search, I included all group activity that was connected to Great Lakes water quality⁸; however, in order to illustrate general trends in interest group behavior, more specific examples are used for each time period. Issues that received high press attention and intervention by more than one level of government, such as phosphates in detergent, will be covered more extensively than issues that garnered less attention and are primarily dealt with by one level of government, such as sewage issues. I decided on which issues to focus based on the sources. For example, phosphates became an issue of interest in the 1960s and dominated the newspaper accounts for that time period. For most decades in the research there were clearly one or two issues that dominated the media and/or focus of scholarly sources.

⁷ For a list of newspapers searched, search terms used, and group websites, see Appendix B.
⁸ Initially, I used the search terms of “water quality” and “Great Lakes”, but received very few results. I searched again under the term “environmental policy” and “Great Lakes” and received thousands of
Since this is a long time period (1940-2000), the number and types of groups varied dramatically over time. For this reason, no particular groups were followed from the start of the time period to the end, nor did I search for any group names in the newspapers. Instead, I used any account of groups active in environmental policy in the Great Lakes region in the newspapers throughout the time period.

One problem that emerged with this methodology is the difference in amounts of research on the two countries and difference in media accounts over time. There are a number of excellent books and articles (for example, Kehoe 1997) that discuss interest group activities in the Great Lakes region of the United States. For Canada, there are very few. Therefore, I pieced together much of the evidence of interest group behavior in Canada from newspaper accounts and interest group websites and it makes up a smaller share of the overall evidence than what would be desirable. Additionally, media accounts from the 1940s through the 1960s and even into the 1970s rarely covered interest group activities. Much of the data for the 1940s to the 1970s is from secondary sources and group websites.

Another drawback to this study, and the reliance on newspaper and secondary sources, is that there is a bias toward group activities that lead to legislation. Most scholarly studies have focused on legislative outcomes and the media accounts also overemphasize group activities surrounding pending legislation rather than in the earlier phases of the policy process. This is a clear limitation, but I do not believe it is a fatal flaw. There is little reason to believe that group behavior on legislation that

results. I then read through the results and eliminated any articles that did not deal with some facet of
failed is substantively and significantly different from group behavior on successful legislation. For this reason, I believe the following analysis, even with this limitation, is valuable for understanding interest group behaviors in federal systems.

The narrative of group activities is broken into two main sections below: targeted level of government and choice of tactics. The beginning of each section recaps the hypotheses detailed in Chapter 2. Following the hypotheses section, the narrative is broken down by decade (with 1940-1960 combined as there was less legislative and group activity during these two decades). Each sub-section begins with a chronological description of group activities during the decade and concludes with a summary of findings for that decade. A summary segment concludes each of the two main historical sections.

Targeted Level of Government

According to neoinstitutionalism, and $H1$, interest groups are expected to target the level of government with the greatest jurisdiction over environmental policy. This has fluctuated throughout the United States historically due to changes in interpretations of jurisdiction, so interest group behavior should also shift according to this theory. In Canada, jurisdiction has remained at the provincial level throughout most of Canadian history, so the level of government that interest groups target should also remain stable.

As noted in the prior chapter, a second institutional explanation leads to differing results in some cases. According to $H2$, interest groups will be expected to

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water quality.

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target the level of government at which they perceive a higher level of success due to institutional bias. In both the United States and Canada, in most cases the state/provincial level favors business and industry groups while the national level is more welcoming to environmental and citizen groups. If this is the case, then the expectation is for business and industry groups to target the state/provincial level rather than national and environmental and citizen groups to target the national government rather than state/provincial. This should happen regardless of shifts in jurisdiction.

According to elite theory, business and industry groups are expected to target the level of government that is passing unfavorable legislation. The targeted level of government would shift with the type of legislation. In fact, business would not have a clear targeted level of government, but would instead react to where this legislation is being passed.

If the expectations of organizational theory and $H4$ are met, then interest groups will consistently target the same level of government, regardless of shifts in jurisdiction. This is because that is the level of government for which they have developed contacts and a knowledge base and shifting focus requires making new contacts and developing a new knowledge base.

Political opportunity structures theory ($H6$) posits groups target the level of government at which there is a party receptive to the group’s goals. This will differ by group: Leftist parties are more likely to be receptive to environmental and citizen groups while parties from the Right are often more receptive to business and industry
interest groups. Groups should shift focus as the parties in power change following elections.

In the following sub-sections, I investigate group behaviors for each decade to determine the validity of these hypotheses. A summary of findings for each decade will follow a general chronology of group behavior, with a final summary at the end of the section on targeted level of government.

Historical Analysis

The following sub-sections are organized by decade, with the exception of the first time period, 1940-1960. There are many ways that the data could be organized: by important legislation, by trends in interest group activities, by election cycles. Each way has its own potential problems. I chose to use decades for the reason that it is a commonly used organizational method and therefore easily understood by the reader. Due to the lack of groups and data for the first two decades, 1940 to 1960 have been combined into one section. Each sub-section title gives a brief synopsis of group activity during that time.

Focus on state and provincial governments in both countries, 1940-1960

Before moving to group activities, it is important to understand the federal division of powers in each country. In the earlier years of this study, states and provinces had primary jurisdiction over water quality policy. Under the Constitutions

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9 A listing of parties in power for the state, provincial, and national governments can be found in Appendix C.
10 Frequently during the analysis there will be reference to legislation. A selective chronology of legislation, with a brief description can be found in Appendix D.
of both Canada and the United States, the states and provinces hold jurisdiction over municipal waste and drinking water sanitation, two of the earliest concerns of water quality. In Canada, the provinces have the constitutional authority to regulate municipal affairs, which included sewage treatment, local or private matters (Section 92(16) of the Constitution Act 1867), property rights, and civil rights (Section 92(13)). This authority has been used to uphold the validity of most provincial environmental acts and regulation of industry (Morton 1996, 38-40). In the United States Constitution, under the 10th Amendment, environmental policy remains in the hands of the states because it is not expressly enumerated as one of the powers of the national government (Holland 1996; Kelemen 2004). In the absence of federal legislation or a treaty, the general police powers of the states allows them to regulate issues that fall under local concern, from public health issues to conserving local land and wildlife (see City of Philadelphia v. New Jersey (1978)).

Interest group behavior reflected the primacy of state/provincial governments in environmental jurisdiction during this time period. Health officials and professional groups concerned with the rising health problems associated with waste advocated for greater regulation at the local and state/provincial level in both countries (Green 2002; Kehoe 1997). Similarly, the industries and sanitary engineers that were defending the status quo also targeted the local and state/provincial governments, as that is where the challenges to the status quo were being launched (Kehoe, 1997).

11 A list of court cases is included in Appendix F.
By the beginning of the 1940s some of the largest environmental interest groups were already established and becoming active in the political scene in the United States, including the Sierra Club, Audubon Society, National Wildlife Federation, and the Wilderness Society. These groups exerted pressure on political leaders for conservation and protection of natural resources and joined with health officials and groups in advocating for sewage treatment and regulation of industrial wastes at the local and state/provincial levels of government (Sussman, Daynes, & West 2002). In Canada, the Federation of Ontario Naturalists and Ontario Conservation and Reforestation Association also worked to conserve and protect the Great Lakes by lobbying the provincial government for the creation of parks and reserves, wetland protections, and species protections (Ontario Nature, n.d.).

As the focus turned from municipal sewage to industrial wastes being released into the water, business and industry interest groups mobilized against stricter regulations. Until the 1960s, and the environmental movement, industrial groups outnumbered the citizen groups and dominated the environmental arena (Duffy 2003; Hoberg 1992). Business and industry groups wanted to prevent the stricter regulation of industrial wastes being advocated by environmental and health groups at the state and local levels and so the industry efforts also focused at those levels of government. In Ontario, for example, when in 1949 the Supreme Court of Canada ordered a pulp and paper company to stop polluting the Spanish River, industry pressures led the Ontario government to pass legislation allowing the company to remain open and continue polluting (Sustainability Reporting Program, n.d.).
Following World War II, a greater awareness of the environmental consequences of the economic development spurred the environmental social movement. With the addition of more environmental groups, the emphasis shifted from the health concerns of sewage and industrial wastes that dominated the first 40 years of the 20th century to include the need to protect the Great Lakes and surrounding waterways as a natural resource. Jurisdiction over environmental issues still resided at the state/provincial levels and with increasing pressures from environmental and health groups, the Great Lakes states and Ontario enacted new laws from the mid-1940s to the 1950s that increased the authority and enforcement abilities of the state/provincial governments (Estrin & Swaigen, 1993). These laws placed greater restrictions on industry and recognized the value of water resources for recreational activities, reflecting the influence of environmental groups (Kehoe, 1997). Business and economic groups mobilized against these restrictions, often threatening to leave the state or province as it became more expensive to operate due to these restrictions.

In the latter years of the 1940s, some groups advocated for a shift in jurisdiction to the national level. Even though the states and provinces were seen as having primary jurisdiction over water quality, the national governments in each country had jurisdiction over areas that could justify the passage of national legislation impacting water quality. The Canadian government has proprietary rights on a few federal lands, is empowered to regulate certain activities such as sea coast and inland fisheries (Section 91(12)), and federal criminal law power also allows the national government to support environmental controls in the form of criminal sanctions (Morton 1996, 43-
45). In the United States, the Constitution’s Commerce Clause (Article 1, Section 8) grants Congress the power to regulate interstate commerce. Any issue that relates to interstate commerce, for example navigable waters or the production of materials that would cross state borders, falls under federal jurisdiction. However, prior to this time, it was not seen as applying to industrial wastes or sewage treatment (Fitzgerald 1996).

Environmental interest groups in the United States began to put pressure on the federal governments to act in the 1940s and 1950s. Environmental groups argued that the federal government did have jurisdiction in water quality policy when pollution crossed state boundaries because of the Commerce Clause, while industry claimed that jurisdiction belonged to the states (Doyle & McEachern 2001). Congress passed the Federal Water Pollution Control Act, the first federal effort of the United States to address water quality. While environmental groups had pushed for federal legislation, interest groups had little input on the Act (Miller 2002). Environmental, recreational, and health advocacy groups were unhappy with this federal response (Kehoe 1997).

Similar to the Commerce Clause in the United States, the federal “trade and commerce” power in Canada offers broad powers to the national government. However, the Canadian Supreme Court (see Citizens Insurance Co v. Parsons (1881)) limited the scope of the “trade and commerce” power to make it difficult for the national government to justify environmental acts with this clause (Morton 1996). The Canadian federal government does have authority in the areas of acid rain, global warming, and pesticide regulation as these are considered connected to interprovincial and export trade (Skogstad & Kopas 1992), but Parliament did not act upon this
authority until later in the 20th Century. Unlike in the United States, however, there is little evidence of Canadian groups advocating for a shift in jurisdiction to the national government. In fact, the national government would not act to address Great Lakes water quality issues until 1970, in part because there was little advocacy by groups for national action prior to that point.

Other than the citizen groups that began to advocate for a shift in jurisdiction to the national level, group behaviors during these two decades support the elite theory and first neoinstitutional theory hypotheses. Groups were active at the level that had jurisdiction over the issues and industry groups primarily responded to perceived anti-business legislation at these levels. There was also support for the organizational theory hypothesis that groups would continue to target the same level, though this is better tested over time than in one particular time period.

The second neoinstitutional hypothesis on institutional bias and the POS theory hypotheses predicted similar outcomes in the United States: citizen group advocacy at the national level and industry advocacy at the state or provincial level. This is because from the 1940s to the 1960s in the United States, the Democrats were more frequently in power at the national level and the Republicans were more frequently in power at the state level. However, neither of these hypotheses was well supported by the group activity in the United States. Most citizen group advocacy was at the state or local level, with only the exception of limited advocacy to shift jurisdiction to the national level. In Canada, the Liberals held the national government for most of this time, while the Progressive Conservatives came into power at the provincial level in 1943 and held
onto power into the 1960s. As there is little evidence of interest group advocacy at the national level in Canada, neither of these hypotheses is supported in Canada either.

Focus begins to shift in the United States but not Canada, 1960-1970

Groups had begun advocating for a shift in jurisdiction to the national level in the United States in the United States in the prior time period and this becomes a more substantial shift in targeted level of government during the 1960s. A similar shift in focus did not occur in Canada, however. In addition, the number and types of groups in both countries shifted during the 1960s and 1970s. I begin this section by describing the changes in number of types of groups and then move into group activities.

The environmental movement gained membership and momentum in the Great Lakes region in both countries during the 1960s and 1970s (Kelemen 2004; Princen & Finger 1994; Sussman et al. 2002). Environmental groups like the Sierra Club, National Wildlife Federation, and Pollution Probe were joined by good government groups (for example, the League of Women Voters), recreational groups (Great Lakes Sport Fishing Council, as an example), and single-issue groups (for example, Save Lake Superior Association) in advocating for stricter regulation of industry and increased clean-up efforts for the lakes (Kehoe 1997; Sustainability Reporting Program, n.d.). This increase in groups was primarily an increase in citizen groups rather than industry groups.

In the 1960s, many of the groups in the United States continued to work to shift authority to the federal government (Duffy 2003). For example, the Izaak Walton League began pressuring the federal government to step in where the state government
refused to regulate (Kehoe 1997). This could be for several reasons: because the Democrats were in power in the U.S. Congress, because environmental groups recognized the economic bias at the local and state level, because jurisdiction was shifting to the national level\textsuperscript{12}, or because many groups were pushing for an ecosystem approach which requires legislation at the national or international level (Princen & Finger 1994). With the emphasis on an ecosystem-wide approach, groups began forming coalitions that spanned the border and, at least in the United States, targeting higher levels of government. Ultimately, they were successful, with legislation introduced into Congress regarding pollution of waterways.

Industry groups in the United States did not advocate for the shift in jurisdiction to the national level and did not shift their advocacy to the national level as quickly as citizen groups though industry and business groups did eventually target some of their actions at the national level in response to legislation for stricter industry legislation. The conflict between environmental groups and industry during the 1960s in the United States was not just about pollution, but about which level of government had jurisdiction over regulating pollution in the Great Lakes. This conflict between the environmental groups and industry is illustrated through the conflict over phosphate bans. While in Canada phosphates were also an issue in the 1960s, the conflict over which level of government had jurisdiction did not emerge until the late 1960s and 1970s. Phosphates were the dominant issue in the 1960s due to the severity of the issue and the media attention surrounding the issue. Media coverage of environmental

\textsuperscript{12} The Supreme Court ruled in \textit{United States v. Republic Steel Corp.} (1960) and \textit{United States v.}
issues focused almost exclusively on the “death of Lake Erie” and potential death of other lakes. High levels of phosphates were linked with lake eutrophication, which had become a significant problem in Lake Erie and the other lakes (Ashworth 1986). One of the primary sources of phosphates is detergent. The International Joint Commission (IJC), in a report in 1964, recommended reducing phosphates to prevent eutrophication. The two governments also recognized it as the most important issue of the decade (Environment Canada 2013).

In the United States, in the early years of the 1960s, the phosphate issue was fought primarily at the state level. Local groups near bodies of water affected by algae growth from phosphates, such as Student Council on Pollution and Environment and Housewives to End Pollution, began to organize to pressure state governments to ban phosphates in detergents (Knud-Hansen 1994). Industry groups lobbied states arguing that tougher regulation and enforcement would hamper economic growth, for example the paper industry in Wisconsin threatened to leave the state if the state passed tougher regulations (Kehoe 1997). Industry wanted to avoid legislation banning phosphates entirely, so the primary detergent manufacturers (Proctor & Gamble, Lever Brothers, and Colgate-Palmolive) voluntarily reduced phosphate levels to 8.7 percent in 1970 in the hopes of preventing the need for legislation (Duthie 1972).

Environmental groups soon moved their efforts to the national level and succeeded in getting a bill banning phosphates introduced into the U.S. House of Representatives. Initially industry challenged the jurisdiction of the national

*Standard Oil Co. (1966) that pollution can be seen as an obstruction of interstate commerce, thereby
government to regulate phosphates, but when court cases expanded the role of the national government under the Commerce Clause, it shifted its advocacy to the national government as well to prevent a national phosphate ban. When the bill was introduced into the House, the Soap and Detergent Association (SDA) began lobbying against it on behalf of industry, in addition to the lobbying the group had been doing at the state level (Knud-Hansen 1994). After heavy lobbying by the SDA and detergent manufacturers, the bill was defeated. However, many municipalities, and later states, passed legislation reducing the allowable amount of phosphates in detergent (Kehoe 1997).

In response to these laws, industry groups challenged the state laws in court for violating the Commerce Clause. The courts ruled in favor of the states and municipalities, finding that both the states and the national government have jurisdiction to regulate water quality (Knud-Hansen 1994). Against intense industry lobbying and lawsuits, several states also went on to ban phosphates in detergents altogether and by the late 1970s five out of nine Great Lakes states had passed bans on phosphates (Kehoe, 1997).

In Canada, the fight over phosphates played out primarily at the provincial level during the 1960s. Both industry and citizen groups were focused on the Ontario legislature. Environmental groups were pushing for a law reducing the amount of phosphates in detergents, while industry groups advocated against it. No phosphate law was passed in Ontario (Knud-Hansen 1994). Towards the end of the 1960s, giving the national government jurisdiction to regulate pollution.
environmental groups turned their attention to the national government and the Canada Water Act of 1970 (discussed in the next section) did reduce allowable phosphate levels.

As in the 1940s to 1960s, the first neoinstitutional hypothesis and the elite theory hypotheses are best supported by the evidence. In the United States, groups began targeting the national government when jurisdiction shifted to the national government. However, some citizen groups advocated for the shift in jurisdiction, which supports both the second neoinstitutional and the POS hypotheses better than the first neoinstitutional hypothesis. The behavior of industry and business groups may help clarify for at least two of these hypotheses. Industry groups also began targeting the national government when the jurisdiction shifted. This supports the elite theory and first institutional hypothesis, but does not support the second neoinstitutional hypothesis or the POS hypothesis (for a majority of the states, the party in power for most of the 1960s was the Republican Party). The organizational theory hypothesis was supported in Canada, but not the United States, as many groups changed the level of government they targeted in the United States.

Focus on national level in the United States and both provincial and national levels in Canada, 1970-1980

During the 1970s, interest groups shifted which level of government they targeted in both countries. In Canada, they began focusing on the national government. Similar to the United States, this began with the citizen groups pressuring for national
level action. In the United States most groups began to predominantly target the national government. 

The Canadian Parliament had left environmental legislation to the provinces until pressure began to build from the environmental movement. Groups like Pollution Probe and Greenpeace, which began as smaller local groups, began to expand and target both levels of government (Hurst 2000). After urging for action by environmental groups, in 1970 the Canadian Parliament passed the main piece of legislation that formed the basis for most federal involvement in water quality policy in the Great Lakes region: the Canada Water Act (CWA).

The year 1972 was the beginning of increased centralization of environmental policy formulation in the United States and groups responded by more frequently targeting the national government. Both environmental and industry groups lobbied the U.S. Congress heavily about the Federal Water Pollution Control Act Amendments. Environmental groups lobbied for increased federal enforcement of environmental regulations and stricter regulations (Kelemen 2004). Many industry groups lobbied against many parts of the Amendments, including the increased role of the federal government, and the detergent industry lobbied against a nationwide phosphate standard. The industry successfully eliminated the phosphate standard from the Amendments (Ashworth 1986).

However, not all groups shifted focus to the national government. Some smaller, local groups focused at the state level. For example, the West Michigan Environmental

As in the past two time periods, the first neoinstitutional and elite theory hypotheses have the most support. As jurisdiction changed in each country, so did the level of government that interest groups targeted. Citizen groups were often the first to change the targeted level of government, and industry followed when perceived anti-industry bills were introduced. The political opportunity structures hypothesis was also supported during the 1970s. Citizen groups moved their attentions to the national levels of government, which was dominated by the Liberals in Canada and the Democrats in the United States, rather than the state and provincial governments, which were dominated by the Conservatives in Ontario and the Republican Party in many of the states. Michigan, which was controlled by the Democrats, continued to be targeted by citizen groups. However, industry does not fit this pattern as well. Industry appeared more likely to target the level where anti-business legislation was being passed than to target the level with Republicans in power. Neither the organizational theory hypothesis nor the second neoinstitutional hypothesis was supported by the data during the 1970s.

13 Congress passed the Federal Water Pollution Control Act Amendments in the United States in 1972
Focus on national governments by all groups and international involvement by citizen groups in both countries, 1980-1990

During the 1980s, interest groups in both countries primarily focused on the national governments, while several citizen groups moved to target the international level of government. One example of the shift to the national governments is the fight over toxics in the lakes. This fight extended to the international level as well, with groups lobbying the IJC.

If the primary issue of interest in the 1960s and 1970s was phosphates and lake eutrophication, the issue of interest in the 1980s was toxic chemicals (Mouat 1983). This was partially sparked by a “blob” that showed up in the St. Clair River in the mid-1985 (Israelson 1986a) and was reiterated by several studies released by environmental interest groups showing high concentrations of toxic chemicals in the lakes and lake ecosystems (Knightly 1988). Environmental groups called for action on toxic chemical pollution at all levels of government, but especially the national level. Groups in Canada called for an overhaul of the Federal Contaminants Act (Israelson 1986b), and groups in the United States, including Great Lakes United and Sierra Club, advocated for the Air Toxics Control Act\textsuperscript{14} (MacClennan 1989b; Magner 1988). Industry groups rallied in response to proposed legislation at the state, provincial, and national levels (Princen & Finger 1994).

\textsuperscript{14} Air pollution is one of the contributors of toxic chemicals in the Great Lakes. The Air Toxics Control Act became the 1990 amendments to the Clean Air Act that addressed acid rain and deposition of toxic chemicals.
One of the reasons interest groups began to target the international level, primarily the International Joint Commission, was because of national, provincial, state, and local policy changes resulting from international reports and agreements. In 1985, the IJC released a report naming Areas of Concern (AOCs) and asking governments to take remedial action. Following this report, governments with jurisdiction in those areas began on working on plans to address the reasons for the designation. This gave groups an opportunity to participate. For example, in 1986, Pollution Probe, Stop Contaminating Our Waterfront, and several other groups were asked to prepare a cleanup plan for the Toronto City Council for their AOC (Benjamin 1986). In New York State, the Center for the Great Lakes held a conference for state legislators to educate them on the AOCs and suggest solutions (MacClenann 1989a).

In addition, citizen groups were active during the review and renegotiation of the Great Lakes Water Quality Agreement (GLWQA). The official review of the GLWQA was supposed to come after the third report of the IJC on water quality, which was released in 1986. By this time, interest groups were frustrated with their exclusion from the process in the 1970s and began to consider the IJC as another institution to be lobbied (Princen & Finger 1994). In early 1985 an academic review of water quality and a citizen review were both being conducted. Great Lakes United (GLU), an international coalition of environmental, recreational, and other groups concerned with the health of the Great Lakes, conducted a citizen review of the GLWQA (Princen & Finger 1994; Swinehart 1988). The academic review primarily interviewed experts, but the GLU review contacted hundreds of citizens and officials.
Both reviews recommended an increased role for the public in future negotiations. As a result, the IJC invited representatives of three groups (Great Lakes United, Sierra Club, and the National Wildlife Federation) to participate in the drafting of the negotiating positions and to observe at the negotiations (Swinehart 1988). Surprisingly, there were no industrial or business groups invited to participate in the negotiations. Those groups still focused at the state and local levels and had not asked to be included like the environmental groups (Princen & Finger 1994).

Again, the first neoinstitutional hypothesis and elite theory are the best supported hypotheses during the 1980s. Jurisdiction over toxics falls predominantly to the national governments in each country and that is where most interest group activities were focused. Environmental groups made the initial push for legislation to control the emissions and discharge of toxics and industry followed in response to proposed legislation, which supports elite theory.

The second neoinstitutional hypothesis is partially supported by the evidence. Environmental groups did move to the national government and international level, both of which are seen as more important to environmental interests than the state level. Industry did not target the international level, but did target the national level, which does not support the theory. The fact that industry did not target the international level lends more credence to the elite theory hypothesis. According to elite theory, elites will only act when they feel threatened by legislation. The international level agreements need to be passed into national, state, or provincial law
before being implemented, so they pose little immediate threat to industry and thus industry elites.

Political opportunity structures and organizational theory are not supported by this data, in fact, groups acted counter to both expectations. In the United States, through most of the 1980s, Congress was divided between the two parties, while five of the eight Great Lake states were dominated by Democrats. According to POS, this should have led to environmental groups refocusing on the state level and industry refocusing on the national level, but this did not happen. In Canada, the Liberals and Conservatives flipped in both the national Parliament and at the provincial level in Ontario, yet there was no corresponding shift in interest group activity. As demonstrated by the attention to the international level, groups did not continue to target the level of government which they had targeted historically, which goes against the organizational theory hypothesis.

Varied foci, 1990-2000

During this decade, interest groups were active at all levels of government, but on a smaller scale for many, due to reduced memberships and donations. Additionally, environmental groups were still active at the international level, especially on chemical pollution. Industry groups only began to target the international level toward the end of the decade and only in response to IJC reports on the impacts of chemicals on the Great Lakes.

As mentioned above, many environmental groups in Canada and the United States faced a decline in revenues during the late 1980s and 1990s and many,
including World Wildlife Fund, Greenpeace, and Pollution Probe, had to downsize in the early 1990s in order to accommodate the decline in income. This had an impact on the groups’ abilities to take initiatives to influence government. For example, World Wildlife Fund Canada had to withdraw from a study of toxins in Great Lakes birds (Canadian Press 1991). The groups were still active, but had to scale back those activities to compensate for reduced budgets and staff. However, this did not seem to impact the targeted level of government, with many groups active at all levels.

Chlorine was the chemical pollutant under scrutiny in the 1990s. The health effects of chlorine had been documented in the 1970s and 1980s, including cancer and birth defects. An international effort calling for the phase-out of chlorine and chlorinated chemicals peaked in the early 1990s. Interest groups, such as Greenpeace and various public health groups became active in the United States and Canada to ban chlorine for a number of different applications (DePinto & Manno, n.d.) In 1994, the IJC released a report about the problems associated with the chlorine family of chemicals and a call to reduce the amounts of chlorine compounds in the Great Lakes. Environmental groups, like the Sierra Club, National Wildlife Federation, and Greenpeace had been pressuring the IJC for strong recommendations and applauded the report, but industry groups, such as the Chlorine Chemistry Council, were against the suggestion of a ban on chlorine compounds. The IJC said it had been trying to work with Chlorine producers for a long time but the industry would not get involved in discussions ("Panel Finds Threat" 1994). This illustrates the continued reluctance of industry groups to target the international level.
The report sparked the debate between environmental groups and industry over chlorine reductions and proposed legislation in both countries. Greenpeace argued that chlorine was over utilized in industrial applications and called for a phase out of the use of chlorine. The Chlorine Chemistry Council used both a broad media campaign and a more targeted lobbying campaign arguing that chlorine was necessary to prevent the spread of disease and protect public health (Knickerbocker 1994; Morris 1998). In Ontario, supported and promoted by environmental groups, legislation was passed that would allow for a phase out of chlorine in the paper and pulp industry by 2002. In the United States, members of Congress introduced bills into Congress also calling for a phase out of chlorine compounds; however, the chlorine industry rallied and defeated the bill (Malkin & Fumento 1996).

Chlorine was not the only issue during the 1990s. At the state level, groups were active on many different issues. In Wisconsin, for example, Wisconsin’s Environmental Decade was working on an acid-rain law and environmental review law (both of which were successful) (Segall 1990). In the United States, at the national level, environmental groups were active on a wetlands protections bill and the 1995 farm bill, specifically on agricultural water pollution. Both bills also saw a mobilization of industry and other groups. Business and landowners heavily lobbied against the proposed wetland legislation and farm and business groups against the farm bill provisions (McKinney 1991; Bailey & Pedraza 1994). At the international level, in 1997, Canada and the US signed the Great Lakes Binational Toxics Strategy (GLBTS)
(Third Report 1999). All levels of governments as well as interest groups and Native Americans/First Nations were represented in this agreement (Krantzberg 2009).

As all groups were targeting almost all levels of government, there is partial support for all of the hypotheses with only elite theory being supported marginally more than the others. Industry did respond reactively to the chlorine battle in both countries and internationally, meeting the expectations of elite theory.

The first neoinstitutional theory had some support. While environmental groups did target the international level (which has no real jurisdiction); otherwise they spread their efforts between the state and national levels of government. As jurisdiction was also shared during this 1990s, this does not necessarily disprove the hypothesis. The actions of industry did support this hypothesis in both countries, as those groups targeted the levels with greater jurisdiction. The second neoinstitutional hypothesis has less support. Environmental groups in both Canada and the United States targeted the state/provincial level and industry groups in the United States targeted the national level.

Support is also lacking for organizational theory and POS theory during the 1990s. Based on the range of targeted level of government, there is little evidence that groups were unwilling to change targeted level of government. Additionally, the political party in power appeared to have little impact on group decisions of which level of government to target. In Canada, the Liberals were in power at the national level, and yet environmental groups targeted the provincial level for a chlorine bill. In the United States, environmental groups were targeting both levels, even though many
of the states were under Republican control. Industry targeted the national government, even when the Democrats were in control in the early 1990s.

Results for Targeted Level of Government

The evidence best supports the first neoinstitutional and the elite theory hypotheses both in each country over time and across the two countries. The second neoinstitutional hypothesis was partially supported in most decades in both countries by the actions of business groups, but was neither supported nor refuted by the actions of citizen groups. The findings for organizational theory and POS are that neither is consistently clearly supported.

According to the neoinstitutional hypothesis ($H_1$), interest groups are expected to target the level of government that has the greatest jurisdiction over environmental policy. Groups were supposed to shift their focus in the United States to mirror the shifts in jurisdiction. In Canada, as environmental jurisdiction has remained relatively stable at the provincial level throughout most of Canadian history, it was expected that interest groups would consistently target that level over time. This hypothesis has the most support from the available evidence. In Canada, most interest groups have consistently targeted the provincial level of government over time, as expected. During the 1940s and 1950s, environmental and recreational groups targeted the Ontario parliament for creation of parks and conservation and environmental and health advocacy groups targeted both the municipal governments and provincial government with concerns over sewage treatment. Industrial groups worked to maintain the status quo at both the municipal and provincial levels of government. In the 1960s the goals
of the environmental groups shifted to industrial pollutants rather than sewage, but the level of government they targeted with these concerns remained the provincial government.

However, in the early 1970s several environmental coalitions began targeting the IJC during the talks leading up the GLWQA. The focus on the international level in both countries was fleeting: it occurs during negotiations and renegotiations of the GLWQA and surrounding particular issues such as chlorine, but groups seldom sustain activity at this level past the negotiations. After signing the GLWQA, the national government signed the Canada-Ontario Agreement Respecting the Great Lakes, which effectively shifted jurisdiction over water quality issues back to the province. A few issues, such as toxics, gained group attention at the national level, but by many accounts of group websites and newspaper stories both environmental and industrial groups remained primarily focused at the provincial level for the 1980s to the present.

In the United States, the trends are less clear as many groups targeted multiple levels of government. Jurisdiction over environmental issues primarily resided with the states until the late 1960s and 1970s when the federal government became more involved. Then, with budget cuts and a push for decentralization, jurisdiction shifted back to the states in the 1980s and 1990s. Historical accounts reflect a loose trend in interest group focus that fits this jurisdictional shifting, but many groups also deviate. Much like in Canada, in the 1940s and 1950s most issues of interest were local in nature and thus both industry and citizen groups focused their efforts at the municipal and state levels of government. However, environmentalists were unhappy with the
legislation passed at the state level, feeling it was biased toward industry, and a number of groups, such as the Izaak Walton League, began pressuring the national government to intervene. This predates the shift in jurisdiction and appears to be one of the causes. Industry continued to focus on the state level and only began to focus on the national government once the shift had begun and proposed legislation was perceived as anti-business. Throughout most of the 1960s and 1970s industrial groups argued that jurisdiction over environmental issues belonged to the states and struggled to prevent the federal government from passing strict regulation on business.

Not all environmental groups shifted focus to the national level during this time, for example the West Michigan Environmental Action Council continued lobbying the Michigan legislature for phosphate bans and drilling bans. Sierra Club and other national groups continued to work at the national level to prevent retrenchment of existing environmental policies. While many environmental groups tailored their efforts to reflect which level of government held jurisdiction over environmental issues, not all did so and few industrial groups shifted their focus to the national arena.

According to $H2$, the alternative institutional hypothesis, interest groups are expected to target the level of government at which they perceive a higher level of success due to institutional bias: the expectation is for business and industry groups to target the state/provincial level rather than national and environmental and citizen groups to target the national government rather than state/provincial, regardless of shifts in jurisdiction. This hypothesis seemed to hold true for industry groups in both countries, but less so for citizen groups. In the United States, industry groups
consistently tried to influence the state level and to return jurisdiction to the states when it shifted to the national government. Environmental groups did attempt to shift jurisdiction to the national level as they felt they might have a better chance of success there, but with decentralization in the 1980s many groups returned to focusing on the state level.

In Canada, most groups focused on the provincial level for each decade, although there was some focus on the national and international levels, especially by environmental groups. I suggest this does confirm this hypothesis, in two ways. These groups first attempted to shift jurisdiction to the national government as had happened in the United States, but found that effort to be mostly unsuccessful. However, even though the national government in Canada was limited in jurisdiction in environmental policy, it could negotiate international treaties. Environmental interest groups may have felt they had a higher likelihood of success at the bi-national level that would then be translated into national policy.

According to elite theory, business and industry groups are expected to target the level of government passing unfavorable legislation ($H3$). In Canada, industry focused at the provincial level primarily and that is where most unfavorable legislation was being passed. It appeared true that industry was more reactionary and focused on preventing strict legislation in the United States; its shift to the national level followed the shift in jurisdiction and pro-environment bill introduction. Industry was very slow to react to the GLWQA negotiations, but it may be that the lack of enforcement by that level meant that activities at that level were not seen as a threat.
The expectations of organizational theory and $H4$ are that interest groups will be more likely to target the level they have in the past. In Canada, as many interest groups focused on the provincial level, there is some support, though, as mentioned above, there was some activity at the national level as well. In the United States, this hypothesis is clearly unsupported. The Izaak Walton League, Sierra Club, and National Wildlife Federation were all part of the initiative to shift jurisdiction to the federal government and other groups followed. Additionally, groups also targeted the international level, which would require even more institutional learning.

Finally, Political opportunity structures theory ($H6$) posits groups target the level of government at which there is a party receptive to their goals. It could be argued if this were true then the environmental groups would have attempted to shift jurisdiction to the national government during the years when the Progressive Conservatives were in power in Ontario and the Liberals were in power at the national level (1943-1957, 1963-1979). Especially in the later block of years (1963-1979) the environmental movement was in full swing and the public probably would have endorsed increased national intervention in environmental matters. However, the main effort to switch power to the national government was not successful (Canada Water Act) and thus there were fewer later efforts in Canada. I posit that this is because in the few prior national environmental laws, the national government clearly indicated that primary jurisdiction belonged to the provinces and this discouraged groups from trying to shift jurisdiction. This indicates that the institutional limitations have greater influence on interest group behavior than the political party in power.
In the United States, I cannot clearly state whether or not this was the case, though some evidence does support it. Environmental groups began the push for a shift in jurisdiction to the national government in the 1960s and 1970s when Democrats controlled Congress. As already mentioned, industry fought to keep jurisdiction over environmental issues at the state levels and many of the Great Lakes states had Republican legislatures during this time. During the 1980s and 1990s, the Republicans and Democrats traded control of Congress but both parties endorsed decentralization. Some environmental groups refocused to the state level while others remained focused at the national level. As many of these groups are active in several Great Lakes states, it is difficult to determine the impact the state legislatures had on this.

Choice of Tactics

As mentioned in the Chapter 2, this research focuses on three specific tactics: lobbying, grassroots mobilization, and coalition building. This section briefly discusses the expectations of the theories tested before moving into the historical analysis. The historical analysis is broken into the same decade format as used for targeted level of government. However, unlike in the previous section, there is too little data to offer support to the hypotheses within each time period. For this reason, analysis of the hypotheses is discussed in the concluding section based on the trends across time periods rather than at the end of each time period.

As for targeted level of government, neoinstitutional theory generates two hypotheses for tactics. The first \((H7)\) states that interest groups will maximize the use
of the most expensive tactics, such as lobbying, by using them at the level of government with the most jurisdiction. The second neoinstitutional hypothesis \((H8)\) is more general about the choice of tactics in a federal system. Since national legislators have a large number of interests attempting to influence them, groups are likely to choose a tactic that brings attention to them, some as grassroots mobilization. Generating large amounts of letters or emails from constituents may gain attention another lobbyist will not. Building coalitions can lead to even larger numbers of contacts. Therefore this hypothesis is that groups are more likely to use grassroots mobilization and coalition building at the national level.

According to elite theory, members of the elite are more comfortable making decisions outside of the public sphere. For tactics, this would mean lobbying over more public tactics. So this hypothesis \((H9)\) is that business and industry groups will rely predominantly on lobbying over other tactics.

Because groups have organizational capabilities in certain tactics, organizational theory posits they will continue to use those tactics rather than developing new capabilities. This hypothesis \((H10)\) is that groups will continue to use the same tactics over time. There should be little shift in tactics from decade to decade.

Finally, POS scholars argue that groups use tactics more likely to bring them success within a system (Dalton et al. 2003). If a group is challenging the status quo, this means using a tactic that shows broad support. Since environmental groups are more likely to challenge the status quo than industry groups, we should expect
advocacy groups to be more likely to use grassroots mobilization than interest groups. These hypotheses will all be tested below.

Historical Analysis

Over time, the types of tactics that are available to groups and the way they use those tactics have changed due to technological advancements. Television and Internet, for example, have had an impact on group tactics, especially media campaigns and grassroots mobilization. These impact the range of tactics groups have to choose from in any given time period, the costs of those tactics, and the social acceptability of using them. This is reflected in the analysis below. Additionally, most groups use a wide range of tactics rather than just focusing on one or two. For example, more radical groups maintain contacts with legislators in addition to protest and grassroots activities and traditional groups may sometimes resort to protest actions (Dalton 1995).

Discerning tactics used by groups and the amount of use of each tactic proved difficult with historical data. Very few secondary sources focused on the tactics used by groups and newspaper articles often focused only on the more extreme tactics that were not included in this project. From historical records, a few broad trends appear but results are mixed.

Lobbying and media as primary tactics at all levels, 1940-1960

In the early decades of this analysis, all groups primarily used lobbying and media tactics. Grassroots mobilization was difficult to arrange with the technologies
available and there were few coalitions, in part because there were few groups during this time period. These trends were fairly consistent in both countries through these two decades and into the 1960s.

The health and professional groups active during the 1940s and 1950s used lobbying as their primary tactic, although some groups did form coalitions. Conservation groups, like the Izaak Walton League in the United States and the Federation of Ontario Naturalists in Canada, and sportsmen’s groups joined with the health and professional groups in lobbying for tougher pollution and sewage laws at both the state and national level (Kehoe 1997: Ontario Nature n.d.). Groups did not utilize grassroots lobbying very frequently because of the cost of contacting members and overall low membership levels. Some groups did utilize the media by writing letters to the editor and taking out page space for the cause. This and lobbying were the most frequently used tactics by most environmental and recreational interest groups in both countries (Doyle & McEachern 2001).

Industry also relied on lobbying, but the focus was more on the state and provincial level than the federal level. In the United States, most of the states relied on a cooperative approach to regulation and worked closely with industry in designing standards and regulations. Most industrial groups focused on weakening those regulations and preventing strict enforcement (Kehoe 1997). The same was true in Ontario, with industry working to weaken legislation (Sustainability Reporting Program n.d.).
Increase in grassroots mobilization in citizen groups, 1960-1970

During the 1960s, even though the cost of grassroots mobilization remained the same, the benefits from large memberships began to outweigh the costs and citizen groups began to use grassroots mobilization more and more in both countries. Industry continued to rely on direct lobbying as a tactic. There is little evidence of increased coalition building during the 1960s.

Environmental groups began to utilize grassroots mobilization more frequently as a tactic since now they had the membership numbers to make a difference in the minds of legislators and their support, especially at the national level (Steel 1996). Leading up to and immediately following the IJC report on banning phosphates in detergents, environmental groups in Canada mobilized their member to send over 400 letters and cards to the government encouraging a phosphate ban (McGucken 1989). Most groups, especially industry ones, continued to use traditional political lobbying at the level of government they chose to influence (Steel 1996; Sussman et al. 2002). For example, during passage of the Federal Water Pollution Control Act Amendments in 1972, detergent industry groups heavily lobbied Congress to prevent the inclusion of phosphate standards (Ashworth 1986). In addition, the media was paying closer attention to environmental problems and inspiring citizens to get active on local environmental problems and citizen interest groups used media to pressure state governments for change and the federal government for involvement (Kehoe 1997).
Increase in coalition building, 1970-1980

The focus on the binational level increased the tactic of coalition building among citizen groups and between countries. Individual groups carried less legitimacy and power when attempting to influence the IJC and to be allowed access to the bargaining tables, but coalitions of groups, especially binational coalitions, carried larger budgets, larger memberships, and increased legitimacy. In addition, citizen groups also continued to use both lobbying and grassroots mobilization. Industry, however, continued to rely on lobbying.

As noted above, this tactical shift appeared more among the citizen groups than among industrial groups, in part because the industrial groups were still focused on the state/provincial level rather than the higher levels of governance. Coalitions ranged from formal coalitions, such as the Lake Michigan Federation, a coalition of citizen groups founded in 1970 that covered four states (Mouat 1983) to temporary coalitions put together to address one specific issue or influence legislators on one piece of legislation.

Environmental groups were also using grassroots mobilization to pressure both the Canadian and U.S. governments to follow through with their commitments in the GLWQA of 1972 and lobbying for national legislation (Farrah 2005). For example, the Alliance for the Great Lakes lobbied first in Chicago for a phosphate ban and later lobbied Congress about the Clean Water Act of 1972 (Alliance for the Great Lakes 2012) and the National Audubon Society lobbied the U.S. Congress to enact the Clean

Continued coalition building among citizen groups, 1980-1990

Citizen groups continued to lobby for environmental protection at both domestic levels of government during the 1980s, but many also turned to the international level and lobbying of the IJC. In addition to lobbying as separate groups or coalitions among groups from the same country, binational coalitions were formed. Industry continued to rely on lobbying, though there is more evidence of industry coalitions and citizen-industry coalitions during the 1980s.

Many groups combined into a binational coalition called Great Lakes United. The coalition performed a citizen review and took it to the IJC with a request that groups be allowed to participate in the negotiation process for an updated GLWQA. It worked independently and within a number of larger coalitions (Swinehart 1988). Another binational coalition was formed when Canada-based Institute for Research on Public Policy joined with a U.S. group, the Conservation Foundation, to produce a report targeting the IJC and national governments (Israelson 1989). Lake Ontario Organizing Network (LOON), which includes groups from New York State and the province of Ontario, focuses on threats to Lake Ontario (Golden 1989).

These coalitions often also used grassroots mobilization to take advantage of their large memberships. Great Lakes United, Lake Michigan Federation, and other citizens groups worked together to release a report calling on citizen action to ask all levels of government for increased oversight and regulation of toxic chemicals found
to be impacting the health of Lake Michigan (Knightly 1988). Sierra Club, Great Lakes United, and other citizen groups worked together to release a different report detailing the effects of air pollution on the lake ecosystems and continued to work together in pressuring Congress to pass legislation that would require the Environmental Protection Agency (EPA) to set emission limits for dozens of toxic chemicals (Magner 1988). Greenpeace and at least a dozen other groups formed a coalition to target the IJC during its October meeting in 1989, calling for the goal of zero discharge of toxics (MacLennan 1989c).

Groups also formed coalitions to lobby Ontario and occasionally these included both citizen and industry groups. The Canadian Coalition on Acid Rain had 53 members, which included environmental groups as well as fishermen, and boat and motor manufacturers. It worked to convince Ontario to cut its overall pollution (Israelson 1986b).

Individual interest groups were also active, both in lobbying and grassroots mobilization. For example, Greenpeace sailed one of its ships around the Great Lakes calling on citizens of both countries to lobby their governments to be stricter on chemical wastes flowing into the lakes (Sielicki 1985). Sierra Club lobbied Congress for passage of the Air Toxics Control Act (MacLennan 1989b).

Continuation of lobbying by all groups and coalition building by citizen groups 1990-2000

Lobbying became more sophisticated with advances in technology, but most industrial groups still relied on traditional political lobbying and most citizen groups
used a mix of grassroots mobilization, coalition building, and political lobbying (Duffy 2003). At the national level, the Chlorine Chemistry Council is an example of an industry group that relied on lobbying, with some media public relations campaigns, to advocate against legislation that would restrict the use of chlorine (Knickerbocker 1994), while the Sierra Club was actively lobbying Congress for legislation forcing the EPA to enforce the GLWQA (Aukofer 1990). A number of business and landowner groups formed coalitions and heavily lobbied against wetlands regulations at the national level in the United States (McKinney 1991).

At the state and provincial level, Friends of Nature in Ontario had campaigned for two decades with a blend of lobbying and grassroots mobilization to get a wetlands policy passed into law in Ontario in 1992 (Ontario Nature n.d.), and Wisconsin’s Environmental Decade and Sierra Club used lobbying in Wisconsin for environmental laws (Segall 1990). Even Greenpeace, which is known more for its direct action campaigns, had become active with lobbying by the 1990s (Gorrie 1991).

Coalitions continued to be an important tactic for citizen groups. For example, in 1991, prior to the expected renewal of the Clean Water Act, a coalition of environmental groups, including the Sierra Club, lobbied in Washington D.C. for a zero discharge federal policy (Gorrie 1991). Similarly in Canada, a coalition of Pollution Probe, Canadian Environmental Law Association, and Great Lakes United protested both the federal and Ontario governments because of the lack of attention to Great Lakes pollution issues (McAndrew 1993). In the late 1990s the same coalition published a report and mobilized grassroots to sign a letter to Premier Mike Harris that
denounced the Ontario government for favoring industry groups over the environment in Great Lakes decisions (McAndrew 1999).

For many citizen groups, the 1990s were a difficult time because of declining membership and revenues. Greenpeace Canada lost millions of dollars of revenue and almost half of its staff and had to cut its active campaigns, including the campaign on pollution in the Great Lakes (Livesey 1993). World Wildlife Fund faced revenue losses and had to end its research effort to monitor toxins in Great Lakes birds and Pollution Probe had to eliminate several staff positions (Canadian Press 1991). This might be why coalitions were so frequent among citizen groups.

Results for Choice of Tactics

The historical information about tactics used by groups has been fairly limited. Most of the media reports focus on the lobbying and coalition actions of environmental and other citizen groups, while there is very little said about industry lobbying. I posit this is because industry and business groups rely more on personal lobbying, which does not get press coverage. Additionally, as one interviewee from an industry group commented, “We often do not get a lot of attention for our work because, as an industry organization, we like to fly under the radar” (Buckner, K. 2013, March 22. Telephone Interview). Even with this limited information, some results emerge from the analysis above.

The elite theory hypothesis was the best supported both within each country and across the two countries. Industry groups used lobbying most frequently at all levels of government in both countries from the 1940s to 2000. In later decades, industry groups
began using media and coalition building as tactics, but never at the same rate as those groups used lobbying.

Since the 1960s citizen groups came to rely more and more on grassroots mobilization. The dependence on grassroots mobilization by citizen groups and the lack of use of this tactic by industry in both countries supports the political opportunity structures theory that citizen advocacy groups are more likely to use grassroots mobilization than industry groups ($H11$). As these two hypotheses ($H8$ and $H11$) are not mutually exclusive, this is not a conflicting result.

However, $H8$, the institutional hypothesis that interest groups will be more likely to use grassroots mobilization and coalition building at the national level is not supported for business groups and is unclear for citizen groups. In both Canada and the United States, the media shows interest groups using all three tactics at the national level rather than focusing on one particular tactic. This would seem to indicate a lack of support for this hypothesis. Although, this may be because the media is more likely to mention lobbying than grassroots mobilization and coalition building or may include those activities in a looser definition of lobbying.

As all groups used lobbying at all levels, this indicates that $H6$, the institutional hypothesis that more expensive tactics such as lobbying will be reserved for the level that passes most legislation, is only partially true however. Even with the expense of lobbying, groups appear to use it at all levels of government regardless of which level issues the most legislation or which level of government they target. As found in other research, this could be because groups see this tactic as giving the “most bang for the
buck”. Additionally, groups may use all available tactics at all levels of government in order to have a higher likelihood of success.

The organization theory hypothesis ($H10$) that choice of tactics will remain constant over time seems to hold partially true for business and industry as those groups did consistently use lobbying. However, business and industry groups did also use coalition building in later years, so it is not entirely accurate. It is not at all the case for citizen groups. Those groups frequently chose lobbying and media over grassroots mobilization and coalitions in the earlier decades, but then changed to a combination of grassroots mobilization, coalition building, and lobbying in later years.

Conclusions

Over the past century, the federal systems of the United States and Canada have offered several possible venues for interest groups to target, from the local government up to international institutions like the IJC and GLFC. What can the history of water quality policy in the Great Lakes region tell us about which level interest groups target and what tactics they use?

In the first half of the 20th century, the only governments that were passing water policy in the region were local/municipal and state/provincial levels of government, so that is where interest groups focused their efforts. The national governments had little to no jurisdiction in the area so few groups attempted to influence the national government. Their tactics were limited by technology and experience. Most groups relied on traditional political lobbying of local and state legislators and occasional media campaigns, primarily print media, to pressure the legislators.
In the United States, environmental groups saw a larger likelihood in success at the national government and many split their focus between the state level and the national level. While there was no precedent for national legislative action in the environmental arena, the possibility was there because of the Commerce Clause and a liberal interpretation of the clause by the Supreme Court. In Canada, there did not appear to be the same amount of pressure on the national government as was happening in the United States. Possibly because the Canadian Supreme Court did not interpret the “trade and commerce” as liberally or because the provinces were stronger vis-à-vis the national government, but most interest groups kept their focus on the provincial governments.

The 1960s led to a number of changes. The environmental movement expanded in both countries with an increase in the number of citizen groups and the size of the membership of these groups. This was accompanied by a shift in tactics, by environmental groups, to grassroots mobilization in addition to political lobbying and media campaigns. In the United States, this was accompanied by a greater shift in focus, primarily by environmental groups, to the national government. Industrial groups, for the most part, continued to focus their efforts at the state and local levels. During this time groups exerted increasing pressure on the Canadian national government to pass environmental legislation, although the national government had yet to act.

Binational opportunities, with the renegotiation of the GLWQA in the 1970s, led to another shift in citizen groups tactics to coalition building. Several coalitions,
including the GLU, were established during this time in order to bring renewed pressure at the national level and to increase pressure for opportunities to participate at the binational level. A recognition of the importance of an ecosystem approach to the lakes as the best way to improve the overall health of the lakes also encouraged an increased focus on the national and binational levels of governance as the only levels that could pass basin-wide legislation and programs.

The 1980s and 1990s saw some changes in interest groups behavior, due primarily to advances in technology. Grassroots mobilizing and lobbying became more sophisticated and media campaigns spread to the Internet. The United States and Canada were both shifting authority to the lower levels of government, though Canada more so than the United States. There did not appear to be a corresponding shift in interest group focus in the United States, but advocacy for many groups was split between all levels of government.

From this analysis it seems clear that neoinstitutional explanations of interest group behaviors have the most explanatory power in both targeted level of government and elite theory and POS theory for explanations of the tactics used. In both Canada and the United States, groups targeted the level of government with the greatest jurisdiction and used lobbying at that level of government. While elite theory is also partially supported for targeted level of government and supported for tactics, it only explains behavior of business and industry groups. Even if correct, this only explains a small subset of all interest groups. The other theories consistently had less evidence substantiating the expectations.
Though this analysis is unable to show conclusively that the federal institutional structure had a driving impact on interest group behaviors in regard to targeted level of government and tactics, it does show a clear indication that this relationship exists. The next two chapters both affirm that this relationship exists and plays a role in interest group decision-making. The next chapter investigates the relationship in oil policy in the Beaufort Sea region.
CHAPTER IV

INTEREST GROUPS IN THE BEAUFORT SEA REGION, 1970-2000

Introduction

With oil production declining worldwide (Miller, Sorrell, & Speirs 2009), the potential for oil and natural gas extraction in Alaska, Yukon, and the Northwest Territories is frequently revisited by both the United States and Canada (See Figure 1 for map of region). As oil policy is shared between the states and the national government in the United States, and natural resource policy is increasingly being shifted to the provincial level in Canada, this has led to a tricky and evolving legislative environment for interest groups. How did different types of groups decide whether to focus on the national or state/provincial levels of government for their advocacy on oil policy in the region? What tactics did they use and did those tactics differ between levels of government? In this chapter I investigate interest group activities on oil policy in the Beaufort Sea region from 1970-2000.

The first portion of this chapter covers the discovery and importance of oil in the region, jurisdiction over the land and water from which the oil is extracted, and discusses the intersection between oil policy and environmental policy. A brief section on the methodology used in gathering data for this chapter follows that segment, then an explanation of the hypotheses tested in the chapter. The fourth section of the chapter is the data and analysis of group activities historically and how those activities support or
do not support the hypotheses in the section before. The same is done for choice of tactics in the fifth segment of the chapter. The final part of the chapter is the summary and concluding remarks.

The Beaufort Sea Region

To begin, it is important to understand the history of oil discovery and extraction in the Beaufort Sea region because it was developed later in the century than much of the traditional oil fields in Canada and the United States. Following the history, I will discuss the importance of oil to the economies of Alaska and the Territories and the ownership of the land and water under which the oil lies. Ownership is important as it plays a role in determining jurisdiction over the resource. Finally, this section will conclude with an outline of the overlap between oil and environmental policy and specific environmental issues surrounding the development of the oil resources in the region.

The early Russian settlers and other early explorers saw evidence of oil on the northern slopes of Alaska and the Canadian territories in the late 1700s, but oil companies did not begin developing the oil fields until the 1900s (Alaska History and Cultural Studies 2004). Imperial Oil discovered an oil field at Normal Wells, Northwest Territory in 1920 (Beauregard-Tellier 2008) and Canada issued numerous permits for exploration in the Arctic (Kuzik 2011). The U.S. Congress established the National Petroleum Reserve (then called Petroleum Reserve No. 4) in 1923 (U.S. Fish and Wildlife Service 2003). Atlantic Richfield Company (ARCO) and Humble Oil (now Exxon) discovered North America's largest oil field on Alaskan state land at
Prudhoe Bay in 1968 (Banet 1991). The discovery of other oil fields in surrounding areas followed these first discoveries. Alyeska Pipeline Service Company completed the Trans-Alaska pipeline in 1977 to transport oil from Prudhoe to Valdez, Alaska, where it is loaded on oil tankers and shipped to its final destination (Alaska History and Cultural Studies 2004; Kuzik 2011; U.S. Fish and Wildlife Service 2003).

While the oil fields mentioned above are primarily under soil, oil in the Beaufort sea region lies both under land and under the sea bed of the Beaufort Sea, but the delineation between land and sea is not clear. The Beaufort Sea is shallow and frozen solid for much of the year, making it difficult to clearly tell where land ends and water begins. Additionally, much of the directional drilling may begin on land but extend beneath the sea. For these reasons, terrestrial and marine oil development often overlap in this region and both will be included in this chapter (Voutier et al. 2008).

Today oil and gas are Alaska’s primary exports and the mainstay of the economy with more than 80 percent of the state’s revenues from petroleum extraction (Alaska History and Cultural Studies 2004). Most of the state’s employment is in oil extraction or shipping. With the exception of Federal offshore production, Alaska ranks second in the United States for crude oil production and accounts for 20 percent of domestic oil production. Prudhoe Bay alone is one of the highest yielding oil fields in North America. It produces approximately 264,000 barrels per day, which is roughly 8 percent of U.S. domestic production (U.S. Energy Information Administration 2009). The Trans-Alaska Pipeline transports most of that oil, with capabilities to transport 2.1 million barrels of crude oil per day.
Yukon and Northwest Territories in Canada produce about 18,000 barrels of oil per day (Canadian Association of Petroleum Producers 2009b, 2011). Oil does not play a large role in the economy of Yukon Territory, instead mining of precious metals and tourism make up the bulk of the economy (Alaska Pipeline Project 2011).

The government that has jurisdiction over the oil leasing and revenues is largely determined by ownership. Ownership of the land and water under which the oil lies varies within the region. The state and federal government owns most of the land

in Alaska, with 65 percent of Alaska owned by the U.S. federal government as public lands. Of this, the Bureau of Land Management maintains almost 24 percent of the state and almost half of the land in Alaska’s Arctic region, while the United States Fish and Wildlife Service manages the Arctic National Wildlife Refuge, which is roughly 5 percent of Alaska’s land mass and roughly one-quarter of the Arctic region. Of the remaining land in Alaska, the state of Alaska and Native corporations own most of it, with only about 1 percent of the state privately owned (Hull & Leask 2000).

Almost all oil fields lie under state, federal, or Native land; therefore jurisdiction over the oil is divided between the state, national, and tribal governments.

Most of the oil in Canada also lies under public or Native lands. In Canada, the provinces have control over most public lands, but the territories do not. Traditionally, under the Territorial Lands Act and Public Lands Grants Act, the federal government controls Crown lands in the territories, which is the majority of land within the territories. However, in the 1980s the federal government began a process of devolution of powers to the territorial governments. In 1998, the Yukon government assumed full control over its oil and gas resources. In 2003 the Yukon Commissioner also gained control over Crown lands in the territory (Beauregard-Tellier 2008).

In Northwest Territories, the federal government controls most land under Indian and Northern Affairs Canada and the Territorial Commissioner has little jurisdiction over oil policy and environmental policy (Bankes 2000; Beauregard-Tellier 2008; Indian and Northern Affairs Canada 2011). Although there are oil fields
in Northwest Territories, since there is effectively only one level of government involved in oil policy, it will not be included in this analysis.

There are a number of reasons why oil development (and oil policy) falls under environmental policy. First, pollution of land and water is a primary concern for environmentalists. The most obvious pollution comes from spills on land or in the water. This issue gained international attention when the Exxon Valdez, an oil tanker, hit a reef in the Prince William Sound in 1989, which led to the worst ocean oil spill to that point in time. The tanker spilled over 11,000,000 gallons of oil across 1,100 miles of southern Alaska coastline (Miller 1999). The extreme climate of the Arctic region creates additional challenges for oil companies and increases the likelihood of spills (Hasle et al. 2009). The Trans-Alaska Pipeline is also a potential source of a major oil spill, with a record of many smaller leaks (Miller 1999). Less obvious is the air pollution from gases, particulates, and dust that may lead to poor air quality and acid rain (U.S. Fish and Wildlife Service 2001).

Second, in addition to the harm to wildlife from pollution mentioned above, there are concerns that the oil infrastructure negatively impacts wildlife, especially the Porcupine Caribou herd, which uses the coastal plain as birthing grounds in the summer, and that drilling and surveying impacts marine mammals (Miller 1999; U.S. Energy Information Administration 2009). In 2000, the footprint of existing North Slope oil facilities in Alaska covered 10,000 acres with an industrial complex of 800 square miles and it was growing with each new oil well (U.S. Fish and Wildlife Service 2001). The Beaufort Sea region provides a unique habitat for a number of bird
species, mammals, and sea life, all of which could potentially be impacted by oil development (Greenpeace n.d.; Miller 1999).

Lastly, the extraction and use of oil contributes to global climate change, which has already begun to impact Arctic regions (Hasle et al. 2009). According to Greenpeace (n.d.), in order to prevent further climate change, only 25 percent of known oil should be utilized. The use of the oil in the Beaufort Sea region would only exacerbate the situation. Studies have already shown decreased sea ice, increased permafrost melting, and earlier snowmelt in the Arctic (Miller 1999).

As described above, there are some general reasons why oil policy in the Arctic overlaps with environmental policy, but there are also some specific issues that arise in the Beaufort Sea region. One issue that dominates the dialogue in the United States is whether oil extraction should be allowed in the Arctic National Wildlife Refuge (ANWR). In 1960, the Secretary of the Interior set aside 8.9 million acres in northeast Alaska as the Arctic National Wildlife Range. Another 43 million acres of the North Slope of Alaska had already been opened up for other land uses, including oil development. There is less controversy surrounding the 43 million acres, as that land was not designated for protection like it was in ANWR. Oil was suspected to lie beneath the Wildlife Range and so Congress debated the fate of the Range during the late 1970s. In 1980, Congress passed the Alaska National Interest Lands Conservation Act (ANILCA), which established the Arctic National Wildlife Refuge and added an additional 9 million acres for a total of nearly 18 million acres (Chance n.d.), most of which was given a wilderness designation (See Figure 2 for map of ANWR and nearby...
areas). Additionally, ANILCA moved jurisdiction over oil development in ANWR to Congress rather than the executive branch, which has decision authority over most permitting and leasing on national lands. For example, there was one exception to the wilderness designation in Section 1002 of ANILCA and thus dubbed the "1002 Area". This area was left open for future designation of wilderness or for future oil development, pending a decision by Congress at a later date (U.S. Energy Information Administration 2009). Since 1980, multiple bills and amendments have been introduced to allow oil exploration and extraction in the refuge (U.S. Fish and Wildlife Service 2001). For this reason, the analysis of oil policy in the United States will focus primarily on oil development in ANWR.

Figure 3
Map of Arctic National Wildlife Refuge, 1002 Area, and Canadian National Parks

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The Yukon Territory government and the First Nations also created national parks on the Canadian side of the border to protect the unique habitat in the region. Neither the Ivavik National Park nor the Vuntut National Park allows oil development. However, this has not been as hotly contested in Canada since there is not the possibility of reassessment of the future use of the land as in ANILCA (U.S. Fish and Wildlife Service 2001).

How this plays out for interest group decisions and actions will be discussed in the historical analysis. The next section details the methodology used in the collection of data for the historical analysis. It is followed by a brief description of the theories and hypotheses tested before moving into a narrative of interest group actions in this policy area.

Methodology of Historical Analysis

I use secondary and primary sources to provide a narrative of interest group involvement in oil policy in the United States and Canada from the 1970s to 2000, with a focus on targeted level of government and tactics. I begin my research in the 1970s, as most oil development began in the Beaufort Sea area after 1970, and end in 2000, as little significant oil legislation was passed in either country in the early 2000s. My findings are drawn primarily from newspaper articles on interest group actions in the Beaufort Sea region17, interest group websites, and articles by scholars who have studied this area.18 There has been little systematic analysis of interest group behaviors

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17 I primarily used the search terms of “oil policy” and “Beaufort Sea” in a number of newspaper databases.
18 For a list of newspapers and group websites, see Appendix B.
in this region; so much of this evidence is anecdotal, either from newspaper accounts or interest group newsletters. These sources are often from a particular viewpoint at a specific time; what is lacking is a broader picture of interest group involvement in oil policy in the Beaufort Sea area.

One reason for the lack of analysis of interest group pressures on legislators is the focus on administrative and judicial processes. There are many excellent articles and books detailing legal cases or lobbying of administrative agencies, but few that discuss interest group tactics in attempting to influence national, state, and territorial legislatures in oil policy. It is true that much oil policy is determined in the courts and agencies of both countries, but the legislatures determine the broad outlines of that policy and also merit study. ANILCA, mentioned above, is an example of legislative control over oil policy, as is the devolution of jurisdiction over natural resources to Yukon Territory.

My research attempts to fill this gap by bringing together these sources and evaluating theories based on the limited evidence available. However, there are some holes this research could not fill. Media attention to the Arctic region, with the exception of the controversy surrounding ANWR, has been scant, especially in Canada. This will be reflected in some sections of the analysis below.

As in the narrative of group activities in the Great Lakes region, the narrative of group activities in the Beaufort Sea region is broken into two main sections below: targeted level of government and choice of tactics. Each section begins with a recap of
the hypotheses described in detail in Chapter 2, followed by the historical narrative, and finished with a summary section on findings.

**Targeted Level of Government**

According to neoinstitutionalism, and $H_1$, interest groups are expected to target the level of government with greatest jurisdiction over environmental policy. As demonstrated in the last chapter, environmental policy fluctuated throughout the United States historically due to changes in interpretations of jurisdiction, so interest group behavior in relation to environmental legislation should also shift according to this theory. However, oil policy has remained relatively stable. The states have control over oil extraction on state land and three miles off shore, and the national government has control over oil extraction on federal land, oil pipelines, and most offshore drilling more than three miles from shore. Both state and national governments have jurisdiction over oil spills, though the national legislation trumps state legislation in a conflict (Ramseur 2012). Thus it is expected that interest groups will target the level that has jurisdiction in the area of the proposed legislation. In Yukon Territory, jurisdiction transitioned from the national level to the territorial level beginning in the late 1980s and extending into the late 1990s. Thus, interest groups should focus on the national government until the 1990s when they should shift to the territorial government.

As noted in Chapter 2, a second institutional explanation leads to differing expectations. For the second neoinstitutional hypothesis ($H_2$) interest groups will be
expected to target the level of government at which they perceive a higher level of success due to institutional bias. The expectation is for business and industry groups to target the state/territorial level rather than national and for environmental and citizen groups to target the national government rather than state/territorial.

According to elite theory (H3), business and industry groups should target the level of government that is passing unfavorable legislation, while organizational theory and H4 expect that interest groups will continue to target the same level of government as they have historically. Finally, POS theory (H6) posits that groups target the level of government at which there is a party receptive to the group’s goals: Leftist parties for environmental and citizen groups and parties from the Right for business and industry interest groups.20

Historical Analysis21

As in the previous chapter, the following sub-sections are organized by decade, from 1970 to 2000. Each sub-section title gives a brief synopsis of group activity during that time and concludes with a summary of findings for that decade. At the end of targeted level of government, there is a short section on findings across decades.

Focus on the national government in both countries, 1970-1980

During the early years of oil exploration and development in the North, interest groups focused on the national governments in both countries. The Arab oil embargo

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19 A chart of theories and hypotheses is in Appendix A.
20 A listing of parties in power for the state, provincial, and national governments can be found in Appendix C.
of the early 1970s raised the price of oil and made it profitable for oil companies to move into the Arctic region for the first time (Beauregard-Tellier 2008; Voutier et al. 2008). Industry began pressuring the national governments in both countries to issue exploratory permits and allow access to the Arctic coastline in order to profit from the oil there.

In the 1970s, Yukon Territory did not have control over its natural resources. Rather, much of the territory was made up of Crown lands, which fall under the administration of the national government (Beauregard-Tellier 2008). Industry groups, such as the Canadian Association of Petroleum Producers (known as the Canadian Petroleum Association during this time period), who had initially organized at the provincial level, shifted focus to the national level for opening up northern areas for oil exploration (Canadian Association of Petroleum Producers 2009a). The national government issued numerous permits for and invested in oil exploration in the Arctic after the discovery of oil at Prudhoe Bay and Norman Wells.

Several conservation groups and other citizen groups were created at this time, such as Canadian Arctic Resources Committee (CARC) in 1975, to push for conservation of wilderness lands and inclusion of northern voices into the decision making process. CARC pushed for the inclusion of native populations and settlement of land claims before further development and, in part due to their efforts, in the late 1970s the national government instituted a freeze on new exploratory leases until

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21 Frequently during the analysis there will be reference to legislation. A chronology of legislation discussed in this chapter, with a brief description can be found in Appendix E.
Native land claims were settled, which in part explains the decline in drilling as many of the land claims took more than a decade to settle (Crump 2001; Morell 1995).

In the United States, interest groups focused primarily on the national level as well. At the state level, some groups were meeting with their state legislatures to talk about issues, but were not actively pushing any legislation (Organization for the Management of Alaska's Resources 1978). Meanwhile, the U.S. Congress was debating the Trans-Atlantic pipeline. The Alyeska Pipeline Service Company designed the pipeline to transport oil from the highly successful Prudhoe Bay oil field, but construction was delayed when Native Alaskans protested the route as it crossed lands belonging to them. In order to speed the pipeline, industry began advocating on behalf of Alaskan Natives for a quick land claim settlement (National Parks Conservation Association 2012). Many conservation groups were also advocating for land claims settlements and protected federal lands at the national level (National Wildlife Federation 2013a). Settlement over land claims came in 1971 with the Alaska Natives Land Claims Settlement Act (Alaska History and Cultural Studies 2004).

In addition to activism on the land claims issue, groups were also active at the national level about the construction of the pipeline. Environmental groups lobbied Congress heavily to prevent the construction of the pipeline (Kubiszewski & Black 2006) while a consortium of oil companies known as the Trans-Alaska Pipeline system lobbied heavily in favor of it (Miller 2011). In 1973 the Trans-Alaska Pipeline Authorization Act came up for a vote in the U.S. Senate and tied at 49-49: the vice-president cast the deciding vote in favor of the pipeline (Alaska History and Cultural
Studies 2004). At the same time, wilderness conservation groups, such as the Wilderness Society and National Wildlife Federation, were also pushing the national government to pass the Federal Land Management and Policy Act, which would make areas managed by the Bureau of Land Management eligible for designation as wilderness areas with more protections from development (National Wildlife Federation 2013a; Wilderness Society 2013).

It is clear that interest groups targeted the national government in both countries during the 1970s. As the national governments had more jurisdiction over oil policy, this supports the first neoinstitutional hypothesis. Industry groups also targeted the national government, thus it does not support the second neoinstitutional hypothesis, which suggested that industry would target the territorial and state level of governments. However, this does support the elite theory hypothesis ($H3$) as industry groups were targeting the level of government considering legislation with an impact on the industry. It is too soon in the analysis to evaluate the organizational theory hypothesis. $H6$ (the POS theory hypothesis) was weakly supported. The Canadian Parliament was dominated by the Liberals for most of the 1970s, so the national level being targeted by citizen groups supports the hypothesis while being targeted by industry groups does not clearly disprove it since the Yukon Legislative Assembly was nonpartisan for much of the 1970s. In the United States, both levels of government were dominated by the Democrats, so the hypothesis was partially supported by the data.
Continued focus on national government in both countries, 1980-1990

During the 1980s, interest groups continued to target the national government in Canada and the United States. In Canada, groups were active on six separate legislative acts in 1985 that together made up a unified oil policy: Arctic Waters Pollution Prevention Act; Canada Oil and Gas Operations Act; Canada Petroleum Resources Act; Canada Shipping Act; Indian Oil and Gas Act; and Oil Substitution and Conservation Act. The oil companies and industry groups were in Ottawa attempting to convince members of Parliament (MPs) of the importance of the industry while environmental groups were lobbying MPs for tighter restrictions (Cox 1985).

There was some activism at the state level in the United States, but most groups continued to target the national government. Those groups keeping lobbyists in Juneau were there for tax policies, public interest group funding, etc., rather than oil policy (Resource Development Council for Alaska, Inc. 1982). At the national level, Congress was debating ANILCA in the late 1970s into the 1980s and many groups were actively trying to influence that debate. Environmental and conservation groups were concerned too much federal land in Alaska was being opened up to oil development and lobbied for land to be set aside and protected in the Act, while industry groups were arguing the opposite (National Parks Conservation Association 2012; National Wildlife Federation 2013b).

Then as soon as ANILCA was passed, lobbyists on both sides started pressuring the national government about whether or not to open Area 1002. The business and
industry groups were attempting to convince Congress of benefit to be gained from opening Area 1002 to oil development, while environmental groups were lobbying to permanently close all parts of the refuge, including Area 1002, to oil development in order to preserve wildlife habitat and Alaskan wilderness (Resource Development Council for Alaska, Inc. 1986a, 1988). Industry groups were also pressuring the Alaskan state government to issue a statement of support for the development of ANWR (Resource Development Council for Alaska, Inc. 1986b). The day before the Exxon Valdez spill the U.S. Congress was moving forward with a bill to open the refuge to oil exploration. However, in the aftermath of the spill, the bill was quietly dropped (Miller 1999).

In the 1980s, groups continued to focus at the national level in both countries, which supports the first neoinstitutional hypothesis, the elite theory hypothesis, and the organizational theory hypothesis. As industry groups continued to target the national government, it does not support the second neoinstitutional hypothesis. The results do not support the POS theory hypothesis. At the national level, the Liberals were in power for the first half of the decade and then the Conservatives for the latter half. The reverse was the case for Yukon Territory; the Yukon party was in power for the first half of the decade and the New Democratic Party for the second half. According to this POS hypothesis ($H6$), environmental groups should have targeted the national government for the first half of the century and then Yukon Territory with the reverse for industry groups. However, the data shows both groups focusing on the national government. In the United States, the national level was Democrat controlled through
most of the 1980s and the Alaskan legislature was split between Democrats and Republicans. Similar to Canada, groups did not appear to be influenced by the party in power as there was no discernible pattern to group activity and partisanship.

Focus on national government in United States and unfulfilled potential for shift to Yukon Territory in Canada, 1990-2000

In Canada, there is the beginning of a shift in group activism during the 1990s from the national government to the provincial level, while group activism remains predominantly at the national level in the United States. The Yukon Legislative Assembly and the Canadian national government signed the Canada-Yukon Oil and Gas Accord in 1993. This gave the territory control over onshore oil and gas resources and First Nations’ control over resources on their lands (Bankes 2000). In order to prevent a patchwork of regulations, the territory government and First Nations’ governments worked together to develop one unified regulatory framework: the Yukon Oil and Gas Act (1997). There is little evidence of interest group activity (other than First Nations’ groups) on either of these pieces of legislation. Association of Yukon Communities, Canadian Association of Petroleum Producers, Canadian Parks and Wilderness Society, Kaska First Nations, Porcupine Caribou Management Board, Ross River First Nation, Yukon Chamber of Commerce, Yukon Chamber of Mines, and Yukon Conservation Society were all invited to appear to speak on the Canada-Yukon Oil and Gas Accord and declined (Wherret 1997). Media accounts of the passage of both pieces of legislation do not reference any activity by interest groups and group websites only refer to the two Acts in passing. Due to the high level of uncertainty
during devolution proceedings, it is quite possible that uncertainty led to group inaction.

Yukon Territory encouraged increased oil exploration after developing the Yukon Oil and Gas Act, but many oil companies were slow to return. One reason may be because of the regulatory uncertainty after the shift in jurisdiction. According to the Canadian Association of Petroleum Producers (2009b), even though there is oil in Yukon Territory, “industry is looking for a more effective regulatory and fiscal environment before increasing oil and gas development.”

In the United States, most activity continued to remain at the national level. A year after the Exxon Valdez spill and in response to the spill, Congress passed the Oil Pollution Act of 1990 (OPA). It was meant to address spills into U.S. waters and shorelines (National Research Council 2002). This legislation passed quite smoothly. Many interest groups, including Sierra Club and National Wildlife Federation, were lobbying and testifying in support of it and few industry groups were openly advocating against it (Kurtz 2004; National Wildlife Federation 2013c).

In 1995 drilling advocates succeeded in having legislation passed that would open the Refuge but Clinton vetoed the bill (Miller 1999; U.S. Fish and Wildlife Service 2001). Surprisingly, it was not the industry backed groups like the American Petroleum Industry pushing for these initiatives. As mentioned above, it was not until the late 1990s that drilling for oil in the Arctic became economically feasible for the oil companies again. Rather it was the unions and state-backed groups like Arctic Power that were pressuring lawmakers to open up the Refuge for drilling (Juhasz
2008; Kriz & Jacobson 2002). Defenders of Wildlife, Sierra Club, National Audubon Society, and Natural Resources Defense Council, with other conservation groups, fought against the 1995 bill, and against provisions in the 1997 Budget Resolution opening ANWR to drilling, and supported several bills that would have permanently closed the refuge to drilling (Defenders of Wildlife 1996; Opening of ANWR 1995).

During the 1990s, according to $H1$, the data should have shown interest group activism during the negotiation of decentralization from Canada’s Parliament to the Yukon Legislative Assembly and then a shift in group activism to the territorial level. However, with the exception of First Nations groups, the data does not show this and so the first neoinstitutional hypothesis is unsupported for Canada. In the United States, jurisdiction remained with the national government, as did group activism, so there is continued support for the hypothesis. The second neoinstitutional hypothesis is also not supported, as industry continued to target the national government in both countries rather than the territorial or state level of government.

Neither do the results support the POS theory hypothesis. At the national level in Canada, the Liberals were in power for the entire decade, while in Yukon Territory power moved from the New Democratic Party (NDP to the Yukon Party and back to the NDP. This could explain some of the regulatory concerns from industry since the NDP and Yukon Party have very different platforms on oil and gas development. According to $H6$, environmental groups should have targeted the national government for most of the decade and industry should have shifted focus to the territorial level. As mentioned above, this was not the case. In the United States, the national level was
Democrat controlled through the first half of the decade and then Republican through the latter half, and the Alaskan legislature was Republican for the majority of the decade. Yet, both environmental and industry groups continued to focus at the national level, which shows no support for this hypothesis. The evidence does support organizational theory, as groups continued to target the same level of government as they had for the previous two decades.

Results for Targeted Level of Government

Organizational theory and the first neoinstitutional theory had the best support for targeted level of government during the decades studied. Until the 1990s, both environmental and industry interest groups focused on the national level of government in Canada. When jurisdiction shifted to Yukon territories in the late 1990s, native groups shifted attention to the territorial level of government. There is little evidence of other groups shifting their focus during the 1990s however. In the United States, although jurisdiction is shared between the national government and Alaskan government, most legislation being passed was happening at the national level and had to do with oil issues that fell under national jurisdiction (oil spills and pipelines, for example). With few exceptions, both industry and environmental groups focused at the national level for each time period. Organizational theory and \( H4 \) posits that interest groups are likely to continue targeting the level of government they have in the past. As most groups continued targeting the national governments in both countries through the three decades, the organizational hypothesis is also supported.
There was also support for the elite theory hypothesis. From elite theory comes the expectation in $H_3$ that business groups will be more reactive and wait for unfavorable legislation to be proposed before they act. Business and industry groups would not have a clear targeted level of government but would instead change their focus based on where the legislation is in process. Industry groups did target the national government for the proposed legislation dealing with oil regulations. However, this could also be explained with the neoinstitutional hypothesis.

The second neoinstitutional hypothesis and political opportunity structures hypotheses were all unsupported by the evidence shown here. The second institutional explanation ($H_2$) is that interest groups target the level of government which favors the goals of the group. In both countries the state/territorial level is more likely to favor business and industry groups while the national level is more likely to favor environmental and citizen groups. If this is the case, regardless of jurisdictional shifts, industry and business groups should target the state/territorial level and environmental groups should target the national level. With the exception of industry groups pressuring the Alaskan government to issue a statement of support for opening ANWR to drilling in the 1980s, most industry groups were focused at the national level. Environmental groups were also focused at the national level but this is better explained by the first neoinstitutional hypothesis.

Finally, political party seemed to play little role in group behaviors. If the expectations of Political opportunity structures theory ($H_5$) are met then groups will target the level of government at which there is a party with similar goals to the group.
This will differ by type of group: traditionally parties on the right are more receptive to oil extraction and reduced regulations while parties on the left often have goals more in common with environmental groups. This was not the case for any of the decades analyzed in this study.

**Choice of Tactics**

The historical analysis below will focus on three tactics in particular: lobbying, grassroots mobilization, and coalition building. This section will briefly recap the hypotheses being tested. Following this section, the historical analysis will test the hypothesis through a decade by decade analysis of group activities. As in the previous chapter, the results for each hypothesis will be discussed at the end of the historical analysis rather than at the end of each time period.

Neoinstitutional theory offers two hypotheses for this research. $H7$ hypothesizes that interest groups will use lobbying at the level of government with the greatest jurisdiction, while $H8$ posits that groups are more likely to use grassroots mobilization and coalition building at the national level. $H9$, which is generated from elite theory, suggests that business and industry groups will use lobbying more than any other tactics.

The hypothesis for organizational theory ($H10$) is that groups will rely on the same tactics over time rather than building new capabilities. Finally, the POS hypothesis ($H11$) suggests advocacy groups are more likely to use grassroots mobilization than interest groups. The historical analysis below will test these hypotheses.
Historical Analysis

The following historical analysis, like the analysis above and in Chapter 3, is organized by decades. The title of each subsection indicates the main finding of that decade. At the end of each subsection, the results for the hypotheses are discussed and again at the end of the historical analysis.

Primarily lobbying in use, 1970-1980

In Canada, industry groups were lobbying agencies to issue more permits while environmental and conservation groups were lobbying against additional permits (Beauregard-Tellier 2008; Keil, 2012), but there is little evidence in media or through group websites that any type of group was lobbying legislators or mobilizing grassroots for oil policy legislation during this time. While groups may have been building coalitions during this time, there is no media coverage to indicate this was the case.

In the United States, the evidence for this research shows that most groups relied primarily on lobbying during this time period. Industry lobbied on behalf of Alaskan Native land claim settlements (National Parks Conservation Association 2012), and to get the Trans-Alaska Pipeline approved (Miller 2011). Environmental groups lobbied Congress to prevent the construction of the pipeline (Kubiszewski & Black 2006).

There was some coalition building among industry groups. Companies and groups pushing for the Pipeline formed a coalition called the Trans-Alaska Pipeline System (Miller 2011). Though environmental groups were lobbying for the same cause (prevention of the pipeline), there was little evidence of a formal coalition. Some
industry groups also encouraged members to speak to legislators, but the focus was on the professional members rather than the grassroots members (Resource Development Council for Alaska, Inc. 1979b).

Continued focus on lobbying, 1980-1990

As in the 1970s, industry groups and environmental groups relied primarily on lobbying. In Canada they were lobbying in Ottawa on a package of oil policy bills (Cox 1985). According to the website of the Canadian Association of Petroleum Producers (2009a), the group was instrumental in the formulation of Canadian energy policy during this time: “Canada’s energy policies are based on recommendations that the CPA [the name of CAPP during this time period] spent two years preparing. These recommendations were adopted by the Progressive Conservative Party, the official opposition and later translated into government policy.” In the United States, environmental groups were lobbying for ANILCA (National Parks Conservation Association 2012), while industry groups were lobbying both the national and state government to open ANWR to oil development (Resource Development Council for Alaska, Inc. 1986b). Environmental and conservation groups also lobbied for ANWR, but to keep it closed to development. The Wilderness Society website states the group went “toe-to-toe with high-priced lobbyists on the Arctic Refuge” (Wilderness Society 2013).

Both industry and environmental groups turned to grassroots mobilization over the ANWR issue in the United States. Some industry groups called for their membership to write letters after environmental groups began a fairly successful
grassroots campaign (Resource Development Council for Alaska, Inc. 1987). In addition, according to the Resource Development Council for Alaska, Inc.:

The Alaska Oil and Gas Association, the Resource Development Council, Inc., and the Alaska Support Industry Alliance have joined the Alaska State Chamber of Commerce, the Alaska Chapter of Associated General Contractors and Arctic Slope Regional Corporation to form the Steering Committee of the new Alaska Coalition For American Energy Security. The Coalition will combine its efforts with the Washington, D.C.-based Coalition for American Energy Security to assure that members of Congress are fully informed about all aspects of the ANWR issue before deciding whether to open the coastal plain to exploration and development or designate it wilderness (1986c: p. 1).

Again, although several environmental groups were also lobbying for the same causes, there is little evidence of formal coalitions between environmental or recreational groups.

Some diversity in tactics, but still mostly an emphasis on lobbying, 1990-2000

There was greater diversity of tactics in the 1990s, with more groups using grassroots mobilization. For example, the National Parks Conservation Association mobilized its members to send letters against opening up ANWR to drilling (Daerr 2000). Environmental groups also began to form coalitions. Defenders of Wildlife formed a coalition with 15 other groups to work against drilling in ANWR (Defenders of Wildlife 1996). In addition, both industry and environmental groups began running ads prior to votes in Congress to mobilize the public (Kriz 2001).

However, lobbying still predominated. In addition to grassroots mobilization, interest groups, such as Sierra Club and Defenders of Wildlife, were lobbying against opening ANWR (Defenders of Wildlife 1996; Kurtz 2004). According to the National
Wildlife Federation’s website (2013c), the group “lobbied hard for passage of this law [Oil Pollution Act, 1990]”. Similar language described the group’s actions on other legislative proposals. Pro-drilling groups like Arctic Power were lobbying to open ANWR for drilling (Juhasz 2008, Kriz & Jacobson 2002).

Results for Choice of Tactics

Due to the lack of variation on the independent variable of level of government (groups focused on the national level of government in both countries for most of the time period analyzed), this was not an ideal test case for several hypotheses. With that said, there are some findings that merit attention. As mentioned in Chapter 2, this research focuses on three specific tactics: lobbying, grassroots mobilization, and coalition building. First, evidence indicates that all groups relied on lobbying most. The second most utilized tactic was coalition building. Grassroots mobilization was utilized the least and predominantly by citizen groups, especially in latter years.

The analysis of tactics clearly shows a reliance on lobbying by all groups over the other tactics. There are two possible reasons why grassroots mobilization did not show up as frequently. The first is due to the sparse populations in Alaska and Yukon Territory. Grassroots mobilization by groups may not have generated much of a response based on, in many cases, a widely dispersed membership. Another explanation has to do with the data sources. Media outlets and group websites may be more likely to report on lobbying than grassroots mobilization, thus making it appear that lobbying was used much more when that may not be the case. However, the
interview data in the next chapter shows that lobbying is used more than any other tactic, which at least partially confirms the evidence in this chapter.

According to neoinstitutionalism, interest groups are expected to use lobbying at the level of government with the greatest jurisdiction. In this case, interest groups in Canada are expected to use lobbying at the national level until the late 1990s and in United States they should use lobbying at the national level as well. The reliance on lobbying mentioned above would confirm the expectation of the first neoinstitutional hypothesis and, as the national government was the level with the most jurisdiction in both countries for most of the time periods, it would disprove the second neoinstitutional hypothesis. The second neoinstitutional hypothesis predicts that groups will use grassroots mobilization at the national level. While some groups did use grassroots mobilization at the national levels, this analysis shows it was much less frequent than lobbying.

The consistent reliance on lobbying by all groups also confirms the elite theory hypothesis. Elite theory posits that industry groups will use lobbying over all other tactics at all levels of government. The evidence supports elite hypothesis most clearly, as groups used lobbying at all levels, regardless of jurisdiction.

The evidence also demonstrates partial support for the organizational theory hypothesis. According to organizational theory, group tactics do not change over time or between levels. Instead, groups will continue to rely on the tactic that experience shows as being most effective. This appears to be the case, as groups consistently used lobbying throughout the analysis, with some reliance on grassroots mobilization.
However, this analysis ends in 2000, when the Internet and social media began to grow. It is unclear whether extending the analysis further would have shown a shift from traditional lobbying to grassroots mobilization through email and social media. Interview data in the following chapter shows that this may be the case.

There is little support of the political opportunity structures hypothesis. POS posits that citizen groups are more likely to use grassroots mobilization at every level of government than industry groups. This data shows that industry groups also used grassroots mobilization. Only in the 1990s did citizen groups begin using grassroots mobilization at a greater rate. While there is not one hypothesis for tactics that is clearly supported over the others, as in the analysis of the targeted level of government, neoinstitutionalism and elite theory show the most support.

Conclusions

The Arctic oil case study suffered from a lack of sources, especially in Canada, yet it does offer some insight. Even with the limited evidence, neoinstitutionalism and elite theory are best supported. For targeted level of government, I believe neoinstitutionalism offers a better explanation as it offers an explanation of all groups’ behavior rather than just the business and industry groups. For tactics, elite theory had stronger support. Organizational theory and political opportunity structures theory had little support for either targeted level of government or tactics.

Finally, it would appear that although groups use other tactics, lobbying appears to be the tactic of choice in most instances. This was also found to be the case in the Great Lakes case study. This is true even for non-profit groups that are limited in how
much they are allowed to spend on lobbying and influencing public officials. This reaffirms the adage that lobbying gives the "best bang for the buck".

In the following chapter, I analyze data from interviews with the groups discussed in these two case studies. The interviews are meant to get to the reasons and thought processes underlying the choice of strategy and tactics. In general, the results of the interview reaffirm what has been demonstrated in this and the prior chapter.
CHAPTER V

EXPLORING GROUP RATIONALE: CONVERSATIONS WITH GROUPS

Introduction

While the previous two chapters investigate interest groups activities historically, they tell us little about the rationale for making the decisions. Historical data can be used to show support for theories of interest groups behaviors, but it cannot replace the information gained from directly asking group leaders why they make certain choices. In order to determine why groups make these decisions, I interviewed representatives of 26 groups involved in Great Lakes water quality policies and 16 groups involved in oil policy in the Beaufort Sea. I asked them a series of questions intended to get to the answers of the two primary research questions: How do groups decide at which level of government to target their actions? How do they determine the tactics that they use?

This chapter is broken into six main sections. The first section describes the methodology used in the sampling and interview process. After this, there is a section describing the range of groups interviewed through descriptive statistics, followed by two sections analyzing the results of the interviews on targeted level of government and tactics. A brief section summarizing the theories and hypotheses precedes each section on the results. The last section summarizes the findings and discusses conclusions that can be drawn from the interview data.
Methodology

As the questions that are the basis of this research are about how groups make decisions, the most direct route to find answers was to ask representatives of the groups, specifically the staff members that make the decisions. First however, I had to determine what groups to contact. For this research, the names of 83 groups in the Great Lakes region and 46 groups in the Beaufort Sea region were compiled from media accounts\textsuperscript{22}, coalition listings, and suggestions from prior interviewees.\textsuperscript{23} Further research eliminated 24 Great Lakes groups and 10 Beaufort Sea groups that are either no longer in existence, no longer active in the policy area of interest, or that had no contact information available. All of the remaining groups were contacted for interviews. Of the remaining 59 Great Lakes groups, 26 were interviewed and 33 declined to be interviewed, for a response rate of 44 percent. For the Beaufort Sea region, 16 of the 36 groups still in existence were interviewed and the remaining 20 declined, for the same response rate of 44 percent.

The interviews were conducted by phone\textsuperscript{24} or via email with presidents, directors, or individuals in more specialized positions dealing with legislative policy and focused on interest group decisions within the past two years.\textsuperscript{25} The questions in

\textsuperscript{22} Prior research on the history of group activities used newspaper accounts spanning 1940-2000. Names of groups mentioned in those accounts were compiled and then the groups that were no longer active in 2010 were eliminated.
\textsuperscript{23} A complete list of interviewed groups is offered in Appendix G.
\textsuperscript{24} All but one of the groups that I interviewed by phone consented to having the call recorded, and most agreed to the use of the name of the group and to be quoted in the dissertation.
\textsuperscript{25} The interviews, for the most part, were conducted in 2011 to 2013 and reported political conditions reflect that time period. Follow-up email discussions occurred for some of the interviews and secured additional information or clarified earlier comments. These email conversations happened between 2011 and 2013.
the interview ranged from verification of data on websites to close-ended responses about budgets and tactics to open-ended questions about reasons for decisions.\textsuperscript{26}

**The Groups: Descriptive Statistics**

While the sample size is small, there is a wide range of groups. There is variation in type, origin, age, membership, and budget. This is important in order to be able to test the hypotheses. The sample is too small to have statistically significant findings, but as the interviews were meant to get at the reasons for the decisions rather than correlations between factors, it still led to some fascinating and telling results. In this section I will discuss descriptive statistics and aggregate responses to broad questions about targeted level of government and tactics. Responses broken down by types of group are discussed in the next two sections, which evaluate support for the hypotheses.

This is a comparative study of United States and Canada and groups from both countries were interviewed. Additionally, binational and international groups that operated in one of the two countries were included in the sample. Of the 42 groups that I interviewed, seven were based in Canada, 30 were from the United States, three of the groups were binational, and two were international (See Figure 4 for a breakdown by case study). A much higher number of groups in the United States than in Canada can be expected: the United States has a larger population and more interest groups than Canada. This is true for both case studies. Surprisingly, all three binational groups

\textsuperscript{26}A template of the phone questionnaire is included in Appendix D. Follow-up questions that are not on the questionnaire occurred in almost every interview, but varied too much from conversation to conversation to be included with this template.
were found in the Great Lakes case study. None of the groups interviewed for the Beaufort Sea case study worked across the border and few even belonged to cross-border coalitions; however, several did work with the Gwich’in Community, which is an indigenous community that spans both sides of the border. The representative for Ocean Conservancy stated that this is, in part, because of limited capacity. Staff have a difficult enough time knowing the rules and processes in one country and state or territory, without adding in a different system altogether (Hartsig, A. 2013, April 11. Telephone interview). Pamela Miller, the Arctic Program Director of Northern Alaska Environmental Center commented that it was quicker and easier to get from northern Alaska to Washington D.C. than to cross the border into Canada because few roads exist in the north and other transportation is unreliable (2013, May 3. Telephone interview). Other groups echoed similar reasons. In addition, there is no binational institution in the Beaufort Sea, like the International Joint Commission in the Great Lakes region, to facilitate cross-border cooperation.
There was also a range of types of group. Thirty-two of the groups were citizen groups: 18 conservation, 11 environmental, one recreational, and two multi-issue groups. The remaining ten groups were industry groups (Figure 5 shows the groups by case study). In the Great Lakes case study industry groups (44 percent response rate) had a similar response rate to citizen groups (42 percent response rate). However, the opposite occurred in the Beaufort Sea case; almost all industry groups granted me an interview (72 percent response rate) while citizen groups were more likely to decline an interview (52 percent response rate). No indigenous groups in either study agreed to an interview. The reason for these two trends is unclear, although one conservation group representative (who asked not to be named), from the Beaufort Sea case study, told me that a few years ago a professor had students call indigenous, environmental,
and conservation groups for information for research, which was then forwarded on to industry and business groups rather than used for scholarship. This was used to explain the initial reticence of this representative to speak with me, but may explain why several other citizen groups in the Beaufort Sea case study declined. In addition, I suspect that the current salience of oil policy in the Arctic may lead to an increasing number of industry groups willing to talk to researchers and citizens alike.

Figure 5
Groups, by Type (n=42)

The groups ranged in age, with the oldest group established in 1916 (Georgian Bay Association) and the youngest in 2004 (Lake Erie Waterkeeper, Inc.); however, 17 of the 42 groups were established during the environmental movement in the 1960s and 1970s. As shown in Figure 6, it can be seen that oil policy in the Beaufort Sea has not been an environmental issue as long as Great Lakes water quality policy. The
ability to access the oil, both offshore and onshore, in the Arctic regions has been a relatively recent development, which is reflected in the creation of groups to address it as an issue.

Figure 6
Groups, by Time Period Established (n=42)

The resources of the groups (membership, paid staff, and budget) were also very different. Membership variance was difficult to capture in a graph as it varied from groups with no formal membership (for example, Environmental Defence) to groups with individual members in the millions (Clean Water Action) to groups made up entirely of groups or businesses (Alaska Oil and Gas Association) or a combination of individuals and groups (Great Lakes United). Similarly, paid staff varied from all-
volunteer groups (Lake Michigan League of Women Voters) to groups with staffs into the hundreds (Ducks Unlimited) (Figure 7). However, 22 of the 42 groups in this sample had staffs between 1 and 20, which was by far the largest category.

Figure 7
Groups, by Number of Paid Staff (n=41)

Finally, budgets of the groups range from the hundreds of thousands up into the hundreds of millions, although most groups are between $1 million and $10 million (Figure 8). Surprisingly, almost all of the Beaufort Sea groups reported a narrower range of incomes than Great Lakes groups, ranging from $500,000 to $20 million. This may be due to the small sample size or there may be something about that policy area that lends itself to that size budget. It is unclear from this research what that may be. Not all groups were comfortable sharing their budgets, so the number of responses is less for this question than the total number of groups interviewed.
In addition to questions about budget, membership, and other descriptors, the groups were asked questions about which level of government they targeted and why, what tactics they used and why, and whether they tailored the tactics to the level of government. As no group responded that they predominantly target the international level, this level of government is not represented on any of the charts or graphs below.
Most groups are active at more than one level of government. However, if one level of government was targeted more than 50 percent of the time then the group's response was coded as targeting that level of government. Coded this way, more groups are shown as targeting the state/provincial/territorial level than national level, though by a slim margin (Figure 9). Eight groups responded that either they are active equally at each level of government or that they do not target one level of government over another. While no group focused exclusively on the international level, two groups split their efforts equally between the international and national level. Great Lakes United works on both international agreements between the United States and Canada and also on federal legislation that implements those agreements (Jackson, J. 2012, November 20. Telephone Interview). Both Great Lakes United and the Council of Great Lakes Industries have an ecosystem-wide focus and thus are active bi-nationally and nationally. Alliance for Great Lakes, while also focusing on the ecosystem, is primarily in the United States and splits their time between the national government and three or four states in the Great Lakes region (Teutsch, J. 2012, November 9. Telephone Interview).
The interviewee was then asked to give the top two or three tactics used by the group in general. In the chart below (Figure 10), each tactic is counted once for each time it was mentioned. One tactic came up several times but did not neatly fit into a single category: lobbying and educating other interest groups. Sean Mahar, Director of
Government Relations for Audubon New York, discussed a bill in the New York legislature about hydro-fracking. Audubon New York supported the bill because it put stringent requirements on companies that withdrew water from the Great Lakes for hydro-fracking. However, several other environmental and conservation groups opposed the legislation because they thought it would allow open withdrawals for hydro-fracking purposes. Audubon New York's campaign actually included concerted efforts to educate other groups about the bill and convince them to support it (2013, March 18. Phone interview). This tactic does not clearly fit lobbying, education, or coalition building.

Not all groups answered with three tactics or with specific tactics. Additionally, several group representatives emphasized that they did not lobby legislators but rather educated them on the issues. This distinction is important for charitable groups, especially in Canada, as they are limited in what they can do. Bill Snape, Senior Counsel for Center for Biological Diversity, further clarified the difference between the narrow definition of lobbying and a broader definition (2013, April 11. Telephone Interview): “A lot of times both elected officials and their staff actually need information. So, there is lobbying in the dictionary sense of the word [narrow definition]: when a member of Congress calls me and asks me a question, that's not lobbying.” However, for the sake of this research, those responses have been coded as lobbying of legislators, as I use a broader definition of lobbying which includes educating legislators.
Only five groups listed coalition building as a tactic, however it was not because they are not members of coalitions. In one of the interview questions, I specifically ask if they are part of any coalitions or formally affiliated with other groups. Thirty-two of the 42 groups responded affirmatively to this answer, some with multiple coalitions. I see three possible reasons for this. First, it may be that the question order led groups to believe it was unnecessary to include coalition building as a tactic since they had already responded about affiliations and coalitions in an earlier question. Second, it could be that many groups do not consider coalition building as a tactic. Lastly, if groups do consider it a tactic, they may not consider it one of the top two or three tactics and thus not include it for that reason.
Group representatives were also asked whether they use different tactics at different levels of government. Nineteen respondents said no, while sixteen said they do tailor tactics by level (Figure 11). Of the nineteen respondents that said no, most stated that they do tailor tactics by issue or campaign, by target, or by stage in the process rather than level of government. For example, the representative of pollution probe stated “tactics are developed or pursued based on what is best for the project,
regardless of the level of government” (DeYoung, M. 2013, January 2. Email Interview.). Four representatives reported some tailoring of tactics by level but do more tailoring based on other factors. Not every group clearly answered the questioned.

Figure 11
Tailoring Tactics (n=39)

In the following section, the theories and hypotheses being tested for targeted level of government are briefly explained. The hypotheses are followed by analysis of results based on the group responses. The hypotheses and analysis for choice of tactics follows the targeted level of government.
Targeted Level of Government

Neoinstitutionalism, elite theory, organizational theory, and political opportunity structures theory all propose different answers to the research questions.

Neoinstitutionalism suggests institutions are the driving explanatory variable behind individual and group behaviors. According to $H1$, interest groups are expected to target the level of government with the greatest jurisdiction over environmental policy. For groups in the United States, this would be the national level for most environmental policy issues. In Canada, for the Great Lakes groups, provinces have jurisdiction over most environmental issues within Great Lakes water quality policy. In the Beaufort Sea case, Yukon territory has recently (the 1990s and 2000s) had jurisdiction over natural resources transferred to territorial control, so Canadian groups in the that case study should also focus on the regional level.

A second neoinstitutional hypothesis, $H2$, posits that interest groups target the level of government at which they perceive a higher level of success due to institutional bias. In both countries, in most cases the national level is more welcoming to environmental and citizen groups, while the state/provincial level favors business and industry groups. So this hypothesis predicts business and industry groups target the state/provincial level rather than national, and environmental and citizen groups target the national government rather than state/provincial.

Elite theory places elite interactions at the forefront of investigation. According to $H3$, business and industry groups are expected to target the level of government that is passing unfavorable legislation. This would mean that business would not have a
clear targeted level of government or would target all levels equally due to reacting to where legislation is being considered and passed.

Meanwhile, organizational theory suggests tradition and resources of the organization are the primary determines of organizational behavior. As for neoinstitutional theory, there are two hypotheses being tested for this theory. The first, \( H_4 \), suggests that tradition is the driving factor. Groups will target the level of government they have targeted in the past because that is where they have the knowledge and capacity already developed. This will be demonstrated in their response to the question about why they target a particular level of government. Additionally, the devolution of jurisdiction in the Yukon Territory in the Beaufort Sea case forms a test. Until the 1990s, groups targeted the national government because it had jurisdiction over natural resources, including oil, in the territories. After devolution, jurisdiction changed. If groups continued to target the national government, this will support this hypothesis.

The second organizational hypothesis posits that resources will play a greater role in decision of targeted level of government than other factors. Groups with fewer resources (smaller budgets, fewer staff) will be less able to target the national government. Therefore, \( H_5 \) predicts that groups with more resources are more likely to target the national government than groups with fewer resources.

Political opportunity structures theory states that political variables, such as the party in power, are important variables for group decision-making. \( H_6 \) posits that groups target the level of government at which there is a party receptive to the group’s
goals: Leftist parties for environmental and citizen groups and parties from the Right for business and industry interest groups.

Interview Analysis

In this section each hypothesis will be discussed with reference to the aggregate data and the individual responses that support or refute the hypothesis. For much of the analysis, the responses of groups in the two cases will be combined. Only when there are significant differences is the data broken into the separate cases for discussion.

The aggregate data from the interviews do not strongly support the first neoinstitutional hypothesis in either of the countries (Figure 12), but many of the individual responses do. Ten U.S. groups did target the national level. However, thirteen U.S. groups targeted the state level of government, while another three split their time equally between the state and national government. The binational and international groups were not included in this analysis as the hypothesis does not predict their actions. Of the groups that do target the national government in the United States, four mentioned that the reason for that is because that is where the legislation is being passed. For example, Jerry Schwartz, Senior Director for Energy and Environment at American Forestry and Paper Association stated “the policies that they [states] implement are set at the national level in the federal Clean Water Act, so it just makes sense to focus on the national level.” (2012, October 17. Telephone Interview). Similarly, CropLife America focuses on the national level because the legislation that has the greatest impact on the member companies is national: the Clean Water Act, Federal Insecticide, Fungicide, & Rodenticide Act, etc. (Adcock, R. 2013,
February 20. Email Interview). Ducks Unlimited in the United States focused on the national government more frequently than the state level, in part because the national government passed the legislation they were most concerned with, including the Wetlands Protection Act.²⁷

Figure 12
Targeted Level of Government, by Country (n=37)

![Bar graph showing targeted level of government by country.]

One characteristic of groups that impacts responses on targeted level of government is whether or not they are multi-tiered. In the case of a group with a national group and subgroups, I chose to interview the tier of the organization that did the most work within each case study. For example, the League of Women Voters has a national organization, but the Lake Michigan League of Women Voters does more

²⁷ Other reasons mentioned included that the national government was within their niche of outreach and because the national government was more receptive than state and local levels of government.
work with Great Lakes water quality than the national organization, so I interviewed a representative with the Lake Michigan League of Women Voters. The national League of Conservation Voters handles the oil policy activism for the Arctic region, so I interviewed the national group for that case study. This does impact the rationale of the groups for targeting a certain level. For example, according to Suzanne Dixon, the Natural Resource Chair of the Lake Michigan League of Women Voters, “we need our national organization's permission to get involved at the national level, so it's easier for us to become involved at the state and local level, and that's where I would say the majority of our work is done” (2013, February 22. Phone Interview). Audubon New York focuses at the state level “because we're a state based organization, not the national organization [National Audubon Society]” (Mahar, S. 2013, March 18. Phone interview). The legislative director of the National Audubon Society, Brian Moore, reaffirmed this: “they [state Audubon Societies] work with their state legislature and state agencies on a regular basis and then when it comes to doing things nationally or coordinating nationally or working here in Washington with the Congress... we do that” (2013, May 21. Telephone Interview.) As I interviewed eight multi-tiered groups in the United States, this may have led to a higher rate of reports of targeting the state level due to organizational design rather than the reasons put forward by the hypotheses. If multi-tiered groups are eliminated from the analysis, then eight groups would have targeted the state level and nine the national level. This is still only weak support for the hypothesis in the U.S.
One of the U.S. groups that targets the state level in the Great Lakes case study and is not a multi-tiered organization, Clean Water Action, does so, in part, because there was a lack of environmental groups organized at the state level: “back when we were first started, four years ago, fairly early on we made the decision that the need that we saw that was most pressing at that point wasn't necessarily another environmental group with lobbyists in Washington.” (Wendelgas, R. 2012, November 19. Telephone Interview). So, while they themselves do not fit this theory, in fact it is because other groups fit the theory's expectation for focusing on the national government. Of the remaining seven groups, a variety of reasons were given for targeting the state level: capacity (resources, staff), mission and goals, party in power, and impact.

No Canadian groups exclusively targeted the provincial level of government, as expected. However, only one group (Environmental Defence) targeted the national government more than provincial. For Environmental Defence the aspect of water quality that they address, toxics, falls under federal jurisdiction rather than provincial (Malcolmson, C. 2012, October 16. Telephone Interview). Four of the groups that reported splitting their activities almost equally between the provincial/territorial and national level or between all levels are groups in the Great Lakes case study that address multiple issues within water quality policy, some of which fall to the national government. For example, the Georgian Bay Association splits their time between the national and provincial level because each level has influence over at least one issue.
they are concerned with in relation to water quality (toxics at the national level and aquaculture at the provincial level).

Another reason why at least two of the Canadian groups target the national government as well as provincial/territorial governments is because while legislation is passed at the provincial/territorial level, most money comes from the national level. As Julie Cayley of Ducks Unlimited, Canada, said about why they target each level equally “Because they are very different... The provincial government/legislature has power over their province's natural resources (as set out in the Constitution Act, 1867). Resources/funding can come at both levels so efforts on influencing policy and legislation focus on the Provincial level and commitments to allocating resources needs to come from all levels.” (2013, January. Telephone Interview). Melissa DeYoung, of Pollution Probe, responded “we do not target specific levels of government but rather, through the scoping of a project, identify opportunities that may exist... Many of our projects involve each level of government and we receive funding from municipal, provincial, and federal government.” (2013, January 2. Email Interview).

Overall, while the quantitative data show little support for the first institutional theory, the qualitative data tells another story. Many groups do make decisions on which level of government to target based on where legislation is passed. What about the other hypotheses?

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28 Some of this wording comes from later communications in August, 2013, rather than the original phone interview.
The interview data for the Great Lakes case study does not support the second neoinstitutional hypothesis (Figure 13). For the Great Lakes case study, none of the industry groups exclusively targeted the state/provincial level: all of the industry targeted the national level or national level in combination with one other level. Citizen groups targeted the state/provincial level at higher numbers than the national level. Additionally, neither did the industry groups mention the state level of government being more accommodating nor did the citizen groups mention that the national government was more accommodating. In fact, only two groups made comments about the receptiveness of the levels of government, both citizen groups, and both implied more opportunities for the group at the state level. The National Audubon Society of New York found more flexibility at the state level (Mahar, S. 2013, March 28. Phone Interview) and Clean Water Action's representative mentioned that “there are opportunities at the state level that don't exist at the federal level” (Wendelgas, B. 2012, November 19. Phone Interview).
There are different results for the Beaufort Sea case study. Eight of the eleven citizen groups targeted the national level of government, while four of the five industry groups targeted the state/territorial level of government. The one industry group that split its time between national and territorial levels is the Canadian Association of Petroleum Producers. As Aaron Miller, the Manager of the Northern Canada file for CAPP, explained, there are currently ongoing devolution discussions between the national and territorial governments that would transfer more control over natural resources to the government of the Northwest Territories. As that develops, he suggested that CAPP would be likely to switch more of its focus to the territorial level (2013, April 11. Phone Interview). Furthermore, every industry group in Alaska mentioned the receptiveness of the state government in some form during the
interview. It could be argued that this is due to a Republican administration at the state level and a Democratic administration at the national level, but it was often prefaced or related in terms of the contribution of the industry to the state coffers. For example, according to the Alaska State Chamber of Commerce, roughly “92 percent of every dollar into the state's coffers is attributed to the oil industry. …We have the greatest amount of impact on the state level and as such that's where we spend the majority of our time” (Rogers, A. 2012, October 6. Phone Interview). As Kara Moriarty, from the Alaska Oil and Gas Association, put it, “Everybody's receptive to talk to us because we are the largest private sector in Alaska. We provide one-third of all the state's jobs. We are the largest revenue payer to the state of Alaska.” (2012, October 15. Phone Interview). It was not just the industry groups that mentioned the pro-industry stance of the state government: Andrew Hartsig, Director of the Arctic Program for Ocean Conservancy said that, “in general the state of Alaska is pro-development and it’s not very interested in conservation methods that would set aside important areas” (2013, April 11. Telephone Interview).

What can account for these differences? There is a possibility that the sample size for the Beaufort Sea case study is so small that this is purely coincidental, but I do not believe this to be true. Instead, there is one particular difference between the two case studies that may account for this difference. While the states surrounding the Great Lakes benefit from the lakes, their economies are not dependent on the water quality. In Alaska and the Yukon territories, oil and gas revenues make up a very large part of the state and territorial revenues. This may exaggerate the institutional bias
posited in the second institutional hypothesis. Additionally, three of the five industry groups mentioned working on oil related taxes at the state level. The oil industry pays high taxes in Alaska, relative to taxes paid in other states, making this a big issue for the industry, which may influence the targeted level of government. With that being said, is the Beaufort Sea case a better indicator of the validity of this argument than the Great Lakes case? In short, which of the two cases should be more persuasive in evaluating this theory? I argue the Great Lakes case is more representative of the environmental policy arena than the Beaufort Sea case, but that does not mean that the support for the theory demonstrated in the Beaufort Sea case should be entirely discounted.

According to elite theory, $H3$, business and industry groups should target the level of government that is passing unfavorable legislation. The targeted level of government would shift with the type of legislation. In fact, business would not have a clear targeted level of government, but would instead react to where this legislation is being passed. However, with the exception of two industry groups, the industry group representatives clearly indicated that they targeted one level of government more than any other.

This could also become clear in the group representative's response to why they target a level of government, and while the industry group representatives did not clearly state that this was the case, there was some indication that it played a role in the decision-making for some groups. For example, three industry groups cited legislation as issues the group was active on rather than a broad issue area, which seems to
indicate a reaction to legislation rather than proactive measures on an issue area. According to the respondent for Alaska Support Industry Alliance, they target “state and federal; those are the governments that control laws/regulations that impact our industry” (Logan, R. 2013, April 5. Email Interview). Kara Moriarty, of Alaska Oil and Gas Association (2012, October 15. Telephone Interview) similarly stated that they “will obviously suggest changes to legislation for amendments. It's rare for us to be involved in the drafting of a bill.” Again, while not explicit, it does seem to indicate a reactive stance. If this offers any support for this hypothesis, it is only weak support in that it was deduced from responses rather than clearly stated.

The first organizational theory hypothesis (H4) posits that groups target the level of government they have targeted in the past. For the Beaufort Sea case study, Yukon is a good test of the theory. Prior to devolution in the 1990s and 2000s, most groups targeted the national government as that is where jurisdiction resided. However, when these interviews were conducted (2012-2013), all of the Canadian groups in the Beaufort Sea sample targeted the territorial level, although in conjunction with the national level. This is counter to the expectations of the theory. Additionally, a number of groups, both in Canada and the United States, referenced having shifted focus from one level to another within the past 10 years, also disproving this hypothesis.

If the expectations of organizational theory and H5 are met, then interest groups with greater resources, in both countries, will be more likely to target the national government than groups with fewer resources. This hypothesis is tested with a comparison of group budgets and staffs to determine whether or not the groups target
the national government. Additionally, for smaller groups especially, it may be reflected in their response about why they target the level of government they do.

Figure 14
Targeted Level of Government, by Staff (n=41)

For staff members, the results show weak support for organizational theory (Figure 14). The three groups with staffs of over 200 did focus on the national or all levels of governments. A plurality of groups with staffs of 1 to 20 people targeted the state level, but groups with that staff size also targeted the national and international levels of governments. In fact, only two groups mentioned staff size as a factor in the
decision of which level of government to target, with very different responses: Alliance for the Great Lakes and Clean Water Action. Alliance for the Great Lakes has only recently shifted to working in states as their staff increased. When asked to explain the shift from focusing at the national level to splitting time between the two levels, Jared Teutsch, Water Policy Advocate for the Alliance for the Great Lakes, stated that it was “a simple staffing issue, or an organizational capacity. We just didn't really have the capability or staffing to handle that [before].” (2012, November 9. Personal interview). This goes against the expectation that groups with fewer resources will automatically target the state over the national level of government. Conversely, Clean Water Action's President and CEO Bob Wendelgas (2012, November 19. Phone interview) stated “we have a smaller staff relative to some of the other national organizations at the national level; whereas, at the state level we're often among the biggest organizations. So our capacity, for example, at the state level relatively speaking is greater than it is at the national level.” This explanation reinforces the expectations for this hypothesis, as capacity is determined to a large extent by budgetary and staff resources. In this case, having a smaller staff size made the group decide to target the state level rather than the national level as they would have more impact there vis-à-vis other groups.

The results for targeted level of government by budget were inconclusive (Figure 15). As eight groups were uncomfortable giving a budget, the sample size is smaller for this variable. While, in general, larger groups target higher levels of government, some of the smallest groups target the national government and some of the largest
groups target the state/provincial/territorial governments. Groups with mid-range budgets are spread across all levels. One mid-range group representative responded that the reason they focused at the state level was because “our capacity at the state level is greater than at the national level” especially relative to other larger groups (Wendelgas, R. 2012, November 19. Telephone Interview). Brian Smith, Program and Communications Director for Citizens' Campaign for the Environment (2013, June 12. Email Interview), did explicitly mention resources as one of the factors in deciding which level of government to target: “Additionally, decisions are made based on what resources we have available (i.e. do we have a travel budget to fly in and lobby in DC).” As with staff size, few groups indicated this was a factor in their decision of which level of government to target.
Political opportunity structures theory \((H6)\) states that groups target the level of government at which there is a party receptive to the group’s goals, with leftist parties as more receptive to environmental and citizen groups and parties on the right of the political spectrum more supportive of industry groups. At the time of the interviews, in Canada the Conservatives were in power at the national level and the Liberals were in power in Ontario.\(^{29}\) While Yukon Territory is currently dominated by the conservative Yukon Party, the party has only a slim majority of seats. In the United States, a divided government existed at the national level with the Senate and presidency held by Democrats and the House of Representatives held by Republicans. At the state level in

\(^{29}\)Parties in power are shown in Appendix C.
the United States, in the 2010 elections many of the Great Lakes states became Republican in their state legislatures and government mansions and Alaska remained Republican. In general then, according to this hypothesis, citizen groups in the United States are most likely to target the national government, while industry targets the state level. The reverse should be true of Canada, with industry targeting the national government and environmental groups targeting the provincial level in the Great Lakes case study. It is less clear for the Yukon Territory. As shown in Figure 16, there was no clear pattern for either citizen groups or industry. A slightly higher number of industry groups targeted the state level in the United States than targeted the national level, but a slightly higher number of citizen groups targeted the state level over the national level. One U.S. citizen group representative, who asked not to be named, did say that state level politics have become more difficult since the change of party in 2010, so that particular group, while still primarily targeting the state government, also began targeting national and local governments more. This was the only response by a U.S. group that supported this hypothesis and referenced the party in power as playing a role in decision-making about which level of government to target.
In Canada the results are also inconclusive. The one industry group did target the national level, but citizen groups were spread across the levels. Additionally, when asked which level of government was more receptive, the majority of groups in Canada (four of the seven) said both levels were receptive. Only two Canadian groups mentioned that receptivity depended on the party in power (Environmental Defence and Ducks Unlimited, Canada). Only Environmental Defence suggested that party impacted the decision of which level of government they chose to target: “A lot of this is dependent on where we think we're going to have the biggest impact and that does have something to do with the receptivity of government and that changes all the time,
depending on what government is in power.” (Malcolmson, C. 2012, October 16. Phone Interview).

Ten of the 30 U.S. groups said that both levels of government were equally receptive. Of the remainder, nine claimed that the expected level of government (national for citizen groups, state for industry groups) was the most receptive. None of these groups specifically cited the party in power or receptivity as influencing them in their decision of which level of government to target, but several conservation groups in the Beaufort Sea region mentioned that the Alaska government was not receptive to their concerns.

One reason for targeting a specific level of government that was offered by five groups is that it best fits with their goals. For example, according to John Jackson, Director of Great Lakes United, their goal is to address the problems of the Great Lakes on a basin-wide level, which requires targeting the international and national levels of government (2012, November 20. Telephone Interview). Similarly, Kathryn Buckner, President of Council of Great Lakes Industries (2013, March 22. Phone Interview), said “It is our mission to engage in this in-between world of bi-national regional policy. The Great Lakes is an unusual region in the sense that there are very well established institutions that manage priority setting, policy setting, and policymaking on a regional basis.” The goal of the group requires targeting a certain level of government, in this case international. Adrian Herrera of Arctic Power (2013, March 12. Telephone Interview) stated the primary goal of the group is to expedite oil exploration in ANWR and “the decision has to be made by Congress... it is explicitly
national.” Similarly, Alaska Wilderness League focuses on federal lands and water and therefore targets the national level of government. In some ways this reflects the first neoinstitutional hypothesis, as the goals of the group, at least in the two cases mentioned above, are reflective of the level that has most jurisdiction. However, this is an endogenous explanation rather than an exogenous explanation and thus could arguably reflect organizational theory and the influences of the internal organizational structure (goal formulation) as a predictor of decision-making in targeted level of government. Because of this conflict, I do not include these reasons as support for either of the hypotheses addressed in this research.

Choice of Tactics

This section begins with a brief summary of the expectations derived from the theories under investigation: neoinstitutionalism, elite theory, organizational theory, and political opportunity structures theory. This is followed by an analysis of the interview data for each hypothesis.

The first neoinstitutional theory hypothesis, \( H7 \), posits that groups will use personal lobbying and other expensive tactics at the level of government with the most jurisdiction, which is the national level in the United States and provincial/territorial level in Canada. The expectation of the second neoinstitutional theory \( (H8) \) is that all groups will be more likely to use grassroots mobilization and coalition building at the national level. One way to influence national legislators with many demands on their time is through large coalitions mobilizing thousands of supporters.
According to elite theory, elite interactions are key, and those interactions play out in private. Thus, industry groups are expected to rely on lobbying as their primary tactic \((H9)\). However, the organization theory hypothesis \((H10)\) posits that choice of tactics will remain constant over time, since groups will rely on the existing capacity and abilities. Finally, the expectation of political opportunity structures theory is that advocacy groups are more likely to use grassroots mobilization than industry groups \((H11)\).

While this research is focused on three specific tactics (lobbying, grassroots mobilization, and coalition building), all tactics were accepted as responses to the interview questions. Most groups use a wide range of tactics rather than just focusing on one or two, as shown in the Figure 9.

Interview Analysis

There is only weak support for the neoinstitutional hypotheses. For \(H7\), the results are inconclusive for Canada and show weak support in the United States. Seven Canadian groups were interviewed, three of which did not list lobbying as one of the top three tactics. Interestingly, all three groups that did not report lobbying as a top tactic reported targeting all levels of government equally. Of the four remaining groups, one respondent said they were more likely to use lobbying at the national level than the provincial and another said the opposite. As Robert Duncanson of Georgian Bay Association stated, it is a bit more difficult for groups to lobby at the national level as “you don't just pick up the phone and call cabinet ministers.” (2012, December
3. Telephone Interview). The remaining two did not include level of government as a determinant in decision of tactics.

In the United States, 24 of the 30 groups listed lobbying in the top two or three tactics. Six groups stated that they are more likely to use lobbying at the national level than the state level. Gildo Tori, of Ducks Unlimited, responded that they use lobbying at the national level because “we have established relationships and are most successful with that approach.” (2012, November 6. Email Interview). Surprisingly, while two of the binational/international groups listed lobbying as one of their top two or three tactics, none of the binational or international groups reported tailoring their tactics to the level of government.

The second neoinstitutional hypothesis only has weak support as well. The data seems to support this hypothesis as 19 of the 27 groups that targeted the national level (including in combination with another level) used grassroots mobilization; however, they are equally as likely to use lobbying. Of the 18 groups listing grassroots mobilization as one of their top two or three tactics, 12 of them stated that they are more likely to use it at the national level than any other level. As Dan Thomas, President of the Great Lakes Sport Fishing Council, said in an interview (2012, December 3. Telephone Interview): “We look at it this way. There is strength in numbers. If I do all the contacting, that's one person. But with 200 or 300 clubs and their various individuals, members, and directors contacting our legislators, that's a lot of numbers.”
Coalition building is a bit more difficult to discern. All but two groups active at the national level are members of coalitions, but, as mentioned above, only five indicated it as one of the top two or three tactics and only one group mentioned it as part of the way they tailor tactics by level. Alliance for the Great Lakes, for example, does most of their federal work in conjunction with a regional coalition (Teutsch, J. 2012, November 9. Telephone Interview). Clean Water Action President and CEO, Bob Wendelgas (2012, November 19. Telephone Interview), stated that “a lot of the work we do, we do in coalition with other environmental groups or other progressive groups”, which seems to indicate that it is a valuable tactic for at least some of the groups. Furthermore, according to Brian Smith of CCE, “At the federal level, we work with the Healing Our Waters Great Lakes Coalition to build support for the Great Lakes Restoration Initiative.” (2013, June 12. Email Interview). While specifically in reference to one piece of legislation, this was the major national initiative for the group as more of their work is done at the state level. At least one industry groups reported doing the same: the Alaska State Chamber of Commerce typically works through the United States Chamber of Commerce on national issues rather than acting alone (Rogers, A. 2012, October 6. Telephone Interview).

As there are only ten industry groups represented in this sample, it is difficult to conclusively support or disprove the elite hypothesis ($H9$). Four industry groups stated that the tactics vary by issue rather than level of government: “We really do look at each issue separately. I mean, generically, sure, we've got PACs and they're not issue specific, but in terms of working an issue on the legislative front, each approach is
going to vary depending on the issue and what makes the most sense.” (Schwartz, J. 2012, October 17. Telephone Interview). For industry groups, lobbying is listed as one of the top three tactics more frequently than grassroots mobilization, though not coalition building, which would seem to show some support for this hypothesis (Figure 17). Additionally, two industry groups emphasized that lobbying is influential because of the personal relationships: “it's about communication and relationship and you need to be able to establish a relationship with either a federal legislator or a state legislator... it's all about building trust and relationships so that you can forward what in your view is the best way forward for the industry or for the government” (Moriarty, K. 2012, October 15. Telephone Interview). This is done both formally and “a lot of informal conversations, and informal meetings and phone calls” (Buckner, K. 2013, March 22. Telephone Interview). Both of these statements would fit the expectations of elite theory; that industry groups would rely on relationships with decision-makers.

The organization theory hypothesis (H10) that choice of tactics will remain constant over time is not supported by the data. While all groups use lobbying, they also use grassroots mobilization and coalition building. Additionally, many citizen groups mentioned using newer forms of grassroots mobilization (through social media, for example) that have sprung up in recent years. The Water Program Manager for Environmental Defence, Claire Malcolmson, described the use of social media: “we use social media for everything” (2012, November 19. Telephone Interview). Two groups mentioned having staff members whose roles are exclusively to update social
media and communicate through members through this social media. None of the
industry groups interviewed mentioned using social media as a tactic.

Figure 17
Tactics, by Type of Group (n=42)

Much like the other theories, POS theory also is not well supported by the
evidence (Figure 17). The rate of usage of grassroots mobilization by citizen groups
and industry groups (72 percent and 60 percent respectively) is different, though not
vastly different. This does weakly support the political opportunity structures theory
that advocacy groups are more likely to use grassroots mobilization than industry
groups (H11).
Two frequent responses for the decision of which tactics to utilize were not covered well by these hypotheses: variance by issue and filling niches. Ten of the 42 groups said that tactics depend on the issue, or a similar expression, in describing how they made the decision of which tactic to use. When asked to explain what this meant, group representatives often had a difficult time explaining how and why it varied by issue. For some, it had more to do with the status of the legislation and the stage in the process: “say, for instance, you're trying to get a bill out of a congressional committee, sometimes we'll just rely on direct lobbying but less on the action alerts. But, if the bill's out of committee and you're trying to get it to the floor for a vote, that's when we really rely more on some of the e-advocacy campaigns, doing more press outreach, and things like that.” (Mahar, S. 2013, March 18. Phone interview). For others it seemed to do more with the salience of the issue. As Adrian Herrera explained, Arctic Power relies more heavily on lobbying than other tactics, but also utilizes grassroots mobilization when an issue is particularly salient for the population: “you go for the heart of the matter, operating outside the beltway when an issue is hot. That's when you do that.” (2013, March 13. Telephone Interview). Conversely, the issue may not be salient for legislators. David Gladders, of the Canadian Arctic Resources Committee, described their work mapping caribou calving grounds and caribou movements in the Arctic region and stated that “you have to put this into perspective: we're dealing with caribou in terms of caribou vulnerability, we would probably never talk to Stephen Harper” (2013, April 4. Telephone Interview.). It may also have to do with the amount of resources they were willing to devote to a particular issue. This
seemed to be as much about how important the group saw the issue as how many resources the group had.

Several other groups mentioned that their decisions were at least partially based on filling a niche, or at least not duplicating what other groups are already doing. As Julie Cayley of Ducks Unlimited, Canada, put it, “So, if you look around Ontario there's a number of organizations that take on grassroots activist-based roles, specifically around lobbying and specifically around Great Lakes. If and when we want to pursue grassroots advocacy we know there are other organizations that are great at it and we will look to partner with them. Our organizations often have the same or similar end goal in mind, so why not combine strengths?” (2013, January 18. Phone interview). Neither of these reasons was covered in the hypotheses tested.

Conclusions

What can be concluded from this research? No one theory was strongly supported for both targeted level of government and choice of tactics, although organizational theory had weak support for both. This is most likely because there are multiple factors influencing group decision-making rather than just one or two factors. As noted above for tactics, two of those reasons were not covered by any of the hypotheses.

The factors that seemed to have the most influence in choosing the level of government to target were institutional features (level of centralization) and organizational capacity. Groups appeared responsive to which level had jurisdiction
over the issue with which they were concerned, but were also cognizant of the capabilities of their organization. This implies that federalism and institutions do matter, but are not the only variable that matters.

For choice of tactics, there are more variables that influenced the groups in this sample. Institutions (level of centralization) did matter for some groups, as well as capacities (tactics used traditionally). As mentioned at the end of the analysis for tactics, filling a niche and the goals of the group played a role in decision-making for many groups. Surprisingly, these reasons did not appear during the conversations with respondents about targeted levels of government. I did not find a lot of variation between industry and citizen groups; however, only four industry groups were included in the sample so that may be a function of sample size rather than a concrete result. A similar research design in a larger issue area with a larger sample may be able to pinpoint which of these variables is more important or which variables are more important for different types of groups.

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30 Some of this wording came from later communications in August, 2013, rather than in the original phone interview.
CHAPTER VI

CONCLUSION

How do groups determine which level of government to target and which tactics to use? Various explanations emphasize the role of institutions, elite interactions, resources and traditions, and political opportunities. In this dissertation, I have empirically examined these explanations through an investigation of group behaviors in Great Lakes water quality and Beaufort Sea oil policy both historically and during the years 2010 to 2013.

This chapter summarizes the general findings of the historical analysis and interview data for the two case studies in this dissertation and presents the overall implications of these findings for interest group behavior and federalism. The final section of the chapter finishes with a discussion of the limitations of the findings and suggestions for future research.

Findings

In this study, neoinstitutionalism had the most support for targeted level of government and elite theory had the most support for choice of tactics across the two historical studies and interview results. This section will present the findings for these two theories and the other theories tested: organizational theory and political opportunity structures theory. The findings will be presented as a composite from the three analyses (historical analysis of Great Lakes water quality policy, historical
analysis of Beaufort Sea oil policy, and analysis of the interview data) with a breakdown of the findings in each when relevant, with discussion of the targeted level of government to begin.

Targeted Level of Government

Neoinstitutional theory generated two hypotheses for targeted level of government. The first neoinstitutional hypothesis ($H1$) is that interest groups are more likely to target the level of government with the greatest jurisdiction over environmental policy in the group’s issue area than a level with less authority. In Canada, in both oil and water policy, this is the national level, with the exception of the devolution of control over natural resources to Yukon Territory in the 1990s and some specific issues in water policy that fall to the provinces to regulate. Again, with the exception of groups that focused on the few aspects that fell to the provinces, in the Great Lakes case study most groups targeted the national level. In the Beaufort Sea case study, this hypothesis was also supported for Canada until the 1990s. As most control over natural resources had shifted to the Yukon territorial government, according to this hypothesis, there should have been a resulting shift in group activism, which was not shown to be the case. However, as legislation and regulation were still in flux in the territory, groups may have been slow to respond to the shift. This hypothesis was also supported by the responses that groups gave in interviews about why they targeted a particular level of government.

In the United States, in the Great Lakes case study, jurisdiction shifted from the state level to the national level throughout the historical analysis. According to the first
neoinstitutional hypothesis, groups should also have shifted their focus to follow jurisdiction. This did happen, though it appears that jurisdiction followed the groups rather than vice versa. The reason, at least in part, for the shift in jurisdiction was the pressure that citizen groups were exerting on the national government to become involved in water quality issues under the trade and commerce clause. In the Beaufort Sea case, jurisdiction remained with the national government over most of the contested areas for oil development, especially the Alaska National Wildlife Refuge. Most groups targeted the national government through the years studied in the historical case study, supporting this hypothesis. In the interview data, the industry groups targeted the state or split their focus between the state and the national level of government. This better supports the second neoinstitutional hypothesis, as explained below.

Thus, while not fully supported in all cases, there is enough support of the first neoinstitutional hypothesis to state that institutions do play a role on group decision-making. In this case, the level of centralization in federal systems influenced groups’ decisions about which level of government to target for activism. However, not all institutional factors are similarly influential. The second neoinstitutional hypothesis ($H2$) is that interest groups are more likely to target the level of government where they perceive a higher likelihood of success. In federal systems, the regional levels are often viewed more favorably by business and industry and the national levels for citizen groups; thus this expectation is that business and industry groups target the regional levels while citizen groups are more likely to target the national level.
The actions of business and industry groups did meet this expectation in the Great Lakes case study, as business and industry groups targeted the state and provincial levels at a higher rate than the national level, but the actions of the citizen groups did not. There was no support for this hypothesis in the interview data for the Great Lakes case either. Neither type of group met the expectations in the Beaufort Sea historical case study, although the aggregate and response data from the interviews for the Beaufort Sea case did support this hypothesis. At first these results appear conflicting, but they can be explained. While conducting the historical analysis, I analyzed accounts of industry actions regarding oil development in the Beaufort Sea region and those accounts showed industry targeting the national level of government. During the interviews, I asked industry groups which level of government they target for oil policy in the Beaufort Sea region and all responded either the state level or a combination of state and national. However, in those discussions it became clear that one of the most pressing issues for industry in oil policy was taxation at the state level. For taxation, they target the state level; for development, they target the national level. If taxation is more pressing at the current time, then they target the state level. Does this then lend support to the first neoinstitutional or the second neoinstitutional hypothesis? I would argue that it supports the elite theory hypothesis that industry groups are reactive. They target the level of government at which perceived anti-industry legislation is passed.

Surprisingly, elite theory was supported by the actions of groups in the historical analysis, but less clearly so by the interview data. According to $H3$, business and
industry groups should target the level of government that is making pro-environment or perceived anti-business legislation. In both the Great Lakes case study and the Beaufort Sea case study, the media accounts of business and industry actions showed them responding to legislation at the level considering the legislation. A related expectation is that if industry groups were truly reactive, they would not have one level of government that they targeted over another. However, in the interview responses, seven of the ten industry groups clearly indicated they target one level over the others. The targeted levels do not correspond to the levels of government with the clearest jurisdiction, to a level that corresponds to the expectations of the second neoinstitutional hypothesis or to a level with a more receptive party in power.

However, as discussed above, in the Beaufort Sea case study, the fact that industry currently targeted the Alaskan state government because of taxes, but had targeted the national government in the past for development, does show a reactive stance.

Like neoinstitutional theory, organizational theory generated two hypotheses relevant to this research, neither of which was strongly supported. The first, $H4$, is rooted in the idea of tradition within organizational structures and posited that groups target the level of government they have targeted in the past. The second hypothesis, $H5$, is based on the influence of resources and expects that groups with more resources are more likely to target the national government than groups with fewer resources. Only the first was tested in the historical analyses, and the results did not offer support. The only time there was any support for this hypothesis was during the 1990s in the Beaufort case study. During that time, groups continued to target the national level in
Canada, even though control over natural resources had been shifted to Yukon Territory. However, as explained in Chapter IV, there are other reasons this could be, most notably a delay in a shift in targeted level of government due to regulatory uncertainty in Yukon Territory as the territorial government and First Nations worked to create a comprehensive regulatory system. Additionally, a number of groups, including groups in the Beaufort Sea sample, gave responses during the interviews showing that they had recently changed focus in the targeted level of government, further disproving this hypothesis.

The second organizational hypothesis was only tested by the interview data. Both staff and budget were included as measures of resources and compared to the targeted level of government, as well as directly asking groups what most influenced their decision of which level of government to target. There was weak support for staff, with groups with larger staffs generally tending to target the national over the regional level of government and vice versa. There was no trend for budget, and interview responses showed little indication that resources played a large role in determining a targeted level of government.

The final theory tested in this research is Political opportunity structures theory. This theory emphasizes the political opportunities that improve the likelihood of success for interest groups, such as the political party in power. This hypothesis, $H_6$, is that groups are more likely to target the level of government in which there is a political party receptive to their goals. Typically, in both the United States and Canada, the expectation is that parties to the left (Democrats, Liberals, NDP) favor citizen
groups while parties to the right (Republicans, Conservatives, Yukon Party) favor business and industry groups. There was no support for this hypothesis in either historical case study or the interview data. In the historical studies, groups did not alter their targeted level of government when parties in power shifted. Similarly, with the exception of two groups, the responses for the interviewed groups did not show the party in power as playing a role in the decision of which level of government to target.

These same theories were tested for tactics but with different results. For tactics, elite theory had the strongest support. The first neoinstitutional hypothesis was also supported, though not as strongly as the elite theory hypothesis. The section below discusses the findings for tactics, discussing each hypothesis in turn.

Choice of Tactics

As for targeted level of government, neoinstitutional theory generated two hypotheses for tactics: \( H7 \) and \( H8 \). According to the first neoinstitutional hypothesis, groups should use expensive tactics like personal lobbying at the level of government with the most jurisdiction. This was the case in the Beaufort Sea historical analysis, with lobbying extensively at the national level in both countries, which is where primary jurisdiction was, with the exception of the 1990s in Canada. In the Great Lakes case study and interview results there was partial support for this hypothesis. During the 1940s to the 1960s in the Great Lakes case study, groups focused on lobbying at the level with most jurisdiction; however, in the following decades lobbying was widely used at all levels of government, not just the level with most jurisdiction. This was reinforced by the responses in the interviews. A majority of the
groups engaged in lobbying use it at all levels of government, not just the level with most jurisdiction. Thus, this hypothesis was only partially supported.

The second neoinstitutional hypothesis for tactics focuses on grassroots mobilization and coalition building as tactics and posits that interest groups will be more likely to use grassroots mobilization and coalition building strategies at the national level than other tactics. This hypothesis had partial support across all three tests. For both historical case studies, especially since the 1960s, it was clear that most citizen groups and many business and industry groups used grassroots mobilization and coalition building at the national level. However, it was unclear whether these two tactics were used more frequently than lobbying. The interview data did not clarify this uncertainty. Again, groups used grassroots mobilization and coalition building at the national level, but they also use lobbying. Only a few groups could say which they used more and there was no clear trend to those responses. I can say for certainty that most groups use these two tactics at the national level and more so than many other tactics, but I cannot say whether they use them more or less than lobbying.

I can say for certain that business and economic groups are more likely to use personal lobbying at all levels of government, confirming the elite theory hypothesis, H9. This was shown to be true in both historical case studies and the responses of the interviewed groups. In both the Great Lakes case study and Beaufort Sea case study, business and industry groups were shown to rely on lobbying more than citizen groups and to use that tactic as frequently or often more frequently than other tactics. This was also weakly supported by the responses from the interviews.
According to organizational theory ($H10$), group tactics do not change over time. Because of the costs associated with developing the capacity for new tactics, groups will continue to use the same ones over time. Although business and industry groups did rely on lobbying throughout the historical cases, they also began to use coalition building and grassroots mobilization in later decades. Citizen groups began using multiple tactics early in the historical studies. The interview data also showed this hypothesis to be false. All groups mentioned multiple tactics and a number of groups mentioned a recent shift to social media and/or other new tactics.

The last hypothesis is derived from political opportunity structures. The argument behind the hypothesis is that citizen advocacy groups, because they rely on the support of citizens, are more likely to use grassroots mobilization at all levels of government than business or industry groups in order to demonstrate that support to lawmakers. In the Great Lakes case study, this was found to be true. Multiple groups’ websites and media reports showed citizen groups as using grassroots mobilization, while few industry and business groups were shown to do so. However, in the Beaufort case study, both citizen and industry groups used grassroots mobilization. The interview responses also showed both types of groups using this tactic at all levels. In general then, this hypothesis was not well supported.

**Implications and Conclusions**

There are implications that can be drawn from this research for scholars and decision-makers, both in government and in interest groups. For scholars, this research contributes to three main areas in comparative politics: methodology, federalism, and
interest groups. In the following paragraphs I will discuss the implications for methodology, federalism, and interest group research in comparative politics. What this means for policymakers and directors of interest groups is included where relevant.

This project employed a highly focused, small-n methodology to test hypotheses. While I continue to believe that this is the best manner to achieve an understanding of group decisions, it does have some drawbacks. One drawback, as mentioned in the historical chapters, is a reliance on particular forms of data for historical studies that may bias the data. For the historical analysis, much of the data came from newspaper articles and groups websites, which overemphasize high profile issues, larger groups, and tactics such as lobbying. This may have led to more or less support for different hypotheses. Similarly, as only 42 interviews were analyzed, it led to less clear findings for tactics. Does this mean that small-n and highly focused studies should be avoided in favor of broader, large-n studies? No. The reliance on newspaper articles and group websites is likely to occur with even a broader study as these are two of the most common records of group activities. Additionally, large-n studies are often less detailed because they rely on surveys without open-ended questions or time prohibitive because of the time it takes to transcribe and analyze interviews. Thus, while imperfect, narrower, small-n studies still contribute to our understanding of politics in ways that cannot be done in broader, large-n studies.

Aside from methodological considerations, there are also implications for scholars of federalism. There is much variety in federal systems and level of
centralization. There is variability between systems (Canada and the United States), between types of subnational units (provinces and territories), and between smaller issues in a policy area (toxics and sewage). How do we compare federal systems when there are so many types of variance? And how do groups handle those variances? Further research is necessary to test these results on a wider scale and in other policy areas. I found that, in Great Lakes water quality and in Beaufort Sea oil policy, groups have to deal with shifting jurisdiction between levels of government, different issues under different levels of jurisdiction within the same policy area, and the complexity of an additional level (international) influencing regional and national policies. Thus, no one theory completely captures the reasons for the decisions groups make.

As for the growing push for decentralization because it moves the decisions closer to the people, I am not convinced that this is the case. From this research, it appears that all sizes of groups are active at all levels of government and that, for the most part, they use very similar tactics at all levels. This means that decentralizing policy does not necessarily give more access to smaller groups or limit the impact of lobbying. In fact, as one group mentioned, targeting multiple states is more expensive than targeting the national government, so decentralizing policy may lead to less influence by smaller groups and more influence by the larger, better funded groups. This point has implications for both scholars of federalism and policymakers.

For scholars of interest groups, in this study, the first neoinstitutional hypotheses and the elite theory hypotheses were the best explanations of group decisions. Elite theory best explained business and industry groups, but not citizen groups. The
opposite was true of neoinstitutionalism. It would seem then, that for industry groups, relationships with policymakers are the biggest drivers of decisions of which level of government to target and which tactics to use. However, for citizen groups, the level of policy centralization and system design appear to be the biggest determinants of decisions. Why is this? One argument is that industry groups are, on average, better funded than citizen groups and therefore have the ability to pay for lobbyists at all levels, whereas citizen groups must limit their spending and thus are more influenced by the institutional factors to determine where the greatest opportunities exist. A more practical aspect of this is shown in tax-exempt status. As industry groups are typically not 501(c)3 groups, they can spend unlimited amounts on lobbying. Many citizen groups are limited in spending on lobbying by their status and therefore may strategically plan where to spend the funds they can use based on institutional variables. Further research is necessary to answer this question conclusively.

There are two other potential areas of investigation on targeted level of government. The first has to do with discerning how groups respond when institutional factors conflict, for example when the level of government with the greatest jurisdiction is not the level of government favorably to the type of interest group (when H1 conflicts with H2). This research did not propose a hierarchy of hypotheses, and yet the evidence seems to indicate that different types of groups react to this conflict differently. In the Great Lakes historical case study, environmental groups actively sought to move jurisdiction to the level seen as more favorable, the national level. While industry groups did exert some pressure to return jurisdiction to the
regional level, they did not exert the same amount of pressure. This may indicate that institutional bias is a larger factor for environmental groups than industry groups. Additional research may be able to clarify if this is true.

The second area of investigation relates to uncertainty and how groups react to uncertainty in which level has the greatest jurisdiction. The neoinstitutional hypotheses tested in this research were based on groups having a clear understanding of which level has greatest jurisdiction. However, as seen with the devolution proceedings in Yukon Territories, there is not always clear jurisdiction over policy. How do groups respond when there is uncertainty? Do the same factors play a role, or do other variables become more important in uncertain conditions?

Besides not equally explaining behavior for all groups, none of the theories completely explained choice of tactics. In fact, while much research has focused on lobbying, there needs to be more refinement of these theories in regard to tactics. While lobbying remains a clear favorite in tactics, what determines groups’ choices among other tactics? This research focused on three main tactics: lobbying, coalition building, and grassroots mobilization, but there are many other tactics that groups use. Many of the theories used in this study have little to say about other tactics. From the interviews, it appears that either a group focuses on one particular tactic to fill a niche or that they use all of the tactics in order to get better coverage. This is important for group directors in deciding how to have the most impact. With limited resources, it may make sense to fill a niche rather than to try to spread funding across many different tactics, especially if other groups are doing the same thing. It may also
indicate one of the reasons to build coalitions, in order to combine groups with different capacities.

Like most work in political science, there are few strong conclusive statements that can be made following this research. It is the nature of studying humans and groups, that there is much variation and often little predictability. However, the endeavor is not futile. We can find evidence of commonalities and begin to make predictions of behavior. In this research I found that for interest groups, federalism certainly does muddy the waters of decision making.
Appendix A

Theories and Hypotheses
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<tr>
<th>Theory</th>
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<tr>
<td><strong>Targeted Level of government</strong></td>
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<tr>
<td>Neoinstitutionalism</td>
<td><strong>H1</strong>: Interest groups are more likely to target the level of government which has the greatest jurisdiction over environmental policy in the group's issue area than a level with less authority.</td>
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<tr>
<td></td>
<td><strong>H2</strong>: Interest groups are more likely to target the level of government where they perceive a higher likelihood of success.</td>
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<tr>
<td>Elite Theory</td>
<td><strong>H3</strong>: Corporate and business elites target the level of government that is making pro-environment or perceived anti-business legislation.</td>
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<td>Organizational Theory</td>
<td><strong>H4</strong>: Groups target the level of government which they have targeted in the past.</td>
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<td><strong>H5</strong>: Groups with more resources are more likely to target the national government than groups with fewer resources.</td>
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<tr>
<td>Political Opportunity Structure Theory</td>
<td><strong>H6</strong>: Groups are more likely to target the level of government in which there is a political party receptive to their goals.</td>
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<td><strong>Choice of Tactics</strong></td>
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<tr>
<td>Neoinstitutionalism</td>
<td><strong>H7</strong>: Interest groups are more likely to use the most influential, but expensive, tactics, such as personal lobbying, at the level of government that has the most jurisdiction.</td>
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<td><strong>H8</strong>: Interest groups will be more likely to use grassroots mobilization and coalition building strategies at the national level than other tactics.</td>
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<td>Elite Theory</td>
<td><strong>H9</strong>: Business and economic groups will be more likely to use personal lobbying at all levels of government.</td>
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<td>Organizational Theory</td>
<td><strong>H10</strong>: Group tactics do not change over time.</td>
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<td>Political opportunity structures Theory</td>
<td><strong>H11</strong>: Advocacy groups are more likely to use grassroots mobilization at all levels of government than business groups.</td>
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Appendix B

Newspapers and Interest Group Websites
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<tr>
<th>Case Study</th>
<th>Newspaper</th>
<th>City, State/Province, Country</th>
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<th>Date Range of Database or Source</th>
<th>Search Terms</th>
<th>Number of Articles</th>
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<td>Chicago Sun-Times</td>
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Appendix C

Parties in Power in Canada and the United States, 1940-2000
Canadian Parliament

1940 – 1960
1940-1957 Liberals
1957-1960 Progressive Conservatives

1960-1970
1960-1963 Progressive Conservatives
1963-1970 Liberals

1970-1980
1970-1979 Liberals
1979-1980 Progressive Conservatives

1980-1990
1980-1984 Liberals
1984-1990 Progressive Conservatives

1990- 2000
1990-2000 Liberals

Ontario Parliament

1940 –1960
1940-1943 Liberals
1943-1960 Progressive Conservatives

1960-1970
1960-1970 Progressive Conservatives

1970-1980
1970-1980 Progressive Conservatives

1980-1990
1980-1985 Progressive Conservatives
1985-1990 Liberals

1990 -2000
1990-1995 NDP
1995-2000 Progressive Conservatives

Yukon Territory Legislative Assembly

1970-1980
1970-1978 Non-partisan Council
1978-1980 Yukon Party

1980-1990
1980-1985 Yukon Party
1985-1990 New Democratic Party

1990-2000
1990-1992 New Democratic Party
1992-1996 Yukon Party

31The Yukon Party was the Yukon Progressive Conservative Party until 1992 when it changed its name to the Yukon Party. It is a conservative party.
### United States

#### 1940 – 1960

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<th>Year</th>
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#### 1960-1970

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### Alaska (State Legislature)

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### Illinois (General Assembly):

#### 1940 – 1960

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Indiana (General Assembly):

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Appendix D

Legislation Impacting Water Quality in the Great Lakes Region
**This table does not include all legislation, especially legislation at the state and provincial level. Including all relevant legislation would have created an unwieldy table. Instead, legislation discussed within the body of the paper is included in this table.**

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<td>National</td>
<td>Federal Water Pollution Control Act, amended in 1972 (Clean Water Act), 1977, 1987, and 1997</td>
<td>Confined federal involvement to technical support and grants to states and communities for local pollution control. 1972 Amendments created a national permit system and allowed direct enforcement by the federal government. 1987- Required states to identify “toxic hot spots” and implement strategies to eliminate them, establish designated uses and concentration of pollution for surface waters, and develop plans for controlling non-point source pollution. 1997- Clean Water Action Plan was developed to enhance protection of public health, control polluted runoff, and promote water-quality protection on a watershed basis.</td>
</tr>
<tr>
<td>1963</td>
<td>National</td>
<td>Clean Air Act, amended in 1977, and 1990</td>
<td>Controlled air pollution at a national level. The 1990 amendments were important for water quality as it addressed the impact of air pollution on water quality through acid rain and deposition of toxic chemicals.</td>
</tr>
<tr>
<td>Year</td>
<td>Origin</td>
<td>Act/Agreement</td>
<td>Description</td>
</tr>
<tr>
<td>------</td>
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<td>---------------</td>
<td>-------------</td>
</tr>
<tr>
<td>1970</td>
<td>State  (Michigan)</td>
<td>Michigan Environmental Protection Act</td>
<td>Authorize citizens to directly enforce their right to environmental quality.</td>
</tr>
<tr>
<td>1972</td>
<td>State (Michigan)</td>
<td>Inland Lakes and Streams Act</td>
<td>Regulated activities including dredging, filling, constructing or placement of a structure on bottomlands, constructing or operating a marina, interfering with natural flow of water or connecting a ditch or canal to an inland lake or stream.</td>
</tr>
<tr>
<td>1976</td>
<td>State (Michigan)</td>
<td>Sand Dune Protection and Management Act</td>
<td>Regulated the sand mining industry in Michigan's designated sand dune areas.</td>
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<tr>
<td>Bilateral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1909</td>
<td>International</td>
<td>Boundary Waters Treaty</td>
<td>Affirmed that the Great Lakes (with the exclusion of Lake Michigan) and the St. Lawrence River were a shared resource. The driving concerns behind the treaty were navigation and water levels and consumption, but Article IV stated that neither party could cause pollution that would harm the other side. Created the International Joint Commission (IJC) to approve and set conditions for the use or obstruction of transboundary and boundary waters and to investigate and report on any question referred by either of the two governments.</td>
</tr>
<tr>
<td>1972</td>
<td>International</td>
<td>Great Lakes Water Quality Agreement, renewed in 1978, amended in 1987</td>
<td>1972- Committed to reducing phosphorus, virtually eliminating a number of toxic metals, and upgrading sewage treatment. 1978- Recognized an “ecosystem” approach, committed to virtually eliminating persistent toxic substances, and aimed to reduce phosphorus loads in the lakes. 1987- Established 43 Areas of Concern (AOCs), which required Remediation Action Plans (RAPs) and also required Lakewide Management Plans (LaMP).</td>
</tr>
<tr>
<td>1997</td>
<td>International</td>
<td>Great Lakes Binational Toxics Strategy (GLBTS)</td>
<td>An agreement to “virtually eliminate” persistent toxic and bioaccumulative substance</td>
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Appendix E

Legislation Impacting Oil Policy in the Beaufort Sea Region
**This table does not include all legislation, especially legislation at the state and provincial level. Including all relevant legislation would have created an unwieldy table. Instead, legislation discussed within the body of the paper is included in this table.**

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<th>Level</th>
<th>Title</th>
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<tr>
<td>1985</td>
<td>National</td>
<td>Arctic Waters Pollution Prevention Act</td>
<td>Created to prevent Arctic waters pollution of areas around the mainland and islands of the Canadian Arctic.</td>
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<tr>
<td>1985</td>
<td>National</td>
<td>Canada Oil and Gas Operations Act (COGOA)</td>
<td>Governs the development of oil and gas resources in marine areas controlled by the federal government.</td>
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<tr>
<td>1985</td>
<td>National</td>
<td>Canada Petroleum Resources Act</td>
<td>Governs leasing of federally owned frontier lands to oil and gas companies.</td>
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<tr>
<td>1985</td>
<td>National</td>
<td>Canada Shipping Act</td>
<td>Regulates marine transport, pollution and safety.</td>
</tr>
<tr>
<td>1985</td>
<td>National</td>
<td>Indian Oil and Gas Act</td>
<td>Manages oil and gas resources on reserve lands.</td>
</tr>
<tr>
<td>1985</td>
<td>National</td>
<td>Oil Substitution and Conservation Act</td>
<td>Created for oil conservation and the substitution of other energy sources for oil.</td>
</tr>
<tr>
<td>1993</td>
<td>National/Territorial</td>
<td>Canada-Yukon Oil and Gas Accord</td>
<td>The Government of Canada agreed to transfer control of oil and gas in the Yukon to the Government of Yukon.</td>
</tr>
<tr>
<td>1997</td>
<td>Territorial</td>
<td>Yukon Oil and Gas Act</td>
<td>Manages oil and gas rights in Yukon Territory.</td>
</tr>
<tr>
<td></td>
<td>United States</td>
<td></td>
<td></td>
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<tr>
<td>1973</td>
<td>National</td>
<td>Trans-Alaska Pipeline Authorization Act</td>
<td>Authorized the building of an oil pipeline connecting the North Slope of Alaska to Port Valdez.</td>
</tr>
<tr>
<td>1990</td>
<td>National</td>
<td>Oil Pollution Act</td>
<td>Expanded the federal government's ability to respond to oil spills by providing funding and other resources.</td>
</tr>
</tbody>
</table>
Appendix F

Court Cases in Canada and the United States
**This appendix does not include all relevant court cases, especially court cases at the state, provincial, and territorial level. Instead, court cases discussed within the body of the paper are included here. **

**Canadian Court Cases**


**US Court Cases**

*United States v. Republic Steel Corporation*, 362 U.S. 482 (1960)
Appendix G

Listing of Groups Interviewed
<table>
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<tr>
<th>Case Study</th>
<th>Interest Group</th>
<th>Country</th>
<th>Type</th>
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<td>Alaska State Chamber of Commerce</td>
<td>United States</td>
<td>Industry</td>
<td>Phone interview</td>
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<td>Alaska Support Industry Alliance</td>
<td>United States</td>
<td>Industry</td>
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<td>Alaska Wilderness League</td>
<td>United States</td>
<td>Conservation</td>
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<td>Alliance for the Great Lakes</td>
<td>United States</td>
<td>Environmental</td>
<td>Phone interview</td>
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<td>American Forest and Paper Association</td>
<td>United States</td>
<td>Industry</td>
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<td>United States</td>
<td>Citizen</td>
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<td>Audubon New York</td>
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<td>United States</td>
<td>Conservation</td>
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<td>Chlorine Institute</td>
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Appendix H

Findings
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Appendix I

HSIRB Approval Letter
Date: March 4, 2009

To: Sybil Rhodes, Principal Investigator
Melissa Shaffer-O’Connell, Student Investigator dissertation

From: Christopher Cheatham, Ph.D., Vice Chair

Re: Approval not needed for protocol 09-03-03

This letter will serve as confirmation that your project “Interest Group Strategies in Environmental Policy in Federal Systems: Canada and the United States” has been reviewed by the Human Subjects Institutional Review Board (HSIRB). Based on that review, the HSIRB has determined that approval is not required for you to conduct this project because you are studying Interest Groups and are not gathering private information about individuals. You are welcome to use the consent documents as you submitted them, but you should remove the paragraph about HSIRB approval for each document. Thank you for your concerns about protecting the rights and welfare of human subjects.

A copy of your protocol and a copy of this letter will be maintained in the HSIRB files.


Hurst, L. (2000, April 22). Saving our fragile Earth: When it was needed, Canadians created Pollution Probe and Greenpeace. But can we rally to fight Earth's new environmental threats? *The Toronto Star*.


Morris, J. (1998, Oct. 25). In strictest confidence: The chemical industry's secrets- In chemical industry, image counts for a lot: Green' groups complain of disinformation. Houston, TX: *Houston Chronicle*.


