

72-13,464

GREENWALD, Carol Schiro, 1949
COPYRIGHT COLLECTION OF THE
NEW YORK STATE EDUCATIONAL CONCERN.

The State Education Dept. of New York, Albany,
1972.

Edithwald, Carol, 1949.

University Microfilms, A XEROX Company, Ann Arbor, Michigan

© 1972

Carol Schiro Greenwald

ALL RIGHTS RESERVED

LOBBYISTS' PERCEPTIONS OF THE 1967 NEW YORK STATE
CONSTITUTIONAL CONVENTION

by

CAROL S. GREENWALD

A dissertation submitted to the Graduate Faculty
in Political Science in partial fulfillment of
the requirements for the degree of Doctor of
Philosophy, The City University of New York.

1971

This manuscript has been read and accepted for the Graduate Faculty in Political Science in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

September 23, 1971
date

Arthur S. Levin
Chairman, Examining Committee

September 23, 1971
date

Benjamin Rubin
Executive Officer

Kenneth Shinn

Robert S. Hurstfield

Frederick J. ...

John ...

Supervisory Committee

The City University of New York

PLEASE NOTE:

Some pages have indistinct
print. Filmed as received.

UNIVERSITY MICROFILMS.

ACKNOWLEDGMENTS

This thesis is due in no small measure to the encouragement, assistance and prodding I received from friends and colleagues during the last three years. First and foremost, I wish to thank my mentor and advisor, Dean Ruth Weintraut, who encouraged me to work for a PhD, and found the means to make it possible. I am especially grateful for her guidance, support and accessibility throughout this entire project. My special appreciation and thanks also go to Professor Ken Sherrill who, as my second reader, provided guidance and support whenever it was necessary.

I wish to thank the ninety-one lobbyists who permitted me to interview them, and use their materials. Natascha Dykman, Taffy Tarbell and Jean Reeve deserve a note of thanks for their assistance in interviewing lobbyists in Rochester, Buffalo and Syracuse. Dr. Blanche Blank of Hunter College, and Dr. Robert Herman of Union College, provided much needed guidance during the initial planning stages. Jeanne Richman, Miriam Lang and Victor Ratner all supplied information I needed to develop and implement the interview schedule. Professor Elmer Cornwall, Jr., was kind enough to let me use data collected for his study of the New York State constitutional convention under a Carnegie Foundation Grant.

Once the interview data were coded, computerizing the data became a problem. My thanks go to John Moore, David Solomon and Bob Krinsky for printing out various sections of the data. Dolores Burshtyn, at the City College Computer Center, helped me debug the CRQSES program and adapt my data to fit it. A particular acknowledgment is due Russell

Matteson of the Hunter College Data Center who helped to define, recode and interpret the raw data. Without his expert knowledge, humor and unfeeling assistance the statistical obstacles would have been impossible to surmount.

To Professor Leon Cohen of the State University of New York at Albany, Dr. Irving Freedman, Lynda Joel, Michael Krasner, Fred Pfeffer, and Denise Rathbun, I owe an immeasurable debt of gratitude for their continual support and editorial assistance. My two typists, Nancee Dixon and Kathy Johnson should also be mentioned gratefully for their yeoman service.

Finally, I wish to thank my husband and son for their patience and support. To my son, who shared his mother, I dedicate this paper.

TABLE OF CONTENTS

LIST OF TABLES	vii
Chapter	
I. INTRODUCTION AND METHODOLOGY	1
II. A COMPARISON OF THE NEW YORK STATE LEGISLATURE AND THE NEW YORK STATE CONSTITUTIONAL CONVENTION	53
III. LOBBYISTS' PERCEPTIONS OF THE CONVENTION AND LEGISLATIVE ENVIRONMENTS	97
IV. GROUPS AND GROUP GOALS AT THE CONVENTION	140
V. GROUP CONVENTION CYCLE STRATEGY	170
VI. LOBBYING TACTICS	211
VII. LOBBYISTS' PERCEPTIONS OF SUCCESS	243
VIII. CONCLUSIONS	270
APPENDIX A. LOBBYIST INTERVIEW SCHEDULE	286
APPENDIX B. LIST OF RESPONDENTS, THEIR ORGANIZATION AFFILIATION, AND THE CLASSIFICATION OF ORGANIZATIONS BY TYPE	295
SELECTED BIBLIOGRAPHY	302

LIST OF TABLES

Table	Page
3.1 Characteristics Used by Respondents to Support General Comparison of Convention and Legislative Sessions (N); Consistency of Specific Answers with General Environment Evaluation (%)	101
3.2 Consistency of Respondents' Perception of the Convention and Legislative Environments	102
3.3 Respondents' Perception of the Effect of the Type of Delegate Body on the Convention Process and the Relationship with the Public	111
3.4 Respondents' Perceptions of the Influence of Key Factors at the Convention in Relation to Their Influence at Legislative Session	114
3.5 Most Often Cited Reasons for Respondents' Perception of Differences in the Comparative Influence of Decision-Making Factors, According to Level of Influence (N) . . .	116
3.6 Respondents with a General Perception of the Influence of Certain Decision-Making Factors; and Number and Percentage of Respondents Who Had the Initial General Perception and Could Support It with a Specific Reason. .	123
3.7 Respondents' Link to the Interest They Represent at the 1967 Constitutional Convention	128
3.8 Relationship Between Respondent's Occupational Position and His General Lobbying Work Style	130
3.9 Perceptions of the Comparative Influence of Policy-Making Factors in the Convention and Legislative Systems, by Style of Lobbying	133
3.10 Relationship Between Lobbyist's Group Affiliation and His Comparison of the Convention and Legislative Cycles (N) .	136
4.1 Categories of Groups Registered for the 1967 and 1968 NYS Legislative Sessions and the 1967 NYS Constitutional Convention	145
4.2 Registered Lobbyists Working for Groups that Registered more than One Lobbyist for the 1967, 1968 Legislative Sessions or the Constitutional Convention; by Group Categories	151

4.3	Relationship Between Respondents' Comparisons of the Convention and Legislative Environments and Their Assessments of Their Groups' Convention Goal Modifications . . .	156
4.4	Lobbyists' Comparison of Their Workload at the Convention and Legislative Sessions	157
4.5	Groups Interested in Each Convention Issue Area; Respondents Rating Issue of Primary Importance to Their Own . . .	160
4.6	Number of Issues and Positions of Groups, Divided According to Category of Group, Numbers and Averages	164
5.1	Respondents' Perception of His Group's Convention Activity Level Correlated with an Index Based on Actual Direct Convention Oriented Activities	176
5.2	Percentage and Number of the Interview Population Acting in Various Combinations of Convention States	178
5.3	Total Number of Stages Participated in by Each Respondent, by Category of Group	182
5.4	Perceived Activity Level Distribution Within Each Group Category at Each Group Category at Each Convention Stage (N); Percent Active at Each Stage	185
5.5	Relationship Between the Level of a Group's Activity During the Call for a Convention Period, and Their Attitude on the Question Itself	188
5.6	Group's Position on the Proposed Constitution Correlated with the Lobbyist's Perception of the Group's Activity Level at Ratification	198
5.7	Rank Order Correlation (Gamma) Between Perception of Group's Activity Level at Various Convention Stages	202
6.1	Lobbyist's Perception of Their Convention and Legislative Tactics, the Reasons for Their Perceptions of Differences, by Type of Group Lobbyist Represented (N)	216
6.2	Lobbyist's Perception of the Similarity of Their Convention and Legislative Activities, and Their Estimate of the Similarity of Their Convention and Legislative Goals	218
6.3	Lobbyists' Comparisons of Their Convention and Legislative Workload, and Their Perception of Their Group's Involvement in the Convention Stage	223
6.4	Direct Lobbying Activity Index (Convention Stage), The Amount of Time a Lobbyist Was Personally at the Convention	223

6.5	Patterns of Communication Between Organizations and Convention Stage Decision-Makers	229
6.6	Activities Performed by Categories of Groups Represented by Lobbyists at the Convention Stage	231
6.7	Indirect, Member Oriented Activities, by Categories of Groups Represented by Lobbyists During the Convention Stage (N)	234
7.1	Lobbyists' Perceptions of Their Group's Success at the Convention Stage, and Their Comparison of the Group's Convention Stage and Legislative Session Successes	247
7.2	Respondents' Perceptions of Their Convention Stage Success Correlated with Their Evaluation of the Percentage of Positive Goals Achieved	250
7.3	Respondents' Perceptions of Their Convention Stage Success Correlated with Their Evaluation of the Percentage of Negative Goals Achieved	251
7.4	Number of Goals the Group Worked on at the Convention and the Lobbyists' Perceptions of Their Group's Convention Success	255
7.5	Correlation of Lobbyist's Perception of Effectiveness With His Perception of Convention Success, and His Comparison of Convention and Legislative Success (N)	257
7.6	Perception of Success Contrasted with Perceptions of Differences in the Convention and Legislative Processes	260
7.7	Lobbyists' Perception of Their Groups' Convention Success and Their Comparison of Convention and Legislative Success, by Group Categories	262
7.8	Lobbyists' Perceptions of Convention Stage Success and Their Groups' Position on the Proposed Constitution	266

CHAPTER I

INTRODUCTION AND METHODOLOGY

This is a study of lobbyists' personal perceptions of their working environment and the manner in which these perceptions relate to their organization's activities and accomplishments within that environment. The notion of an environmental influence on decision-making behavior is a basic concept of both systems theory and role theory, yet the nature of the link is often difficult to ascertain.¹ "When seeking the explanation for any form of human behavior one is faced with a multiplicity of causes. . . . Environmental variables . . . are less immediate to the interaction [behavior] and hence less capable of being used directly as explanatory factors."²

Having said this Zeigler and Baer then go on to summarize the role played by environment by saying: "Environment serves as a conditioning factor for the attitudes of both legislators and lobbyists, attitudes, which, in turn, regulate the behavior of interest groups."³ The relationship between environment and participant, in the form of lobbyists' perceptions of the environment will be the focus of this study.

This idea of a link between the policy-making situation and lobbying activity is a usually unexplored assumption in interest group literature. For example, in his book examining lobbyists as a "political skill group," Lester Milbrath states that, "tradition,

role expectations and other functional relationships in an interdependent system are important determinants of lobbyists' behavior. . . . The setting in which lobbyists operate determines their behavior to a considerable extent."⁴

Such statements raise the question of whether, in fact, lobbyists are conscious of the environment within which they operate. Generalizations alluding to the conditioning influence of environment, in the context of lobbying activity, suggest that lobbyists do consciously perceive and utilize impressions of the policy-making situation. This study examines some of these presumptions. Do lobbyists perceive differences in decision-making systems? How accurate is their perception? What aspects are most salient and why? How is their knowledge used in advancing group goals? What contribution does such lobbying knowledge make to the group's record of success in achieving its policy objectives?

Lobbyists were selected as the research focus because their decision-making role requires accurate perceptions of the system as a precondition of their effectiveness. The lobbyist is essentially a communications broker; carrying group demands to the decision-making arena, representing the group in policy negotiations, relaying the decisions back to his organization.

The lobbyist possesses power in the role that he occupies. It is he who represents the organized interest group. He helps formulate organizational politics, directs the techniques and tactics for interpreting this policy to decision-makers, mobilizes the resources of the group for action purposes; and, in short, represents the singularly most important agent of the organized interest.⁵

The policy-making process is a fluid, dynamic interplay of individuals, associations, government agencies and private groups; a kaleidoscope of relationships rearranged to meet each issue or fit new settings. Each participant in the system acts within the limits of the duties and obligations attached to his position.⁶ However, the fluidity of the process means "politics is played by ear and intuition" rather than by slide rule.⁷ No actor has unlimited resources available to him, so all work to design strategies which maximize personal objectives and minimize expenditures of resources.

The basic precondition for any successful form of participation is access to the points where decisions are made. Access is essentially a reciprocal relationship which, "once achieved . . . provides an opportunity to maneuver, a chance . . . to give effect to the group's claims."⁸ The ability to secure appropriate lines of access and use them at the proper time is a skill requiring knowledge of the total system. This knowledge, a codification of environmental perceptions developed over time, is the characteristic which identifies the lobbyist as a separate "political skill group."⁹

To be effective the lobbyist must know how messages move from point to point within the system, and the way the message context is transformed by each receptor along the way. He must know the loci of power and the personalities of power-holders. This detailed knowledge is essential because a lobbyist's communications are only "one input into a complex socio-psychological system. [The effect of the communication is then] . . . a function of the

structure of that system."¹⁰ If information is not directed to a source both receptive and influential, it is likely to have no relevance to the policy discussion. Consequently, a lobbyist's expertise (i.e., his knowledge of the process) is considered a leadership asset of the group he represents.¹¹

Answers to questions relating environment, perception and policy decisions have implications for broad social and political issues. First, knowledge of the way in which lobbyists perceive their jobs and determine their activities may be adapted to explain the manner in which other participants relate to the same environment. Knowledge of salient environmental features for various categories of decision-makers can increase the precision of outsiders who seek to use the policy process to attain satisfaction of their demands.

Second, these answers are important in the context of government representation and legitimacy, crucial problems in the current era of student rebellions, black protests, and middle American dissatisfaction with government policies. Since the lobbyist is agent, middleman and broker for such groups, his perceptions are a key element in the accommodation process. It becomes necessary to know how he views his job, his relationships within the system, his tactical choices. The sum of these perceptions shapes the content of the group's demands.

The lobbyist is responsible for translating the interests of organized constituents into meaningful demands upon decision-makers, who in turn, will produce policies that the public can

accept as legitimate and relate to their previously expressed wishes.¹² In this sense the lobbyist is a means for the transformation of social and economic power into political power. As the conduit between organized groups, representing major interests in society, and the formal institutions of government, the lobbyist is part of the sequence leading to acceptable governmental decisions. Therefore, in order to deal more effectively with problems between the government and the governed we need to know more about the perceptions of the group representative and the role of these perceptions in the consequent activities of both the group and the government.¹³

The New York State constitutional convention in the summer of 1967 provided an opportunity to identify the nature and role of lobbyists' perceptions by comparing lobbyists in the context of two "coordinate organs"¹⁴ of state government--the state legislature and the convention. The 1967 constitutional convention session was the third stage in a three-year, four-stage constitutional convention revision cycle which began when the legislature authorized a ballot referendum for voter approval to call a convention to revise the current state constitution (stage one: calling a convention). After this ballot question was ratified, convention delegates were selected by the political parties from state senatorial districts to run in the next general elections (stage two: selection of delegates). The convention deliberative session *per se*, (stage three: the convention session), used modified legislative procedures to produce a set of recommendations for the voters to ap-

prove in a referendum (stage four: ratification) prior to incorporation into the constitution.¹⁵ By contrast, the state legislative cycle consists of partisan elections followed by two year legislative terms. Thus, convention cycle stages two and three closely approximate the legislative cycle, while stages one and four are peculiar to the constitutional amendment process alone.

Lobbying behavior in these situations could have been examined from an observer point of view through case study analysis of the 1966-67 legislative cycle and the 1965-67 convention cycle, or from the participants' view through the use of structured interviews with active lobbyists. Selecting the latter course, ninety-one New York State lobbyists, representing organizations with some interest in the convention as well as legislative sessions, were interviewed.

The lobbyists' perceptions of their participation in the 1967 constitutional convention process were contrasted with their views of their New York State legislative role. These data were used to determine whether or not lobbyists perceive differences in decisional settings, whether or not lobbyists structure their group's strategy in terms of their perceptions, and whether or not the group's success rating depends on correct lobbyist perceptions.

Examination of the Literature

This study borrows theoretical assumptions concerning general aspects of the political process from interest group literature, community power studies, role analysis of policy-makers, and empirical studies of constitutional conventions. More specifically,

propositions regarding the activities of groups in the decision-making process are found in interest group literature; the pluralist model of participation explaining specific decisions in terms of coalitions of interests is from one genre of community power studies; the importance of the actor's perceptions in the policy-making process is derived from role studies of officials; and the convention cycle as a political process is one tenet of recent empirical studies devoted to specific constitutional conventions.

In most interest group and community power studies, cases are used to illustrate group influence within the decision-making process and/or to determine the normative value of groups as decision-making participants.¹⁶ This literature thus focuses on governmental agencies or decision-makers as the dependent variable and interest group characteristics, resources and activities as the independent variable. By contrast, in this study the working perceptions of lobbyists and their groups' related activities and progress are the dependent variables; while the policy process environment of the convention and legislative systems is the independent variable.

Analyses of the influence of the interest group role in the context of specific issues or institutions may be placed along a continuum ranging from the group theorists who explain all political activity in terms of the interactions of groups, through those who claim an important but not predominant role for groups, to the other pole of analysts who ascribe almost no policy-making influence to groups.

Arthur Bentley, David Truman, Earl Latham and V. O. Key are examples of group theorists who explained the political process in terms of interest group functions and operations.¹⁷ These theorists assigned primary importance to organizational interests as a source of governmental policies. For example, Truman said,

Both the forms and functions of government . . . are a reflection of the activities and claims of such groups. The constitution-writing proclivities of Americans clearly reveal the influence of demands from such sources, and the statutory creation of new functions reflects their continuing operation.¹⁸

E. Pendleton Herring, Bertram Gross and Donald Blaisdell¹⁹ all examined interest groups in the Congressional context, and assigned them an important decision-making role. Belle Zeller's²⁰ examination of groups in New York State politics, and Daygon McKean's discussion of Pressures on the Legislature of New Jersey²¹ are still cited as studies illustrating strong interest group influence in state legislative policy-making. In all these cases groups are assigned an active role in the formation of policy and the distribution of government resources. For example, McKean characterized lobbies as "the force that makes the whole machine go . . . a state legislature is a sort of battleground for the various interests of the state."²²

Classic studies of a specific interest group include Peter Odegard's description of the techniques of the Anti-Saloon League and Oliver Garceau's analysis of the American Medical Association.²³ More recently, studies have been made of the National Association for the Advancement of Colored People, the British Medical Association and the role of corporations in politics.²⁴ Usually these

books locate interest group influence near the more influential pole of the continuum.

Some case studies which trace the role of groups in the context of policy decisions rather than in the total institutional milieu also accord interests an influential role in the policy-making process. Two examples are Stephen Bailey's study of the passage of the 1946 Federal Employment Act and Earl Latham's study of basing point legislation.²⁵

Recent literature based on group theory, such as Harmon Zeigler's Interest Groups in American Society, while asserting that "public policy . . . is formed as a result of the interplay of group interests,"²⁶ qualify the level of importance assigned to groups in this process. These authors see group influence as a fluctuating phenomenon which "depends upon [the group's] role within the 'total way of life of the population.'"²⁷

Points between the continuum poles of total influence and absence of influence are staked out by advocates of the pluralist model of community power studies which assign groups more or less influence within the context of the particular issue being decided. Group coalitions are identified as "time bounded," voluntary and keyed to the topic of discussion, with the influence of the group varying in each set of circumstances. While Robert Dahl documents the successful involvement of groups in three New Haven decisions, Edward Banfield's study of influence in six Chicago cases indicates that the groups, especially business interests, were too splintered and disorganized to wield much influence.²⁸

Wallace Sayre and Herbert Kaufman in Governing New York City liken the New York City political decision-making process to "a contest for prizes" with competing interests clustered around various decision-making cores. Decisions emerge through mutual accommodation.²⁹

At the non-influential end of the continuum are studies which conclude that lobbying has a very limited impact on the actual outcome of public policy-making. Bernard Cohen's study of group interest in the Japanese peace treaty and Raymond Bauer, Ithiel de Sola Pool and Lewis Dexter's study of the development of reciprocal trade legislation both suggest that groups have little influence within the process. They view interest group coalitions as disorganized, misdirected, inhibited by lack of resources and rarely influential in determining any one man's vote.³⁰

It should be noted that while most of these writers see interest groups as a necessary and legitimate participant in government policy-making processes, in some of the literature "the 'lobby' and the 'pressure group' . . . are accepted in the way that the typhoid bacillus is, as an organism that is a feature of civilized existence but that must be eradicated if society is to develop and prosper."³¹ This is the opinion of authors such as E. Pendleton Herring, E. E. Schattschneider³² and others who feel that "the pressure system" can only advance specific interests rather than represent the community interest. The statement that "The government of the United States is the foster child of the special interests. It is not allowed to have a will of its own"; is typical of this viewpoint.³³

Regardless of the normative slant of interest group authors, lobbying and lobbyists are usually discussed only as one of the ways in which groups exert influence. Prior to the last decade, if lobbying was the focus of a study it was usually an expose of the evils of lobbying³⁴ or a discussion of statutory controls and investigations of lobbying excesses.³⁵

As a result of the increased interest in role analysis of official decision-makers, however, the analytical focus has begun to shift towards lobbyists as political actors. Generally these studies examine either the interaction between lobbyists and legislators³⁶ or the role orientation of lobbyists.³⁷ Again, the focus of the literature differs from this study of perceptions and actions. The legislator-lobbyist studies usually assess the decision-makers' attitudes towards lobbyists, while the individual lobbyist studies tend to use lobbyist perceptions to create role patterns.

However, there are two exceptions to this over-all statement; Lester Milbrath's The Washington Lobbyists, and Harmon Zeigler and Michael Baer's Lobbying: Interaction and Influence in American State Legislatures.³⁸ The latter book is an examination of legislator-lobbyist interactions, based on their perceptions of each other. The authors conclude that the establishment of interaction is the key to lobbying success.

The book was useful for this study because it established the need for perceptual accuracy as a precondition for effectiveness. However, it is impossible to contrast my statistical data with theirs since the derivation of the data they used is never clearly

documented in the book. Also, the focus of the study is on the personal relationship between the actors themselves rather than the link between perception and action or perception and environmental conditions.

Milbrath's book is a two-pronged study of the role of the lobbyist and the situation in which he functions. His purpose was "to build upon our general knowledge of decision-making to construct a framework showing how lobbying fits into, and plays a role in, the overall government decisional process."³⁹ To do this Milbrath interviewed one hundred and one Washington lobbyists selected at random from those registered in 1956. His questions were designed to elicit the characteristics of lobbyists as a political skill group, and examine their role in the decision-making process by evaluating the effectiveness of their lobbying tactics and estimating the influence of lobbyists in the overall policy-making process. After three hundred forty pages, Milbrath concludes that, "Lobbyists can do very little to affect the outcome [of a government decision]."⁴⁰

Heinz Eulau has criticized the book both from a theoretical viewpoint, and in terms of Milbrath's use of the data. He feels the use of communication theory is too vague since all forms of contact are communication and that "Milbrath's theoretical formulations were an afterthought rather than a forethought."⁴¹ He also noted that the data defining the personal characteristics were not used to answer the questions asked about lobbyists' roles in the decision-making process. Rather these questions were answered

in terms of the recipient's responses. "In other words the focus of evidence shifts from lobbying to its context and it is the context that circumscribes the lobbying function."⁴²

Milbrath's analysis of lobbyists as political actors was useful in establishing a composite picture of legislative lobbying against which to measure the New York State lobbyist's convention cycle activities. His conclusions about the general influence of groups and the role of lobbyists in the process were less useful, primarily because it is impossible to compare group influence at the national and state levels. The smaller scale of state politics tends to make the sources of group strength more effective as political power bases, and direct access to decision-makers more common.

The final category of literature investigated while writing this paper is concerned with constitutional revision. There are two parallel lines of analysis running through this material. The first approaches constitution-making as a means of modernizing state government. Substantive constitutional changes are prescribed, with the emphasis on the content of the product rather than the processes which create it. The classic example of this genre is the National Municipal League's State Constitution Studies Project which discusses topics used in constitution-writing.⁴³ Other works assess the defects of current state constitutions, sometimes tying the critique to a general analysis of state ills.⁴⁴

The second approach to constitution-making focuses on the constitutional convention process itself. Early twentieth century

works deduced the process from abstract legal concepts and democratic theory which led to descriptions of convocations of rational, non-political, intellectual demigods implementing the public will.⁴⁵ In 1938, Vernon O'Rourke and Douglas Campbell⁴⁶ broke with this tradition and published the first analytical examination of a convention as a political event. Examining the 1936 New York State convention in terms of party and pressure group behavior they concluded that the convention was "a function of the problems and institutions of its time." It "behaved as 'normally' as any legislative body."⁴⁷ Since then the politics of amendment by convention have been discussed both in general terms and in the context of specific state conventions.⁴⁸ Usually this literature focuses on the convention stage rather than seeing that as only one part of a four stage, sequential process.

When discussing the role of groups in the politics of constitution-making, most studies offer normative conclusions as to their good or bad influence on the constitution itself. An offshoot of this literature is Lewis Froman's⁴⁹ analysis of the relative strength of interest groups in terms of key characteristics of state constitutions and state amending processes. Froman combines the group theory assumption that "interest groups are powerful because they monopolize access to government decision-makers,"⁵⁰ with the view of constitutional revision as a politically important process. His conclusions are that states with strong interest group patterns have longer constitutions, more amendments proposed and adopted, and an easier amending process.

This study departs from the constitutional revision literature in two ways, by considering the process in terms of all four stages, instead of just the convention period, and by emphasizing the lobbyist as a participating actor in the policy-making process, rather than the effect of the lobbyist on the final output.

Major Hypotheses and Findings

This is a study of the relationships between environmental conditions, lobbyist's personal perceptions, their organization's pattern of activity and the lobbyist's evaluation of success. The constitutional convention is considered the primary environment since it presented a specific unique new lobbying experience which could be contrasted with the general routine established during recurrent legislative cycles. The emphasis throughout this thesis is on perceptions: perceptions of relationships between the two environments; perceptions of the sequence of events which describe their groups' activities, and perceptions of their groups' success level.

Perception, as the term is used in this study, means a person's "direct contact with the environment; it is a means whereby objective facts enter the life space [the subjective environment of the person]." In a perceptual system the behavior of the individual is related to some aspect(s) of the stimulation affecting him. "To the extent that an organism . . . is responsive to input from either source [his own behavior or the surrounding environment] it can be said to contain a perceptual system."⁵²

Three major hypotheses were tested using data gathered in

interviews with ninety-one New York State lobbyists registered for or active at the 1967 constitutional convention (stage three).⁵³ These hypotheses were subdivided into seven narrower propositions for purposes of analysis.

1. The first hypothesis which concerns the content of lobbyists' perceptions, per se, states that lobbyists will perceive differences between the constitutional convention revision cycle and the state legislature. Perception is related in two narrower propositions to the lobbyist's functional needs and previous legislative experiences.

(a) Lobbyists' regular activities during legislative sessions color their perceptions of the constitutional convention revision cycle. Laboratory studies of perception have determined that

stimulation does not impinge on a passive organism. Rather, the individual is differentially prepared, or set, for different inputs. The resulting perception derives from the interaction between set and stimulation.⁵⁴

Therefore, since 90% of the respondents also acted as their organization's legislative representative, it was anticipated that their discussion of the convention milieu would be in comparative terms. The data confirmed this hypothesis in two ways. First, approximately 90% of the lobbyists mentioned at least one convention feature which was different than the legislative system, even though only 61% of the respondents categorized the convention as different than a legislative session.⁵⁵ Second, when the lobbyists were asked to compare the influence of specific variables found in both

environments, the minor convention roles assigned to the Governor and minority party leaders in a unicameral structure were explicitly contrasted with their extensive power in the 1967 partisanly divided bicameral legislative session.

(b) The most salient features of the convention stage environment are those most related to the functional needs of lobbyists. It is logical to suppose that leadership positions, party responsibilities and the effectiveness of party discipline would be important factors to lobbyists acting as communications brokers between outside interests and inside activities. To test this proposition, respondents were asked to give their reasons for considering certain aspects of the convention decision-making system as more or less influential than in the similar legislative process.

While 75-90% of the respondents ventured general influence evaluations, the number supporting their position with a specific reason declined sharply for all but five factors. The five decision-making variables which were clearly enough perceived for respondents to verbalize their impression of influence were the convention president, individual delegates, committee chairmen, the role of interest groups, and the importance of party discipline--all five of which are key factors in planning or gaining access routes to policy points. Thus the saliency of the lobbyists' perceptions seems related to their functional needs, corroborating the hypothesis.

The general broad hypothesis is supported since the data indicate definite lobbyist perceptions of the two cycles including a consensus that the convention and legislative deliberative sessions

were not identical, and a tendency to perceive in clearest detail those features of the process, such as the nature of leadership positions, which affected their own lobbying role and effectiveness.

Since the perceptual system links perception to action it requires not only the recognition of environmental factors, but also a response to the stimulation. In this study the response takes two forms; the development of each organization's convention cycle strategy, plus each lobbyist's implementation of that strategy.

2. Thus having established the existence of lobbyists' perceptions of their environment, the second broad hypothesis deals with the relationships between these individual perceptions and the group's activities in the convention process. It is hypothesized that lobbyists' perceptions of their working situation affect the allocation of their group's resources among the four stages of the constitutional revision cycle, and the implementation of each group's convention period strategy.

Data related to this hypothesis are derived from the lobbyists' explanation of their personal convention activities as contrasted with their normal legislative routine, and their groups' involvement in the convention cycle. In discussing the group's convention activities, lobbyists were asked to make two kinds of evaluations: one comparing their group's involvement and aims across the four constitutional revision cycle stages, the other comparing the convention stage and legislative session activity patterns of their groups and the lobbyist's techniques of implementation.

It is assumed for analytical purposes that in explaining the goals, activities and limitations of his group, the lobbyist is giving an answer for his organization. Indeed, on several ratification points, respondents specifically noted that their own personal opinion differed from their organization's but they implemented the group's opinion and explained that opinion to me. The theoretical rationale for equation of the man and his organizational role in this way is explained by Edwin Epstein in his book describing corporations in politics. He said:

All organizations . . . have particular organization goals to which individuals subordinate their own interests and desires. At the same time, however, individuals influence organization objectives through their own contributions. Accordingly, when managers engage in certain activities in the name of, with the resources of, and for the alleged interests of the organization, we can safely assume that the participation is that of the corporate entity. . . . Where . . . the line between the individual and corporate activity is ill-defined, and tenuous, the two will be considered as one.⁵⁶

This emphasis on the lobbyist in his corporate role is supported by Milbrath's discussion of the lobbyist's role in internal group decision-making processes. He differentiated between planning for policy, strategy and tactics with lobbyist's influence growing progressively more important as the level of planning became more specific.

Policy consists of the relatively long-range purposes and objectives of a group; strategy is the plan by which those objectives are to be achieved; and tactics are the specific actions taken to fulfill the strategy plans.⁵⁷

As might be expected, the largest number of people participated in the formulation of group policy; the lobbyist along with the Board

of Directors and other key staff personnel. At the strategy level, Milbrath found fewer people involved; almost half of the lobbyists said they were given primary responsibility for strategy development.

At the tactical level, which requires the greatest amount of personal lobbyist activity, the lobbyists naturally had the most control. Indeed, all of Milbrath's interviewees reported considerable or total tactical freedom. Since Milbrath also found that the degree of freedom increased as the organization's size decreased it seems reasonable to assume that state lobbyists, representing comparatively smaller entities, have more of a group decision-making role.

For purposes of analysis the broad perception-action hypothesis is considered in terms of three narrower propositions.

(a) Group's organizational resources, limitations and goals determine the level of interest group involvement in each of the four convention stages. This proposition reflects the general assumption in interest group literature that groups are attracted to decision-making arenas by the nature of the rewards and their own relative power vis-a-vis decision-makers.⁵⁸

The New York State data show that interest groups registered for the constitutional convention stage because they perceived the possibility of a personal stake in the content of the constitution. This self-interest basis of group participation⁵⁹ is corroborated in the convention registration docket statistics. Business corporations and trade associations, vitally interested in technical statutory adjustments at each legislative session, usually account for

approximately 70% of the organizations on the legislative registration docket, whereas at the convention they represented only 47% of the groups listed. Indeed, professional associations did not even register for the convention at all since they have no interest in provisions designed to structure governmental powers and set rules governing the allocation of resources.

Conversely, the registration of groups with constitutional interests increased for the convention. For example, labor union registration rose from 5% of the legislative docket to 12.5% at the convention; and social, civic and humanitarian organizations increased from 10% of the legislative docket to 28% at the convention.

During the total four-stage constitution reform process only groups with broad goals of a constitutional nature such as humanitarian, church, social and civic reform groups were interested in the complete revision cycle. Since most groups had fewer interests and less radical, more specific proposals they confined their activities to only one or two stages in the over-all process. For example, business interests tended to confine their activities to the convention stage because they viewed participation merely as a security measure, and felt limited by their corporate form from participating in referenda designed to reflect individuals' wishes.

These data findings parallel Bernard Cohen's conclusions as to why organizations become involved in the formulation of specific policies. He writes:

At the most general level, we can say that different kinds of organizations become involved in different ways, partly because they visualized the process and their own roles in relation to it, in special and distinctive terms.⁶⁰

He then singled out the characteristics of the membership and the kind of group policy interests as the most important determinants of organizational behavior. "The character of the interests seems to be the more basic of these two sets of criteria, accounting for most of the differences in behavior that compromise the pattern of political communications. . . ."61

(b) The most important differences between the convention and legislative systems in terms of the effect on interest group activity are (1) the division of the constitutional revision process into four separate nonrecurring stages as compared to the recurring two stage legislative cycle, (2) public expectations concerning the function of each process for the body politic, (3) the method of transforming decisions into law, and (4) the content of the convention and legislative session agendas.

This proposition reflects the general assumption that any specific institutional system while comparable to others of its kind still has its own norms and procedures which create their own power distributions and modes of operation.⁶² The lobbyists' interest in behavior clues which could be gained through analysis of the delegate body became apparent in their interview conversations. For example, some lobbyists based their assessment of likely committee action on their proposals on an examination of the occupations and interests of the committee members.

Corroboration of the proposition is also derived from lobbyists' answers to questions concerning their over-all convention cycle activities. That they saw the convention session within the context of a four stage cycle was evident in their answers to

questions asking them to rate their group's activity level at each stage. The answers were made primarily in comparative terms within the convention cycle rather than between convention and legislative patterns. Thus, some business and trade association representatives evaluated their convention stage level of participation as high, although by their normal legislative standards it was low, because the amount of convention activity was indeed greater for them at this stage than in any other constitutional revision stage.

In addition, the data suggest lobbyists were aware of environmental conditions as indicated by their modification of group strategies in order to compensate in one stage for consequences of a previous stage. Such techniques were especially evident in the battle over the clause prohibiting aid to sectarian schools.

(c) Interest group policies reflect the nature of the group; while their constitutional revision cycle strategies and tactics incorporate adaptations to meet the environmental conditions. Data from this study indicate that group policies are formed in the context of the group's goals and organizational structure rather than to meet particular policy-making opportunities.⁶³ Groups interested in structural reforms were not able to adopt totally new policies when their leaders realized they could not overcome certain biases of the delegate body. For example, groups opposing repeal of the prohibition of aid to parochial schools still maintained their goal even after the electorate selected a pro-repeal delegate body.

Nevertheless, lobbyists' perceptions of the convention environment were incorporated at the strategy planning level to create

master plans, especially for civic, humanitarian and ad hoc convention groups, covering groups activities over two or more convention process stages. Indeed, many of the structural reform groups formed convention study committees within their organizations as early as fall 1966.

Another form of strategic adaptation to meet new environmental conditions was the reorganization of group goal priorities in order to meet either the political situation of the convention stage or the more generalized emphasis of a constitution. To measure the nature of these changes, lobbyists were asked to compare their workloads in convention and legislative sessions. As would be expected, the data indicate that lobbyists for groups simultaneously seeking a range of broad reforms had larger workloads at the convention than at legislative sessions; while lobbyists for interests which registered only as a precaution or for limited objectives did less convention work than their legislative norm. Almost half of the seventy-two lobbyists perceiving differences in the amount of required work attributed the changes to program modifications made to meet convention variations.

The data showed that lobbyists' personal perceptions were an intermediary factor used to adapt group resources and aims to the peculiarities of the decision-making situation. When lobbyists were asked specifically if their personal convention activities were the same in both convention and legislative sessions, forty-two said there were differences; of these forty-two, two-thirds attributed the differences to environmental conditions. In addition,

during the interviews, almost every lobbyist mentioned at least one adaptation that he made in his usual working style.

Nevertheless, the level of the group's involvement at any specific stage reflected not only the expertise of the lobbyist but also the characteristics of the organization's membership and goals. In the normative genre of constitutional convention literature it is usually assumed that good government groups will find and successfully use favorable access routes because the environment is nonpartisan and pro-reform.⁶⁴

In interest group literature it is often assumed that the existence of "inside lobbyists" (officials who are also members of one's organization) ipso facto means assistance for that group. Thus David Truman listed legislator's affiliations as one of many determinants of access.⁶⁵ More recently, a study of Indiana legislators indicated a correlation between legislators' occupational affiliations and their attitudes towards specific groups. The study found that "The clearest relationship is that of sympathetic identification between legislators and lobbyists from the same occupational category."⁶⁶

The New York State data while lending support to this data did not similarly confirm the next statement that,

Given interest group members who are actually an official part of the legislative process, the job of lobbying is eased considerably.⁶⁷

Many convention lobbyists could not or did not use convention personnel to promote their interests. For example, court reformers knew Judge Botein was an ally, but his use as an "inside lobbyist" was

hampered by his convention role as chairman of the Executive Committee rather than the Judiciary Committee.

Modification of lobbying tactics might mean either a change in the kind of group activity, such as increased use of written position papers or hearings or member action calls, or adaptation of the lobbyist's own approach to convention delegates. The data suggest that the group's techniques tended more to reflect the internal characteristics of the organization such as its membership and policy interest, than to respond to differences in the environmental situation. Large member constituency groups usually divided their resources between direct delegate contacts and public education; leadership organization generally emphasized leadership contacts. Both patterns are typical of these organizational types in the legislative arena.⁶⁸

3. The final major broad hypothesis is concerned with the importance of accurate lobbyist perceptions as a factor in attaining group success. It is hypothesized that lobbyists' perceptions of the level of their groups' convention cycle success reflects their ability to use perceived environmental attributes to their advantage. Success is a difficult variable to measure. Many decision-making studies which use interest groups as one of the independent variables try to establish a comparative scale for determining the group's level of success in the process.⁶⁹ These scales usually equate success with influence and then use the composition of the final policy as the basis of the equation. Most of these efforts are criticized as being too vague, too subjective and too specifically

oriented.⁷⁰

Fortunately the creation of any such measurement system is unnecessary in this study because the emphasis here is on the use of lobbyists' perceptions rather than the effect of groups in the decision-making process. Thus the definition of success, as used in these hypotheses, is the self-definition given by the lobbyist. Where possible, each convention evaluation is compared with the lobbyist's evaluation of his usual legislative session success record. The broad hypothesis is analyzed in terms of three subsidiary propositions.

(a) Lobbyists' estimation of their groups' convention stage success is based on a comparison of the number of achievements with the total number of goals. The data indicate that lobbyists do not base their assessment of success solely on the quantity won or lost; rather, quantity is modified by the priority and substance of the goals. To lose goals involving change tended to offset the pleasure found in a string of status quo victories. Success was also related to a limited number of group interests or a steeply ranked priority of goals, and an interest in non-contentious, specific, non-radical kinds of change.

(b) Lobbyists who perceived their groups as more effective in the convention than in a legislative session also perceived their convention stage success as better than in a legislative session and vice versa. As anticipated, correlations emerged between these two aspects of group activity consequences.

(c) The nature of the convention cycle affects the possibility of group success because the environment of each stage favors

only certain kinds of interest groups. This hypothesis derives from the general pluralist assumption that

in consequence of the structural peculiarities of our government, some groups have better and more varied opportunities to influence key points of decision than do others.⁷¹

The relationship was corroborated in lobbyists' testimony concerning their development of strategy in terms of their perceptions of the convention cycle and their own organizational limitations.

For example, the two referendum stages which initiated and climaxed the revision cycle favored civic, humanitarian and social reform groups whose members were highly motivated because of the nature of their policy interests. Since these groups usually cannot legally participate in personal partisan election campaigns, they were forced to be relatively inactive during the selection of convention delegates period.

Groups normally successful in electoral politics such as the Catholic Church and labor were also successful in selecting sympathetic delegates. The groups most successful at the convention stage either had secured previous campaign commitments for their position or had goals which reflected the moderate reform expectations of the delegates.

The expectations, personnel, and procedures of each stage melded into four different environmental situations, each one of which reinforced the legitimacy of particular kinds of groups. Legitimacy, in this sense, is the decision-makers' acknowledgement of the interest groups' right to authoritatively represent a particular point on view.⁷² Establishment of a spokesman role creates

the possibilities for effective access, since it prepares the decision-maker to listen receptively to the group's message. A group can then work within the decision-making system as an ally rather than outside it as a supplicant or adversary.⁷³

In the theoretical convention literature, it is assumed that reform groups will benefit from the differences in convention personnel and procedures and secure the structural reforms for which they initiated the revision cycle.⁷⁴ However, this did not happen in New York State. In the constitutional revision cycle there are two possible sets of decision-makers: the voting public, as in the call for a convention and referendum stages, or the convention delegates, in the selection of delegations and convention session periods.

In New York State, reform groups were able to create the feeling of legitimacy for only the voting public decision-makers. Status quo interests transferred their usual legislative legitimacy to the convention session stage. Thus, New York reform groups initiated the cycle, but partisan elections plus the right to hold the convention delegate position in addition to other public office, meant the convention was peopled with leaders of the political status quo who were disinterested in sweeping structural reforms. Consequently, government groups and status quo economic interests had the most legitimacy at the convention stage. The good government groups, perceiving this hostile environment, shifted the major portion of their resources to the ratification period where they already had legitimacy as traditional spokesmen on ballot issues.

Thus the data suggest that interest groups were most likely to succeed on issues where they could achieve decision-makers' recognition of their right to speak for a particular segment of public opinion. The possibility of winning this representational legitimacy changed with each issue and each policy-making context. Lobbyists' expertise could not create this representational status but it could be an asset once this precondition was met.⁷⁵ First, lobbyists pinpointed situations most conducive to the establishment of this necessary legitimacy, and then, they adapted group strategy to that specific setting.

In summary, the interview data confirm the assumption regarding lobbyist expertise by indicating a pragmatic, relatively sophisticated knowledge of different nuances in two similar processes. The data also corroborate the assumption of a link between lobbyists' perceptions and interest group activity patterns, joining the two variables at that point where strategy is formed to implement already existing goals. The end of the chain, interest group success, is least closely linked to the individual lobbyist's perception and more closely associated with characteristics of the group's resources and objectives. In creating group success lobbyists' perceptions are only one aspect of a group's total resources; in adapting strategy to the specific policy process, perceptions become one of the primary factors.

Methodology

The first methodological problem was defining the word lobbyist to make it useful in analytical terms and for selecting the

interview population. The problem is that the words "lobbyist" and "lobbying" mean different things to different people.

One man thinks of lobbying as the factual presentation of useful data to legislators. To another, it means sinister influence peddling by pressure groups with reckless disregard for the general welfare.⁷⁶

Just as normative considerations often color the definition of lobbying activity, so too do they affect the definition of the person who lobbies. Indeed the word "lobbyist" is so often associated in the popular mind with the caricature of a cigar-chewing, influence-peddling, distributor of bribes that men who lobby prefer to call themselves "legislative representatives."⁷⁷ Those who characterize the lobbyist in unkind normative terms are usually defining not the man, but his group's goals. Thus, Senator James Reed of Missouri said, "A lobbyist is anyone who opposes legislation I want. A patriot is anyone who supports me."⁷⁸

More neutral definitions of the lobbyist are often too narrow for analytical use. For example, the classic Supreme Court definition of a lobbyist defines him as one whose principal purpose is "to influence the passage or defeat of legislation by Congress . . . through direct communication with members of Congress."⁷⁹ This definition focuses on direct lobbying communications as if they were the only means by which a pressure group can exert influence. However, the definition is inadequate to describe the modern lobbyist who usually concentrates on indirect, "soft-sell" techniques to win points.⁸⁰

Another form of limited definition specifies the focus of lobbying activity, such as "influence of legislators with respect

to legislation."⁸¹ Such a definition ignores the equally important lobbying which takes place in the other branches of government.

A final category of limited definitions classifies lobbyists as paid employees "of private groups and associations."⁸² This kind of definition is used in the New York State Legislative Law (Chapter 37, Laws of 1967), Article IV (66) which requires registration on a "docket of legislative appearances" by

Every person retained or employed for compensation as counsel or agent by any person, firm, corporation or association to promote or oppose directly or indirectly the passage of bills or resolutions. . . .⁸³

Specifically exempted from this definition are

duly accredited counsel or agents of counties, cities, towns, villages, public boards and public institutions. And the provisions hereof shall not be construed as affecting professional services in drafting bills or in advising clients and in rendering opinions as to the construction and effect of proposed or pending legislation where such professional service is not otherwise connected with legislative action.⁸⁴

This kind of definition is misleading since it confines lobbyists essentially to the category of paid representatives of private groups thus leaving out all volunteer lobbyists, all representatives of government interests, and all government officials who "assume the role of lobbyists by virtue of special competence . . . in a particular field."⁸⁵ In discussing pressures on the Illinois legislature, Steiner and Gove rate the governmental interests as very influential.

The most effective of these nonmember influences is surely the Governor. . . . Desires of Illinois state and local governments bear on the resolution of problems. . . . The governor's administrative assistant is no less a lobbyist than are the

legislative representatives of the Illinois Chamber of Commerce. . . .⁸⁶

A broader, functional definition of lobbyists is used in this study. Lobbyists are defined in terms of their activities within the policy-making process. They are individuals who stimulate and transmit communications for an organized interest with the hope of influencing a government decision.⁸⁷ This definition permits maximum freedom of interpretation in regard to specific goals, techniques and locus of lobbying activity. The lobbyist can be either paid or volunteer; he can use direct or indirect communication techniques.

Yet the definition also sets certain boundaries: the activity must be related to government decision-making, the desire to influence a decision must accompany the action, and the lobbyist must be acting as an intermediary between an organized interest and the government. Thus a citizen who communicates his own personal viewpoint to the President is not lobbying, nor is a government official who tries to influence colleagues on his own behalf instead of as an "intermediary for an interest."⁸⁸

The breadth of this definition makes it useful for analytical purposes but too broad to operationalize as a basis for selecting an interview population. Three alternatives were considered as a formula for selecting an interview population which would include the widest possible range of lobbyists and groups and yet be limited to the confines of available time and money. The three possibilities were:

1. Ask a specified group of delegates to the 1967 New York

State Convention to select key lobbyists and then interview this sample;

2. Select respondents from among representatives of groups testifying at selected convention hearings or on selected topics;

3. Interview all those who registered as lobbyists under Legislative Law, Chapter 7, laws of 1967, section 66-b, (the lobbying law for convention lobbyists).

The first selection method was rejected because it was too difficult to control the standards used by the nominating group, or to select a nominating group which would not be inherently biased because of their own personal range of interests. In addition it would have taken more time and money than were available.

Hearings provided a poor selection basis for a lobbyist interview population because witnesses often testify as individuals or in response to invitations sent by the committees to a long list of possibly relevant organizations. The former category of witness does not fall within the definition of lobbying used, and it cannot be automatically assumed that the latter category perceived their role as lobbying. Furthermore, the nonrepresentative character of a universe of groups interested in any one issue is increased because some lobbyists who are interested do not testify, and some testify from each individual subdivision of statewide organizations.

Thus, by the process of elimination, method three remains. It has four advantages: a manageable size interview population since only one hundred fifty-seven lobbyists were registered as

representatives of one hundred ten organizations; the possibility of interviewing an entire population rather than choosing an imbalanced sample; a self-definition of the term, lobbyist;⁸⁹ and a representative cross-section of politically active interests in New York State.

Although the legal definition of one who must register is the same for the convention statute as for the regular legislative session, more good government, humanitarian, church and other non-profit reform groups registered for the convention. For one thing, these groups were more interested in the convention agenda and planned to be quite active during the session. Also, when the convention law was being debated in the legislature it was suggested that the definition be broadened to include the volunteer and part-time lobbyists who usually represent such interests. The language was omitted because of public indignation at the thought of lumping good government volunteers in the same category as professional lobbyists.⁹⁰ However, the lobbying regulations adopted by the convention itself lowered the exemption level on expense registration requirements from the usual \$250 minimum to \$100 per month. Presumably this was designed to include the reform organization lobbyists indirectly within the terms of the statute.

Even with this more representative spectrum of registered interests, certain key groups, most notably governmental interests, continued to consider themselves exempt from the law. Since no examination of convention activities would be complete without these groups, several methods of data collection were considered as ways

to secure such representatives within the sample population. Among the alternatives were:

1. send questionnaires to all the organizations who registered for the convention, plus all those testifying at the 1966 Temporary Commission Hearings, and/or hearings related to specific topics since government lobbyists appeared at these forums in response to the invitations;

2. send questionnaires to those testifying at the hearings mentioned above and supplement these data by interviewing all those registered for the constitutional convention;

3. eliminate the questionnaire and do only interviews with one representative of each of the groups registered for the convention, plus a selected list of newsmen and delegates, and a few unregistered lobbyists who were known to be important participants in the convention decision-making process on certain issues.

The idea of using a questionnaire was discarded for two reasons: the probable number of returns which could be expected was too small to justify the expense; and a questionnaire, pretested on some lobbyists, proved to be too long and complex for general distribution.

The final choice of an interview population represents a modification of alternative three listed above. Interviews were sought with one representative of every group listed on the constitutional convention registration docket, plus twelve representatives of non-registered governmental groups or groups interested in the issue of aid to parochial schools.⁹¹ These latter lobbyists were

recommended by other representatives or were selected after research on the subject.

The population actually interviewed consisted of ninety-one representatives, eighty men and eleven women.⁹² Seventy-nine of them were registered as representatives of one hundred four of the one hundred ten listed organizations, ten represented non-registered organizations. Seven lobbyists were contacted but not interviewed. One of these men had died, one was snowed in, two declined to cooperate on general grounds, and three refused because they claimed that the trade associations they represent did nothing at the convention so they had no relevant knowledge.

Obviously any study of the role of perception must demonstrate that certain actions were contingent on perceptions, and that others noticed the existence of these interactions. To do this by interviewing selected delegates and newsmen would have added considerably to the time and expense of the study. Fortunately it was not necessary to do an independent study since permission was given to use some data already gathered for a Carnegie Foundation study of the New York State convention which included the delegates' perceptions of the presence of interest groups in the convention process.

The interviews for this study took place between September 1968 and February 1969. Respondents were contacted by telephone in most cases, occasionally by letter first. Most of them willingly agreed to be interviewed. The interviews were usually held in the respondent's office or nearby restaurants. The length ranged

from an hour to three hours, with most averaging one and one-half hours in length.

All except seven lobbyists were interviewed by the writer. The exceptions were men who lived in Buffalo, Rochester and Syracuse and were interviewed by politically knowledgeable assistants of the author who lived in those cities. During the interviews most of the respondents were sympathetic, cooperative and candid. Perhaps a few gossipy tales were withheld, but there was no general impression of attempts to distort information.

The original interview was designed to cover information on the personal characteristics, background and technique of lobbyists; their perceptions of the convention process and their convention activities; and their evaluations of their group's success. The interview was so long when pretested that approximately one-third of the questions, primarily those related to the lobbyist's personal background, were eliminated.

Respondents were asked to answer nineteen questions designed to examine their perceptions of two closely related, but not identical, environmental situations; the convention stage, per se, as compared with a regular New York State legislative session, and the attributes of the total four stage constitutional convention revision cycle.

In controlled laboratory tests of perception there is usually an objective standard against which the individual's perception can be measured. In the political world, when confronted with non-experimental data, this is unfortunately impossible. Instead, each lobbyist's perceptions are compared with those of

other lobbyists, and contrasted with a composite picture of the surroundings drawn from journalistic accounts, histories of New York State, other analytical writings, and my own observations as an interest group lobbyist for several months and member of the Board of Directors of the League of Women Voters of the State of New York during the 1967 constitutional convention and ratification stages.

Various kinds of questions were used in the interview including dichotomous questions, ranking of items, multiple choice scales and open-ended questions. Often a three or five point scale answer was followed by an open-ended question to provide a fuller explanation. On some of these open-ended questions respondents were asked a checklist series of amplifying questions to preclude the possibility of answer bias since the interviews were held a year after the convention cycle ended.

Respondents were also asked to complete four forms: a self-evaluation of lobbying techniques, an evaluation of attitudinal differences among the convention delegates with respect to a selected issue, an estimate of the difficulty in securing passage of certain general types of issues, and a checklist of the number of topics their group was interested in at the constitutional convention stage and their intensity of interest in each topic.

Questions 1, 2, 3 and 5 of the interview schedule furnished necessary census type data concerning the size and type of organization and the respondent's position in the organizational hierarchy. Questions 4, 10 and 15 were concerned with the occupation of lobbying: how the respondent viewed it and the techniques he used when

lobbying. Question 6 examined the group's interests at the convention. Questions 7 and 8 were the major perceptual questions, later elaborated on in the context of a specific group interest in Questions 12, 13 and 14. The group's over-all constitutional revision cycle participation and their activities within each stage both in general and in terms of a specific selected convention issue were discussed in Questions 9, 11, 16 and 17. The interview ended with two questions on the lobbyist's perceptions of his own group's convention success record and the success of other organizations.⁹⁴

To ascertain the nature of their perceptions of their working environments, respondents were asked to make various comparisons between the constitutional revision cycle and the regular New York State legislative cycle. Interview schedule questions were designed to define the lobbyists' view of similarities and dissimilarities in the two processes, and to evaluate the relative influence of key leadership and structural factors affecting law-making.

In order to examine the relationship between perceptions, environment and actual group behavior it was necessary to focus on the decision-making details of specific issues. This seemed the best way to bring out the particulars of lobbying and at the same time keep the material within manageable research bounds. Three subjects were originally chosen because they typified different varieties of convention subjects. The three were selection of judges, a party patronage issue; the Blaine Amendment an example of a broad public policy; and the ban on taxation of intangible personal property, illustrative of pressure group issues.⁹⁵

During the interview and coding stages other issues were added as material from organization files became available. These issues were court consolidation, the "forever wild" conservation policy, dropping the religious requirement in the adoption of children procedure, free higher education, civil service protections, and the removal of restrictions of state gifts and loans. None of the issues examined will be discussed in the depth accorded usual interest group action studies. Rather, examples will be used to provide descriptive augmentation of the statistical conclusions.

Both quantitative and qualitative data were gathered in these interviews. As much of this material as possible was coded for computer use. Cross-tabulations were made using the CR~~OS~~S computer program.⁹⁶ There is rarely a one to one relationship in any comparison of perceptual responses and overt behavior. Discrepancies reflect a multitude of factors including faulty memory, misleading questions, later rationalizations, misconceptions, or actual differences of opinion. In some cases examination of published and file materials revealed facts not remembered in a lobbyist's testimony. For example, many lobbyists said their groups did nothing during ratification when in fact research disclosed neutral-informational activities. The lobbyist probably meant that he did nothing personally, or alternatively, that his group advocated no position. Occasionally two lobbyists for the same organization disagreed as to their group's level of involvement or form of activity. Such differences are the exception rather than the rule,

but where they occur they will be noted.

Chapters II and III analyze the factual situation and the lobbyist's perceptions of the convention and legislative process. Chapters IV, V and VI examine the relationship of group goals and resource limitations to lobbying strategy and tactics. Chapter VII analyzes the lobbyist's perceptions of success and conditions influencing its attainment. Chapter VIII contains the conclusions.

FOOTNOTES TO CHAPTER I

1. See for example, Robert F. Merton, Social Theory and Social Structure (New York: Free Press, 1968); Neal Gross, Ward S. Mason, A. W. McEachern, Explorations in Role Analysis: Studies of the School Superintendency Role (New York: John Wiley and Sons, 1958).
2. Harmon Zeigler and Michael Baer, Lobbying: Interaction and Influences in American State Legislatures (Belmont, California: Wadsworth Publishing Company, 1969), p. 14. Environment for these authors is the total political culture, the historical, political, economic and situational variables in a particular state. However, 'environment' can be used more restrictively to mean the characteristics of a particular sub-system(s) within the total political system. For example, see Richard Fenno, Jr., The Power of the Purse: Appropriations Politics in Congress (Boston: Little, Brown and Company, 1966), "Introduction;" Gilbert Steiner and Samuel Gove, Legislative Politics in Illinois (Urbana: University of Illinois Press, 1960), p. 59.
3. Zeigler and Baer, op. cit., p. 15.
4. Lester Milbrath, The Washington Lobbyists (Chicago: Rand McNally and Company, 1963), pp. 8-9.
5. Walter de Vries, "The Michigan Lobbyists: A Study in the Bases and Perceptions of Effectiveness" (unpublished Ph.D. dissertation, Michigan State University, 1960), pp. 4-5. See also Malcolm Jewell and Samuel Patterson, The Legislative Process in the United States (New York: Random House, 1966), p. 275; William Keefe and Morris Ogul, The American Legislative Process: Congress and the States (2d ed., Englewood: Prentice-Hall, 1968), pp. 358-359.
6. Jewell and Patterson, op. cit., p. 17. See also David Truman, The Governmental Process (New York: Alfred A. Knopf, 1951), Parts I, IV. For a basic discussion of this pluralistic approach to policy-making, see Robert Dahl, Who Governs? (New Haven: Yale University Press, 1961), and Nelson Polsby, Community Power and Political Theory (New Haven: Yale University Press, 1963).
7. Duane Lockard, The Politics of State and Local Government (2d ed., New York: The Macmillan Company, 1969), p. 155.
8. Truman, op. cit., pp. 350-352.
9. Lester Milbrath, "Lobbying as a Communication Process," American Legislative Behavior: A Reader, ed. Samuel Patterson (Princeton: D. Van Nostrand Company, 1968), p. 303.
10. Raymond Bauer, Ithiel de Sola Pool and Lewis Dexter, American Business and Public Policy: The Politics of Foreign Trade (New York: Atherton Press, 1967), p. 470. See also Milbrath, The Washington Lobbyists, chapters 1, 9.

11. See for example, Jewell and Patterson, op. cit.; Truman, op. cit.; Keefe and Ogul, op. cit.; Zeigler and Bauer, Lobbying; Fenno, op. cit.; Steiner and Gove, op. cit.

12. See Jewell and Patterson, op. cit., chapter 12; Milbrath, The Washington Lobbyists, chapter 9; Harmon Zeigler, "Interest Groups in the United States," Politics in the American States, ed. Herbert Jacob and Kenneth Vines (Boston: Little Brown and Company, 1963).

13. Studies of the representational role in decision-making and the role of decision-makers include John Wahlke, Heinz Eulau, William Buchanan and Leroy Ferguson, The Legislative System (New York: John Wiley and Sons, 1962); Lewis Froman, Jr., Congressmen and Their Constituencies (Chicago: Rand McNally and Company, 1963); Herbert J. Spiro, Responsibility in Government: Theory and Practice (New York: Van Nostrand Reinhold Company, 1969). Examples of studies of lobbyists' role in finding key access points include Douglas Cater, Power in Washington (New York: Random House, 1964); Edwin Epstein, The Corporation in American Politics (Englewood: Prentice-Hall, 1969); Clement Vose, Caucasians Only (Berkeley: University of California Press, 1967).

14. F. Bates and O. Field, State Government (New York: Harper and Brothers, 1928), pp. 88-89.

15. Confusion often arises because the whole process is popularly called a constitutional convention in order to distinguish this process from the more common legislative amendment process. In this paper, however, the terms 'constitutional convention revision cycle,' 'constitution revision process or cycle,' 'constitutional convention process' and 'convention cycle' are all used interchangeably to refer to the entire process. 'Constitutional convention stage' or 'convention period' are used to designate stage three per se.

16. For example, see Dahl, op. cit.; Stephen Bailey, Congress Makes a Law: The Story Behind the Employment Act of 1946 (New York: Columbia University Press, 1950); Arnold Rose, The Power Structure (New York: Oxford University Press, 1967); Henry Kariel, The Decline of American Pluralism (Stanford: Stanford University Press, 1961).

The definition of interest group used in this thesis is David Truman's: "an interest group is a shared-attitude group that makes certain claims upon other groups in the society. If and when it makes certain claims through or upon any of the institutions of government, it becomes a political interest group. . . . It follows that any group in the society may function as an interest group and that any of them may function as political interest groups." Truman, op. cit., p. 37.

17. Arthur Bentley, The Process of Government (Cambridge: The Belknap Press, 1967); Earl Latham, "The Group Basis of Politics: Notes for a Theory," American Political Science Review (hereafter cited as APSR), XLVI (June, 1952), 376, 397. V. O. Key, Politics, Parties and Pressure Groups (4th ed., New York: Thomas Y. Crowell, 1958). Key

gives interest groups a pivotal role in the policy-making process, as expressed in this quotation in Betty Zisk, American Interest Groups: Readings in Theory and Research (Belmont, California: Wadsworth Publishing Company, 1969), p. 2: "At bottom, group interests are the animating forces in the political process; and an understanding of American politics requires a knowledge of the chief interests and their stake in public policy."

18. Truman, op. cit., pp. 506-507. Heinz Kulau in "Lobbyists: The Wasted Profession," Public Opinion Quarterly, XXVIII (Spring, 1964), 32-33, criticizes Truman's view of interest group activity as too "mechanistic" because it makes legislators into mere reactors. Andrew Scott and Margaret Hunt make a similar criticism. See Congress and Lobbyists: Image and Realities (Chapel Hill: University of North Carolina Press, 1965), pp. 10-11. Both seem to oversimplify Truman who explicitly defines access as a "two-way street," and legislators as independent participants in decision-making (pp. 332-333).

19. Pendleton Herring, Group Representation Before Congress (Baltimore: Johns Hopkins University Press, 1929); Bertram Gross, The Legislative Struggle: A Study in Social Combat (New York: McGraw-Hill, 1963); Donald Blaisdell, American Democracy Under Pressure (New York: Ronald Press, 1957).

20. Belle Zeller, Pressure Politics in New York (New York: Prentice-Hall, 1937).

21. Dayton McKean, Pressures on the Legislature of New Jersey (New York: Columbia University Press, 1938).

22. Ibid., pp. 5, 9.

23. Peter Odegard, Pressure Politics: The Story of the Anti-Saloon League (Boulder: University of Colorado, 1928); Oliver Garceau, The Political Life of the American Medical Association (Cambridge: Harvard University Press, 1941).

24. Epstein, op. cit.; Charles Kellogg, NAACP: A History of the National Association for the Advancement of Colored People (Baltimore: Johns Hopkins Press, 1967); Harry Eckstein, Pressure Politics: The Case of the British Medical Association (London: Allen and Unwin, 1960). Books on interest groups in general often contain separate chapters on specific organizations or categories of groups. For example, see Zeigler, "Interest Groups in the United States," op. cit.; H. R. Mahood, Pressure Groups in American Politics (New York: Charles Scribner's Sons, 1967); and Abraham Holtzman, Interest Groups and Lobbying (New York: The Macmillan Company, 1966).

25. Bailey, op. cit.; Earl Latham, The Group Basis of Politics: A Study in Basing Point Legislation (Ithaca: Cornell University Press, 1952).

26. Harmon Zeigler, Interest Groups in American Society (Englewood: Prentice-Hall, 1964), p. 30. See also S. E. Finer, "Interest Groups and the Political Process in Great Britain," Interest Groups on Four Continents, ed. Henry Ehrmann (Pittsburgh: University of Pittsburgh Press, 1958); Rose, op. cit.
27. Zeigler, Interest Groups in American Society.
28. Dahl, op. cit.; Edward Banfield, Political Influence (New York: Free Press, 1961), pp. 288, 294-297.
29. Wallace Sayre and Herbert Kaufman, Governing New York City: Politics in the Metropolis (New York: Russell Sage Foundation, 1960), pp. 709-738.
30. Bernard Cohen, The Influence of Non-Governmental Groups on Foreign Policy-Making (Boston: World Peace Foundation, 1959); Bauer, Pool and Dexter, op. cit.; Milbrath, Lobbying.
31. Truman, op. cit., p. 46.
32. Herring, op. cit.; E. E. Schattschneider, The Semi-Sovereign People (New York: Holt, Rinehard and Winston, 1961).
33. Karl Schriftgiesser, The Lobbyists: The Art and Business of Influencing Lawmakers (Boston: Little, Brown and Company, 1951) quoting a campaign speech by Woodrow Wilson in 1921. See also Kariel, op. cit.; Cater, op. cit.; Grant McConnell, Private Power and American Democracy (New York: Alfred A. Knopf, 1966).
34. For example, see Stuart Chase, Democracy Under Pressure (New York: Twentieth Century Fund, 1943); James Deakin, The Lobbyist (Washington, D. C.: Public Affairs Press, 1966); Lester Velie, "The Secret Boss of California," Colliers, August 13, 1949, p. 12 and August 20, p. 12.
35. For a guide to congressional investigations, see D. C. Tompkins, Congressional Investigations of Lobbying (Berkeley: University of California, Bureau of Public Administration, 1956); Legislators and the Lobbyists (Washington, D. C.: Congressional Quarterly Service 1965); Edgar Lane, Lobbying and the Law (Berkeley: University of California Press, 1964); Morton Simon, Public Relations Law (New York: Appleton-Century-Crofts, 1969); Belle Zeller, "The Federal Regulation of Lobbying Act," APSR, XLII (April 1948), 239-271.
36. At the national level are books such as Donald Matthews, United States Senators and their World (New York: Vintage Books, 1960); Scott and Hunt, op. cit.; Charles Clapp, The Congressmen (New York: Doubleday and Company, 1963); Charles Jones, "Representation in Congress: The Case of the House Agricultural Committee," APSR, LV (June 1961), 358-367. Oliver Garceau and Corinne Silverman, "A Pressure Group and the Pressured: A Case Report," APSR, XLVIII (September 1954), 672-691; Wahlke, et al., op. cit.; Zeigler and Baer,

op. cit. At the local level see Betty Zisk, Heinz Eulau and Kenneth Prewitt, "City Councilmen and the Group Struggle: A Typology of Role Orientations," Journal of Politics, XXVII (1965), reprinted in Zisk, op. cit.

37. For example, see Samuel Patterson, "The Role of the Lobbyist: The Case of Oklahoma," Journal of Politics, XXV (February 1963), 72-92; Milbrath, The Washington Lobbyists; de Vries, op. cit.

38. Milbrath, The Washington Lobbyists; Zeigler and Baer, op. cit.

39. Milbrath, "Lobbying as a Communication Process," p. 304.

40. Milbrath, The Washington Lobbyists, pp. 343-345.

41. Eulau, "Lobbyists: The Wasted Profession," p. 35.

42. Ibid.

43. National Municipal League, State Constitutional Studies Project Series, 1 and 2.

44. Committee for Economic Development, op. cit.; Terry Sanford, Storm over the States (New York: McGraw-Hill Book Company, 1967). Studies related to changes in the New York State constitutional text include Sigmund Diamond (ed.), Modernizing State Government: The New York Constitutional Convention of 1967 (New York: Academy of Political Science, 1967); New York State, Temporary State Commission on the Constitutional Convention, 1967 Convention Series; New York State, Temporary Commission on Revision and Simplification of the Constitution, Staff Report No. 1: Interlaw School Committee on the Problems of Simplification of the Constitution: May 22, 1958, Albany (Leg. Doc. 1958, no. 57).

45. See citations in Vernon O'Rourke and Douglas Campbell, Constitution-Making in a Democracy: Theory and Practice in New York State (Baltimore: Johns Hopkins Press, 1943), footnote 1, p. 51; James Dealey, Growth of American State Constitutions: From 1776 to the end of the Year 1914 (New York: Gran and Company, 1915); Walter Dodd, The Revision and Amendment of State Constitutions (Baltimore: Johns Hopkins Press, 1910); Charles Lincoln, The Constitutional History of New York from the Beginning of the Colonial Period to the Year 1905 (Rochester: The Lawyers Cooperative Publishing Company, 1906).

46. O'Rourke and Campbell, op. cit.

47. Ibid., p. 61.

48. Studies of constitutional conventions in general include W. Brooke Graves (ed.), Major Problems in State Constitutional Revision (Chicago: Public Administration Service, 1960); John Bebout, "Recent Developments in the Use of the Constitutional Convention in the States,"

delivered at the annual meeting of American Political Science Association, September 8, 1955 (mimeo). Studies of specific constitutional conventions include Leon Cohen, "Role Orientation of Constitutional Convention Delegates: Preliminary Analysis of the 1967 New York State Constitutional Convention"; Elmer Cornwell, Jr., and Jay Goodman, "The Rhode Island Convention: A Preliminary Analysis;" both papers delivered at the annual meeting of APSA, September 1969; Albert Starna, Constitution-Making in Michigan (Ann Arbor: Institute of Public Administration, 1963); Robert Friedman, The Michigan Constitutional Convention and Administrative Organization: A Case Study in the Politics of Constitution-Making (Ann Arbor: Institute of Public Administration, 1963). See also National Municipal League, State Constitutional Convention Studies Series, 1969-1970.

49. Lewis Froman, "Some Effects of Interest Group Strength in State Politics," APSR, LX (December 1966), 952-962. For a critique of this article see "Communications," APSR, LXI (June 1967), 478-480.

50. Zeigler and Baer, op. cit., p. 3.

51. Fritz Heider, The Psychology of Interpersonal Relations (New York: John Wiley and Sons, 1958), p. 15.

52. William Dember, The Psychology of Perception (New York: Holt, Rinehart and Winston, 1960), p. 3. See also H. Bonner, Social Psychology: An Inter-Disciplinary Approach (New York: World Book Company, 1953); T. Parsons and E. Shils (eds.), Toward a General Theory of Action (Cambridge: Harvard University Press, 1957); Lewis A. Cosner and Bernard Rosenberg, Sociological Theory: A Book of Readings (New York: The Macmillan Company, 1964), chapters 3, 4, 7, 8, 15.

53. See methodology section for further details, supra, pp. 30-42.

54. Dember, op. cit., pp. 303-304.

55. In the interview questions (Nos. 7 and 8) lobbyists were asked to compare the convention period (stage 3) with a legislative session since theoretically all the lobbyists would then have a similar base of comparison (only ten groups were active in all four stages), and because a pretest of the questions indicated that lobbyists respond more willingly and specifically to focused, exact questions. However, comments on the total cycle often emerged spontaneously or were implicit in the answers they gave.

56. Epstein, op. cit., pp. 12-15; Milbrath, The Washington Lobbyists, pp. 350-351.

57. Milbrath, The Washington Lobbyists, p. 41. The rest of the information in the paragraph is from pp. 42-48.

58. See for example Zeigler and Baer, op. cit., pp. 36-37; Truman, op. cit.; Bailey, op. cit.; Herring, op. cit.

59. See also Bernard Cohen, "Political Communication on the Japanese Peace Treaty," American Political Interest Groups: Readings in Theory and Research, ed. Betty Zisk (Belmont, California: Wadsworth Publishing Company, 1969), p. 230.

61. Cohen, op. cit., p. 230. See also Zeigler and Baer, op. cit., and Zeigler, "Interest Groups in the United States," p. 136.

62. See Fenno, Jr., op. cit.; Wahlke, et al., op. cit.; Jewell and Patterson, op. cit.; Matthews, op. cit.

Differences between the convention and legislative systems are apparent to the observer after reading accounts of both of them at work and studying the legal structure of the two systems, but writers such as O'Rourke and Campbell suggested that the participants found most structural differences immaterial in practice. O'Rourke and Campbell, op. cit., chapters 2, 7. See also Leon Cohen, op. cit.; Elmer Cornwell, Jr. and Jay Goodman, The Politics of the Rhode Island Constitutional Convention (New York: National Municipal League, 1969).

For information on the New York State legislative system, see Ralph Stratz and Frank Minger, New York Politics (New York: New York University Press, 1960); League of Women Voters of New York State, Legislative Practices and Procedures (New York: League of Women Voters, January 1970); New York State, New York State 1967 Constitutional Convention: Transcript of Proceedings; New York State 1967 Constitutional Convention Record (Albany: Legislative Index Company, 1967).

63. In the literature, see B. Cohen, op. cit., p. 229; Seymour Lipset, Martin Trow and James Coleman, Union Democracy (New York: Doubleday and Company, 1962); Norman Luttbeg and Harmon Zeigler, "Attitude Consensus and Conflict in an Interest Group: An Assessment of Cohesion," American Political Science Review (1966); Truman, op. cit., chapters 6, 7.

64. For examples of writings overrating reformers see Committee for Economic Development, Modernizing State Government (New York: Committee for Economic Development, July 1967), p. 68; Albert Sturm and James Craig, Jr., "State Constitutional Conventions 1950-1965," State Government XXXIX (Summer 1966), 160. For examples of interest groups seen as nefarious influences see G. T. Mitau, State and Local Government: Politics and Processes (New York: Charles Scribner's Sons, 1966), pp. 11-35.

65. Truman, op. cit., pp. 343-350.

66. Discussed in Harmon Zeigler, "Interest Groups in the States," p. 136.

67. Ibid.

68. See Milbrath, "Lobbying as a Communication Process."

69. See Dahl, Who Governs?, Appendix B for discussion of the difficulties of measuring group influence, and Milbrath, The Washington Lobbyists, pp. 350-351, for the difficulties of measuring success.

70. See Dahl, Modern Political Analysis (2d ed., New Jersey: Prentice-Hall, 1970), chapter 3; Graham Wootton, Interest Groups (Englewood: Prentice-Hall, 1970), chapters 5, 6.

71. Truman, op. cit., p. 332.

72. See Zeigler, Interest Groups in the American States, p. 26.

73. Ibid.; Milbrath, The Washington Lobbyists; Key, op. cit.; Matthews, op. cit.; Bauer, Pool and Dexter, op. cit.

74. See W. Brooke Graves, ed., Major Problems in State Constitutional Revision (Chicago: Public Administration Service, 1960), p. vi; Albert Sturm and James Craig, Jr., "State Constitutional Conventions," pp. 156, 160.

75. See Zeigler and Baer, op. cit., chapter 8.

76. U. S. Congress, McClellan Committee, Final Report, pp. 64-65, quoted in Milbrath, The Washington Lobbyists, p. 7.

77. The term lobbyist is never used in this paper in a perjorative sense. However, it has this connotation in many places even among some lobbyists. One lobbyist refused to grant an interview after I said I was interviewing "lobbyists" since he was a "legislative representative and independent counsel" rather than a "lobbyist."

78. Quoted in Schriftgiesser, op. cit., Preface.

79. United States v. Harriss, 347 U.S. 612 (1954). In United States v. Rumeley, 345 U.S. 41 (1952), the Court held that lobbying means "representations made directly to the Congress, its members or its committees. . . . Lobbying [does not cover attempts] . . . to saturate the thinking of the community."

80. See Bauer, Pool and Dexter, op. cit., pp. 324-325.

81. Emmanuel Cellar, "Pressure Groups in Congress," The Annals, CCCXIX (September 1958), 3.

82. Jewell and Patterson, op. cit., p. 277; see also Lane, op. cit., pp. 48-54.

83. New York State, Legislative Law (Chapter 37, laws of 1909 as amended and in force January 1, 1967), Article 4, sec. 66.

84. Ibid.

85. Steiner and Gove, op. cit., pp. 32-33.

86. Ibid.

87. This is similar to Milbrath's definition in The Washington Lobbyists, pp. 7-8.

88. Ibid.

89. When witness lists are used as the selection population for lobbyist interviews the probability of interviewing people who do not consider themselves lobbyists is very high since most people testify in response to solicitations from the interested committee which sends out letters to vast lists of possibly relevant organizations. Consequently, many of those testifying have no need to consider themselves lobbyists. Even when using the registration docket lists this problem also exists as indicated in this letter from the Director of Americans United who said they registered as a precaution but "We are not a lobbying organization. We never lobby, and in fact are prevented from doing so by our Charter. . . ." Reverend Conklin, registered representative of the National Council of Churches also protested that his job was informational not lobbying. In these cases neither man felt he was a lobbyist although there was enough doubt for him to feel the need to register. Of the ninety-one lobbyists interviewed six said no member of their organization was a "lobbyist," nine said they themselves were not "lobbyists."

90. New York Times, Editorial, February 21, 1967. These non-business interests felt the public debate meant they should register to be safe.

91. See Appendix B for the list of organizations and the names of the persons interviewed. The group of organizations is representative of the universe of groups within the state. Forty-three of them are confederations or businesses, forty-nine are membership based. Twenty-six groups are located in New York City, twelve outside New York City and fifty-four are statewide. Thirty-eight of these groups registered only for the convention, although most of these are labor or reform groups who felt exempted from the Legislative Law registration categories.

92. The total N in many of the statistical tables is ninety-two rather than ninety-one because William Sanford was coded separately for each of his groups since they were so dissimilar (the New York Stock Exchange, Association of Towns). Of the other respondents, two represented two similar organizations each, one represented six colleges and universities, and one represented fifteen Blue Cross/Blue Shield agencies. These five men represent $\frac{5}{6}$ of the interview population. Another $\frac{5}{6}$ of the population are "duplicate" lobbyists, that is, more than one lobbyist in the same organization were interviewed. The organizations thus overrepresented in the sample are the League of Women Voters of New York State, the Bar Association of the City of New York, Citizens Union, and the Civil Service Committee for the Constitutional Convention.

93. Leon Cohen, "The New York State Constitutional Convention" (manuscript copy).

94. See text of interview questions in Appendix A. Some questions were adapted from surveys used by Wahlke, et al., op. cit.; Leon Cohen, "The New York State Constitutional Convention"; Milbrath, The Washington Lobbyists, and Patterson, "The Role of the Lobbyist: The Case of Oklahoma," in order to make some of the data comparable with their conclusions.

95. The issue categories were influenced by the division given in O'Rourke and Campbell, op. cit., p. 97.

96. CR/SRS was programmed by Ronald Anderson of Stanford University, modified for the 360/50 at City College by Dolores Burshtyn, and adapted to the Hunter College computer by Russ Matteson.

Chapter II

A COMPARISON OF THE NEW YORK STATE LEGISLATURE
AND THE NEW YORK STATE CONSTITUTIONAL CONVENTION

The atmosphere of both "partisan politics" and "above politics" attitudes which surrounded the 1967 New York State Constitutional Convention was evident during the opening day calendar of events. Noble exhortations by Chief Justice Earl Warren, Francis Cardinal Spellman and Senators Robert Kennedy and Jacob Javits were sandwiched between a "lox and bagel" breakfast in the Assembly Parlor and Convention President Anthony Travia's champagne party at the Washington Avenue armory. The extraordinary flavor was caught by the New York Times reporter in his lead sentence on these opening day festivities.

The Democrat controlled convention opened in a flower lined Assembly Chamber amid an atmosphere of bipartisan pledges of high purpose and a warning by Governor Rockefeller against the intrusion of "pressure groups" into the convention's affairs.¹

The state's legislative leaders were ensconced in convention leadership seats, the rules were a modified version of Assembly rules, but if this was just a summer legislative session why was the Governor warning of pernicious interest group influence? Perhaps the convention was supposed to be an alternative to the legislative process which would modernize New York State's government? Or was the convention a bit of both--an amalgam of legislative practices and modernization purposes? The answers matter, because

they affect the working relationships within the decision-making process, which in turn, affect the content of decisions.

Complex social systems require institutions capable of establishing and maintaining the legal order, crystallizing and settling conflict, determining priorities, granting legitimacy to policies, and adapting existing rules of society to new conditions.²

Both the legislature and the constitutional convention revision cycle are governmental subsystems which perform these functions. The convention and legislative cycles co-exist as parallel ways of increasing support for the general political system through the resolution of specific problems. Both are collegial decision-making forums which use techniques of deliberation and conciliation to mollify social factions.

Yet, "In powers, as well as in form, constitutional conventions differ from state legislatures."³

The convention is universally unicameral, the legislature is almost universally bicameral. Otherwise the two bodies are [procedurally] similar. Each chooses its own officers and prescribes its rules of procedure. The powers of the convention relate to a single objective, the framing and submission to the people of a new Constitution . . . The legislature's powers relate to general purposes of government. The convention in no way supercedes or suspends the operation of any of the regular organs of government . . . [Any changes the convention proposes] go into effect only when approved by the people. Constitutional conventions do not meet, as do legislatures, at stated times; nor do they serve for a fixed term . . . They convene for a special task and when this is accomplished they adjourn sine die. Even if a new constitution were deemed necessary soon after, the old convention would not serve.⁴

Neither a convention nor a legislature is isolated from other institutions and influences which affect the general governing system. Consequently, in order to understand any particular

convention or legislative subsystem it must be placed in the context of its larger political system. Accordingly, this chapter will sketch descriptions of the two New York State political processes and then examine the characteristics of the two cycles which particularly affect the way in which interest group lobbyists operate.

New York State Politics

A major determinant in the development of New York State's political system is the City of New York. The City occupies a land area of only three hundred fourteen square miles but within its boundaries is concentrated a wealth of economic, political and cultural resources. Until the decade of the '60s New York City contained slightly more than half the state's population creating up-state fears of the possibility of big city domination. By 1967, New York City's percentage of the total state population had slipped to approximately 44% but the fear lingers on since the city still represents the largest concentration of population in the state.⁵

The balance between New York City and the rest of the state is accentuated by a partisan division along geographic lines. In 1966, of the 3.6 million enrolled Democrats in the state, 2.2 million lived in New York City; conversely, of the 2.7 million enrolled Republicans in New York State, 2.2 million lived outside New York City.⁶ The location of the Liberal Party, geographically centered in New York and philosophically linked to the Democratic Party, is reflected in their geographical enrollment pattern. Seventy percent of the 88,000 enrolled Liberal Party members are New York City

residents. The Conservative Party, although linked with the Republican Party, is the only one of the four major political parties to be almost evenly split between New York City and the rest of the state. Of the 54,027 enrolled Conservatives, 27,225 lived in New York City and 26,802 lived outside New York City.

By most social and economic indices the non-New York City population is similar in character to other urban states, except in the nature of its party affiliation.

In its metropolitan character, in its Catholicism, in the predominance of those nationalities brought in by the later immigrations, upstate New York ranks as high or higher than these other states.⁷

The main difference, the predominant Republican affiliation of upstate New York, is rooted in New York State history; in a legacy of fear and hostility toward New York City as a city of immigrants, city of Tammany Hall bossism, city of overpopulated slums.⁸

This is not to say that the Democratic party does not exist upstate. Cities such as Albany and Buffalo have more enrolled Democrats than Republicans; in many other areas the Democrats can fill municipal offices and win gubernatorial pluralities while losing national elections. Indeed, in the 1960 presidential elections the Democrats polled slightly more votes outside New York City than within, and the pattern has continued in more recent statewide and national elections.⁹

New York State politics is also county politics since county chairmen are pivotal figures in the distribution of patronage and the selection of candidates. Within the Democratic party, the power

of the county chairmen and New York City district leaders coupled with ideological differences and the absence of a city-wide party organization has Balkanized party strength. Reformers have become a permanent faction within the Democratic party; often party power is vitiated in intra-party contests between "reformers" and "regulars." Finally, New York State politics is ethnic politics. Statewide and New York City slates usually have representatives of each major religion and ethnic bloc of voters.¹⁰

New York State Legislature

It has been said that since New York City tends to produce Democratic majorities and upstate to produce Republican majorities, "the election outcome is determined by which margin is larger";¹¹ except in state legislative elections. Prior to the 1964 Supreme Court decision which invalidated New York State's apportionment provisions¹² the New York State legislature was "constitutionally Republican." Constitutional requirements mandating one representative from every county, limiting the number of representatives from any two adjoining counties, specifying the number of legislative seats, and computing population figures on the basis of a two-step formula, kept New York City and the Democratic party underrepresented in Albany.

Then in 1964 (before the Court's edict could be implemented) state Democratic candidates rode President Johnson's coattails to victory and gained control of both houses for the first time in thirty years. Attempts to create apportionment formulas which would

meet all constitutional and partisan specifications led to state legislative elections again in 1965, and 1966 in which the Democrats kept control of only the Assembly (the lower house), and the Republicans regained control of the Senate (upper house).

In most two-party states "the legislature is organized and its leaders and committees selected along party lines."¹³ New York State is no exception.

The legislature of the state possesses a party discipline far superior to that found either in the United States Congress or in all but a few state capitols. Almost all major issues are determined by party-line votes; when dissenting votes are cast by party members, they are ordinarily cast by permission of the party leaders. Consequently, the process of legislation consists of a process of negotiation among the legislative leaders of the two houses and the Governor.¹⁴

Consequently, until the last five years, Democratic decision-making influence has been primarily negative since any positive action required Republican acquiescence.

The legislature itself, the institution at the center of the legislative system, is a bicameral body with one hundred fifty members in the Assembly and fifty-seven Senators. It has met annually in Albany since 1797.¹⁵ The legislature convenes on the first Monday after the first Wednesday in January, and adjourns on a mutually agreed upon date--usually as soon as possible after adoption of the state budget. Since the state fiscal year begins April 1st, adjournment is usually by mid-May, although in recent years budget hassles have kept the legislature in session until June. During the first two months of each session the legislature usually meets only on Monday and Tuesday. During the last week

sessions become week-long marathons.

Members of both houses are elected in odd-year elections for two year terms.¹⁶ To be a legislator is technically a part-time occupation, but they pay themselves \$15,000 per year plus a \$3,000 expense allowance (called a "lulu"). Most legislators serve for two or three terms, generally moving on to administrative or judicial posts or going back to a private law practice. However, the legislative leaders are usually career legislators. For example, Assembly Speaker Travia was first elected in 1944, Senate President Earl Brydges in 1948, Assembly Majority Leader Moses Weinstein in 1958, and Assembly Minority Leader (in 1967) Perry Duryea, Jr., in 1960.

The New York State legislature has better professional and administrative services than most other states.¹⁷ All members have office facilities including a desk, telephone and share in the secretarial pool. Research assistance is available from the legislative reference library, the office of legislative research and the bill drafting commission. The Legislative Record and Index provides a daily record of bills introduced and subsequent action on them. A daily Journal of official actions such as motions, votes, etc., is kept by each House, but no verbatim transcript of the debates is available for the public.

The central fact of importance about the working of the New York State legislature is the dominant role of the leadership.

Legislative organization is the apparatus of leadership. . . . There is an inherent contradiction between party and committee leadership. . . . Where party leadership is strong the committees are either weak or simply agents of the leadership.¹⁸

Consequently, while the congressional committee system is duplicated in form, it is different in substance. All bills must pass through committees to secure passage but the key decisions affecting their fate are made in the leadership councils.

The New York State Senate has thirty-one standing committees¹⁹ with seven to twenty-seven members each; the Assembly has thirty-eight committees with fifteen to twenty-four members each. Every Senator is on approximately six committees, each Assemblyman on four. Members and chairmen are appointed by the majority party leaders on the basis of seniority, experience, special knowledge and party service. The quality of committee work is impaired by poor member attendance at any one committee since members are on so many, and the plethora of bills which inundate the major committees.²⁰

Usually 11,000 to 13,000 bills are introduced per session. While half are "companion bills," introduced to expedite action in the other house, and others are duplicate bills each put in by a different representative, there still remains a superabundance of specialized bills which clog the process.²¹ Generally these are matters affecting only one locality, or bills introduced by an individual legislator at the behest of specific groups in his district. The former are the consequence of constitutional limitations on localities' governing powers; the latter result from legislators' desires to gain credit at home for bills that they know will die in committee.

Bills are assigned to subject matter committees by the leadership, often a matter of discretion since many committees have

overlapping jurisdictions. From there, bills must pass the regular procedural checkpoints: committee report, floor discussion, vote, resolution of inter-house differences, gubernatorial action. In Congress this process provides myriad access points which "afford diverse segments of the political community an effective opportunity to register objections and to mold policy."²² However, in New York State the contrary is true.

Legislative committees and their chairmen enjoy much less freedom of action than their congressional counterparts. Political management by an informal conference of legislative leaders determines the content of major bills, not the individual committees operating independently.²³

This means that lines of access are "integrated rather than diffused."²⁴

The legislative leadership consists of the Temporary President of the Senate (who is also the Senate Majority Leader), Assembly Speaker, Assembly Majority Leader, Assembly and Senate Minority Leaders, and the Chairmen of the Senate Finance and Assembly Ways and Means Committees. The first two positions are the most powerful since

They set the Legislature's daily agenda, the time and length of its meetings; they decide on the composition of its committees and on the bills that will be moved up for action.²⁵

The Rules Committee is the committee of the leadership which protects majority party interests and enhances the leaders' control. The Rules Committee's power reflects its influence over the substance and flow of legislation. Individual Assemblymen can introduce an unlimited number of bills only until the first Tuesday in February (usually a week later in the Senate). Thereafter, it is done by

Rules or by unanimous consent of the House. This means that after mid-February rank and file legislators are on the periphery of the action.²⁶

Similarly, Assembly committees are relegated to the sidelines before the real decision-making begins near the end of the session. On a date set by the Speaker all committees must submit final reports on all bills, the "live" bills then go to the floor or to Rules.²⁷ The control this gives the Rules Committee is implicit in the data for the 1966 session showing that 53% of the total bills introduced in the Assembly were handled through Rules.

The Rules Committees also control the flow of legislation to the floor for action. Ninety percent of all legislation and probably 95% of all major legislation is passed in the last week of each session. The legislative rules specify that a bill must be on each legislator's desk in final written form three days prior to passage. Exemptions may be made if the Governor sends a "message of necessity" on a bill.²⁸ Originally this technique was envisioned as a rarely applied emergency measure, but today it is used regularly for major legislation such as the mass transit, Condon-Wadlin, and lottery bills during the 1967 session, or to make technical changes in legislation.

The vote on most major legislation and pet projects is held in abeyance until bargaining on the budget is completed. Quiet discussion begins with closed session executive hearings on budget provisions and continues throughout the session. During the closing days of the 1967 legislature the "leadership triumvirate spent much

of the final forty-eight hours in private meetings to adjust differences."²⁹

In the world of legislative politics things never just happen--the interests of a dozen legislators are considered and some are supported, others opposed. Each action sets up a reaction. Figures who are opposed, if they have power, must be mollified. Those supported must in time repay the favor.³⁰

Thus the compromises are package deals. As one legislator said in the closing days of the 1967 session, "We reach agreement on all or we pass none."³¹

In the years when Republicans controlled the three top bargaining positions--the leaders of each House and the Governorship--public differences of opinion were rare. This has been less true with the split legislature of recent years. Unfortunately, the system itself is not geared for bipartisan control since differences are worked out informally rather than through the congressional type conference techniques provided in the rules.

The legislative leaders' powers in these policy deliberations reflect their control over party votes. The Assembly Speaker is

one of the most powerful men in the State. As Speaker, he can control legislation affecting everything from Long Island potato bugs to methods of selecting a Governor. He oversees the dispensing of thousands of dollars in public jobs. He can slice millions from a . . . state budget. He can send a freshman legislator home in disgrace by refusing to pass a pet bill. He can embarrass the Governor by blocking a major program.³²

Each party usually holds weekly conferences to discuss important legislation--how it will be handled, its significance to the party,

its bargaining power. If the issue is not of vital importance and a legislator wishes to oppose it, he says so and is granted permission. However, on important matters the party caucuses. Decisions reached in caucus are considered binding and broken only at considerable political risk.³³

The caucus sanction is not necessary in most cases because party line voting is more a matter of habit and custom than fear of the whip.

a legislative body . . . is a social system in the sense that it is characterized by widely shared standards of proper conduct, or norms; that each position in the legislative structure has associated with it expectations about the behavior of the men who occupy these positions. . . .

.....
The legislator becomes accustomed to the party as a reference group.³⁴

Thus the caucus is used primarily to reinforce the already present norm of conformity.

The Governor is an important member of the bargaining triumvirate.³⁵ The Governor can exert influence through his budget, his legislative program, his veto power and his partisan power base. He can usually get the legislation he wants because "the coupling of gubernatorial prestige with patronage control over the party organization is ordinarily unbeatable."³⁶ Assemblyman Albert Blumenthal illustrated the Governor's power in commenting on Governor Rockefeller's role in passage of the 1970 abortion reform bill.

The Governor said he supported my bills, but he didn't mean it. It was an act. Behind the scenes, where it counted, he didn't help. And he controls those Republicans in the legislature. Everytime he really wants something, he gets it. He's so damn cynical. [original emphasis]³⁷

In summary, the New York State legislature is a continuing institution in which similar topics are introduced yearly and the decision-making procedures reflect the partisan competition in the state through a system of centralized leadership and party control.

New York State Constitutional Convention

The constitutional convention revision system is immediately distinguishable from a legislative system by its lack of institutionalization. A convention usually occurs only once every thirty years so for each political generation it is a new, unique experience.

A constitutional convention may be defined as

a method for expediting, refining and confirming constitutional developments which have been going on in the minds and often in the customs of the community for years. . . . The normal function of constitutional revision is to harmonize a written constitution with essential tendencies of the prevailing order, not to create a new order.³⁸

There are other methods for effecting constitutional change such as legislative amendments, either with or without the assistance of a constitutional revision commission, or the constitutional initiative process; but both of these are usually used for piecemeal amendments. By contrast, the convention, historically, has been considered the most efficacious means for complete constitutional revision. It is assumed that the convention will be able to concentrate solely on the constitutional problems and emerge with rational solutions.³⁹

Because the function of a convention sets it apart from existing governmental institutions a mythology developed which explained a convention in nonpolitical, idealized terms.

Mythologically, it [the convention] is the personification of the sovereign people assembled for the discharge of the solemn duty of framing their fundamental law. It is supposed to be above politics and to have no peers among governmental agencies.⁴⁰

Since conventions are the "fixed embodiment of superior wisdom,"⁴¹ it follows naturally that its members are wiser than legislators, and its issues are settled on their merit through deliberate intellectual debate. However, in actuality,

A constitutional convention . . . is an institution which is in and of the politics of democracy, subject to those ills that democratic flesh is heir to. It does not operate in vacuo, but is rather a function of the problems and institutions of its time.⁴²

It is a political body created to amend a political document which sets the rules that govern the game of politics.

In no society do people ever enter a political contest equally; the effect of the constitutional rules is to preserve, add to, or subtract from the advantages or handicaps with which they [groups] start the race.⁴³

The New York State Constitution has been characterized as "a haphazard mix of the Decalogue and a municipal sanitary code."⁴⁴ In 1958 the Inter-Law School Committee on Simplification of the Constitution analyzed the historical, legal and practical aspects of fifty-four sections of the Constitution.⁴⁵ They concluded that only thirteen of them involved important policy choices, an additional eighteen should be retained and rewritten, and twenty-three sections should be eliminated. Dissatisfaction with the state's constitutional text has increased as the state's ability to provide desired services has decreased. At the opening of the 1967 convention, Governor Rockefeller voiced the common sentiment that the New

York State Constitution "serves not as a blueprint for effective government, but as a maze of frustration."⁴⁶

In order to revise this Constitution voters must either approve an amendment passed by two separately elected legislatures or ratify the recommendations of a constitutional convention. Indeed, the Constitution requires that voters have the option of a convention every twenty years, at which time the question of calling a convention must appear on the ballot. Statistically speaking, the legislative amendment method is preferred; over one hundred seventy-five amendments have been passed since 1894; fourteen of the nineteen Articles in the Constitution have been altered in the last decade.⁴⁷

Between 1777 and 1967 New York State has had nine constitutional conventions.⁴⁸ Of the three held in the twentieth century, only the 1938 one was partially successful. The 1915 convention proposed thirty-three changes, submitted to the electorate in the form of five separate amendments. Its most significant reforms were designed to reorganize the executive branch by consolidation of agencies, adoption of an executive budget system, etc. All their proposals were defeated by a coalition of upstate Republicans, who felt a strong executive would be too autocratic; New York City Democrats opposed to continuation of the 1894 apportionment formulas; and labor unions that had been unable to write a "labor bill of rights" into the proposed constitution.

The 1938 convention was called by a margin of only 223,354 votes.⁴⁹ During its five months of existence the delegates

considered six hundred ninety-four proposals, reported seventy-six out of committee, adopted fifty-eight of these and grouped them into nine amendments for submission to the voters. Six of the proposals were adopted, three were not; the latter dealt with re-apportionment, judicial reform and proportional representation.

In discussing the politics of the 1938 convention, O'Rourke and Campbell said it operated like a legislature although the role of the leadership was weaker in the convention, the occupational interests of the delegates different than that of legislators, and the role of interest groups more important in the convention policy-making process.

in form, substance and spirit the convention could easily have passed for its technically inferior sister, the legislature. The convention was organized by the majority party. Key party and legislative officials manned its committees and acted as floor leaders.

Patronage was dispensed according to principles well-established by legislative practice. The very rules of convention procedure were taken over bodily from the New York Senate. Weeks of inactivity during the first two months. . . . sharply contrast with the last three weeks when a flood proposals was speedily disposed of amid scenes of confusion. . . .

In both the convention and the legislature, party politics and pressure groups, mixed in varying quantities, constituted the primary forces guiding deliberations and producing concrete results.

The similarity was substantially marred only by three notable differences. The convention was a unicameral body; its leadership was less potent; and it was legally unlimited as to subject matter.⁵⁰

As required by the New York State Constitution, the question of calling a convention was placed on the ballot in 1957, twenty years after the 1938 convention, but it lost by 125,495 votes. The

question appeared on the ballot again in 1965 at the initiative of the first Democratic controlled legislature in thirty years. In both 1957 and 1965 the attitude of the political parties was influenced by their calculations of relative advantage. The Republicans supported neither call since they feared either convention would be controlled by the Democrats who would wipe out the Republicans' apportionment advantages.⁵¹ Even though the constitutional apportionment formula had to be revised anyway in 1965, the Republicans felt they would have more say if the legislature did the rewriting. In both 1957 and 1965 Democrats supported the convention call because it seemed to their advantage.

While party attitudes remained constant in both years, the political situation and the political atmosphere had changed. The difference between the results of 1957 and 1965 lay in the margin of New York City voters who favored the referendum.

Virtually every major amendment passed upon in popular referendum has produced the same kind of division found within a partisan election: an affirmative vote in the city has been balanced against a negative majority outside the city with victory resulting from the larger margin.⁵²

In both 1957 and 1965 only about 50% of the voters in the general election voted on the referendum at all. In both 1957 and 1965 it was defeated in every upstate county. In 1965 the New York City majority of 213,007 carried the vote.⁵³ The primary reasons were the general political climate and the specific contents of the 1965 ballot.

Both 1957 and 1965 were off-year, low-interest election years, except for interest aroused by John Lindsay's 1965 Mayoralty

bid in New York City. New York City voter interest meant that proportionately more voters turned out for the New York City election than upstate. Once the voters were at the polls they had to be motivated to vote affirmatively to call a convention. The apportionment controversies, which were front page news in 1965, plus the 1964 Republican legislature's passage of a statewide sales tax which raised the New York City tax to 5% created city dissatisfaction with a Republican state government that seemed to act against city interests.

Civic organizations in favor of the convention process conducted an advertising campaign which personalized these general grievances for the voters and equated the solution with the change to modernize state government through a convention. In addition, the convention method was contrasted with the inadequacies of the piecemeal amendment process as exemplified by the eleven amendments on the 1965 ballot.⁵⁴

Convention delegate candidates were selected according to normal partisan procedures to run in the 1966 election. Since the prohibition against holding two public offices simultaneously does not apply to convention delegates,⁵⁵ many current legislators, county officers and judges ran as candidates for delegate. Gubernatorial politics dominated the election season, and convention candidates received little publicity except in connection with the issue of aid to parochial schools, and the use of paper ballots to select the delegates at large.⁵⁶

One hundred eighty-six convention delegates were elected,

three from each state senatorial district and fifteen delegates at large. There were ninety-eight Democrats, eighty-four Republicans, three Liberals and one Conservative Party member.⁵⁷ Forty-seven of the delegates had minor party endorsement; twelve needed this endorsement to win. The most visible example of the influence of the minor party affiliation was in the composition of the delegate at large bloc where the two Republican-Conservatives polled more votes than the two Republican-Liberals, causing Senator Javits to suffer his first electoral defeat.⁵⁸

As in 1938, the elected delegates were a "'normal' cross-section of the political leadership in New York."⁵⁹ All except 10% of the delegate body had held public and/or party office.⁶⁰ Seventy delegates were currently drawing another public paycheck. The range of political affiliations and experience covered the gamut of possibilities. For example, among the delegates were three state administration officials, twenty-one judges, two congressmen, forty-five legislators, ten mayors, ten county executives, twelve district attorneys or assistant district attorneys, and forty-five party leaders.

In socio-economic terms,⁶¹ the majority of delegates were middle-aged, white, well-educated males with white collar occupations. One hundred twenty-eight were lawyers, six were college professors, approximately thirty-five were businessmen and four were labor leaders. There were ten women and sixteen nonwhites. The average age of the delegates was approximately ten years older than their legislative counterparts, and more delegates had graduate and pro-

essional training. Delegates were paid the current legislative salary of \$15,000.

The convention convened April 4, 1967, in the Assembly Chamber hastily vacated forty-eight hours earlier by the legislators, and adjourned sine die at 10:50 p.m. on September 26, 1967, the constitutionally mandated deadline if their work was to be placed before the voters in the November elections. The convention met in plenary session a total of fifty-nine days, increasing the frequency of meetings from a low of four in April to eighteen in September. Since only one Article was finished by September 11th and only five were in final form by September 22nd,⁶² the convention was forced to meet in almost continuous sessions during the last nine days.

One thousand four hundred five propositions (the equivalent of legislative bills) were introduced, the last eight being introduced for individuals by the Rules Committee on September 20th. Only sixty-five of the propositions were advanced to third reading and submitted to the Committee on Style and Arrangement. These sixty-five were synthesized, amalgamated and consolidated into sixteen final propositions which formed the proposed constitutional text.

The convention was organized along party lines as in the legislature with seating on either side of the aisle, and committee and patronage ratios reflecting party strength. The Rules were formulated by a Democratic Party Committee early in 1967 and accepted by both parties in caucuses held a week before the convention began. Previous conventions usually adapted rules from the state Senate in order to include the more informal debating atmosphere of the Committee of the Whole, but Convention President Anthony Travia wanted

to use Assembly Rules which vest predominant power in the presiding officer. Explaining his position, he said,

I think the organization [of the convention] ought to be Democratic--with a capital D basis. . . . I think it's very important to have strong leadership. . . . As soon as you start diffusing the power, you have a real free-for-all.⁶³

The Assembly-based Rules were adopted, giving President Travia the power to appoint all leadership positions, make committee assignments, name employees--their duties and salaries, certify representatives of news media, cast a tie vote when necessary, assign propositions to committees, chair the Rules Committee, and be ex officio member of all committees, control the flow of floor debate and the order of speakers. The Rules Committee was also given the powers of its Assembly counterpart, which meant it could act on substantive matters, introduce resolutions, and after August 14th would supplant all other committees.

Provision was made for a daily Journal and verbatim stenographic transcripts of floor debate, both of which would be available to the public. Public committee hearings were only "permitted" not mandated, and no provision was made to assure that all committee meetings would be public and open as was done at the Michigan convention. Lobbyists were required to register under a law adapted from the regular registration section of the Legislative Law.⁶⁴

"As in a sport or other organized activity, it is essential to know the 'rules of the game.'"⁶⁵ At the convention the timetable was designed to secure adjournment by September 26th, so the proposals could be submitted to the electorate in November. Therefore,

no proposition could be introduced by a delegate after June 1st (later extended to June 30th). Until August 8th all propositions were referred to subject matter committees, after the deadline they went directly to the Rules Committee. All final committee reports were due August 14th, after which time all activity moved through Rules.

The procedure for passing propositions involved ten steps:

1. introduction of the proposal.
2. referral of proposition to committee(s). Propositions given a number at this time, amendments noted by giving sequential letters. This process was "the first reading" of the proposition.
3. committee deliberation.
4. committee report to the convention, on "the order of second reading." Committees could kill the proposition, report favorably, unfavorably, with no recommendation, amended with or without recommendation.
5. convention deliberations on the substance and intent of the proposition. Propositions taken in calendar order. Debate at this time limited to four hours per proposition, each delegate speaking for fifteen minutes. Amendments voted on prior to complete text.
6. convention vote, majority of all elected delegates required for passage. Approved propositions were "advanced to the order of third reading" and sent to the Committee on Style and Arrangement.
7. referral to Committee on Style and Arrangement for editing.
8. report by Committee on Style and Arrangement (CSA) on "the order of third reading."
9. convention review on the substance and language of the proposition.
10. final convention action, majority vote again needed for passage. If amendments are made at this time the proposition returns to step 7 and begins the final sequence again.⁶⁶

The convention rules incorporated neither the constitutional requirement that all legislative bills be in final printed form from at least three calendar legislative days prior to final passage unless a message of necessity is received from the Governor, nor Senate Rule

24(5) which forbids amendments on the order of third reading. Since the convention did not have these inhibitions many amendments were voted on without any written text on member's desks.

In the legislature each bill is voted on once, on third reading, so a bill must pass two votes to become a law. In the convention, despite its unicameral structure, a proposition was voted on a minimum of two times, second and third reading, and then again, each time it came back from the Committee on Style and Arrangement for "final floor action."

Even though Assembly Rules permit floor amendment, it rarely occurs; decisions made in committee are considered intact. However, at the convention the most controversial bills were practically written and rewritten during floor debate. The first modification limited delegate participation to twice per issue, then a further limitation of one five minute speech per issue was imposed.⁶⁷

As in the legislature, the leadership controlled the convention, but their source of authority was different in each arena. In the legislature, leadership power reflects party cohesiveness, whereas at the convention the content of the rules and the ability of the leadership to manipulate the rules were necessary supplements to party discipline.

President Anthony Travia explained in March that he felt his discipline would be less automatic at the convention because he had less money for patronage and less control over delegates' careers.

I won't be able to demand or get the discipline I get in the Assembly. Assemblymen have to be concerned with their record, with getting bills

passed, so they can be re-elected. Convention delegates don't have to worry about re-election and that's going to make them more independent.⁶⁸

By August, the press was calling it Travia's convention.

For example, the Mamaroneck Daily Times, August 11, 1967, said

Travia

is running away with the State Constitutional Convention. . . . He has mastered the "strong man" role in the convention and figures to emerge from the proceedings with heightened status in Democratic ranks. . . . Travia gradually has taken the same firm grip on the convention reins that he has assumed . . . as Speaker of the Assembly.⁶⁹

The Nation, in an editorial on October 23, 1967, said Travia "ran the convention with remarkable efficiency. What he really wanted he was able to get. . . ." ⁷⁰ However, it was a personal power reflecting his control of procedures in a unicameral forum, rather than strength based on automatic party line votes.

This is not to say that party discipline did not exist; it did, but in a less automatic and reliable form. There were several reasons for this. First, the relationships between the leadership and the rank and file were new and without the solid support provided by the traditions and norms in a legislative institution. Also, many delegates had a personal prestige or independent political power base which made them less dependent on the Convention President for their political survival. Certainly they wanted patronage favors, but there is a qualitative difference between a summer job for one's son or free racing tickets, and a record on which to seek re-election. Third, most of the issues were not decided by party vote. One staff member said only the apportionment

provisions, contested delegate's seat and the form of submission to the voters were true party votes. The other issues split along New York City/upstate, urban/rural, and liberal/conservative lines.

Travia worked through the committee chairmen, ten of whom were from New York City, five from his home borough of Brooklyn. Key decisions on content and timing of debates and propositions were made in a "little Rules Committee" composed on the top Democratic leadership and their key staff personnel.

Omni-present legal aides of Travia's have a way of turning up quietly at crucial committee meetings, often just happening to have on hand a draft of the proposal the committee is laboring over. . . . Travia agents helped hammer out the proposal for repeal of . . . Blaine. . . . They also persuaded a committee to scrap its plan for lifting the present constitution's ban on taxing intangible personal property. . . .⁷¹

During the convention, weekly seminars were held by each party to discuss specific constitutional topics. Travia said they would provide

an opportunity to discuss major issues which will come before the convention. . . . They will provide an excellent opportunity for a frank exchange of views among the delegates and will clarify for all of us the issues on which we must act. . . .⁷²

Travia had a personal interest in some issues such as maintenance of the "forever wild" conservation provisions, free higher education, state takeover of welfare, the apportionment commission, and of course, submission of the constitution to the voters as one question. For these issues he campaigned personally, yet he did not always win as shown by his defeat on the issue of mandated free higher education. During the last week of the convention, party caucuses were held

daily to hammer out a party consensus on the final text of the Articles.

In summary, the convention procedural sequence was patterned after the legislative Assembly's Rules but the unicameral nature of the convention, the lack of certain automatic norms such as an absence of floor amendments, and the less obligatory pull of party discipline created differences between the policy-making process in legislative and convention sessions.

Convention and Legislature Differences of Importance to Groups

From the viewpoint of interest groups, certain features of the over-all convention process are especially important since they create new opportunities for action, alter the stakes of the game, and re-define the relative advantages available to different kinds of groups. These convention features include the form of convention accountability to the public, the substantive focus of a convention, and the division of the constitutional convention revision process into four separate, unique, non-recurring, sequential stages for action.

Powers and Procedures

Theoretically a state legislature has the power to act in any area not forbidden by state or federal constitutional provisions;⁷³ but in practice, legislative matters tend to focus on specific details of government. On the other hand, a convention is subject to the functional limitation of a single purpose: constitutional revision.⁷⁴ This means the range of convention subject matter is as broad as the

range of constitutional problems suitable or recommended for constitutional solutions, and as narrow as the Constitution itself. As concretely explained by a lobbyist, "The convention is concerned with governmental structure and priorities. The legislative agenda is 90% specific money matters such as taxes, exemptions, bonds and debt limits."

The committee process, parliamentary procedures, and informal norms governing behavior are all compromise techniques used by both legislatures and conventions to dilute conflicts within the political system of bargaining. However, the techniques work more effectively in a legislature because it is a more flexible system.

In addition, the annual recurrence of the legislative forum gives it the resource of time. Decisions can be postponed, ideas can simmer, new ideas can percolate through several sessions until they gather sufficient support to be enacted into law. Statutes can be modified whenever necessary. A statute "ordinarily represents a temporary accommodation between public and private groups."⁷⁵ (Emphasis added.) Thus the relative impermanence of statutory law combined with the permanence of the legislative institution permits all degrees of equivocation.

In a convention the techniques are similar but less effective because the characteristics of permanence and impermanence are reversed. The convention is a rare fleeting event, but its output could last forever. A convention

is a "one-shot" game whose decisions will have consequences far into a future difficult to assess in terms of rough legislature calculus of advantage and disadvantage, loss and gain. . . . Legislators

can always cope with new majorities in the next session. But whatever happens in state political life, the politicians will have to live with the framework the convention creates.⁷⁶

The convention product is both more and less absolute as a prize than a similar legislative decision would be. It is more absolute in its form: a written statement protected from rapid change by the complexity of the constitutional amending process. As Albany correspondent Dave Beetle said, "The convention plays for keeps."⁷⁷ It is less certain a prize as it emerges from convention deliberations since it must be ratified by the electorate before it reaches constitutional security. A convention can only recommend change; a legislature can effect it, subject only to gubernatorial veto.⁷⁸

The convention procedures and timetable for proposition passage were also variations of the legislative process. In both situations an outside deadline must be met: in the legislature the beginning of the fiscal year, in the convention the constitutionally required six weeks lapse between convention adjournment and voter ratification. However, practically speaking the legislature has more political leeway in adjusting to its deadline since it can just miss the April 1st fiscal deadline as in 1965 and 1968, or pay for later program alterations in the supplemental budget, or postpone plans until the following year.

The convention is constrained by the precedents of the 1915 and 1938 conventions and the probable costs of a second year⁷⁹ to finish before the deadline for the first possible regular election

at which voter ratification might occur. Thus from a practical point of view the 1967 convention was limited to exactly one hundred forty-four days. Furthermore, since the convention is an ad hoc body, any issues unresolved on September 26th are permanently dead.

The unicameral, ad hoc nature of the convention also created important procedural differences for lobbyists. For example, there were fewer opportunities to block a proposition than a bill. The practice of convention floor amendments meant that lobbyists had to watch the proceedings carefully and often act on short notice. This handicapped non-Albany representatives, and lobbyists who lacked the decision-making authority to respond without specific group instructions.

Lobbyists, accustomed to working the legislative scene where partisan obedience is a conditioned response were unprepared for the multiplicity of convention access points. For example, the synthesizing role of committees in the formation of constitutional articles gave them more influence than their legislative counterparts thus creating a non-legislative level of access for some perceptive and well-connected lobbyists. The relative independence of many delegates (incumbent legislators excepted) and the nonpartisan nature of most topics also facilitated diverse points of access.

Lobbyists also faced a problem created by the total newness of the convention situation. The legislature, as an ongoing institution, has "time honored norms" which legislators and lobbyists know and use;⁸⁰ by contrast the convention "is a new game for which few participants have any backlog of experience and which has few

if any traditions which can be consulted for guidance."⁸¹ Lobbyists had to create new or different relationships with delegates within a short period of time. Many lobbyists lacked the time or inclination to make such an enormous effort for a one-shot event.

Convention and Legislative Cycles

From an interest group's point of view one of the most important differences between the convention and legislative processes is the cycle of activities. The legislative system is characterized by a continuous alteration of two events: election of legislators followed by two legislative sessions; then the cycle repeats. Legislators can be held personally accountable for their activities. Their predictable, recurring dependence on constituencies for re-election enables interest groups to form reciprocal relationships with individual decision-makers based on mutually met needs. Legislative sessions permit groups to have continued access to the decision-makers in a familiar environment.

Those involved with the legislative institution . . . because it is an ongoing institution have long become habituated to perceiving the stake that they have in its operation, and have long developed the skills to affect that operation in ways favorable to themselves and their objectives.⁸²

The convention cycle resembles Halley's comet. The comet flashes by in a predetermined pattern once every few generations. The convention, too, comes approximately once a generation and consists of four cumulative separate different stages of activity. These stages are the call for a convention requiring voter ratification of a ballot referendum, selection of convention delegates, the

convention itself which produces a revised document, and ratification of this product by the voters. Since each of these stages is non-recurring and independent of the others, groups can work at the stages best suited to their mode of operation, and try to cancel out opponents' earlier successes at a later stage. In this sense the only winners are those who triumph in stage four. However, the newness of each stage means groups have to learn the rules of the game as they play.

Public Expectations

Different citizen expectations attend the legislative and convention processes.

Fact and fiction have conspired over the years to destroy public confidence in state legislatures. Yet, by some strange magic, these same factors have glorified another popular assembly beyond its institutional significance. Myth, legend and fiction attribute to the constitutional convention all the virtues of popular assemblies, leaving to its institutional cousin, the state legislature, only the dregs of virtue.⁸³

These expectations reflect different representational theories and the accidents of history.

Legislative prestige was originally tarnished by the late nineteenth century image of "inept corrupt puppets manipulated by powerful interests."⁸⁴ Since World War II the corruption image has been superseded by one of incompetence based on the unresponsiveness of rural dominated legislatures to expensive urban problems. By contrast, history has wrapped the convention process in the reverence associated with the Constitution as a national symbol and the textbook

interpretations of the 1787 federal constitutional convention as a body of supermen, all wise and nonpolitical."⁸⁵ Thus the convention becomes the repository of the sovereign will of the people.

The pervasiveness of the "constitutionally pure" image, even among politically knowledgeable people, is suggested by this Associated Industries explanation to their members of the need for convention participation;

A constitutional convention is unlike a legislative session. . . . This is one of the rare opportunities for the people to decide directly for themselves about the fundamental law of our State. . . . The constitutional convention represents a once-in-a-life-time opportunity for [citizens] to participate directly in the shaping of government structure and policy.⁸⁶

Several of the ninety-one lobbyists interviewed said they had been disappointed by the convention because it was "too political," or "a politically motivated mess," or "a charade in which everybody got everything and no one got anything," or "plain politicians worked there, not the statesmen I expected to work with." All these comments imply their expectations of an apolitical intellectual forum for constitutional revision

Representation

Those different normative expectations about the procedures of conventions and legislatures are reinforced by the different representational theories applied to conventions and legislatures. Legislatures are supposed to represent publics, sections of the state, constituencies; conventions are to represent the people as an indivisible sovereign Rousseauistic entity.

The definition of the Constitution as a separate category of law, superior to ordinary statute law, again leads to unreal deductions about convention characteristics. The logic is that "fundamental law should be made by the people, while statute law can be made by representative legislatures."⁸⁷ This means that parliamentary procedures designed to facilitate compromise and permit the access of different interests are seen as dysfunctional in the context of a convention since the sovereign will is by definition indivisible.⁸⁸

The idea of a convention as a single unit is reinforced by its impersonal form of accountability to the public. Individuals are not personally re-elected, but the composite product of their labor is offered to the public for acceptance. This is accountability in terms of an object. Accountability is then dehumanized one step more by the mass electoral act of ratification which obscures the individual in the concept of a voting majority. Thus, the impersonal electoral action on an impersonal product reinforces the apolitical, philosopher-king image of a convention body.

On the other hand, a legislature is not accountable to the public as an institution or through an institutional product. Rather, individual legislators are accountable to their publics through the process of periodic re-election. It is assumed that individual actors in the legislative process will each represent parts of the whole.

The legislative system is a system of interaction in which individuals are expected to act for their clienteles. The legislator represents a geographically designated group of individuals. . . . The lobbyist represents interests and associations, often economic. . . . The executive represents the political forces that are at least temporarily dominant in the polity as a whole. The administration agent represent a segment of the bureaucracy, and often its wider clientele as well. The party leader represents the controlling elements of the political organization at the electoral level. Representation provides the channels for and mediates the interaction among the many participants in the legislative system.⁸⁹

In this context all the means available to insure compromise are considered positive forces for integrating separate aspects of the political system.

In summary, the legislative procedures were carried over to the convention process but their use masked deeper dissimilarities which altered the interactions within the convention policy-making process and affected the role of interest groups. The combination of a unicameral convention structure, strong leadership, moderate party discipline, and committee participation in the synthesis of propositions into Articles created multiple points of access more similar to Congress than the New York State Legislature.

Assumptions concerning the intellectual, apolitical superiority of delegates and their role as representatives of the body politic were deduced from the constitution-making purpose of a convention. These created unrealistic expectations about the way a convention would work and these expectations, in turn, affected lobbyists' attitudes and their groups' activities in the convention process. Finally, the one-shot, sequential nature of the convention cycle

enabled interest groups to select the most advantageous stages for their maximum efforts and to play the stages against each other in order to nullify earlier defeats or keep earlier successes.

FOOTNOTES TO CHAPTER II

1. New York Times, April 4, 1967.
2. William Keefe and Morris Ogul, The American Legislative Process: Congress and the States, p. 3.
3. W. Brooke Graves, American State Government (4th ed., Boston: D. C. Heath and Company, 1953), p. 77.
4. Harvey Walker, The Legislative Process: Lawmaking in the United States (New York: Ronald Press, 1948), pp. 54-55, quoted in Graves, American State Government, p. 77.
5. New York State Statistical Yearbook 1967 (Albany: New York State, Division of the Budget, Office of Statistical Coordination, 1968) pp. 24-25. By contrast to New York City's size, Buffalo, the next largest standard metropolitan statistical area in the 1960 census, had one-tenth the population of New York City. Ibid., p. 31.
6. All the statistics in the paragraph are from ibid., p. 249.
7. Ralph Straetz and Frank Munger, New York Politics, pp. 40-41. Upstate New York State is the term which denotes all land areas outside New York City. As such it is divided into three categories: the ring of suburban counties around New York City which is the largest part in terms of population, the upstate urban areas, and the upstate rural areas.
8. Ibid., pp. 55-57.
9. See ibid., pp. 47-48; also New York State Statistical Yearbook 1967, op. cit., Section O, pp. 241-250.
10. See James Q. Wilson, The Amateur Democrat (Chicago: University of Illinois Press, 1962) and Edward Costikyan, Behind Closed Doors: Politics in the Public Interest (New York: Harcourt, Brace and World, 1966). In 1970, The Democrats replaced the traditional ethnic ticket in gubernatorial elections with one featuring three Jews and a Black (Goldberg, Walinsky, Levitt and Patterson).
11. Straetz and Munger, op. cit., p. 39.
12. Reynolds v. Sims, 377 US 533 (1964), WMCA v. Lorenzo, 377 US 633 (1964). For information on the apportionment problem in the states see also Reapportionment: A Year in Review (New York: National Municipal League, 1964, 1965, 1966, etc.); David Wells, Legislative Representation in New York State (New York: International Ladies Garment Workers Union, 1963, 1964); "The WMCA Case: A Chronology of the WMCA Suit for Reapportionment of the New York State Legislature" (New York: WMCA, 1965, mimeographed).

13. Malcolm Jewell and Samuel Patterson, The Legislative Process in the United States (New York: Random House, 1966), p. 141. These authors classify New York State among the modified two-party states, i.e., a state in which, between 1947 and 1966, one party either controlled both houses of the legislature three-quarters of the time or one branch nearly all the time and the other branch two-thirds of the time. Ibid., pp. 142-144. Between 1900 and 1967 New York State had a split legislature six times, for a total of eleven years. In 1911 and 1913 there was a Democratic Senate and a Republican Assembly; in 1923-24, 1933-34, 1936-38, 1966-67 it was reversed. "100 Questions and Answers about the New York State Legislature" (Albany: New York State Legislature, 1967), p. 7.
14. Straetz and Munger, op. cit., p. 61.
15. The first New York State Legislature met in Kingston, New York, in 1777 and moved from city to city until 1797 when it settled in Albany.
16. A Legislator must be at least twenty-one years old, a United States citizen, resident of New York State for five years, and the election district for one year preceeding the election. New York State Constitution, Article III (7). Legislators elected in 1964 and 1965 served one year terms because they were elected under unconstitutional reapportionment plans. Legislators in leadership positions receive additional expense money, and as of 1969 all legislators get an additional \$5,000 for office expenses.
17. In 1967-68 New York State spent more money for legislative support than any other state and it amounted to only \$40 million. Less than 2 1/2% of every \$10 spent by the average state is spent on its legislature. All fifty states combined spend less than half as much for their legislatures as the federal government spent on Congress. Citizens Conference on State Legislatures, "Research Memorandum: Legislative Fiscal Support" (no. 4, revised July 1969).
18. Jewell and Patterson, op. cit., pp. 128, 203.
19. There are several types of committees used by the legislature: standing committees are organized each year to operate during the session; joint legislative committees work on subjects throughout the year and may make recommendations but cannot introduce or act on bills. Temporary state commissions are created by law to conduct studies and recommend legislation. The Committee of the Whole is a procedure for informal debate used by the Senate.
20. For an excellent discussion of this point and many others about the New York State Legislature see "Legislative Practices and Procedures," (New York: League of Women Voters of New York State, January 1970), p. 5. See also "Legislative News Service" (New York: League of Women Voters of New York State, annually) for actions during each session; for the text of Senate and Assembly rules see The Clerk's Manual of the Legislature, 1967-1970 (Albany: New York State Legislature, 1967).

21. Only about one-tenth of all bills introduced become law. For example, in 1969, 12,913 bills were introduced and 1,523 were sent to the Governor, 1,155 of which became law. Recent rule changes now permit multiple sponsorship of bills and other devices to cut down bill quantity. However, the rules and procedures described here are those used in 1966-67 at the time of this study.

22. G. T. Mitau, State and Local Government: Politics and Processes, pp. 71-72.

23. David Truman, The Governmental Process (New York: Alfred Knopf, 1951), p. 332.

24. Ibid.

25. "Legislative Practices and Procedures," op. cit., p. 1.

26. Between the first and third Tuesday in February, Assemblymen can introduce up to ten more bills; after that introduction is only by unanimous consent or through the Rules Committee.

27. For example, in 1966 there was a four-month gap between the last day of the session and the day committees were discharged of their bills. Or, in the 1967 session, the mass transit, compulsory health insurance and atomic power program bills were all introduced through Rules. In the Senate, committees may continue to report on bills, throughout the session, but the Rules Committee still has scheduling powers.

28. New York State, Constitution, Article III (14).

29. The Legislative Review (New York: League of Women Voters of New York State, 1967), p. 1.

30. New York Times, March 12, 1970.

31. Legislative Review, loc. cit.

32. New York Times, March 26, 1967. In the 1968 legislative session Speaker Travis had some discipline problems stemming from his status as a lame-duck leader since he was slated to fill a judgeship after the term ended. In the 1969 session the prevalence of legislators with hyphenated party labels created some cross pressures on the normal major party lines of discipline.

33. The leadership's control over the rank and file is illustrated by this comment from a New York Times article on action in the 1970 legislative session. Senate Majority Leader Brydges' control over the rank and file "is so complete . . . that on an issue such as the Governor's recent proposal to lend \$30 million to commuter transportation he (Brydges) let a number of the upstate Republicans oppose the bill." March 12, 1970. The most frequently used voting form is

the short roll call where only the names of the majority and minority leaders and the first and last names on the alphabetical list are called. A slow roll call, which means calling each legislator by name and recording his vote, enables the leadership to gauge the trend and inform their reserves if they might be needed. A vote of a majority of the elected members is necessary to pass bills. However, approximately 69% of all legislation is passed unanimously. "Legislative Practices and Procedures," op. cit., p. 2.

34. Jewell and Patterson, op. cit., pp. 361, 425-426.

35. Steiner and Gove suggest that the Governor of Illinois possesses power similar to New York State's Governor. "The Governor of Illinois, whether or not his party controls the legislature, has more opportunities to influence legislative action than any other outside source. The Governor is the only nonmember of the legislature with a continuous and direct access to the General Assembly, access starting with a biennial message. . . ." Gilbert Steiner and Samuel Gove, Legislative Politics in Illinois, p. 33.

36. Streetz and Munger, op. cit., p. 63.

37. Jack Newfield, "The Case Against Nelson Rockefeller," New York, March 9, 1970, p. 31.

38. John E. Bebout, "Recent Developments in the Use of Constitutional Convention in the States," paper delivered at the APSA Annual Meeting, September 8, 1955, p. 12.

39. See John Keith, "Recent Constitutional Conventions in the Older States," Major Problems in State Constitutional Revision, ed. W. Brooke Graves (Chicago: Public Administration Service, 1960), p. 51; Albert Sturm and James B. Craig, Jr., "State Constitutional Conventions, 1950-1965," State Government, XXXIX (Summer 1966), 160-161; Joseph Zimmerman, State and Local Government (New York: Barnes and Noble, 1962), 46-47. Constitutional revisions can also occur through administrative rulings, court decisions, or custom.

40. Harvey Walker, "Myth and Reality in State Constitutional Development," in Graves, op. cit., p. 15. See also Ernest Bertley, "Methods of Constitutional Change," in Graves, op. cit.

41. Vernon O'Rourke and Douglas Campbell, Constitution-Making in a Democracy: Theory and Practice in New York State, p. 22. See also Bertley, op. cit., pp. 22-26; Sturm and Craig, op. cit., p. 161; Alan Campbell, "A New Constitution for New York?", Modernizing State Government: The New York Constitutional Convention of 1967, ed. Sigmund Diamond (New York: Academy of Political Science, 1967), p. 1.

42. O'Rourke and Campbell, op. cit., pp. 60-61. See also Elmer Cornwell and Jay Goodman, "The Rhode Island Constitutional Convention: A Preliminary Analysis," mimeographed, pp. 2-3.

43. Duane Lockard, The Politics of State and Local Government, p. 5.

44. Quoted in O'Rourke and Campbell, op. cit., p. 19.

45. New York State, Temporary Commission on Revision and Simplification of the Constitution, Staff Report no. 1: Inter-law School Committee on the Problems of Simplification of the Constitution: May 22, 1958 (Leg. Doc. 1958, no. 57). The nine articles the committee examined did not include the Bill of Rights provisions, the basic structural articles (II, III, IV, V, VI, XIX), and Articles VII, VIII, XIV, XV, XVI had not been completed at the time the report was made.

46. New York Times, April 5, 1967. In an editorial on the Constitution the New York Times said, "It still reflects the guards against 'street railroads' when none exist or are contemplated; it assumes the existence of county registers when none survive; it recognizes a 'town of Flatlands' and a 'city of Brooklyn' lo, these many years gone." December 31, 1959.

47. See "Research Memorandum, 1966" (New York): New York Chamber of Commerce, 1966, mimeographed. Article XIX (2) "At the general election to be held in the 1957 and every twentieth year thereafter, and also at such times as the legislature may by law provide, the question 'Shall there be a convention to revise the constitution and amend the same?' shall be submitted to and decided by the electors of the state; . . ."

48. For the history of New York State constitutional conventions see Constitutional Convention Staff Report, "The Constitutional Convention of 1967: Background Information" (mimeo undated); New York State Temporary State Commission on the Constitutional Convention, 1967 Convention Issues: Introductory Report, 12/22/66 (1967 Convention Series, no. 1) pp. 17-19; Charles Lincoln, The Constitutional History of New York from the Beginning of the Colonial Period to the Year 1905 (Rochester: The Lawyers Cooperative Publishing Company, 1906).

The first New York State constitution was drafted by the convention of 1776 on the run from the British. The second constitution adopted in 1821 abolished the Councils of Revision and Appointment which had become patronage boondoggles. The convention of 1846 which produced the third New York State constitution was called in response to excessive state aid to private interests and the trend of Jacksonian democracy for more popular elections. This constitution broadened the franchise, increased the number of elected officials and curtailed the powers of the executive and legislative branches. The convention of 1894 was a response to the era of spoils and bossism. It led to provisions for civil service merit selection and the forever wild clause protecting the state forests in their natural state. In 1858 a mock-serious petition to hold a convention to turn the powers of the New York State executive and legislature over to the New York Central Railroad lost the referendum on the call by only 6,380 votes.

For information on conventions in other states see League of Women Voters, National Voter, November-December 1968, p. 3; Citizens Conference on State Legislatures, "Research Memorandum No. 6," February

1968. See also the National Municipal League series on constitutional conventions: Albert Sturm, Thirty Years of State Constitution-Making: 1938-1968 (New York: National Municipal League, 1970); John Wheeler, Jr. and Melissa Kinsey, Magnificent Failure: The Maryland Constitutional Convention of 1967-1968 (1970); Elmer Cornwell, Jr., and Jay Goodman, The Politics of the Rhode Island Constitutional Convention (1969); Richard Connors, The Process of Constitutional Revision in New Jersey: 1940-1947 (1970); George Wolf, Constitutional Revision in Pennsylvania (1969).

49. Information on the 1938 convention can be found in O'Rourke and Campbell, op. cit.

50. Ibid., pp. 192, 206.

51. Governor Rockefeller gave only grudging acquiescence to the Democrat sponsored bill placing the convention call on the ballot. In 1957 the Republicans felt Averell Harriman, candidate for Governor, would carry Democrat convention candidates on his coattails. In 1965 the Republicans felt that Democratic control of the Senate districts from which candidates for the convention are elected would give them a convention majority also.

52. Straetz and Munger, op. cit.

53. Irving Freedman, "The Issue of Public Support for Church-Related Education in the 1967 New York State Constitutional Convention: A Study in the Decision-Making Process" (Unpublished Ph.D. dissertation, Dept. of Education, State University at Albany, 1969), p. 3. See also World Journal Tribune, April 23, 1967; Citizens Public Expenditure Survey, For Your Information, November 11, 1966, mimeographed.

54. For a discussion of general problems connecting with initiating the convention cycle see John Bebout and Emil Sady, "Staging a State Constitutional Convention," Graves, op. cit.; Albert Sturm and James Craig, Jr., "State Constitutional Commissions: Fifteen Years in Increasing Use," State Government, XXXIX (Winter 1966), 63; Wilbert Hindman, "Road-Blocks to Conventions," Capitol, Courthouse and City Hall: Readings in American State and Local Government, ed. Robert Morlan (3rd ed., Boston: Houghton, Mifflin Company, 1966). For a discussion of the atmosphere in New York State in 1965 see Campbell, op. cit.; "The Constitutional Convention of 1967: Background Report," op. cit.

55. Sheriffs are the only public officials not permitted to be convention delegates at the same time. Public Offices Law 3, Chapter 371, Laws of 1965. For the legal bases of all aspects of the convention cycle see Attorney General Lefkowitz, "Answers to Constitutional Convention Questions" (Albany: Legislative Index Co., May 12, 1966, mimeographed).

56. See Chapter V, supra.

57. 1967 New York Constitutional Convention Record and Index (Albany: The Legislative Index Co., 1967), p. 307. In 1938 the Democrats controlled the senate districts and the Republicans won control of the

convention, just the opposite of 1966. The party division was ninety-one Republicans, seventy-six Democrats and one Fusion/American Labor party delegate. O'Rourke and Campbell, op. cit., pp. 73-78.

58. Leon Cohen, "The New York State Constitutional Convention," manuscript draft, Chapter 3.

59. O'Rourke and Campbell, op. cit., p. 92.

60. Leon Cohen, "Role Orientations of Constitutional Convention Delegates: Preliminary Analysis of the 1967 New York State Convention," Paper delivered at the APBA Annual Meeting, September 5, 1967 (mimeographed), pp. 11-12. See also League of Women Voters, Convention News Service, April 9, 1967; Associated Industries, Constitutional Convention Reporter, May 19, 1967.

61. Leon Cohen, op. cit., pp. 8-9. See also Associated Industries, op. cit. The religious divisions were 48% Catholic, 30% Protestant and 18% Jewish. Usually about 28% of the legislature is Jewish.

62. Syracuse Herald-Journal, September 22, 1967.

63. New York Times, January 24, 1967. The partisan seating arrangement, patronage split and the continuation of legislative style committee meetings set the basic partisan tone of the convention. Contrast this with the non-partisan structural arrangements of the Maryland Convention. See Wheeler and Kinsey, op. cit., Part A.

64. The formal vote adopting the rules on April 5th was a pro forma ratification of the early party caucuses action in March. For information on convention rules see New York State, Rules of the 1967 New York State Constitutional Convention (undated); New York State, Temporary State Commission on the Constitutional Convention, For Effective Constitutional Review (1967 convention series, no. 5); Bettye Schack, "New York's Court Reform Fiasco," manuscript copy, pp. 16-18; New York Constitutional Convention Record and Index, op. cit. For information on the Michigan Convention see Albert Sturm, Constitution-Making in Michigan (Ann Arbor: University of Michigan Press, 1963).

65. Associated Industries, Constitutional Convention Reporter, February 13, 1967.

66. See rules in New York State, Rules of the 1967 New York Constitutional Convention (undated), Schack, op. cit.

67. Catholic Welfare Committee, Convention Round-Up, July 14, 1967. These modifications were necessary because the earlier debate limitations were generally ignored. There were also many more amendments than expected. For example, there were thirteen amendments of the constitutional amending process proposition, fifty-four on the Bill of Rights proposition. Also, some articles were recommitted several times to CSA; for example, the Judiciary Article went back to CSA four times.

68. New York Times, March 26, 1967.

69. Mamaroneck Daily Times, August 11, 1967.
70. Nation, editorial, October 23, 1967. The Washington Post on September 7, 1967, said Travis was the "only man who has emerged as a political force."
71. Knickerbocker News, August 11, 1967.
72. Letter from President Travis to Andrew Tyler, Chairman of Bill of Rights Committee, June 6, 1967. (In committee files.)
73. The four central functions of a legislature are law-making, administrative oversight, providing political education for the public, and providing representation for the various clienteles in the public. The minor functions are judicial functions such as impeachment of officials and leadership selection. See Keefe and Ogul, op. cit., p. 11. For information on state legislatures see Jewell and Patterson, op. cit.; Lockard, op. cit.; Alexander Heard (ed.), State Legislatures in American Politics (New York: The American Assembly, 1966); Samuel Patterson, American Legislative Behavior: A Reader (Princeton: D. Van Nostrand Company, 1968).
74. New York State Constitution, Article XIX (2).
75. Keefe and Ogul, op. cit., p. 4.
76. Cornwell and Goodman, op. cit., p. 17.
77. Reporter Dispatch, September 29, 1966.
78. An unexpected veto if it occurred could be overruled by two-thirds vote of the legislature.
79. The legislature appropriated \$10 million for the convention session. There was some question as to whether each delegate would be entitled to another \$15,000 if the convention went into another year.
80. Jewell and Patterson, op. cit., pp. 20-21.
81. Cornwell and Goodman, op. cit., p. 5.
82. Ibid.
83. Harold Dorr, "The Myth of the Constitutional Convention," Michigan Alumnus Quarterly Review (December 6, 1947), pp. 22-23, quoted in Graves, Major Problems in State Constitutional Revision, pp. 83-84.
84. Jewell and Patterson, op. cit., p. 137.
85. O'Rourke and Campbell, op. cit., p. 21, and remainder of Chapter I.
86. "The Constitutional Convention," Monitor (New York: Associated Industries, 1966), p. 9.

87. Walker, op. cit., p. 11. See also O'Rourke and Campbell, op. cit., p. 80.

88. An example of this type of association is illustrated in this quotation from Senator Robert Kennedy's opening day remarks at the convention: "There is an honorable place for the clash of party and interests, but that place is not here." New York Times, April 5, 1967.

CHAPTER III

LOBBYISTS' PERCEPTIONS OF THE
CONVENTION AND LEGISLATIVE ENVIRONMENTS

In studies of legislative systems and interest group lobbying activities, experienced lobbyists with knowledge of governmental byways are counted among the leadership assets of their organizations. Lobbyists' expertise is used to direct group resources to the appropriate decision-making points at the most propitious time.¹ Such evaluation of the lobbying role assumes that the lobbyist perceives his working environment carefully enough to make conscious judgments for the use of his group. Combining this assumption with evidence of significant variations between the New York State legislative and convention policy-making cycles,² it was hypothesized that lobbyists will perceive differences between the constitutional revision cycle and the state legislative cycle.

It is further assumed that people perceive their environment within the context of previous experiences. "Man grasps reality, and can predict and control it, by referring transient and variable behavior and events to relatively unchanging conditions. . . ." ³ Consequently, "In a reasonably stable system, patterns of behavior tend to coincide with patterns of expectations."⁴ Two narrower propositions regarding the content of lobbyists' perceptions were formed in this framework. It was hypothesized that:

Lobbyists' regular activities during legislative sessions color their perceptions of the constitutional convention revision cycles.

The most salient features of the convention stage environment are those most related to the functional needs of lobbying.

If these propositions are correct, then features of the convention environment should have been salient to the lobbyists because they effect the availability of convention access. These points include the time sequence of the cycle, the policy-making process, agenda contents, leadership positions and powers, members' characteristics and their relations with the public.

To ascertain the nature and content of their perceptions, respondents were asked two questions:⁵

Some say that a convention and a legislative session are identical processes; others say there are significant differences. Do you think they are the same or different? Why?

I am going to name a few factors which would influence both conventions and legislative sessions. Please answer two questions about each one. Do you think the factor influenced convention proceedings? If so, would you say its impact was greater, the same or less than its impact on a legislative session.

Each question thus consisted of a basic quantitative assessment followed by an open-ended question seeking the reasons behind their general evaluation.

The two questions were designed to give complementary perceptions of separate aspects of the environment. In the first question, lobbyists were led by the interviewer to compare general convention

and legislative features such as structure, procedures, members, issues and relationship to the electorate. The following question focused more specifically on key features of the decision-making process, per se. While the wording of both questions equates the convention session (stage three) with a legislative session in order to have the most consistent, meaningful focus for all the interviews, the broad scope of the first question led many lobbyists to respond voluntarily in terms of the total cycle.

The data corroborate all three hypotheses. Fifty-six of the ninety-one respondents characterized the two general systems as different. During the interviews, 90% of all the respondents referred to at least one specific variation in the two cycles. In explicating the content of their perception, the characteristics most often cited as unusual were the unicameral convention structure, caliber of the delegates, purpose and agenda of the convention, and general convention atmosphere.

There was also general agreement among the lobbyists that Convention President Travia and the subject matter committees had more influence in the convention than in legislative sessions, while the majority and minority leaders, the Governor, interest groups and constituents had less influence at the convention. Party discipline was considered less automatic and effective at the convention.

In relation to a lobbyist's job of communicating group information to decision-makers, the leadership, committee positions, delegates, other groups and party discipline are the factors most important in structuring the immediate process. These factors are also the ones

most salient to the lobbyists, as indicated by the frequency with which they were able to support their evaluation of influence with a specific reason. These data suggest that the depth of a respondent's perceptions is related to his functional needs; i.e., his need to establish meaningful contacts among convention personnel, consider the role of competing information sources, and assess the impact of party discipline.

General Perceptions of the Convention and Legislature

Fifty-six of the ninety-one lobbyists (61%) said they felt the convention and legislative sessions were different, while thirty-one (34%) said they were the same.⁶ When the lobbyists were asked to clothe their general contrast in specifics, the answers ranged from monosyllabic acknowledgements of the existence of factors enumerated by the interviewer to highly sophisticated comparisons of the two cycles.

Among the latter is the following six-point itemization of differences offered by the regular legislative representative of the Catholic Welfare Committee.⁷

1. The legislature is an evolving process considering issues piecemeal over the years. The convention is dramatic with a deadline and no second choice.
2. At the convention you begin with a finished old product that will continue if unchanged, so you must make all the changes you want.
3. Delegates were more inexperienced than legislators, 85% rather than 20% were new. They were one shot people. Group concerns are more important to legislators.
4. 95% of legislative decisions are determined by the leadership off the floor. Even legislative

TABLE 3.1

CHARACTERISTICS USED BY RESPONDENTS TO SUPPORT GENERAL COMPARISON OF CONVENTION AND LEGISLATIVE SESSIONS (N)*; CONSISTENCY OF SPECIFIC ANSWERS WITH GENERAL ENVIRONMENT EVALUATION (%)

Characteristic	Characteristic is		% of respondents with consistent answer**	Total (N)
	Similar to Legislature	Different than Leg.		
Unicameral Form	31***	34	73.0	65
Caliber of Delegates	19	40	67.2	59
Purpose/Scope of Conv.	22	25	82.6	47
Conv. Atmosphere	12	34	80.4	46
Nature of the Issues	13	31	56.8	44
General Procedural Patterns	15	24	67.5	40
Leadership Control	18	16	67.6	34
Specifics of Proposition Passage	13	17	66.7	30
Party Control Patterns	--	25	84.0	25
Convention Time Span	--	25	80.0	25
Delegates' Influence on Convention Atmosphere	--	23	86.9	23

*Respondents could give as many as six characteristics supporting their basic view. Therefore, percentages and totals would be meaningless.

**This represents the percentage of respondents giving this characteristic who used it to support their general evaluation of "similar" or "different" concerning the two systems.

***This category includes respondents who said they did not notice the unicameral convention structure, or that it made no operational difference to them.

- floor amendments reflect prior decisions. At the convention floor amendments focused on issue content suggesting the absence of prior decision.
5. The end of the legislative session is predictable chaos, the end of the convention was an unpredicted mess.
 6. Unicameralism made debate and floor action more significant.

Most of those who found the two situations similar justified their position by explaining any specific variations as "differences of degree, not basics." As one seasoned lobbyist said, "If I had seen any great differences, wouldn't I remember them?"

Table 3.1 lists the eleven factors cited by at least one-fourth of the respondents as support for their initial general comparative evaluation. As the numerical division indicates, the characteristics of the process could be used to support either initial perception. There was remarkable agreement among the lobbyists as to the most salient aspects of the convention environment. Over one-half the respondents elaborated on the unicameral structure, the nature of the delegate body, and the convention's purpose or atmosphere to explain their initial comparison of the two processes.

TABLE 3.2

CONSISTENCY OF RESPONDENTS' PERCEPTIONS OF THE
CONVENTION AND LEGISLATIVE ENVIRONMENTS

Consistency	Perception				Total	
	Similar (%)	(N)	Different (%)	(N)	(%)	(N)
Consistent	32.26	10	53.57	30	45.97	40
Inconsistent	67.74	21	46.43	26	54.03	47
Total	100.00	31	100.00	56	100.00	87

Table 3.2 provides a summary of the consistency of the lobbyists' perceptions of the convention and legislative processes. The consistent category contains those lobbyists who were totally consistent in their reasoning; that is, if they initially established the convention and legislative processes as different, all their specific reasons support this perception.

While the table shows a nearly equal division of the total interview population, forty being consistent and forty-seven inconsistent, it reveals, more importantly, that two-thirds of those assessing the two environments as similar still saw at least one specific difference, such as a difference in agenda topics, procedures, member characteristics, etc. The fact that the modification tended to occur in relation to factors used by lobbyists in their work reinforces the pragmatic character of their perceptions. If the small minority with consistent and similar perceptions are excluded, it appears that 86% of the total interview population perceived some of the differences described in Chapter II.

Returning to the list of particulars in Table 3.1, a discussion of the various characteristics illustrates how the lobbyists' answers reflected both their conditioning as legislative representatives and the character of their working relationships in the convention process. In discussing the salient points in the lobbyists' over-all perceptions, certain characteristics, although separated in the table, can be discussed as aspects of the same phenomenon.⁸ When this is done, the convention atmosphere becomes the most often cited explanation for the lobbyists' opinions, although a difference in atmosphere was not on the

interviewer's probe list. However, this emphasis on an intangible essence supports the assumption of the interest group literature that lobbying is a craft requiring awareness of the real norms and collective attitudes which determine the politics of a decision-making process.

Twelve lobbyists said the two processes were characterized by the same tone and atmosphere. There was less unanimity of opinion among the lobbyists who cited atmospheric dissimilarities, but generally they tied the differences to the attitudes of delegates regarding the new, unknown, episodic nature of a convention cycle. Several comments were a bit peevish: one lobbyist said the convention was a joke with the "atmosphere of a vacation."

Others commented unfavorably on the delegates' influence on the atmosphere. For example, it was called "a single issue convention filled with delegates with closed minds." Another called it "predetermined before it began . . . a charade." A lobbyist representing certain local government offices said the "convention was afflicted with more liberal minded people than the legislature." On the other hand, several lobbyists felt that the delegates' identification with the formulating of the fundamental law or a moment in history created a more statesmen-like atmosphere.

A large number of respondents attributed atmospheric differences to the one-shot nature of the convention cycle. Several comments contrasted the unsettled convention situation with the traditional continuity of the legislature. For example,

The convention lacked traditional patterns of behavior.

As a one-shot event, it lacked the regular routine of the legislature.

Without continuity it was impossible to find a history of bills or a record of past action as a guide to where the convention would go.

The absence of re-election, since it was a one-shot deal, gave the convention a different psychological atmosphere.

Others noted the effect of the sequential non-recurring stages on the internal decision-making process.

The convention session was forced to deal with the totality of things with no carryover to another session.

An awful lot of things crept into the constitution that would never have been there if they had not been operating under such tremendous pressure to close up by September 26th.

The convention delegates were always conscious of the need for ratification of their work.

The second largest category of reasons offered by respondents to support their general comparison of the two processes also indicates their feel for over-all differences. These reasons related to the convention's purpose, scope and agenda. Those perceiving similar situations said the issues and purposes were similar so the convention was essentially "an extended legislature" or "an accelerated legislature" or "a unicameral legislature." One lobbyist explained the convention agenda as all the liberal Democratic programs usually defeated by the Republican controlled legislature.

Responses indicating differences between the two processes emphasized the breadth of convention issues and the consequences traceable to revising a constitution rather than statutes. These facets of their general perceptual orientation became important in adapting their group's goals to the convention agenda as they interpreted it. Following are a range of typical comments on these topics:

Legislation deals with details, the constitution is broad. It is harder to get a satisfactory product when dealing with a whole document.

The convention was more issue-oriented than the legislature. It's easier to work compromises in the legislature.

There are only superficial similarities between the convention and legislature. The real difference in goals reflects differences in underlying concepts and the final product.

There was a different thrust, different thinking behind convention proposals.

It was a different focus--basic law vs. statutory law.

Convention issues raised more fundamental questions, could make more significant changes and provided greater opportunities.

The remaining reasons discussed by lobbyists all emphasized aspects related to the functional role of lobbyists as mediators between outside ideas and inside policy-makers. In order to maximize the impact of their communications, the lobbyists need to assess the procedural patterns. Consequently, seventy responses dealt with a procedural feature or features which represented some departure from traditional legislative practice. A business lobbyist summed up the total situation in this way:

The convention and legislature were structurally similar but differed in their operations. They studied articles, not details, so they needed a philosophical approach. Leadership influence was based on their use of superior procedural expertise to guide inexperienced delegates.

The most often cited procedural variations revolved around the

role of committees and the use of floor amendments at the convention. Once again the comparative context of their perceptions is evident in comments which contrast the congressional-like role of convention committees with the cipher position they occupy in the state legislature.⁹ The number of lobbyists who noticed this difference supports the initial hypothesis linking perception to need, since if committees were important in the convention decision-making process the effective lobbyist would need to be aware of this operational change. The caliber of reply in this area suggests the background and sophistication of New York State lobbyists.

In the legislature bills are in and out of committee. Here bills go in and none come out, only a composite product under committee sponsorship. This gives committees more responsibility for actual wording than legislative committees.

The development of language and propositions done by convention committees is done in the legislature by individuals.

Convention committees worked like federal ones producing a product from a conglomeration of ideas.

A seasoned trade association lobbyist gave a complete discourse on committee variations:

Because of the nature of the issues, the press coverage and less party discipline in the convention, an individual's votes counted in convention committees. In the legislature the chairman controls output. . . . In the legislature, committee chairmen's powers derive from their relationships with the leadership. At the convention, power was related to the subject matter of one's committee. The convention Rules Committee was only a pro forma 'clearinghouse' not a legislative powerhouse. Floor amendments created surprises for delegates and lobbyists.

Floor amendments occurred frequently at the convention, in contrast to the legislature where such action would violate legislative norms. Two basic explanations were offered. Some lobbyists linked it to the unusual committee role:

Going to the floor with a complete article made floor amendments possible. In the legislature, decisions on content are made prior to discharge from committee.

Floor amendments were the substitutes for floor submissions of individual propositions which could not be introduced because of time pressures.

Others related floor amendments to less automatic leadership control and party disciplined obedience.

Floor amendment is a sign of leadership weakness; committee strength is a reflection of leadership strength.

The convention was less structured in terms of party control patterns and general operating patterns.

Travis had less control over delegates because they were not up for re-election.

A contrary opinion of the leadership role was voiced by lobbyists who considered the two processes similar because the current legislative leadership triumvirate guided the convention. As one lobbyist said, it was the "same ball game in the same ball park." Others said legislators in key posts colored the proceedings, gave it the same tone, same procedures, same leader-led relationships.

In discussing the impact of a unicameral structure on convention deliberations, most lobbyists said it had a de-politicizing effect; that is, the absence of external, equal participants in the decision-making process limited the opportunities for buckpassing and political

deals. Once again, the comparative focus is evident. Implicit in this contrast is the unrealistic, nonpolitical convention ideal, since many respondents saw this as an advantage of the convention system even if it did lessen their opportunities to kill propositions.

One of the most disputed features of the convention was the caliber of the delegate body. Nineteen respondents felt they were exactly like legislators, but forty answers gauged the convention group as either of higher or lower caliber. For example, delegates were characterized as,

higher echelon party regulars . . .

startingly disinterested . . . surprisingly
stupid . . .

inexperienced, didn't know people, less
sophisticated than legislators.

One lobbyist explained that the legislative mentality is a "carry-over mentality," and the delegate is just a "different breed of cat since he is not re-elected."

A lobbyist's opinion of delegates was an important component in his total perception of linkages in the convention environment. Thus lower caliber delegates were linked with inexperienced delegates and thence to a form of leadership control based on superior procedural expertise.

Legislators in key jobs could outmaneuver green delegates. They knew the tricks of the trade.

Non-legislators as delegates didn't know how Albany worked. They were 'dead-wood statesmen' being rewarded for party service. Since they were uninformed they voted the party line.

On the other hand, an estimate of higher delegate caliber led to a view of political independence and less party discipline. One

business association representative characterized individual delegates as key convention factors. "They were a group of thoroughbreds, all temperamental, all self-important. They were influential in their own right and independent of Travia." Another said, "delegates were more independent than legislators who usually just reflect the wishes of their party."

Delegates are key features in the lobbyist's world since access is essentially relationship with useful people. Therefore, lobbyists need to assess the qualities of the decision-makers, their internal power and their relationship with constituents, both organized and unorganized. Evidence that they make such evaluations is shown in Table 3.1 which itemizes the various lobbyist opinions on the effect of delegates on the convention system.

The table reveals a prevalence of opinions and a lack of consensus. For example, while over one-half the respondents related delegate characteristics to convention norms the specific opinions were split between those perceiving no difference and those who felt non-legislative features of the convention process were a direct reflection of the non-legislative character of the delegates. The fact that 82% of the respondents verbalized some perception supports the proposition that the most functional features are also the most salient for lobbyists.

Twenty-eight percent of the interview sample felt that an important consequence of an ad hoc non-legislative delegate body was the new relationships created between delegates and constituent interests.

TABLE 3.3

RESPONDENTS' PERCEPTIONS OF THE EFFECT OF THE TYPE OF
DELEGATE BODY ON THE CONVENTION PROCESS
AND THE RELATIONSHIP WITH THE PUBLIC

<u>Delegates' Effect</u>	<u>Respondents' Perception</u>	
	(%)	(N)
<u>On Convention Process:</u>		
New, So No Continuity of Norms	5.4	5
Higher Caliber Meant Better Debate	7.6	7
No Re-Election, So Less Party Discipline	11.9	11
Ignorance Facilitated Travia's Control	4.4	4
No Effect Because No Delegate Differences	23.9	22
Subtotal	(53.3%)	(49)
<u>On Lobbyists/Constituents:</u>		
New, So Unknown to Lobbyists	4.4	4
Different Working Habits So Less Lobbyist Contact	8.7	8
No Re-Election, So Less Responsive	10.9	10
Less Representative of Constituency Than Legislators Are	4.4	4
Subtotal	(28.3%)	(26)
No Opinion/No Answer:	18.4	17
Total	100%	92

The comparative nature of these assessments supports the proposition that lobbyists' regular legislative experience colored their convention cycle perceptions. The following comments reflect the range of lobbyist opinions on this relationship:

Without re-election, delegates were less susceptible to interest groups.

Delegates felt a responsibility towards their job, therefore they were more responsive to the feelings of the electorate.

Since there was no re-election, delegates lacked even a moderate degree of responsibility towards the electorate. They were completely politically oriented.

Delegates were not necessarily politicians, and lacked a future responsibility to the electorate. Lobbyists did not really know them.

Delegates were unfamiliar with the legislative world and lobbyists. Lobbyists had to educate them.

Traditional lubrication between lobbyists and legislators based on social gifts did not work well at the convention because delegates were not professional politicians.

Delegates were stupid, uninformed party hacks who represented no particular constituency.

Delegates were uninformed and I had neither time nor incentive to enlighten them since there would be no continuing relationship.

As Chapter V indicates, lobbyists incorporated these perceptions in their convention actions. Their view of the source and effect of convention differences, and the number of specific important differences created a basis for formulating their own activity patterns within the process.

Perceptions of Decision-Making Factors

In addition to questions concerning their perceptions of structural features of the convention and legislative cycles, lobbyists were also asked to contrast the role of key variables (such as committee jurisdiction, leadership positions) in both policy-making processes. Table 3.4 lists the lobbyists' evaluations of the comparative influence of these factors in the legislative and convention session. As the table indicates, over 85% of the respondents were able to make a comparative judgment of the rules played by the leadership, rank and file members, interest groups, the press and party discipline.

These data indicate that in terms of key decision-making points as well as in general structural perceptions, lobbyists are most cognizant of the functionally necessary environmental characteristics. Thus, since the lobbyist acts as a communication link between people he tends to be more aware of individuals in the political process rather than corporate entities such as committees, or background factors such as rules. Since the lobbyist tries to affect particular policies, he tends to notice those specific positions which facilitate or hinder his own interests such as specific committee chairmen, convention leaders and party discipline links among the membership. Since the lobbyist is only one of many nongovernmental policy-making participants, he is conscious of the activities of the other lobbyists and constituents with whom he must compete.

As in the structural perception question, lobbyists were asked to explain the level of influence they assigned to each factor. Table 3.5 shows the twelve most often mentioned reasons and whether they were used to support a greater or lesser evaluation of decision-making influence at the convention.

TABLE 3.4

RESPONDENTS' PERCEPTIONS OF THE INFLUENCE OF KEY FACTORS AT THE CONVENTION
IN RELATION TO THEIR INFLUENCE AT A LEGISLATIVE SESSION

Factor	Evaluation of Influence						No Opinion		Total
	More at Conv.		Equal		Less at Conv.		(%)	(N)	(N-92)
	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)
Convention President	46.7	43	19.5	18	25.0	23	9.2	8	100.0
Majority Party Leaders	19.5	18	27.1	25	38.0	35	15.2	14	100.0
Minority Party Leaders	19.5	18	21.7	20	42.3	39	16.3	15	100.0
Governor	1.0	1	5.4	5	80.4	74	13.0	12	100.0
Individual Delegates	33.6	31	14.3	13	35.8	33	14.1	13	100.0
Committee Chairmen	32.6	30	25.0	23	27.1	25	15.2	14	100.0
Committee Staff	30.4	28	25.0	23	14.1	13	30.4	28	100.0
Rules Committee	10.8	10	38.0	35	27.1	25	22.9	21	100.0
Subject Matter Committees	31.5	29	29.3	27	10.8	10	27.1	25	100.0
Interest Groups	14.1	13	26.0	24	45.6	42	14.1	13	100.0
Constituent pressures	19.5	18	14.1	13	47.8	44	18.4	17	100.0
Mass Media	28.2	26	27.1	25	29.3	27	15.2	14	100.0
Party Discipline	16.3	15	19.5	18	51.0	47	13.0	12	100.0

The table can be explained at two levels. Looking just at the opinions within each cell, a remarkable consistency appears in the use of any one specific reason. For example, twenty-five lobbyists felt President Travia had more influence due to the unicameral structure, no one felt he had less.

However, when the various reasons are rejoined to form a total picture of decision-making interrelationships, the consensus dissolves. Instead, a common view of a partisanly controlled, highly structured, hierarchical legislative system is contrasted with two conflicting interpretations of convention relationships. One possible explanation for the lack of comparable uniformity in lobbyists' analyses of the convention policy process lies in the looser, more dispersed working structure of the convention wherein each lobbyist found relationships suited to his individual needs. Thus each man's view of the convention power structure reflects his personal convention experience, a reinforcement of the functional basis of their perceptions.

The data in Tables 3.4 and 3.5 indicate that the position of Convention President was the most visible decision-making factor. This is to be expected in New York State where Travia had been one of the three legislative powers, and was now the most visible member of the convention. An analysis of his role was used by most lobbyists as the foundation of their explanations concerning the role of subsidiary leaders, party discipline, committee powers, and the latitude permitted individual delegates. The comparative basis of lobbying perceptions and the dominant role of partisan politics in New York State legislative processes is suggested by the tendency to explain Convention

TABLE 3.5

MOST OFTEN CITED REASONS FOR RESPONDENTS' PERCEPTIONS OF DIFFERENCES IN THE COMPARATIVE INFLUENCE OF DECISION-MAKING FACTORS, ACCORDING TO LEVEL OF INFLUENCE. (N)

Factor	Most Often Cited Reasons for Convention Influence Level																					
	Unicam. Struct.		Diff. Issues		Trav. Role		Weaker Party Sanct.		Deleg. Inexp.		Leader-led Rel.		Party Lines at Conv.		Opport. of CC Process		More Legis. Power		Relshp with Delegs.		Control Over Art. Lang.	
	M	L	M	L	M	L	M	L	M	L	M	L	M	L	M	L	M	L	M	L	M	L
Conv. Pres.	25	-	1	-	18	4	-	23	15	-	5	5										
Maj. Leader	4	-	-	2	4	7	-	2					-	1			-	3				
Min. Leader	3	10	-	-									9	2								
Governor	-	5											-	7								
Indiv. Del.					-	4	5	-	-	14	1	-			12	-			5	-		
Party Discip.							-	14	7	-	-	24	-	3								
Com. Chairm.	3	-			3	3			1	-	-	2			5	3	-	11			13	-
Com. Staff	1	-	2	-					5	-	3	-			1	-	-	2			4	-
Rules Com.	1	-			1	-									3	-	-	11				
Spe. Mat. Com.	3	-	4	-											3	-	-	4			13	-
Int. Groups			-	26											-	-			-	28		
Constituents			-	7															2	12		
Total (N)	(60)		(48)		(48)		(44)		(44)		(40)		(30)		(31)		(31)		(47)		(27)	

M = More Influence

L = Less Influence

President Travia's influence in terms of party relationships. Two contrasting pictures emerge; one supporting him as the all-powerful convention leader, the other indicating a position of less than total control.

Forty-seven percent of the lobbyists saw President Travia as the central convention decision-making force with greater than his normal legislative powers. They felt his position rested on an amalgam of a strong personal style, his traditional legislative role of authority, and delegate inexperience which enabled him to guide and manipulate their votes. The following suggest this range of comment:

Tony-ism ruled the convention, not the legislature.

Travia was his usual iron-fisted self.

Travia had his way when he wanted to, his basis of power was organizational rather than party.

Travia ran a unicameral legislature and called it a convention.

However, 25% of the lobbyists judged Travia to be a weaker convention decision-making influence because he was over-committed to producing a personal monument to his leadership. He also was handicapped in his relationships with the rank and file by weaker party sanctions, less automatic norms of obedience, and an unfamiliarity with the personal strengths and weaknesses of each delegate. Several lobbyists combined these factors in the following ways:

Delegates were more independent because there was no re-election. This is in contrast to the legislative power structure in which control is based on re-election.

Travia had less influence because of the judgeship rumor and the presence of less professional politicians.

Travia was too puffed up. He was at the apex of his political career and salary.

Travia saw the convention as a personal monument, and his ego got carried away. In addition he was unfamiliar with the people there and didn't know exactly how they would respond. His weaknesses are evident in his bad decision on one package. Delegates voted with him out of compulsion, not loyalty.

Neither opinion of Travia's role is inconsistent with the majority opinion of the respondents that party discipline was a less influential factor in convention decision-making. Those attributing more power to the Convention President related it to Travia's personal style and experience rather than legislative-style party discipline. Those attributing less influence to Travia as Convention President compared to Travia as legislative leader related it to dysfunctional personal characteristics coupled with less automatic party sanctions. Both interpretations reflect the lobbyists' perceptions of a less immediate, reliable relationship between the leaders and the led.

However, as a newspaper correspondent said, "It would be naive to assume no strings were attached to convention delegates. After all, they are still wrapped into the political system." The lack of re-election sanctions for all delegates, except the dozen or so incumbent legislators, weakened Travia's bargaining power. Offering nepotism-type jobs and favors lacks the immediacy of action related to continuing one's \$15,000 part-time job as legislator.

In addition, the broad controversial nature of most of the

issues and the number of politically independent judges and county chairmen made the application of party discipline less predictable. One lobbyist explained that at the convention, "Travia had to make concessions to get what he wanted. He had less screws to put to the delegates." Two other lobbyists commented that weak Democratic party intra-relationships enabled the minority party to participate in decision-making.

The sophistication of lobbyists' perceptions is evident in their separation of the personal bases of leader-led relationships from the power adhering to the office of convention president as the final procedural authority in a unicameral body. Indeed, regardless of their position on Travia's personal leadership position, over one-fourth of the respondents specifically linked his increased decision-making role primarily to the convention's unicameralism. The most concise statement of this opinion was made by an experienced governmental association lobbyist who said, "Travia influences the convention just as he does the legislature, but in the legislature he is only one part of three. Here he is all, therefore, he is more important here."

The impact of unicameralism also was cited by some lobbyists as the cause of weaker minority party influence, since they suffered from a lack of bicameral opportunities for bargaining. The 80 who said the Governor had no convention influence, either gave no reason, or pointed to unicameralism and his lack of "an institutional role." It might be assumed that lobbyists would feel that the Rules Committee's powers over the fate of propositions would be increased

in the one-house situation. However, most lobbyists felt that Rules had either the same amount of power or less. As one lobbyist said, "The prevalence of floor amendments means Rules is not strategically astride the decision-making process."

Unicameralism was not associated with either the effect of party discipline or the policy-making role of rank and file delegates. Theoretically, the argument could be made that unicameralism should strengthen party discipline, or alternatively, that the one-house format would encourage independence and freer debate.

The lobbyists saw neither of these linkages. Rather they related party discipline and delegate initiative to the personal politics of the decision-making process, i.e., the leader-led relationship, the experience level of the delegates, the weakness of legislative party sanctions. Once again the lobbyists' focus is comparative since it is based on the contrast between the dispersed power convention situation and the hierarchal control usually present in the legislature. Their focus is also functional since these are the perceived relationships which determine individual flexibility and create opportunities or hindrances for lobbying access.

In discussing committees and committee staff, lobbyists shifted to a new set of supportive reasons. Party relations are superseded by comparative evaluations of the opportunities for committee participation in the two processes. Thus those perceiving an increased committee influence related it to their congressional-like role in synthesizing propositions, while those perceiving weaker convention influence pointed to the legislative committee's

power to kill legislation, a power denied convention committees writing structural sections, such as the judiciary, legislative, or executive articles which had to be part of any constitution. Power as a by-product of convention opportunities usually meant that circumstances such as a tight time schedule and uninformed delegates left the decision-making to the more competent, available committee staffs.

A third set of reasons emerges to explain the role of lobbyists and constituents primarily in terms of the convention agenda and the delegates' relationship with the electorate. Almost half the respondents felt that groups and constituents had less influence in the convention environment for one of three reasons: the issues were not of interest to many groups, the issues were important to non-corporate interests who were unlikely to do well at the convention, or the time span of the convention made it difficult for lobbyists to establish relationships with delegates and prepare group programs while simultaneously doing their usual legislative work. Constituent inactivity and consequent lack of influence was also blamed on the nature of the issues (except Blaine) and the unresponsiveness of delegates who were not worrying about their re-election.

The different kinds of reasons used to support various categories of decision-making factors suggest that the lobbyists' perceptual scheme consists of disconnected compartments. This means that separate evaluations of the internal policy-making parts and the outside information sources can be superimposed in combinations designed for a specific situation. The absence of a broad

generalized environmental picture reinforces the pragmatic orientation of lobbyists and explains their tendency to hedge any generalization with qualifications applicable only in circumstances "a," "b," "c," etc. It is also consistent with the functional definition of a lobbyist as a communications broker trained to accommodate the independently determined goals of his group to a variety of individualistic, autonomous decision-making systems.¹⁰

Table 3.6 which juxtaposes the general and specific opinions offered by respondents on each decision-making factor, again corroborates the hypothesized comparative and functional bases of lobbyists' environmental perceptions. The table shows the number of lobbyists who offered a general evaluation of each factor's decision-making roles, and the number of those with a general opinion who strengthened it by contributing specific reasons to buttress their evaluation.

Fifteen factors were selected because of their decision-making importance in general legislative system and convention studies.¹¹ As Table 3.6 shows, thirteen of the fifteen were perceived sufficiently strongly in 1967 for 70% of the respondents to retain a general impression in interviews held the following winter. Only the nonspecific factors of rules and informal norms could not be recalled by most respondents. The fact that the Convention President, Governor and party discipline were the only three factors mentioned by 87-91% of the respondents is logical in terms of their comparative conceptual framework. After all, the convention had adopted Assembly based rules, and these are the most important

TABLE 3.6

RESPONDENTS WITH A GENERAL PERCEPTION OF THE
INFLUENCE OF CERTAIN DECISION-MAKING FACTORS; AND NUMBER
AND PERCENTAGE OF RESPONDENTS WHO HAD THE INITIAL GENERAL
PERCEPTION AND COULD SUPPORT IT WITH A SPECIFIC REASON

Factor	R. with general perception		R. supporting general perception w/specific reasons	
	(%)*	(N)	(%)**	(N)
Convention President	91.4	84	88.0	74
Governor	87.0	80	32.5	26
Party discipline	87.0	80	63.7	51
Interest Groups	85.9	79	73.4	59
Individual delegates	85.9	79	73.4	59
Committee chairmen	84.8	78	62.9	49
Mass media	84.8	78	52.5	41
Maj. Party leaders	84.8	78	46.1	36
Min. Party leaders	83.7	77	54.4	42
Constituency	81.6	75	52.0	39
Rules Committee	77.2	71	25.3	18
Subject Matter comm.	72.9	67	38.8	26
Committee staff	69.6	64	59.3	38

*Percentages taken on the basis of a total N of 92.

**Percentages based on N with general evaluation for the specific factor.

components in that decision-making process.

The data suggest that the amount of knowledge a lobbyist has concerning any one factor is based on his own working relationship with that factor, while his general impression is related to the totality of his previous legislative lobbying experience. Thus, the general impressions can be made by most of the lobbyists since over 90% had legislative experience and these are factors common to most decision-making systems.

However, only the factors important to convention decisions were salient enough to be fully colored lobbyist perceptions. For example, there is a notable difference in the level of specificity which lobbyists achieved in discussing the three most perceived factors. Over one-half the respondents could explain the role of the convention President or party discipline in specific terms. These two are both key factors in establishing personal relationships with decision-makers.

By contrast, the Governor's absence from the convention was overwhelmingly noticed just because he is so important in the legislative decision-making system. Yet because he was unimportant in the convention scheme, the specificity level dropped to only one-third of those with a general opinion, who in turn represented approximately one-fourth of the total interview population.

This experience-specificity relationship is reinforced by another aspect of Table 3.6: the comparatively low general perception of the Rules Committee and substantive committees coupled with the very low level of specific content concerning these factors. The

lack of supportive reasons for these factors reflects the lobbyists' disinclination to generalize from the specifics of his experience. Thus, if he only worked with one committee he is reluctant to extend these impressions to the universe of committees as an abstract category. Many lobbyists made remarks such as, "Well, each committee was so different." This hesitancy reflects the occupational requirements of lobbying which necessitate knowledge of the minutiae which point to real power in any one individual situation. The absence of perceptions of the rules, per se, from Table 3.6, also suggests that lobbyists remember most clearly the concrete forms which they must manipulate to obtain policy decisions.

The relationship between a lobbyist's actual work requirements and the specificity of his understanding is suggested in a more positive form by the number of respondents who were able to explain their assessments of interest group, individual delegate and committee chairman roles. The figures indicate that between 63% and 73% of those venturing a general influence for these factors (numerically over one-half the total interview population) supplied specific details on the actual performance of those participants. Since it was noted earlier that lobbyists felt these were three important components in the convention policy process, the importance of concrete experience as a basis of concrete perceptions is reaffirmed.

Environmental Perceptions and the Lobbyist's Personal Style

At the level of the individual, the overall perceptual picture painted in the earlier sections of this chapter is modified

by the group affiliations and lobbying style of each respondent.

This is to be expected since

stimulation does not impinge on a passive organism. Rather, the individual is differentially prepared, or set for different inputs. The resulting perception derives from the interaction between set and stimulation.¹²

The "set" provides the context within which new variables are perceived. For a lobbyist, two more components of this "set" (in addition to his legislative experience and professional role) are his group role and his style of lobbying. Cross-tabulations of the data on group affiliation with the lobbyists' perceptual responses indicated that a majority of those lobbying for non-business reform groups, active over several convention stages on behalf of constitutional goals, perceived the two cycles as different. By contrast, business representatives with only limited convention state activity and few non-legislative goals tended to see the convention and legislature as similar processes.

In addition, each individual's style of lobbying affected his view of the saliency of various decision-making factors by highlighting those positions with which he preferred to interact. Thus lobbyists who emphasized personal contact were more aware of second echelon leadership positions such as committee personnel than were the "administrative" lobbyists who prefer to deal by telephone or via memoranda with the top leadership.

Zeigler and Baer found in their four-state lobbying study that despite wide variations in the occupational backgrounds of lobbyists and legislators from state to state, within a state

"legislators and lobbyists are . . . quite similar in occupational background. . . . Variations in one group are accompanied by variations in the other."¹³ Thus it was anticipated that since New York State legislators are better educated, better staffed and more professional than in other states, so too, New York State lobbyists would be better educated, more well-informed and more professional than in other states.¹⁴ As New York State legislators resemble their congressional counterparts, so New York State lobbyists more nearly resemble Washington, D. C., representatives than those in Walla Walla, Washington; and indeed, at an average New York State legislative session, over half the registered lobbyists are lawyers, a percentage comparable to Washington, D. C., and the number of lawyer-legislators in the New York State legislature.¹⁵

The composite picture of a lobbyist describes him as a fairly well educated, well-paid, middle aged, white male who works for his organization and does lobbying as well as assorted other administrative, research or public relations tasks.¹⁶ While similar questions were eliminated from this study to shorten the interview schedule, the author's impression is that New York State lobbyists would fit this socio-economic generalization.

When respondents were asked their job title, 76% of them, as indicated in Table 3.7, held decision-making positions within their organizations.¹⁷ Two-thirds in this category were organization executives or directors; the remaining one-third were legislative representatives or counsels, the equivalent of house lobbyists by another name.¹⁸

TABLE 3.7

RESPONDENTS' LINK TO THE INTEREST THEY REPRESENT
AT THE 1967 CONSTITUTIONAL CONVENTION

Position	(%)	(N)
Lawyer	34.1	32
group's legislative counsel	11.9	11
*Albany lawyer	13.0	12
*non-Albany lawyer	9.7	9
Agent	65.9	60
group's legislative rep.	13.0	12
organization executive	28.2	26
organization officer/director	22.8	21
*lobbyist-entrepreneur	1.0	1
Total	100.0	92

*non-staff members of organizations they represent

Whether an organization staff member or member of a law firm, the average lobbyist must fit his representational duties in among his other responsibilities. For example,

An executive of a trade association has to concern himself, not only with national policies, but also with organization, finances, membership, meetings, bulletins and magazines, correspondence, inquiries, staffing and the like. He must follow legislative and administrative developments. . . . He has to collect economic statistics, business news and scientific and legislative reports. . . .¹⁹

Therefore, lobbyists tend to develop a style which enables them to fit their lobbying activity into the general pattern of their daily work. Thus a job title can be an indicator of probable lobbying style.

Lobbyists basically see their role as "informant," bringing outside views into the governmental policy-making process.²⁰ Thus

every lobbyist is both a research bureau and contact developer; expertise and contacts are the twin keys to lobbying effectiveness. A lobbyist's work style is generally expressed in the ratio he maintains between desk work and personal contacts with officials.

To categorize these ninety-one respondents each one was asked how he spent most of his lobbying time.²¹ "Administrators" were those who said they spent most of their time working in their offices on memoranda, letters, etc., or reporting back to the groups on relevant government actions. "Contact men" concentrated on talking personally to decision-makers or appearing before legislative committees. The few lobbyists who specifically said that they divided their time equally between research and contacts were classified as having a "combination style."

Table 3.6 shows the relationship between respondents' occupational position, legal or non-legal training and their lobbying style. Of the ninety-one respondents, eighty-three considered themselves to be lobbyists: of these, 48% (N = 40) had an administrative style, 36% (N = 30) were contact men, and 14% (N = 12) had a combination style. The data show the relationship between the overall functional requirements of the individual's job and his work style. Those hired primarily as administrative personnel tend to this style of lobbying; those hired primarily as political contacts tend to adopt the "contact man" style, while those who lobby only intermittently often don't consider themselves lobbyists at all.

For example, as a group, 50% of the lawyers had "administrative" lobbying style, but 50% of the Albany lawyers, who are often

TABLE 3.8

RELATIONSHIP BETWEEN RESPONDENT'S OCCUPATIONAL POSITION
AND HIS GENERAL LOBBYING WORK STYLE

Style of Work	Occupational Positions					
	Lawyer			Non-Lawyer		
	Albany Counsel (%)	non-Albany Counsel (%)	Legis. Counsel (%)	Legis. Rep. (%)	Organ. Exec. (%)	Organ. Dir. (%)
Administrator (N-40)	41.7 (5)	55.6 (5)	55.0 (6)	33.3 (4)	62.0 (16)	19.0 (4)
Contact Man (N-30)	50.0 (6)	22.2 (2)	18.2 (2)	41.7 (5)	27.0 (7)	38.0 (8)
Combination (N-11)	8.3 (1)		26.8 (3)	16.7 (2)	4.0 (1)	19.0 (4)
Not consider self lobbyist (N-9)		(2)			(2)	(5)
Total (N-90)	100.0 (12)	100.0 (9)	100.0 (11)	100.0 (11)	100.0 (26)	100.0 (21)

hired as supplementary lobbyists because of their political knowledge and entre, preferred the "contact man" style. Similarly among the non-lawyers, 42% of the legislative representatives had a "contact man" style, while 62% of the organizations executives had an "administrative" style. Legislative representatives are again the ones hired especially to promote the organization's position vis-a-vis government officials, while organization executives are usually research directors or administrative assistants charged with lobbying and a host of other duties. Consequently the latter group prefer to

telephone officials without leaving their desks, while legislative representatives would rather leave their offices and contact the man personally.

The lack of a predominant lobbying style among the organization directors and the high percentage who did not consider their representation activities as lobbying suggests that they fit Zeigler and Baer's category of amateur lobbyist. These are men who "customarily show up at a legislative session only once or twice to present testimony at a formal hearing."²¹ All of the nine respondents who felt they were not lobbyists lived in the New York City metropolitan area; two were members of New York City law firms, two were organization executives, and five were organization directors; none represented business interests.

Zeigler and Baer found that business and labor lobbyists had different lobbying styles, labor emphasizing the political and persuasive aspects of the job, while business lobbyists tended to stress informational services.²² A similar distinction emerges here. Fifty percent to sixty percent of the lobbyists working for business or government interests, and 80% of the educational group lobbyists displayed an administrative style. By contrast, 40% to 60% of those working for labor and civic reform groups used the "contact man" lobbying style. This suggests that those who lobby on behalf of technical, specialized issues tend to emphasize the office research aspects required by the job, while spokesmen for grass-roots membership organizations, with broad social and civic goals, are more likely to spend time contacting officials directly, often bringing

constituents along to emphasize their power base.

When lobbying styles were cross-tabulated with the broad perceptual dichotomization, the responses were identical regardless of category. Two-thirds of the respondents in each category saw the two cycles as different. However, perceptions on the influence of specific factors revealed style associated patterns reinforcing the proposition that saliency is related to the lobbyist's functional needs. Table 3.9 shows the pattern of consensus on the comparative influence of decision-making factors in the two processes, as perceived by each stylistic category.

The result is three different patterns of agreement, each associated with the interaction points favored by each lobbying style. For example, "administrators" tended to feel that Convention President Travia had more power in the convention while the opposition party leader had less power. But there was no majority opinion regarding the relative influence of the second echelon of decision-makers such as individual members and committee positions. This suggests that administrators, using telephone and letter contacts, dealt with the top few leaders rather than spending the time and leg work involved in developing contacts with those in committee positions.

By contrast, those lobbyists with a "contact man" style did not agree on the majority leadership positions, but they did agree on the committee posts. The majority saw the committee chairmen, committee staff, and the role of subject matter committees per se, as more influential in the convention system. These are also the

TABLE 3.9

PERCEPTIONS OF THE COMPARATIVE INFLUENCE OF
POLICY-MAKING FACTORS IN THE CONVENTION AND
LEGISLATIVE SYSTEMS, BY STYLE OF LOBBYING

<u>Policy-Making Factor</u>	Lobbying Style Amount of Convention Influence*					
	Administrator		Contact Man		Combination	
		<u>Direction of cc. infl. (%)</u>		<u>Direction of cc. infl. (%)</u>		<u>Direction of cc. infl. (%)</u>
Conv. President	more	61.5	- -		more	50.0
Majority Party Leader	- -		- -		less	60.0
Minority Party Leader	less	64.7	- -		- -	
Governor	less	69.5	less	96.3	less	90.0
Individual Delegates	- -		- -		more	50.0
Committee Chairmen	- -		more	56.7	less	55.6
Committee Staff	- -		more	52.2	more	62.5
Rules Committee	- -		- -		equal	57.1
Subject Matter Commr.	- -		more	50.0	- -	
Interest Groups	less	51.4	less	53.3	less	70.0
Constituents	less	61.8	less	55.6	less	60.0
Press	- -		- -		more	55.6
Party Discipline	less	55.6	less	58.6	less	70.0

*Percentage is of the number of administrators or contact men or combination styles who agreed on each specific evaluation.

lobbyists who work through the committees using these contacts to secure information on the official thinking and submit information briefs regarding their interests. Since they emphasized personal

contact with officials it was necessary for them to form these new contacts even for a one-time event.

The smallest category of lobbyists, those with a combination style, also had a hybrid, composite opinion. The majority had opinions on the top majority party leadership and on committee posts suggesting their use of both contact points as might be expected from a hybrid style. The nature of their perception of committee posts differed somewhat from the "contact man" style since the combination lobbyists saw committee chairmen as less influential and committee staff and individual delegates as more influential. This too is a middle position between the other two styles since it implies access through individual friends and staff members.

A final work associated influence, related to the lobbyist's basic perceptual view of the two cycles, was the kind of organization for which he worked. Those who represented groups with positive constitution oriented goals or groups active over several convention cycle stages tended to see the convention and legislative cycles as different. In Table 3.10, which shows the relationship between lobbyists' group affiliations and their general assessment of the environment, a majority of lobbyists representing all interests except business corporations, government associations and the miscellaneous category, saw the two cycles as dissimilar. These latter groups were also the ones primarily active only during the convention session (stage three). The church-humanitarian, citizen and educational groups were mostly active at three or four convention cycle stages.

Business presents an interesting example since it would be logical to assume that all business lobbyists would have similar perceptions. However, 63% of the corporation lobbyists felt the two situations were similar, while 77% of the trade association representatives felt the two were dissimilar. The difference seems related to their activity patterns in both places since the few trade associations which did register for the convention were active on behalf of specifically convention oriented goals, while the businesses tended to register purely as a precautionary measure to protect normal legislative interests.

It might also be assumed that the coalition lobbyists would all think the convention and legislature were different since their groups were all created especially for the convention. However, four of the nine men felt the two situations were similar. Of these four, two cited the continuity of party leadership as the reason for their evaluation, while the other two were negated by a second respondent from their own organization who was also interviewed and saw differences between the two systems.

In summary, this section on lobbyists' occupational backgrounds has shown that New York State lobbyists are well-educated, professional, informed men on a par with the legislators with whom they interact. Most are staff members or directors of their organizations.

Lobbyists tend to develop a style which enables them to fit their lobbying activity into the general pattern of their daily work. Thus office managers and research directors tend towards an "admini-

TABLE 3.10

RELATIONSHIP BETWEEN LOBBYIST'S GROUP AFFILIATION AND
HIS COMPARISON OF THE CONVENTION AND LEGISLATIVE CYCLES (N)

Perception	Group Categories																							
	Church Humani- tarian	Citizen	Education	Bus. Assoc.	Bus. Corp.	Trade Assoc.	Labor Union	Govern- ment	Ad hoc CC Gp.	Misc.	Total	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	
Similar	3	4	-	4	5	3	2	4	4	3	3	2	4	4	3	3	2	3	3	3	3	3	3	3
Different	6	6	10	-	2	14	8	3	5	2	4	8	5	2	4	2	4	2	4	2	4	2	4	2
No answer	1		1		1	1																		
Total	10	10	11	4	8	18	10	7	9	5	9	10	9	5	9	5	9	5	9	5	9	5	9	5

strative" style, while Albany lawyers and organization legislative representatives hired for their political knowledge tend to utilize a "contact man" style of lobbying with an emphasis on personal contact rather than research and written communications. The association between lobbying styles, and saliency of policy-making factors in the two environments, and the relationship between the non-Albany lawyer background and a perception of similarity between the two cycles reinforces the hypothesis that relates perceptions to the actual working needs of the lobbyist.

Lobbyists' perceptions are also affected by their group affiliations. The data show that there was a majority conception of the comparison between the two cycles within each group category. Business associations, business corporations and government group lobbyists tended to perceive the two events as similar, while in the other categories majorities saw the two as dissimilar.

In conclusion, this chapter has examined the lobbyist's perceptions of the convention and legislative structural and decision-making components. It was shown that lobbyists made their general evaluations in the context of their normal legislative activities, but the ability to support their intuitive assessments with specific facts was related to their own use of that element in their work.

FOOTNOTES TO CHAPTER III

1. See for example, David Truman, The Governmental Process, p. 330; William Keefe and Morris Ogul, The American Legislative Process: Congress and the States; Abraham Holtzman, Interest Groups and Lobbying, pp. 72, 107.
2. See Chapter II, supra.
3. Fritz Heider, The Psychology of Interpersonal Relations, pp. 79, 58; William Dember, The Psychology of Perception, pp. 303-304.
4. Richard Fenno, Jr., The Power of the Purse: Appropriation Politics in Congress, p. xxi; Harmon Zeigler and Michael Baer, Lobbying: Interaction and Influence in American State Legislatures, Chapter 1.
5. See Appendix A, questions 7, 8.
6. The remaining 5% had no opinion or said they did not know an answer.
7. Unless otherwise noted, all lobbyists' quotations are from the Interview data. Most respondents requested anonymity.
8. The combined categories are convention atmosphere, delegate influence on convention atmosphere, and convention time span.
9. See Malcolm Jewell and Samuel Patterson, The Legislative Process in the United States, pp. 203-205, for a discussion of the relationship between committee power and party discipline.
10. See Lester Milbrath, The Washington Lobbyists.
11. See Jewell and Patterson, op. cit.; Keefe and Ogul, op. cit.; Zeigler and Baer, op. cit.
12. Dember, op. cit., pp. 303-304.
13. Zeigler and Baer, op. cit., p. 45.
14. See Chapter II, supra. For a view of state legislatures as amateur institutions, see Zeigler, "Interest Groups in the States," in Politics in the American States: A Comparative Analysis, ed. Herbert Jacobs and Kenneth Vines, p. 129.
15. In the Illinois survey, 65 had law degrees and 83 had completed college or graduate school; Ronald Hedlund and Samuel Patterson, The Illinois Lobbyist Survey (Inter-university Consortium for Political Research, 1969), p. 14. In Washington, D. C., 45% of the lobbyists had law degrees. Milbrath, The Washington Lobbyists, Part II. See Jewell and Patterson, op. cit., pp. 282-283.

In the 1967 New York State legislative session, 65% of the legislators and 54% of the registered lobbyists were lawyers. In the

1967 legislative session 53% (N-85) of the registered lobbyists were listed as counsels; in 1968 they were 54% (N-82) of the docket.

16. Samuel Patterson, "The Role of the Lobbyist: The Case of Oklahoma," The Journal of Politics, XXV (February 1963), 76-79; also Jewell and Patterson, op. cit., pp. 282-283.

17. See Appendix A, question 4.

18. Jewell and Patterson, op. cit., pp. 282-283. In Michigan 50% worked for their organization as staff or directors; in Oklahoma, 44%. See also Zeigler and Baer, op. cit., pp. 64-65.

19. Raymond Bauer, Ithiel de Sola Pool and Lewis Dexter, American Business and Public Policy: The Politics of Foreign Trade, pp. 348-349.

20. Zeigler and Baer, op. cit., p. 105.

21. The questions in this New York State study are similar to Patterson's Oklahoma study questions but the basis of work styles here is different from Patterson's three roles since he used personal background information in addition to occupational variables, while here only the latter is used. His three lobbying roles are "contact man," "informant" and "watchdog." See Patterson, op. cit., pp. 83-84. See also Zeigler and Baer, op. cit., Chapter 6.

22. Ibid., p. 75.

23. Ibid., pp. 143-144.

CHAPTER IV

GROUPS AND GROUP GOALS AT THE CONVENTION

Social scientists writing on role theory and voting behavior have argued that "behavior is related to perceptions and not to what is objectively real."¹ "A perceptual system . . . is one which relates output to input" so that the individual responds to a situation in terms of his evaluation of the scene.² Having determined in Chapter III that lobbyists perceived differences between the convention and legislative cycles and that the perceptions were influenced by their previous legislative experience, functional needs and group affiliation, it becomes necessary to ascertain the nature of the link between these perceptions and actual lobbying behavior.

Interest group and lobbying literature pictures the lobbyist as the organizational link between his group and decision-making arenas. He is the adaptor, modifying preconceived group goals to fit the exigencies of the moment.³ Due to his role the lobbyist is usually a member of the "small oligarchy of staff and officers" that manages organizations. "As a general rule, lobbyists are thoroughly involved in making policy for the group. Decisions about strategy and tactics are given over almost totally to the lobby staff."⁴ In line with these findings it was hypothesized that the lobbyists' perceptions of their working situation effect the allocation of their interest group's resources among the four stages of the constitution revision cycle, and

the implementation of each group's convention period strategy.

The hypothesis was analyzed in terms of three narrower propositions concerned with the level of group involvement, the personal and group tactics employed by lobbyists in the convention cycle, and the most important environmental factors affecting lobbying. This chapter will consider those aspects of the propositions related to interest group goals; in Chapters V and VI the propositions will be analyzed in terms of activity patterns.

It was hypothesized that group's organizational resources, limitations and goals determine the level of interest group involvement in each of the four convention stages. In addition, interest group policies reflect the nature of the group, while their constitution-revision-cycle strategies and tactics incorporate adaptations to meet environmental conditions.

Registration dockets for the 1967 and 1968 legislative sessions were compared to the 1967 constitutional convention registration list, thus enabling analysis of changes in the composition of the universe of registered groups. The data support the proposition that interest groups register for personal gains⁵ since the different legislative and convention agenda did attract different constellations of interest groups.

The 91 respondents were asked if their organizations had new, modified or normal legislative goals during the convention.⁶ They were also asked to indicate the importance of key subject areas to their groups, and the group's specific attitudes towards selected convention positions. New goals or re-ordering of legislative goal priorities to

fit the convention's emphases were considered evidence of strategic adaptation.

Comparison of the lobbyists' convention stage and legislative session workloads yielded another measure of strategic re-ordering of usual interest group goals. Lobbyists for civic and social reform groups with a plethora of active goals had more convention work, while business interest lobbyists, primarily on the scene in a watchdog capacity, had greater legislative session workloads.

Interest Groups at the Convention

Theoretically, interest groups participating in public policy-making are supposed to register on the legislative registration docket or suffer severe penalties for noncompliance. In practice, groups register when self-motivated because any enforcement is almost nonexistent and the definition of "representative" easy to circumvent. The *Legislative Law, Article 4 (66)*⁷ requires the paid representative of "any person, firm, corporation or association" who is promoting or opposing legislation to register his intentions with the Secretary of State, unless he is merely giving a routine legal opinion to a client or represents a governmental group.

After each legislature adjourns, itemized statements of "expenses paid, incurred or promised directly or indirectly in connection with legislation pending at the previous session. . . ." must be filed in the Secretary of State's office. Stated penalties for noncompliance are severe:

Every person causing or participating in a violation thereof shall be guilty of a misdemeanor and . . . shall be punishable by imprisonment . . . for not more than one year or by a fine of not more than one thousand dollars or by both. . . .

In addition, failure to file expense statements requires the forfeit of \$100 "per day for each day after the expiration of the two months within which such statement is required to be filed."

The definition of representative is explicitly limited by the law to paid representatives of private interests. During the debate on the amendment of the lobbying law which would apply to the constitutional convention, Speaker Anthony Travia wanted the definitions reworded specifically to include volunteer representatives.⁸ This suggests his assumption that different groups--more good government and humanitarian groups usually represented by their unpaid directors--would be so active at the convention because of its agenda that their presence should be publicly noted.

The penalties for failure to disclose expenses are meaningless because the Secretary of State's office makes no attempt to enforce the law.⁹ They send one notice at the termination of the legislative session, but no subsequent reminders. This means that most groups make a free choice as to whether they will or will not register. Coercion eliminated as a reason for registration, it was hypothesized that pragmatic considerations provided the impetus; since groups would rather spend \$6 to register if they anticipated activity than risk the possibility of adverse publicity if they lobbied and were publicized by the press as non-registrants.¹⁰ The hypothesis is confirmed both directly from evidence on the registration dockets, and indirectly from

respondents' explanations of the groups' convention goals.

Legislative and convention session agendas are very different.¹¹ Legislation usually involves technical amendments to existing statutes, especially modifications of taxation and state aid policies with only a few broad and libertarian or educational policy issues each session. By contrast, since the convention agenda was based on the constitutional text it contained mainly broad philosophical questions concerning governmental structure allocation of resources and the general political rules of the game. Thus, if the hypothesis is correct, the majority of registered interests at legislative sessions should be business oriented, while the majority of those registered for the convention should be interested in the reform or protection of constitutional matter.

The supposition is corroborated by the differences shown in a comparison of convention and 1967-68 legislative sessions dockets in Table 4.1. According to the table, approximately 185 groups registered for the legislative sessions contrasted with only 104 at the convention;¹² a drop primarily accounted for by the reduction in business and professional association registrations. None of the professional associations normally active at legislative sessions registered for the convention.¹³ However, registration in non-business categories tripled at the convention, reflecting the increased activities of civic, educational, humanitarian, church and labor organizations.¹⁴

Kinds of Registered Groups

Business interests are usually the most numerous category on legislative dockets because the major aspects of business life are

TABLE 4.1

CATEGORIES OF GROUPS REGISTERED FOR THE 1967 AND 1968 NYS
LEGISLATIVE SESSIONS AND THE 1967 NYS CONSTITUTIONAL CONVENTION

Organization Category	Year and Place					
	1967 Legislature		1968 Legislature		1967 Convention	
	(%)	(N)	(%)	(N)	(%)	(N)
Business	68.6	127	70.5	129	47.1	49
Trade/Bus. Assn.	(38.9)	(72)	(37.7)	(69)	(26.0)	(27)
Single Corporation	(29.7)	(55)	(32.8)	(60)	(21.1)	(22)
Labor	4.9	9	4.9	9	12.5	13
Farm	1.1	2	1.1	2	1.9	2
Professional Assn.	6.	12	6.0	11	.9	1*
Public/governmental	.5	1	.5	1	3.8	4
Humanitarian/reform	9.5	18	9.5	18	27.9	29
Good gov't./taxpayer	(3.8)	(7)	(2.7)	(5)	(4.8)	(6)
Education/schools	(3.2)	(6)	(2.7)	(5)	(11.5)	(12)
Humanitarian	(2.7)	(5)	(2.2)	(4)	(8.6)	(9)
Religious/ethnic					(1.9)	(2)
Miscellaneous	8.6	16	7.1	13	6.7	7
Total	100.0	185	100.0	183	100.0	104

*The professional association for the convention was the NYS Bar Association which never registers for the legislative sessions and was included among the miscellaneous category in the computer analysis.

intimately connected with legislative actions. However, this close relationship does not carry over to constitutional provisions with the consequence that the number of business interests on the convention docket was quantitatively less than half the legislative number, and more importantly, down from 70% of the total legislative list to only 47% of the total convention docket.

Those business interests that did register for the convention usually did so for one of three reasons: they represented general business interests throughout the state; they were affected by specific constitutional regulations; or they felt it was a good, inexpensive, precautionary measure. In the latter category were mostly the large corporations such as Ford, General Electric and Consolidated Edison, registered by their Albany counsels as a safeguard in case some drastic reform threatened their interests. However, most businesses preferred to let the Chambers of Commerce keep watch over the interests of the whole business community. The registered trade associations represented most of the state regulated industries such as insurance and banking, businesses dependent on state financial arrangements such as real estate and railroads, or groups interested in a specific constitutional section such as the Empire State Marine Inc.'s interest in the barge canal provision.

As expected, educational, civic, humanitarian and religious groups were interested in the convention since their programs relate to constitutional questions such as judicial structure, state aid to private interests, and guarantees of personal liberties. Foreseeing a summer of intensive activity on behalf of their goals, these groups registered

for the convention. Although only 13 of these 29 groups registered for either the 1967 or 1968 legislative session, it would be naive to assume that they were newcomers to the Albany scene. For example, the power of the Catholic Church had long been whispered as the explanation for the fate of adoption, abortion, and divorce legislation up to this period.

Interestingly, civil rights groups such as the NAACP or CORE did not register for the convention although they have a continued interest in bill of rights guarantees, aid to education and other constitutional subjects. Rather, the groups worked through the black and Puerto Rican delegate bloc or as members of ad hoc issue-oriented coalitions such as PEARL (Committee for Public Education and Religious Liberty).

Governmental and labor interests were both very active at the convention--governmental interests to fight for new advantages in the restructuring of power, and labor to gain protection for union progress in a more comprehensive labor bill of rights. The unusual number of registrations in both these categories belies the notion that groups seek lobbying access as an alternative to internal access through member-delegates since both interests were well represented in the delegate body. Certainly governmental group's interests were represented by all the public official delegates; and labor had obvious access through the New York State AFL-CIO President Raymond Corbett and International Ladies Garment Workers Union President David Dubinsky who were both delegates.

The union registration category also illustrates the fact that large numbers do not necessarily mean united strength. For example, unions disagreed on the question of state aid to parochial schools (the

Blaine amendment). The AFL-CIO passed a resolution at its 1966 New York State convention favoring repeal of Blaine, yet the two teacher unions bitterly fought repeal. This issue division was in addition to the traditional split between civil service unions and the others, since the latter look on civil service unions as weak sisters of the movement. At the convention the division was widened by the civil service confederation, formed just to protect their constitutional safeguards, which became the most effective, powerful and cohesive labor voice in the convention cycle.

Most of the legislative docket groups lumped in the miscellaneous category are gambling interests such as the race tracks. However, at the convention these groups had no registered representatives, preferring to let Joseph Carlino, a delegate and legislative counsel for the New York Racing Association, remind the lobbyists of racing's joys with free passes to the nearby Saratoga race track.

On the convention docket the miscellaneous category contained the New York Recreation and Park Society, the Oneida Indian Tribe, the Committee for Greyhound Racing in New York, and four ad hoc coalitions created especially for the convention. The ad hoc groups were designed for one of two purposes: either to provide research and coordination for allied interests, or to combine and focus the energies of multi-interest organizations for one particular issue. The Council for a Sound Constitution, a state-wide business group, and the Committee on Constitutional Issues, a prestige leadership group interested in structural reform, belonged to the former species. The Civil Service Council for the Constitutional Convention interested in civil service protections, and the

Constitutional Council for the Forest Preserve formed to fight for the "forever wild" clause in the Constitution were examples of the latter category.¹⁵

Patterns of Multiple Representation

The self-interest impetus behind group activity in a given governmental forum is not only revealed through the previous docket comparison, but also by the patterns of multiple representation at the convention. Multiple representation works in one of two ways: either a lobbyist represents more than one client or an interest group registers more than one lobbyist. At the legislative sessions there were more of the former variation than the latter; at the convention the pattern was reversed.

On each of the legislative session dockets approximately 16% of the lobbyists were registered as representatives for more than one group;¹⁶ usually for two similar businesses, trade or professional associations. Most of these lobbyists were lawyers; over 3/4 of them were Albany lawyers, often hired as supplementary lobbyists because of their political knowledge. While the percentage of lobbyists with multiple clients is low in terms of the total number of registered lobbyists, the cumulative effect means that approximately 49% of the legislative session registered organizations share their representatives.¹⁷ After all, if one client is registered, it is logical to do it for all.

By comparison, at the convention both the number of lobbyists with multiple clients and the percentage of groups so represented dropped considerably. On the convention docket, 6% (N = 8) of the

registrants represented 32% (N = 33) of the registered groups. Once again, the majority of these lobbyists were Albany lawyers representing business interests, which suggests that the drop in registration of multiple clients reflects the decreased number of registered Albany lawyers, the decreased number of registered business interests and the lower total number of groups on the convention docket.

In addition, the lobbyists themselves practiced selective registration for the convention. For example Richard Steinhaus represents both the Podiatry Society of the State of New York and the Saving Association League of New York State during legislative sessions, yet he registered only the latter for the convention. The Albany law firm of DeGraf, Foy, Conway and Holt-Harris registered only two of their ten legislative clients for the convention. Charles Tobin registered as convention representative of the Catholic Welfare Committee, representing the New York State church hierarchy, although he represents them without registering under the legislative lobbying law; yet he did not file the three business interests he usually registers for legislative sessions. These examples add support to the proposition concerning rational selection of an activity forum in the light of each group's needs.

It was anticipated that the other form of multiple representation, in which one group registers several lobbyists, would coincide with the heavily registered categories of groups attracted by the high stakes. Table 4.2, showing the categorical division of groups with multiple lobbyists at the legislative and convention sessions, reinforces this. While one-third of the registered business legislative representatives were duplicate lobbyists, only 16% of the registered convention

TABLE 4.2

REGISTERED LOBBYISTS WORKING FOR GROUPS THAT REGISTERED
MORE THAN ONE LOBBYIST FOR THE 1967, 1968 LEGISLATIVE SESSIONS
OR THE CONSTITUTIONAL CONVENTION; BY GROUP CATEGORIES

Category of Group	Lobbyists					
	1967 Leg. (%)	(N)	1968 Leg. (%)	(N)	1967 Convention (%)	(N)
Business	36.4	8	32.0	49	16.7	23
Labor	1.1	2	1.3	2	22.7	31
Farm					1.4	2
Education					6.9	9
Good gov't., reform, humanitarian	4.4	7	1.3	2	12.9	17
Gambling	1.1	2	1.3	2	1.4	2
Total	43.0	69	35.9	55	61.3	103
Total number of lobbyists		149		153		157

business representatives were in that category. At the convention labor had the highest proportion of multiple listings (22.7%) and the good government and humanitarian groups had nearly as many duplicate lobbyists as the convention business interests.¹⁸ These non-business categories were also the ones with the dramatic rise in convention registration. (See Table 4.1.)

Despite the fact that 61% of the registered convention lobbyists were "duplicates," as compared to 34-43% during legislative sessions, the number of groups involved increased very little at the convention.

In the 1967 legislative session 29 groups (16.5%) had multiple registrations; in 1968, 23 organizations (12%) were so registered; and at the convention only 26 groups (25%) employed those 103 lobbyists.

In summary, examination of the registration dockets has shown that groups do register in anticipation of goal-oriented activity. This meant that a disproportionate number of non-business lobbyists appeared on the convention registration docket as compared to the legislative ones. In addition, lobbyists' multiple registration patterns reinforced the link between group goals and registration since reform groups anticipating heavy convention workloads registered extra lobbyists, while business interests registered less than their usual contingent.

Interest Groups' Convention Goals

Since groups were attracted to the two decision-making arenas by the nature of the topics discussed, and since the agendas were different in each situation, questions arose as to whether the groups adopted new convention oriented goals or merely adapted their usual interests to fit the convention agenda. Interest group literature suggests that group goals are formed to suit the internal dynamics of the group, per se, rather than the outside environmental situation. Naturally groups are often created to deal with an external event (e.g., the ad hoc convention coalitions) but once formed, organizational policies are designed to meet internal group needs for membership activity, interest and cohesive support.¹⁹ Thus, it was hypothesized that interest group constitutional revision cycle policies would reflect the nature of the group; their strategy and tactics would incorporate

adaptations to meet environmental conditions.

During the interviews, lobbyists were asked to indicate the number of issues their organization was interested in at the convention from a list of sixteen major areas, and then to rate the importance of each issue for their group.²⁰ Then they were to mark which of the sixty-three specific subtopics on the list they had supported or opposed during the convention session. In answering this question the specified locale was the third stage of the constitutional revision cycle, the convention itself, rather than the total process, since the next set of questions asked the lobbyists to indicate the degree of similarity between convention and legislative goals.

Similarity of Convention and Legislative Goals

Asked to compare their convention and legislative goals, 53 lobbyists (62% of those answering the question) said their goals were similar. Thirty-two respondents (31%) said their convention goals were different. The majority of these lobbyists defined difference in terms of the less technical nature of their convention goals. As explained by a civic reform group's lobbyist:

We pursued goals in their widest ramification at the convention, while in the legislature we work on the "piece of goal" related to specific legislation.

Some groups such as Commerce and Industry, New York State Sheriff's Association, Association of Towns and the Conference of Mayors modified their traditionally defensive legislative posture to seek affirmative changes in the Constitution. Other groups such as the Empire State Chamber of Commerce modified their goals by rearranging priorities so that structural reforms were moved to the top of the list.²¹

Only 13 respondents (15%) said they worked for totally new convention goals. However, most business associations, civil service unions, humanitarian, education and civic reform groups were members of ad hoc convention coalitions seeking specific constitutional goals. These memberships reflect an adjustment of group priorities since they are a way to increase their impact on an issue (often a new one for the group) without overtaxing their own independent resources. It permits them to overcome individual group limitations while still emphasizing the important issue.

Every major substantive area was covered by some form of group alliance designed to increase the clout behind specific proposals. Some were very informal such as the social welfare coalition organized by State Charities Aid Association. Others such as the committee for Public Education and Religious Liberty (PEARL) and the Citizens Committee for a Constitutional Convention were more formally organized, with a small staff and headquarters.

Even many groups defensively watching the convention from a discreet distance felt the need for action on nontraditional goals. Thus the Council for a Sound New York Constitution was created at the instigation of a Mobil Oil Vice-President to create a broad front to develop broad issues. This creation of a means to minimize inter-business frictions is an acknowledgement of the difference between the convention and legislative agenda items: when working on specific industry oriented legislation community friction is less of a problem.

Six respondents said their groups had no interest in any convention issue even though they had registered as a precaution. The six

included representatives of the Blue Shield/Blue Cross corporations, two trade associations, the Brotherhood of Locomotive Enginemen and Firemen, and two ad hoc convention groups--the Council for a Sound New York Constitution and the Citizens' Committee for an Effective Constitution (which disbanded after its failure to elect a nonpartisan delegate body).

Approximately 18 groups reorganized priorities by creating an internal convention committee within their organization in addition to or instead of working with a coalition. These groups were usually formed a year ahead of the convention session for the purpose of developing the organization's convention program, and later for making policy decisions during the convention session. The 18 groups included the New York Chamber of Commerce, League of Women Voters of New York State, Conference of Mayors, Civil Service Employment Association (CSEA), and Citizens' Union. Only the Bar Association of the City of New York registered its Committee on the Constitutional Convention, perhaps because it issued printed reports sent to all delegates.

It is interesting to note that although lobbyists said their group's policy modifications reflected perceptions of the differences in convention and legislative session agendas, there is no correlation between any group modification of goals and the lobbyist's overall perception of the two environments. This is indicated by the figures in Table 4.3, which show the division of the lobbyists' broad categorization of the two environments in terms of their groups' goal modifications for the convention.

The table indicates that approximately 60% of those perceiving either differences or similarities between the systems were lobbying

TABLE 4.3

RELATIONSHIP BETWEEN RESPONDENTS' COMPARISONS OF THE
CONVENTION AND LEGISLATIVE ENVIRONMENTS AND THEIR ASSESSMENTS
OF THEIR GROUPS' CONVENTION GOAL MODIFICATIONS

Goals	<u>Perception</u>				Total (%) (N)	
	Similar (%) (N)		Different (%) (N)			
Similar	59	18	58	32	57	50
Different	32	10	38	22	37	32
No answer/ don't know	9	3	4	2	6	5
Total	100	31	100	56	100	87

Yule's Q = .106 (computed without "no answer" row included)

for the same group goals as at legislative sessions. Even if the percentages are reversed there is no difference since approximately 67% of the lobbyists in each goal category perceived differences in the two environments. Thus the table is a negative confirmation of the hypothesis linking goal formation to internal group characteristics.

Lobbyists' Workloads

There was a relationship between the group's modification of their goal requirements and the lobbyist's convention workload. Table 4.4 shows the lobbyists' comparisons of their workload at the convention (stage 3) and legislative sessions. Only 16% of those answering the question felt their workloads were equal in both places; the majority felt they had less convention work, while approximately one-third con-

sidered their workload to be heavier.²²

TABLE 4.4

LOBBYISTS' COMPARISON OF THEIR WORKLOAD AT
THE CONVENTION AND LEGISLATIVE SESSIONS

Amount of Work at Convention	(%)	Lobbyists (N)
Less work	52.5	42
More work	31.2	25
Equal work	16.3	13
Total	100.0	80

The primary explanation for the difference was the number of interests the group actively pursued in each decision-making arena. Seventy-four percent of the lobbyists with less work attributed it to fewer convention issues of interest to their organization. A respected trade association lobbyist said, "In the 1967 legislative session I followed 924 bills; at the convention there were only four or five propositions of interest."

Approximately half of the lobbyists who reported heavier workloads attributed it to issue-related factors: a numerical increase in the number of group goals, an organizational shift from defensive to offensive interests, or a real opportunity to push for goals not realistically possible in the legislative environment. Typical comments were:

There was more work at the convention because at the legislature we do only defensive watching.

The issues were all broader, all on the table at once. None could be returned to next year.

I had 75% more work because there were so many "live" issues. The city administration was really pushing. I accelerated my activities as the process accelerated.

When the lobbyists' views of their workload are sorted by the type of group they represent, 50-60% of the church-humanitarian and citizen group representatives had heavier workloads. This is to be expected since the majority of their interests are of a constitutional nature.

By contrast, between one-half and three-fourths of the corporation, trade association and labor lobbyists had less convention work.²³ Labor thus appears in both the low workload and high multiple representatives categories, an anomaly explained by the fact that four unions had anywhere from two to eight convention active representatives, while seven of the eight remaining unions were barely active at the convention. Thus both extremes exist in the same generic category.

The Nature of Groups' Convention Goals

Bernard Cohen has suggested that groups may be differentiated by the "character of the interests they serve."²⁴ He classifies veterans, labor, business and financial groups as typical of tangible interest groups that emphasize certain policy areas, usually economic. These he compares to groups with more general and intangible, often moralistic issues such as women's organizations, religious and ideological groups.

While he uses the division to explain different forms of group activity, it can also be used to explain different kinds of group policy interests. Groups catering to diverse clienteles and groups with

wide ranging, intangible goals tend to have a multiplicity of interests and a less extreme hierarchial stratification of priorities than groups with specific clienteles or specific tangible problems to solve. These differences present the lobbyist with "givens" which affect the nature of the lobbying effort and the mix of available resources.

Since it was hypothesized that interest group goals reflected the dynamics of the group, not the environment, and since most interest groups have specific tangible goals,²⁵ it was anticipated that the most popular convention agenda items would be related to government outputs rather than key constitutional provisions concerning government structure.

The data in Table 4.5 corroborate these suppositions. The table shows the number of groups interested in each of the sixteen general issue areas on the convention agenda, and the number of respondents who said their groups considered the issue of maximum importance. As the table indicates, group activity is activity by minorities of groups.²⁶ Only one fifth to one-half of the Respondents indicated group interest in any one topic. The most popular topic was the broad area of taxation-finance which included both revenue producing measures for the state, and revenue sharing measures such as gifts and loans to private agencies, thereby attracting groups from governmental, social welfare and business categories.

The large number of reform and labor organizations registered for the convention is indicated by the fact that issues related to labor, bill of rights, constitutional simplification and the judicial system all drew at least one-third of the interview sample. Interestingly,

TABLE 4.5

GROUPS INTERESTED IN EACH CONVENTION ISSUE AREA;
RESPONDENTS RATING ISSUE OF PRIMARY IMPORTANCE TO THEIR GROUP

Issue Area	Groups Interested in Issue		Issue of Maximum Importance to Group	
	(%)*	(N)	(%)**	(N)
Taxation/finance	53	43	72.1	31
Local Government	47	38	71.1	27
Labor	43	35	74.3	26
Education	42	34	61.7	21
Constitutional Structure	42	34	41.1	14
Bill of Rights	39	32	40.6	13
Church-State	38	31	74.2	23
Social Welfare	37	30	50.0	15
Judiciary	36	29	55.2	16
Housing	32	26	53.8	14
Executive Branch	30	25	36.0	9
Legislature	30	25	28.0	7
Conservation	23	19	57.9	11
Apportionment	22	18	38.9	7
Electorial Matters	21	17	35.3	6

*Percentage taken of 81 N - the number of respondents who completed this interview question affirmatively.

**Percentage of the N number of groups interested in the specific issue area.

the problem of apportionment which led to the original campaign for a convention was included in the policy statements of only 18 respondents' organizations.

The figures concerning the intensity of group interest²⁷ in each issue area support the hypothesis that group goals are formed to meet internal needs since eight of the nine issue areas with 50% or more of the groups working at maximum intensity involved forms of governmental output. Of the interested groups working on four issue areas--taxation/finance, local government, church-state and labor--71-74% considered the issue to be of primary importance to them. Thus, as far as the interviewed lobbyists were concerned, these were the most important convention issues. Labor can be considered a form of output in terms of the convention agenda because it included guarantees of civil service protections.

The only structural issue in the top nine was judicial system reform which was the most controversial structural topic on the convention agenda. This suggests that even at a convention to revise the basic rules of government, the predominant focus of group efforts related to personal gain for organization members. However, the low interest level and the small number of groups attracted to structural issues may mean not merely lack of group interest in non-bread-and-butter issues, it may also mean that the groups saw little point in trying to change the political status quo in a situation run by present power holders in that system. For example, legislative concerns was the only convention topic that had not one group maximally committed to it as a group goal.

The nature of the group and the type of goals explains not only

the most popular group subjects on the convention agenda, but also the quantity of policies pursued. Groups with specific clienteles and specific problems tended to have very few policies, while groups with intangible, broad goals and diversified memberships tended to have many policy objectives. This becomes important in terms of the lobbyists' development of effective group convention strategy to implement goals. For example, many diverse goals require location of key decision-makers in many subject matter areas, while fewer policies and many objectives might permit in-depth cultivation of only a few key contacts.

Table 4.6 shows the lobbyists' enumerations of the number of issues and positions (i.e., specific objectives within the larger issue area such as aid to parochial schools as a position within the broad church-state area) advanced by their group(s) during the convention.

The table reinforces the interest group literature notion that organizations are forced to concentrate on limited numbers of goals because of resource problems.²⁸ Thirty-seven lobbyists (43%) said their groups were only interested in three issues or less, and 14 of these identified only one issue interest. By contrast, at the other end of the continuum, only 11 respondents specified interest in 13-16 issue areas.

However, the fact that a group limits itself to one issue area need not necessarily mean it focuses on only one position within that broad area since it may have interests along the entire gamut of related topics. Yet the data indicate that specialization leads to further specialization. Thus, 92% of the 51 respondents indicating an interest in less than eight positions were also concerned with six or less issue

areas. Indeed, 57% of those interested in only one issue area also concentrated on only one position within that broad area.

In a similar manner, a proliferation of issue interests leads to a proliferation of specific positions. Most groups interested in more than nine issues also indicated an interest in 15-40 specific positions.²⁹ Thus, group categories with the highest issue interest average such as business associations, civic groups, and labor unions also had the highest positions average.

The above generalizations can be illustrated in terms of the three business categories which present markedly different pictures of their over-all goals (issues). Corporations had the lowest issue and position averages (4.3 and 5.1 respectively), and they are the most homogeneous entities of the business categories with the most limited goals. Trade associations also tend towards homogeneous memberships in that they usually represent one industry so they too have a low issue average of 4.3. However, the range of problems may be quite broad thus upping their position average to 8.3. For example, the Council of Retail Merchants represents hundreds of businesses ranging from family firms to department store chains so while the number of general issue areas remains small, the number of specific positions taken is quite large. The business chambers of commerce are classic examples of omnibus organizations with myriad goals and diversified memberships. To meet the internal demands generated by these factors the chambers had 10-15 issue areas of interest and between 15 and 30 specific positions.

The nature of the issue can also affect the proliferation of

TABLE 4.6

NUMBER OF ISSUES AND POSITIONS OF GROUPS, DIVIDED ACCORDING TO
CATEGORY OF GROUP, NUMBERS AND AVERAGES

Category of Group	<u>Number of Issues</u>						<u>Number of Positions</u>						Aver. Total (N)
	None	1-3	4-7	9-12	13-16	Aver.	None	1-3	4-8	9-20	21-60*	Aver.	
Church/humanitarian		3	4	2	1	5.9		3	1	6		9.8	10
Taxpayer/civic reform		3	2	1	1	6.3			3	3	1	13.2	7
Education		6	4		1	4.5		2	7	2		5.4	11
Business Assn.				2	2	12.5				1	3	26.5	4
Business Corporation	1	3	4			4.3	1	3	3	1		5.1	8
Trade Assn.	2	9	4	2	1	4.3	2	7	5	1	3	8.3	18
Labor	1	6			3	6.7	1	1	5	1	2	17.9	10
Government		1	4	1	1	7.4		1	1	5		10.9	7
Ad hoc CC committee	2	3		2		4.4	2	1	3		1	7.0	7
Miscellaneous		3	1		1	4.6		3	2			3.2	5
Total	6	37	23	10	11	5.5	6	21	30	20	11	9.9	87

*Only one group had more than 45 positions.

group concerns. Corporations are again the classic example of those advocating narrow interests. Most of their concerns can be settled by specific textual changes so they tend to have specific limited aims. On the other hand, citizen, humanitarian and education groups have broad, intangible goals relative to the human condition. So while they may be concerned with only a few areas, the number of specific positions to realize utopia is large. In such cases, the breadth of their interests leads to a multiplication of possible specific remedies. Membership also affects the issue/position ratio of labor and government organizations. Both are service groups catering to homogeneous memberships but with a broad spectrum of constituent desires. Thus, they have a limited scope of concern but a wide range of specific desires.

In summary, the diversity of a group's goals reflect internal attributes of the group such as heterogeneity of membership and the tangible or intangible nature of the group's goals. Thus, this chapter has provided support for the hypothesis that group goals reflect the nature of the interest group, while the impetus to register as a precondition of participation, and the reshuffling of goal priorities reflected adaptation to environmental differences within the convention cycle. The next chapter will consider the group's activity patterns developed from the interplay of lobbyists' perceptions, group created preconditions and the environmental situation.

FOOTNOTES TO CHAPTER IV

1. Walter De Vries, "The Michigan Lobbyist: A Study in the Bases and Perceptions of Effectiveness," p. 11.
2. William Dember, The Psychology of Perception, p. 6.
3. See for example, David Truman, The Governmental Process; De Vries, op. cit.; Malcolm Jewell and Samuel Patterson, The Legislative Process in the United States, pp. 286-288; Lester Milbrath, The Washington Lobbyists.
4. Ibid., pp. 53, 39-49.
5. See Harmon Zeigler and Michael Baer, Lobbying: Interaction in American State Legislatures, Chapter 2. The self-interest motivation of the group has no real connection with the content of group goals, since many interests work actively on behalf of nonpersonal, community oriented, public-interest goals.
6. See Appendix A, question 6.
7. All of the following three quotations are from The New York State Legislative Law, Chapter 37, laws of 1909 as amended and in force January 1, 1967, Article 4, sec. 66. The cost of a filing fee or expense statement is \$5.00.
8. New York Times, January 16, 1967. Also see Associated Industries, Constitutional Convention Reporter, January 20, 1967. During the legislative session the minimum expense requirement is \$250 in direct lobbying expenses, so many groups consider themselves exempted because secretaries, newsletter, etc., are considered not strictly direct lobbying. At the convention the minimum required for registration was reduced to \$100 per month.
9. From an interview with the head of the records division in the New York Department of State.
10. For a discussion of morality and lobbying laws, see Edgar Lane, Lobbying and the Law.
11. See Chapter II, supra.
12. These figures differ from the totals on the official Secretary of State's list because they count lobbyists separately for each client. The number of registered lobbyists places New York State near the average for number of state lobbyists. Registration lists vary from a low of 23 in South Carolina to a high of 4,534 registratants in Texas in 1959. William Keefe and Morris Ogul, The American Legislative Process: Congress and the States, p. 328. For list of organizations, see Appendix B.
13. The only professional association registered for the convention was the New York State Bar Association, which never registered for legislative sessions.

14. The following table illustrates the unusual registration patterns among the interview population alone.

Group type	Registration patterns						TOTAL	
	cc only		cc /both legs		cc/one leg		(%)	(N)
	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)
Ch/humanit.	50	(5)	30	(3)	20	(2)	100	(10)
Citizen/reform	50	(5)	40	(4)	10	(1)	100	(10)
Education	55	(6)	9	(1)	36	(4)	100	(11)
Bus. Assn.	25	(1)	50	(2)	25	(1)	100	(4)
Bus. Corp.			100	(8)			100	(8)
Trade Assn.	11	(2)	89	(16)			100	(18)
Labor union	70	(7)	20	(2)	10	(1)	100	(10)
Govt.	29	(2)			71	(5)	100	(7)
Ad hoc cc group	78	(7)			22	(2)	100	(9)
Misc.	60	(3)	40	(2)			100	(5)
Total	41	(38)	41	(39)	18	(16)	100	(92)

15. The Committee on Constitutional Issues (CCI), created in early 1967 to promulgate judicious opinions on important convention issues, was a non-partisan prestige study group of 22 civic leaders. The members were all selected for their community service and/or organizational affiliation, but were to serve as individuals rather than organization representatives. The group registered for the convention but filed no expense statements.

The Council for a Sound Constitution was one of two ad hoc coalitions formed within the business community to function as information clearing houses and action coordinators. The Council sent out membership solicitation letters in November 1966. Judge Walter Mahoney, former state Senate Majority Leader, was chairman of the executive committee, suggesting the hope of active lobbying by the group, but in fact the group never served such a function. The Council took no public positions and issued no public statements. It acted merely as a coordinating committee to increase the effectiveness of the business community by paring interbusiness frictions. The Council prided itself on having a carefully balanced board including representatives of all the statewide business associations. This asset then became its liability in terms of direct action. A combination of an inexperienced office director plus the wide span of member interests consigned the Council to ineffectiveness.

The smaller, unregistered, business coalition, the Conference of New York Business Organizations, was a New York City based coalition organized by the New York Chamber of Commerce. Twelve to fifteen groups representing various Chambers of Commerce, the New York Board of Trade, the New York City Economic Development Council Ltd., the Real Estate Board of New York, etc., met monthly to discuss current convention happenings and coordinate their efforts.

The Civil Service Council for the Constitutional Convention (CSCCC) was a federation of unions representing 420,000 of the 720,000 civil servants in the state. As a cohesive force they worked to insure continuation of civil service safeguards and pension rights in the Constitution. The Constitutional Council for the Forest Preserve was a coalition of approximately 40 conservation groups interested in maintaining the existing 'forever wild' provisions in the Constitution.

While these were the ad hoc coalitions that registered for the convention, they were merely the tip of an iceberg. Every major substantive area had its group alliances designed to increase the clout behind specific proposals. Some were very informal such as the social welfare coalition organized by State Charities Aid Association. Of the more formally structured ones, two were included in the interview sample because of their active role in the convention cycle: PEARL (Public Education and Religious Liberty) and the Citizen's Committee for a Constitutional Convention, later called Citizens Committee for an Effective Constitution. The group spent about \$125-150,000 on public relations campaigns during 1965 and 1966, first to win the ballot referendum calling the convention and then to secure a non-partisan, meritorious delegate body. Failing in the latter objective, the organization disbanded in December 1966.

The Committee for Public Education and Religious Liberty (PEARL) was formed at the suggestion of Leo Pfeffer of the American Jewish Congress in March 1967 to fight for retention of Article XI (3), the Blaine amendment, which prevents state aid to parochial schools. Its central committee in Manhattan was composed of representatives of 15 educational, civic and religious organizations. However, in upstate regions and other New York City boroughs, the boards often included local branches of additional groups such as the NAACP. PEARL did not register since it did not meet the \$100 monthly minimum for lobbying expenses; costs were borne by the cooperating groups.

16. There were 26 lobbyists in this category registered for the 1967 legislative session and 22 registered in 1968.

17. There were 91 organizations in this category on the 1967 legislative session docket and 88 groups in 1968.

18. Convention registrants with three lobbyists were the Community Service Society (CSS), the Uniformed Court Officers Association, Commerce and Industry, Empire State Chamber of Commerce, and Citizens Committee for Children. Groups with four lobbyists were New York State Employees Council 50, Associated Industries, and New York State Recreation and Park Society; with seven were Citizens for Educational Freedom; United Federation of Teachers had eight lobbyists and CSCCC had nine. CSS had one more lobbyist registered for the convention than for legislative sessions. Seven business interests had less lobbyists registered for the convention than for legislative sessions.

19. See Truman, op. cit., and Bernard Cohen, "Political Communication on the Japanese Peace Settlement," in American Political Interest Groups: Readings in Theory and Research, pp. 226-237.

20. See Appendix A, question 6.

21. For example, the Empire State Chamber of Commerce listed nine goals: keep election of judges, keep two house legislature, make senators' terms four years, eliminate constitutional designation of all state departments, keep civil juries, prohibit the constitutional initiative amendment process, simplify the constitution, keep the 'forever wild' clause, study the Blaine issue carefully.

22. In a table cross-tabulating the respondents' reasons for their workload with the size of the workload, there was a significant correlation of $-.542$ (γ). Thirty-one of the 40 respondents with less convention work attributed it to less convention issues, while 11 of the 25 respondents with more convention work attributed it to more convention issues.

A table cross-tabulating workload with the content of group goals indicated no correlation ($\gamma = .200$) between the two variables. This may be interpreted as a negative corroboration of the hypothesis suggesting adaptation of goals and tactics to suit environmental conditions.

23. Reversing the statistics, trade associations and corporations comprised 50% of those in the less convention work category, while church-humanitarian and citizens groups comprised 48% of the more convention work category.

24. Bernard Cohen, op. cit., p. 229.

25. See Harmon Zeigler, Interest Groups in American Society, or Truman, op. cit.

26. See Truman, op. cit., or Robert Dahl, Who Governs? Robert Dahl, A Preface to Democratic Theory (Chicago: University of Chicago Press, 1956).

27. Intensity means the importance the goal had for a group. Respondents were asked to rate each issue on a scale running from 5 for highest group priority to 0 for no interest at all.

28. See Raymond Bauer, Ithiel de Sola Pool and Lewis Dexter, American Business and Public Policy: The Politics of Foreign Trade, Chapter 23.

29. Nineteen groups had only one position per issue area; all of these groups had six or less issue areas. All 51 groups with eight or less positions had six or less issue areas (except three).

CHAPTER V

GROUP CONVENTION CYCLE STRATEGY

Interest group literature generally portrays lobbyists as knowledgeable group agents ferreting out the points in the decision-making process where access will benefit their group. Group activity patterns in the New York State convention cycle were investigated to ascertain the role of lobbyists' perceptions in this process of adapting group resources to environmental situations. The data indicated that lobbyists' perceptions effect the allocation of group resources among policy-making points, within limits set by the nature of group goals, resources and organization.

In interest group literature group activities are depicted as purposeful, rational operations designed to advance group goals with a minimum expenditure of group resources.

Individual interest groups generally function in a pragmatic and opportunistic fashion, using any method or technique which they believe will serve their purpose effectively. Undoubtedly dictating most pressure group activity is the criterion what action will produce the maximum desired result with the minimum expenditure of time and resources. (emphasis added)¹

Groups formulate strategies for the general allocation of resources among specific decision-making centers, and design tactics, or means, to implement aspects of the over-all plan.

The assumption of reasoned activity permeates basic group theory definitions. For example, Earl Latham defines interest groups

as

associations of people for the achievement of ends common to the members, and the means of achievement is the application of the power of the association to the obstacles and hindrances which block the goal.

.
The indispensable ingredient of "groupness" is consciousness of common interests and active assistance, mutually sustained, to advance and promote this interest.²

Lester Milbrath, in his study of Washington lobbyists, defines lobbying as "the stimulation and transmission of a communication, by someone other than a citizen acting on his own behalf, directed to a government decision maker with the hope of influencing his decision."³ The implication here of purposeful action designed to motivate a decision-maker is made explicit in the accompanying text.

Finally, lobbyists, as members of a political skill group, are defined in terms of their activities within the policy-making process. Lobbyists are individuals who stimulate and transmit the communications for an organized interest. This functional definition personalizes the general action definition of a group.

The lobbyist as group agent locates opportunities for access to the policy-making world. "Access to the institutions of government is basically a matter of relationships with individuals who occupy government positions."⁵ It is a reciprocal relationship between officials and lobbyists from which both secure information and support. "Once achieved, access provides an opportunity to maneuver, a chance to use established relationships and the procedures of the legislative body to give effect to the group's claims."⁶

There are two questions to be asked concerning access: can it

be achieved? How will it be used? Determinants of access possibilities include the group's strategic position in society, group resources such as leadership skills, money, size, membership cohesion, and aspects of the general environment including the legal and informal norms of governmental institutions.⁷

Viewing these factors from the group's perspective there are five key elements to consider in evaluating a policy process: their own strengths and weaknesses, activities of rival sources of influence such as political parties and the media, citizen and official targets to be influenced, the norms and legalities structuring the policy-making environment, and the consequences which follow from the methods used by the group.⁸ Manipulating these five elements, group leaders devise strategy to achieve access, and tactics to use it.

To summarize, interest group literature explains group activity in terms of a motivation-access-strategy sequence. The purpose of the group is policy promotion. The key to success is access to decision-making centers. Access is affected by political, social and economic factors both within the group and in the general operating milieu. To maximize their advantages, groups develop over-all strategies from which they derive tactics adapted to the peculiarities of a given situation.⁹

"It is likely that access is determined less by the skill or 'pressure' of organized groups and more by the structure of the situation."¹⁰ Consequently, groups must use the 'structure of the situation' as they see it to compensate for any deficiencies caused by their own organizational structure and goals. Lobbyists seem the logical source for situational information since their role is to present demands

at influential points within the decision-making process.

On the basis of these assumptions in the literature, it is hypothesized that lobbyists' perceptions of their working situation affect the allocation of their group's resources among the four stages of the constitutional revision cycle, and the implementation of each group's convention period strategy. The hypothesis is tested in terms of three narrower propositions which specify environmental features of importance to lobbyists, limitations on group activity patterns imposed by organizational factors, and the use of the lobbyist's perception as a means to coordinate group needs with opportunities in each decision-making environment. These propositions emphasize aspects of the general relationship implied in statements such as, "The direction of a group's energies undergoes modification with changed conditions and will be conditioned by its resources."¹¹

One of these propositions states that the most important differences between the convention and legislative systems in terms of their effect on interest group activity are (1) the division of the constitutional revision process into four separate, non-recurring stages as compared to the two-stage legislative cycle, (2) public expectations concerning the function of each process for the body politic, (3) the method of transforming decisions into law, and (4) the content of the convention and legislative sessions.¹² These attributes were selected as important to interest groups because they created the environmental conditions which had to be met by a successful group strategy. Data on the configurations of groups attracted to each stage of the process and group manipulation of the sequence of stages support the proposition.

A second proposition states that group goals, organizational resources and limitations determine the level of interest group involvement in each of the four convention stages. To ascertain the pattern of their group's involvement in the total cycle, respondents were asked questions designed to measure their activities within the cycle, and the reasons for this pattern. The questions asked were:

The activities related to a convention can be divided into four separate time zones: the call for a convention, selection of delegates, the convention itself, and ratification of the product.

How involved was your organization at each stage?

(Respondents could select a place on a five point scale: very/moderately/a little/very little/none)

Why did your organization concentrate on those periods? (Probe: goals, by-laws, resources, etc.)¹⁾

Their answers create a picture of groups deployed across the cycle guided by their perception of the stages most favorable to them, within the limits set by legal restrictions on their activities, membership problems, and the pertinancy of their goals to the constitution revision agenda. For example, groups with structural, civic and social reform goals were most likely to work and commit a high percentage of organization resources across several stages. By contrast, business, government and other status quo groups tended to watch the constitution writing stage at a level of involvement considerably below their legislative session efforts. These findings reinforce the data in Chapter IV which showed that groups registered for the convention session because they perceived a chance to implement new goals or to prevent an attack on policies already preserved in the constitution.

The final proposition states that interest group policies

reflect the nature of the group, while their constitutional revision strategies and tactics incorporate adaptations to meet the environmental conditions. This proposition was partially supported in Chapter IV which documented group goal adjustments to meet convention agenda differences either through rearrangement of goal priorities or the formation of ad hoc coalitions as a means of dealing with convention issues. Chapter VI contains further support for this proposition.

This chapter considers data on the general patterns of interest group activity among the four stages, and the organizational and environmental influences molding those patterns. A group's activity level at any particular point in the cycle can be explained in terms of the confluence of four factors: the policy goals of the group, their organizational characteristics, their perceptions of the key aspects of the situation, and their assessment of the points most advantageous for their purposes. The relative importance of any one of these factors varies as circumstances change. For example, the combination of groups working to call the convention may be explained primarily in terms of the goal factor; participation in the selection of delegates was influenced by both organizational limitations and policy interests; while groups at the convention and ratification stages can be explained primarily in terms of environmental perceptions and policy interests.

Since the pattern of group involvement is based on their lobbyists' perceptions of these activities it might be asked how accurate their perceptions are. To test them, lobbyist's answers on the group over-all activity pattern question (question 9) were cross tabulated with an index based on the number of their public actions directed

TABLE 5.1
 RESPONDENT'S PERCEPTIONS OF HIS GROUP'S
 CONVENTION ACTIVITY LEVEL CORRELATED WITH AN INDEX BASED ON
 ACTUAL DIRECT CONVENTION ORIENTED ACTIVITIES

<u>Direct Activities</u>	<u>Perceived Level of Group Activity</u>					
	<u>High</u>		<u>Medium</u>		<u>Low</u>	
<u>Index</u>	(%)	(N)	(%)	(N)	(%)	(N)
High (N - 40)	68.6	(24)	44.0	(11)	16.7	(5)
Medium (N - 29)	28.6	(10)	48.0	(12)	23.3	(7)
Low (N - 21)	2.9	(1)	8.0	(2)	60.0	(18)
Total (N - 90)	100.0	(35)	100.0	(25)	100.0	(30)
Gamma .708						

towards decision-makers at the convention stage.¹⁴ This index was abstracted from lobbyists' anecdotal responses to interview question 11 asking them to recount their activities in relation to one important convention goal.

Table 5.1 containing this cross-tabulation has a Goodman and Kruskal's Gamma of .708 which indicates a very strong degree of association between the perception and the fact. Sixty-eight and six-tenths percent of those perceiving a high group involvement rate also rate high on the direct activity index. Sixty percent of the low perception category are similarly accurate. The middle category has the least number of consistent responses, only 48%, perhaps because "middle" is the most amorphous of the three possible stages.

The twenty-three lobbyists whose perception of group activity was lower than their level on the index may have made their evaluation

in a legislative-convention context. In this case, they would consider a comparatively full range of convention activities as less perhaps because the total number of goals was less. Thirteen lobbyists perceived a higher level of group involvement than the index indicates. Some of these lobbyists may have worked for civic and social groups with large memberships who use indirect tactics such as public relations and letter writing campaigns which were not included in the formation of the direct activities index. In such cases the amount of activity may have been correctly perceived, although it registered as a misperception on the table due to the nature of the index.

In summary, this table indicates that fifty-three lobbyists (58.8%) accurately perceived the amount of effort their organization was expending at this one stage. If one-half of those in the category of higher activity perceptions are included in this summary figure, then two-thirds of the lobbyists made accurate perceptions, thereby creating a reliable base for further data evaluation.¹⁵

Over-all Convention Cycle Participation

A group's depth of immersion in the total convention cycle reflects the kind of interests pursued and the leaders' cognizance of structural differences between the two cycles. This is supported by data in Table 5.2 which show the number of groups participating in each combination of the four convention cycle stages. Thirty-five percent of the respondents participated in only stage three: the convention. The size of this category may reflect the fact that the interview population was selected from the convention registration list,¹⁶ but it also probably reflects the prevalent, unsophisticated view equating

constitutional reform only with the actual writing of the document. Acting on this perception, groups registered for this stage, as for its legislative session counterpart, in order to influence the language.

TABLE 5.2
PERCENTAGE AND NUMBER OF THE INTERVIEW POPULATION
ACTING IN VARIOUS COMBINATIONS OF CONVENTION STAGES

Combination of Convention Stages	(%)	(N)
ONE STAGE		
Convention only	34.8	32
TWO STAGES		
Convention/Ratification	25.0	23
Convention/Call OR Selection	9.8	9
Call/Selection of Delegates	1.1	1
THREE STAGES		
Call/Convention/Ratification	8.7	8
Selection/Convention/Ratification	8.7	8
FOUR STAGES		
	10.9	10
Total	100.0	92

The table shows that two-thirds of the two-stage lobbyists were active during the convention and ratification stages. These two stages are separated only by a shift in focus from official decision-makers to the citizenry, while the other stages are separated by focus and time since a period of several inactive months intervenes between them.¹⁷ Thus some groups probably continued from the convention to ratification because it was the easiest thing to do. Such a decision was facilitated by the fact that these stages were the only ones

occurring in the same calendar year, which meant a continuity of leadership in organizations which elect directors yearly.

Those with the most sophisticated understanding of the constitutional revision cycle used the sequence to overcome convention setbacks by defeating the referendum. This plan suggests a clear recognition of the differences between a legislative product and the convention document, as well as variations in the relationship between the election and working sessions in each cycle. Once an interest group influences statutory language and it passes the legislature, their probability of victory is high since it needs only a gubernatorial signature to become law, and even a veto may be overridden by two-thirds majority vote. However, language in a convention document is less of a victory since the convention product is only a suggestion which must be submitted to the electorate, with its wholly different perspective, before becoming law.

In addition, ex post facto approval of legislative statutes is not given statute by statute, but rather by groups signifying approval through electoral support of the legislators in their next election. Thus the election-session cycle may be characterized as continuous and personal. This contrasts with the independent, impersonal convention session/referendum sequence where approval is given only once to the document, not the men. This means a decision is made on one impersonal referendum rather than on a choice of men within a continuing personal relationship.

In terms of the preceding discussion, the nine lobbyists who said their organization participated in two of the first three stages,

and the thirty-two lobbyists active only at stage three seem guilty of misperceptions since they missed the significance of the autonomous yet dependent relationship between the 1967 stages. While this may be true for some of them, in most instances these lobbyists did not enter the ratification fracas because they correctly perceived that they had preserved their own status quo by retaining the old constitutional language, and so were unaffected by the referendum outcome.

The twenty-six lobbyists active at three, or all four convention cycle stages represent twenty-three groups working towards wide-ranging goals associated with modification in government outputs or structural modernization. These goals are not only constitutional in style, they also are positive in content, which means they require more promotion than narrow, defensive goals. Interestingly however, the continual participation of these lobbyists meant concern, but not necessarily constant support for either the revision product or process. For example, both the Citizens Public Expenditure Survey (a citizen taxpayer group) and the Empire State Chamber of Commerce opposed the call for a convention, then issued voter information literature during the delegate selection stage, participated with moderate enthusiasm during the convention stage, and finally worked against ratification of the new constitution. Their actions in stages two and four seemed to contradict their efforts in stages one and three--a sequence illogical perhaps to observers but realistic in terms of their own group beliefs and goals. In addition, most of the civic and social reform groups were disappointed in their convention success record, and consequently, turned against the convention product.

Table 5.3, which breaks down the totals in Table 5.2 in terms of group categories, illustrates a logical distribution of participation patterns in the context of group goals. As Chapter IV documented, groups with many broad intangible goals were attracted by the possibilities of a convention cycle so it would be anticipated that most lobbyists active over the full three-year span would represent such groups. Table 5.3 indicates that 69% of the twenty-six lobbyists active in three or more convention stages represented education, citizen, church or humanitarian organizations.

Since their main goals are rarely given top legislative priority, these groups are attracted by the general notion of a convention as a means for real reform. "Properly planned and managed . . . a convention is a means by which the people of a state can subject their basic political institutions to a probing re-examination and reappraisal."¹⁸ On the basis of such popular expectations concerning the convention reform process, members of these groups worked to call the convention and then participated in the process until the end.

At the other end of the spectrum of group activity, 62.5% of the thirty-two lobbyists active only at the convention stage were business interests attracted to this one forum mostly as a precautionary measure. They tended to small specific policies while the business associations worked with these more general constitutional provisions that protect a "good business climate." Consequently the associations were active at three or four stages.

Another verification of the hypothesized relationship between group convention involvement and the nature of the group emerges from

TABLE 5.3

TOTAL NUMBER OF STAGES PARTICIPATED IN BY
EACH RESPONDENT, BY CATEGORY OF GROUP

	<u>Convention Stages</u>						
	<u>Two Stages</u>			<u>Three Stages</u>			
	CC only	Call/selection	Conv/ratif.	Conv/ other	Selection/ Conv/ratif.	Call/ Conv/ratif.	All four
Church/humanit. (N - 10)	1		4	1	1	2	1
Citizen (N - 10)	1		1		2	1	5
Education (N - 11)	3		3		2	1	2
Business assn. (N - 4)			1		1		2
Business corp. (N - 8)	7			1			
Trade assn. (N - 18)	14		3	1			
Labor (N - 10)	3		2	2		3	
Government (N - 7)	2		2	2		1	
Ad hoc conv. (N - 9)		1	4	2	2		
Misc. (N - 5)	2		3				
Total (N - 92)	32	1	23	9	8	8	10

a cross-tabulation of the number of issues a group expressed interest in and the number of stages at which they worked. It was hypothesized that a majority of those with limited, specific goals would be single stage participants, a proposition reinforced by the fact that business interests comprising a majority of the "convention only" category also had a low number of issue interests.

Conversely, linkages should emerge between multiple stage activity patterns and multiple goals since civic and social reform groups rank high on both these measures. As expected, 60% of the convention only category were interested in three or less convention issues. Groups interested in nine or more issue areas accounted for 52% of these active at three or all convention stages, and were unrepresented in the convention only category. Thus the data on total cycle participation patterns support the hypothesized relationship between lobbyists' perceptions, group goals and group activity patterns.

Group Patterns Within Each Stage

Approximately 79% of the New York State constitutional convention delegates agreed that "Interest groups can affect the outcome of constitutional conventions."¹⁹ The constitutional revision literature is strewn with similar observations pinpointing the nature of such influence. There is a Janus-faced consensus on interest group constitution influence. On the one hand, powerful special interests are usually given credit for all the statutory material in the constitution.

Many special interests, often with the noblest of motives, have succeeded in writing into the present constitution ironclad guarantees of various policies. Thus property interests have succeeded in keeping rigid limitations on

the debt-incurring powers of localities . . . conservationist groups have made the "Forever Wild" article sacrosanct; education groups have kept school policy in the hands of the Board of Regents.

All such groups are inclined to look upon the guarantees the present constitution gives their favorite causes as more important than constitutional simplification and reform.²⁰

These interests are pictured as smothering reform-minded delegates in an avalanche of pressure.

On the other hand, groups with good government intentions are heralded as necessary catalysts to initiate the constitutional convention cycle in the face of public apathy.²¹ These reformers are said to then continue working productively in the convention environment

Ordinarily civic groups actively supporting reform of state government, which had worked originally for conventions, were favorable to their proposals. Similarly, groups that had previously opposed the convention in efforts to maintain the status quo extended their opposition to proposals for constitutional change.²²

The literary conclusions are misleading because they are couched in terms of normative alternatives. Those for constitutionally worthy structural reform goals are "good" supporters of the process, while advocates of a labor bill of rights or aid to sectarian schools are "selfish perverters" of the process. The normative cast refers back to the public expectations of nonpartisan, apolitical assemblies acting in the name of Rousseau's "general will."

In the New York experience the stereotypes did not hold either in terms of a division between groups with solely good and solely bad goals or in terms of convention activities. As Chapter IV pointed out, structural reform is not the monopoly of good government groups, or vice versa. Conclusions on the role of groups within the cycle are skewed

TABLE 5.4

PERCEIVED ACTIVITY LEVEL DISTRIBUTION WITHIN EACH GROUP CATEGORY
AT EACH GROUP CATEGORY AT EACH CONVENTION STAGE (N); PERCENT ACTIVE AT EACH STAGE

Group Category	Convention Stages/Activity Levels															
	Call				Selection of Delegates				Const. Convention				Ratification			
	Low (N)	Medium (N)	High (N)	(%)*	Low (N)	Medium (N)	High (N)	(%)*	Low (N)	Medium (N)	High (N)	(%)*	Low (N)	Medium (N)	High (N)	(%)*
Church/humanit. N - 10	3	1		40.0	1	1		20.0	2	1	7	100.0	4	3	2	90.0
Citizen N - 10	1	2	3	60.0	2	6		70.0		1	9	100.0		1	8	90.0
Education N - 11	1	2		27.3	3		1	36.4	3	2	6	100.0	1	2	5	72.7
Bus. Assn. N - 4	1	1		50.0	2	1		75.0		2	2	100.0	1		3	100.0
Bus. Corp. N - 8				0.0		1		12.5	3	3	2	100.0				0.0
Trade Assn. N - 18	1			5.6				0.0	6	10	2	100.0	2	1		16.7
Labor N - 10	3		1	40.0	1	1		20.0	4	4	2	100.0	1	1	3	50.0
Government N - 7	1		1	14.3	2			28.6	1		6	100.0	2		3	57.2
CC ad hoc N - 9			1	11.1	1	1	3	55.5		4	4	88.7	3	1	2	66.6
Miscellaneous N - 5				0.0				0.0	2	3		100.0	2	1		60.0
Total N - 92	11	6	5	24.0	12	10	4	28.3	21	30	40	99.0	16	10	25	55.5
Total active				22				26				91				51
Total inactive				70				66				1				41

*Percent of category participating

because they assume that impartial ideal pro-reform environment. When this fails to materialize as in New York State, the activity assumptions disappear as well. Thus, in New York State, the reformers who initiated the cycle, defeated the product because they could not secure the changes they wanted.

Table 5.4 shows the activity distribution level of each group category at each convention stage, and the percentage of those in each category who were active at each stage. Data from the table, combined with case study materials, can be used to show the effect of group expectations and resources on their participation cycle. The table shows a wide range in the number of active groups, from approximately one-fourth of the sample in the early, less publicized stages, to 99% at the convention itself, falling off to approximately one-half the lobbyists at the ratification stage. This rough curve suggests action in terms of visibility of the cycle with more participation in the well-known stages. However, a closer look at the groups also shows participation in terms of group goals, limitations and perceptions of advantage.

Stage 1: Calling a Convention

Only 24% of the total interview population were active at the call stage which initiates the convention cycle. Efforts to put the question on the ballot came during continuous wrangles over reapportionment advantages as New York State politicians tried to fashion a legal replacement for the 1894 constitutional apportionment formula invalidated by the Supreme Court, one year earlier, in 1964.²³ The groups promoting the convention were motivated by their expectation of

a nonpartisan, issue-oriented, reform-minded assemblage of state leaders gathered to resolve impartially apportionment and other issues blocking government modernization.

As in other states, civic and social welfare groups worked most actively for the call.²⁴ Their activities were usually coordinated with those of the Citizens Committee for a Constitutional Convention (hereafter called the Citizens Committee). This ad hoc group was created by Howard Samuels early in 1965 to promote a nonpartisan constitutional convention as a means of securing a just reapportionment and other reforms.²⁵

Those promoting the convention had three assets working in their favor: recent political events, traditional public expectations about conventions, and their own enthusiasm. The front page partisan apportionment deals and a new sales tax increase passed by the 1965 state legislature made modernization seem a realistic political necessity. The convention seemed a logical vehicle since it is mythologically the people's forum. One lobbyist, complaining of the impregnable white knight implications of the myth, said: "It is hard to attack the convention frontally because it is seen as part of the democratic process. How can you expose it as an expensive sham?"

The pro-convention forces used their assets with enthusiasm. The Citizens Committee spent approximately \$50,000 on a public relations campaign to emotionalize and personalize the implications of apportionment and modernization for every voter in New York State. The associated groups helped by distributing voter information to members and the general public.

The anti-call faction were primarily business and taxpayer groups opposed to the call because they both resented its cost and feared its impact. Couching their arguments in more general terms, they praised the legislative amendment process as cheaper, more democratic in that it allowed more time for public discussion of issues, and more conducive to in-depth debate since fewer issues were raised simultaneously.

TABLE 5.5
RELATIONSHIP BETWEEN THE LEVEL OF
A GROUP'S ACTIVITY DURING THE CALL FOR A CONVENTION PERIOD,
AND THEIR ATTITUDE ON THE QUESTION ITSELF

Group Level of Activity	Attitude towards the Call			
	Support	Opposed	Impartial	Don't know
Very active	5			
Moderately active	2	2	1	1
Minimum activity	3	7	1	
Total (N - 22)	10	9	2	1

As Table 5.5 indicates, enthusiasm and greater involvement were assets of the promoters. The table relates group activity levels with their attitude on the question itself. While the numerical division between opponents and proponents is almost even, the activity level is not. The five very active participants all favored the call, whereas only two opponents were even moderately involved. These two, the Citizen's Public Expenditure Survey and the Empire State Chamber of Commerce, debated Howard Samuels on a series of television and radio shows.

Experts disagree as to the role of groups at this stage. A convention staff report emphasized the catalytic role of current events, and concluded that:

Approval appears to have been not the product of intensive activity by pressure groups. . . . There was little activity by the traditional interest groups which had played a part in forcing the 1915 and 1938 conventions.²⁷

However, convention delegate Alan Campbell reversed the influences. Acknowledging the relevance of political factors, he still claimed that the 1965 victory was "probably most helped by the work of the Committee for a Constitutional Convention."²⁷ Through the publicity of these groups, the general political milieu became an immediate personal issue. Their efforts activated New York City voters, already out to vote in the Lindsay mayoralty election, to vote for the convention too. Their numbers passed the referendum over a negative, but sparse, upstate vote.²⁸

Stage 2: Selection of Delegates

It is logical to assume that those who initiated the cycle would maintain their high activity levels through the selection of delegates stage. However, this was not the case as indicated by Table 5.4 data. The major activists were now the ad hoc convention groups created between 1965 and 1967 specifically to influence convention decisions. Civic or social reform groups participated only at moderate or low levels, and half of the twenty-two lobbyists active in 1965 said their organizations did nothing during the selection period.²⁹ The reasons can be traced to the environmental characteristics of the period which activated legal restrictions on group's activities, and the nature of their policy

interests.

An ambiguous atmosphere permeated the selection period. Delegates were elected at the tag end of gubernatorial slates, yet people expected them to be candidates for the nonpartisan, elite assemblage idealized in 1965. These expectations led outsiders to anticipate involved, meaningful civic organization participation at this stage. However, in New York State selection ground rules for the convention were borrowed intact from the partisan legislative nomination process. Even the pool of talent was identical since the constitution specifically exempts convention delegates from the prohibition against holding two public offices simultaneously.³⁰ This system guarantees a delegate body that is a "representative cross-section of the 'governing group'"³¹ built up by the political parties. Those already rewarded under the present system are elected to change it.

Due to the partisan nature of the proceedings, good government groups, business organizations, etc., were prohibited either by law or their own bylaws from direct candidate oriented activity. Hampered by these limitations, groups chose one of three courses: they avoided the whole process (e.g., New York Civil Liberties Union, United Parents Association); or they distributed voting information, often accompanied by a plea for a particular kind of candidate be he businessman, labor leader, or high quality thinker (e.g., Ford Motor Company, League of Women Voters, Commerce and Industry, Citizens Union, Committee for Modern Courts, etc.); or they worked again with Samuels' Citizen Committee.

The Citizens Committee worked with the League of Women Voters, Citizens Union, Bar Association of the City of New York, State Charities

Aid Association, et al., to secure a nonpartisan convention body which they felt was an indispensable precondition for meaningful constitutional change. Being politically realistic, they devised a plan which would permit party selection of two-thirds of the 171 state senatorial district seats while the remaining one-third of the senate district delegates plus the delegates at large would be cross-endorsed by both parties. This would give the convention balance of power to the bipartisan third. Party leaders were to agree on a candidate to run in the primaries from those on a list chosen in each district by a bipartisan committee.

Faulty timing doomed the proposal. It had to be agreed upon in late winter 1965, although public interest in the convention was then at a low, in order to meet the early March deadline for primary candidates.³² In addition, the Republicans refused to agree for two reasons. First, the New York State Senate had reverted back to its traditional Republican majority. Since convention delegates are selected from state Senate districts, Republicans assumed they had the voting edge for convention seats. Secondly, Rockefeller was running scared.

the polls showed the Governor in desperate straits. He rejected the nonpartisan approach and drafted Senator Javits and Judge Keating to lead the Republican lists.³²

The Republican rebuff killed the Citizens Committee proposal. Nevertheless, the Committee continued to work throughout the campaign period. They spent approximately \$75,000 for general voter education literature which they distributed throughout the state. Thus the good government groups are examples of those groups limited by the law, or by the nature of their goals.

Groups usually participate in elections in order to elect a

representative with similar views or to create channels of access to any eventual winner. These reasons were equally relevant for groups pursuing specific goals during the selection stage. However, because these delegates were elected for only a one year term, the groups had to make a calculation about the delegate's relationship with his constituency. Would he feel the same kind of tie as a career legislator to his district? Or would he feel responsible to the people of the entire state? Or would he feel free of constituency obligations since there was no re-election?

In making a decision on these questions group leaders had as background the experience of other elections in which the candidate's image is generally more important than any issues. Campaign promises are usually regarded as rhetoric rather than a mandate.

[A legislator] may be bound by the organized groups whose votes or financial aid he solicits, but he is seldom bound by promises or commitments made on specific issues. . . . It is rare for a campaign to be so focused on issues that the campaign in itself has an impact on the legislator's voting behavior.³⁴

Combining this experience with calculations based on the absence of re-election ties, some groups decided candidates would make no concessions on issues.

Others evaluated it in terms of the method of law enactment. By this reasoning, they estimated that a candidate could be held to issue commitments because he was being elected solely for the job of writing a new law. Thus they saw a link between the electorate and the candidate's positions rather than with the man himself. This evaluation turned out to be a crucial one on many issues such as aid to sectarian schools, civil service pension benefits, "forever wild" forest preserves, etc.

In the case of the controversy over aid to sectarian schools

(Article XI (3)--the Blaine Amendment)³⁵ the repeal faction chose the latter interpretation with excellent results. The retention faction chose the other interpretation. As one of their lobbyists observed wryly after it was all over, "If we had it to do over again, we'd move fast during selection."

The groups supporting retention of the Blaine Amendment were spearheaded by the Committee for Public Education and Religious Liberty (PEARL), an ad hoc coalition of general interest civic and social reform groups. Most of them were legally inhibited from supporting partisan candidates, a fact which had never hurt their position within the legislative decision-making system. In evaluating the convention cycle they took their cues from the legislative model where change is incremental and their influence unrelated to their electoral inactivity. They did not realize how quickly and permanently the convention cycle moves; and they dismissed the selection stage as unimportant to one-time delegates. These misperceptions of differences in the two cycles cost them any stage three influence.

The opposition led by Citizens for Educational Freedom (CEF), an ally of the Catholic Church, made the other candidate-constituency evaluation. Political experts reared on normal electoral politics laughed at them, but they based their strategy on the realization that, "the constitution would be designed by those who were convention delegates. Therefore, if we had the delegates, we had the convention."

To win these delegates, CEF launched a \$50,000 sophisticated two-pronged attack: one prong aimed at delegates, the other at voters. Three personal handtyped letters were sent to all 582 candidates for convention

delegates. The first letter gently informed the candidate of CEF's goals and their intention to hold candidate forums. The second letter contained three pro-repeal articles from current magazines. The third letter accompanied a stamped, self-addressed postcard seeking candidates' commitments on the question of repeal.³⁷

Simultaneously CEF was creating political organizations to help candidates and activate voters. They followed the general battle plan laid down by their national organization which suggested direct political action utilizing the labor of parochial school children, the creation of chapters within state senatorial districts, offers of assistance to candidates in the form of votes, campaign funds and workers, and the distribution of sample ballots with the "correct" vote suggested. Their goal was to "control the swing vote" and thereby control the local elections.³⁸

Political organizations emerged in every Senatorial district, some with over 500 workers. All were centrally directed from New York City headquarters. Each of these organizations ran a candidate forum for convention delegates.³⁹ In an election dominated by the gubernatorial and legislative fights, these meetings, jammed with Catholic voters, were probably the most publicity given the delegates. Over two-thirds of the candidates attended the meetings, and 90% of them once there, took a firm public position on Blaine, which was the item of most interest to the crowd.

CEF reinforced this activity by publicizing the results of their postcard poll. Sixty-nine percent of those who responded favored outright repeal or substitution of the federal First Amendment language.⁴⁰ In this instance, CEF worked to tie down delegates prior to the constitution

writing stage because they felt that the delegates would feel obligated to honor this public stand in writing a public's constitution. There was a concrete evaluative choice to be made. CEF made the correct decision and on election day, 106 candidates pledged to repeal Blaine were elected as convention delegates.

During October, in the midst of the selection stage, the civic reformers despaired of electing the rational intellectuals they needed, and so turned to the alternative forum provided by the public hearings of the Temporary State Commission on the Constitutional Convention. Since the Commission was created to do the intellectual spadework for the convention, it seemed a logical alternative avenue for influencing convention content. In addition, these groups feared a lack of manpower during the April to September convention session, since most of them operate on half staff and minimal member involvement during the "summer vacation."

Unfortunately, the Commission was plagued by personality and partisan problems from its inception. Three leadership changes were made in 1966 as the parties made Commission membership a partisan patronage football. Finally in October 1966 the Commission held a series of four public hearings at which any group or individual could speak on any topic.

One hundred twenty-two speakers appeared during the four days. Fifty-seven percent represented private organized interests, 29% were public officials or candidates for delegate, 12% were private individuals, and 2% represented government agencies. For most of the organized interests this was their only convention cycle activity⁴¹ either because

this was the extent of their interest or because they considered this their appropriate forum since it came during their regular working session.

The impact that these groups hoped to have on the convention's decision-making process by the incorporation of their ideas in the Commission reports was considerably weakened because the reports per se "had no real impact on the convention and not a single important question was influenced by its statements."⁴² They were a case of too little, too late. Thus by the beginning of 1967, the general reform groups had been stalemated by the partisan selection process, and the outlook for radical reform was bleak.

Stage 3: The Convention

However, at the convention stage, the church, humanitarian, citizen and education group lobbyists accounted for 55% (N = 22) of the most active lobbyists.⁴³ (See Table 5.4.) Their level of activity reflects the kind of constitutional language they wanted. Positive reform policies, i.e., those involving new language and new government realignments, require intensive group support work for each one in order to line up sponsors, work out language, steer the idea through committee(s), gather floor support, and prevent counter-amendments. By contrast, a defensive goal is usually easily accomplished by quietly killing the idea in committee.

Since most of these lobbyists had a series of goals they wanted accomplished they rearranged priorities and concentrated on the ones most likely to show results. This meant items such as the question of repeal

of the Blaine Amendment were ignored during the convention stage by lobbyists for the New York Civil Liberties Union, the New York State Teachers Association and others who considered the matter closed against them.

Again, as anticipated, business interests comprised 46% of the low involvement category. But interestingly, two business corporations and two trade associations said they were very active during the convention, while an additional thirteen business interests claimed moderate involvement. Since it was pointed out earlier that most business interests were less active at the convention than legislative session, this rating of high involvement suggests that their comparison was made in terms of the total convention cycle, rather than in comparison with the legislative cycle. For example, the New York Telephone Company considers hundreds of bills at a legislative session while they wrote memoranda on only seventy-five convention propositions. Yet in terms of their over-all convention participation and expectations of participation, it was a high level of activity and they rated it as such.

Stage 4: Ratification

At the last stage of the convention cycle groups were given a take it or leave it choice of the complete revised constitution. The response of the reformers who had initiated the cycle was: leave it. As the League of Women Voters said, "The limited number of significant changes the document contains cannot outweigh its many inadequacies."⁴⁴ Table 5.6 shows the correlation between group levels of involvement and their position on the constitution. As during the call stage, the

TABLE 5.6

GROUP'S POSITION ON THE PROPOSED CONSTITUTION CORRELATED WITH
THE LOBBYIST'S PERCEPTION OF THE GROUP'S ACTIVITY LEVEL AT RATIFICATION

New Constitution Position	Level of Activity (N)					Total
	High	Moderate	Low	Very Low	None	
Oppose Constitution	21	8	8	4	2	43
Neutral				1	19	20
Support Constitution	4	2	1	1		8
Total	25	10	10	6	21	72
Gamma	.536					

distribution between proponents and opponents was totally imbalanced; five times more opponents were very active than proponents. It was basically supporters of the repeal of the Blaine Amendment against everybody else.

It takes some kind of genius to produce a document that can evoke the disfavor of the state's Republicans, Liberals, Conservatives, Reform Democrats, the League of Women Voters, the Citizens Union, the Protestants, the Jews, to mention only the most notable opponents.⁴⁵

Returning to Table 5.4, the general reform oriented groups comprised 72% of the most active category. Generally they were motivated by one of two action sequences. The majority were good government reformers who had been unable to achieve their goals in the partisan, status quo convention stage. Typical of their annoyed resentment is this segment of Citizen Union's evaluation of the convention session.

The constitutional convention bungled its job. . . . The proposed constitution is a backward step which presents serious dangers. . . . Adoption would obliterate any prospect of much needed judicial reform, fiscal home rule for cities and sound reapportionment procedure in the next twenty-five years. . . . The constitutional convention's . . . token offering is simply unacceptable.⁴⁶

Other reform oriented lobbyists for educational and social welfare groups had de-emphasized the convention session because they considered it stacked against their policies. Now they were striving to erase what they considered unacceptable, even if foreseen, policy defeats. Normally such groups are only marginally part of the electoral scene, but since the issue was presented in the form of a ballot question they could work actively without fear of legal restrictions.

The level of any group's ratification activity pattern reflects three primary factors: their perception of their convention stage success, the nature of the goals they achieved, and their resources in terms of money and membership cohesion. As a general statement it may be said that forces working for ratification possessed superior monetary resources, but were hampered by the nature of their convention success.

In the legislative cycle relationship, groups reward sponsors of their goals by selecting them from a pool of candidates. Thus a personal choice is involved. In the convention cycle, groups rewarded in the form of continued incorporation of past favors, lacked a similar motivation to return the favor since there was no continuing relationship and no choice of men. Again, as hypothesized, group goals influence their activity patterns. For groups who had preserved the status quo the ratification stage was unnecessary.

Those groups working against ratification had the advantage of

numbers and intensity of commitment, but were hampered by insufficient money and membership divisions. Membership problems occurred either because of opinion differences within the organization or due to the overlapping interests of their members. For example, the Long Island Conference of Religious Elementary and Secondary School Administrators worked for repeal of Blaine so theoretically they should have favored ratification. But their Board of Directors split three ways: the Bishop of Rockville Center felt he could not make a firm decision on the single package; the Episcopalian minister favored ratification to insure repeal of Blaine, and the Lutheran minister opposed the constitution because he disapproved of state assumption of welfare costs.

Dissension also occurred when members disagreed on the relative importance of goals won to goals lost. For example, the New York Civil Liberties Union succeeded in modernizing the State's bill of rights, but their Board of Directors reluctantly voted to oppose the new constitution because the Blaine clause had been repealed. This choice meant limited membership support which confined their role to a few press conferences and speeches.

The inactivity of the Civil Service Committee for the Constitutional Convention, an ad hoc coalition of civil service unions created to protect civil service pension rights already in the constitution, provides an example of limitations imposed by overlapping interests. True to a convention bargain with President Anthony Travia, the CSCCC sent out a positive evaluation of their convention triumph to all their members. However, they were unable to campaign actively because their constituent parts defected to work against the constitution for non-civil

service reasons. For example, the two teachers' unions vehemently opposed any constitution permitting aid to sectarian schools.⁴⁷

Other opponents such as the Committee for Modern Courts and PEARL were hampered by insufficient funds. They planned elaborate campaigns to reach huge numbers but were unable to pay for prime television and radio time.

Business and governmental organizations opposed the convention on policy grounds. Business interests ranging from the New York Chamber of Commerce to the Real Estate Board of New York opposed three financial reforms in the proposed constitution: the community development article, the elimination of a voter referendum on state bond issues, and the change in state debt limits. They felt that,

Adoption of this new constitution obviously would open the door to a state spending spree on borrowed money to be repaid with interest from future taxes.⁴⁸

The Nassau County Village Officials Association, the New York State Sheriffs Association, and the Association of Towns opposed a weakening of local government and the possibility of more taxes.

A final statistical measure of the rational apportionment of group resources among the convention stages is shown in Table 5.7 which gives the rank order correlation (Goodman and Kruskal's Gamma) between the lobbyists' perceptions of their groups' activities at each convention stage. There is a strong association between all the stages, but as anticipated from the case study materials, the strongest association is between the call/ratification periods. This reflects the greater involvement of the general reform groups in these three stages and the higher levels of involvement among participants in these three stages.

TABLE 5.7

RANK ORDER CORRELATION (GAMMA) BETWEEN PERCEPTION OF
GROUP'S ACTIVITY LEVEL AT VARIOUS CONVENTION STAGES

Stages	Call	Selection	Convention	Ratification
Call				
Selection	.572			
Convention	.469	.386		
Ratification	.751	.432	.618	

The definite reform group emphasis on ratification was strategically developed as early as May 1967, during the beginning of the convention stage. This can be illustrated with two examples taken from the retain-Blaine campaign. In May PEARL Director, William Haddad, began threatening to work against the convention product.

If a new constitution is to be approved by the voters of this state, the delegates and leaders at the convention will need the help and cooperation of the 10 million members . . . comprising PEARL. One sure way of losing their support is to decide the church-state issue as part of a compromise deal or as a swap for another question.⁴⁹

Blossom Saxe, introducer of the repeal proposition, decried such threats from so many

irresponsible, so-called leaders, each of whom threatens that the thousands of his members will oppose the whole product of this convention if he is not heeded to the very letter. Simple addition of all claimed memberships of these groups shows New York State to have a population of over 180 million--the population of the whole United States.⁵⁰

Other groups used the more subtle tactic of urging Convention

President Travia to submit the new constitution to the electorate as one package. For example, the Education Conference Board wrote him that such a decision would "assure the electorates' consideration of the total document."⁵¹ Privately, the group had estimated that such consideration was the best way to defeat the new constitution. Such incidents indicate lobbyists' utilization of the sequential, non-recurring characteristics of the convention cycle.

Approaching the manipulation issue from another angle, evidence can be gained from analysis of the convention leadership's decision to submit the convention product in one package. The decision represented their misperception of group strategies within the convention environment. The intellectual argument for one package submission to the electorate was couched in terms of attracting maximum voter participation. The party leadership solution was to place "all the goodies in one basket." Thus repeal of the Blaine Amendment would please conservative Catholics, while liberalization of the state finance and personal freedoms sections would pull in the liberals.⁵²

As career legislators, their decision was made in the context of their legislative experience. They expected groups to work in the ratification campaigns as they do in legislative campaigns where group votes are used to reward incumbents who keep campaign promises. The legislator-electorate relationship is a continuous cycle of obligations incurred, completed, and repaid at the next election. Such a relationship is assumed in this reformer's assessment of constitutional defeat:

if the convention passes a simplified constitution which does not protect many of the special interest groups, a combination of these . . . rich and powerful as they are-- will defeat the new constitution reform.⁵³

Thus the convention leadership pleased the most cohesive and visible convention interests--Blaine repealers, "forever wild" conservationists, civil servants, community development interests and local government advocates. He then assumed that these groups would keep the "normal electoral bargain" and "elect" the product. They did not because the ratification campaign was not conducted in terms of a personal choice among career politicians. When given the status quo in the convention context, groups felt no obligation to work for an impersonal "non-choice."

The groups without favor on the convention scene, having recognized the opportunity provided by the non-recurring series of convention cycle stages used the option thus provided to avoid the convention stage. This diversion had another consequence in terms of leadership perceptions. The legislative mix of groups on any proposal is usually a fairly accurate replica of the relative strengths of articulate sections of the citizenry. This is because all groups have only this one forum to work in regardless of whether they could be more effective in another situation. There is only one legislative policy-making system. However, in the convention cycle, groups had a choice of related but different, independent stages.

If the convention leadership applied this expectation to the convention, the strong active groups seemed sure to carry a new constitution to victory. By the time the Catholic Welfare Committee spoke against the idea of one package because they perceived these mistakes, it was too late. There was insufficient time to reword the ballot language to cover separate submission, and the political agreements had all been made on the

basis of one package. In this case, group strategies combined to create a leadership miscalculation. The groups seemed to understand differences between the two cycles unperceived by the chief delegates.

In summary, the data support the hypothesis that lobbyists' perceptions affect the allocation of resources among decision-making points, within conditions set by the nature of their group's goals, characteristics, and resources. Additionally as hypothesized, differences in the nature of the convention and legislative cycles, expectations of their function within the political system, their agendas and the manner in which a proposal becomes law were all key factors in terms of their effect on interest group activity patterns.

FOOTNOTES TO CHAPTER V

1. Henry A. Turner, "How Pressure Groups Operate," The Annals, CCCXIX (September 1958), 64. See also David Truman, The Governmental Process, p. 264; Raymond Bauer, Ithiel de Sola Pool and Lewis Dexter, American Business and Public Policy: The Politics of Foreign Trade, chapter 21; William Keefe and Morris Ogul, American Legislative Process: Congress and the States, chapter 10.

2. Earl Latham, "The Group Basis of Politics: Notes for a Theory," in American Political Interest Groups: Readings in Theory and Research, pp. 22-24. Truman's definition is also an action definition: "An interest group is a shared-attitude group that makes certain claims upon other groups in the society. If and when it makes certain claims through or upon any of the institutions of government, it becomes a political interest group." Op. cit., p. 37. Harmon Zeigler has a narrower action definition: "A pressure group . . . is an organized aggregate which seeks to influence the content of governmental decisions without attempting to place its members in formal governmental capacities. The definition implies a collection of individuals who consciously band together, amalgamate their strength, consult on questions of organization strategy, and undertake action in pursuit of their goals. . . . The basic character of the pressure group is its intention to influence government decision. . . ." Harmon Zeigler, Interest Groups in American Society, pp. 30-31.

3. Lester Milbrath, The Washington Lobbyists, p. 8.

4. Ibid., pp. 7-8. See also Malcolm Newell and Samuel Patterson, The Legislative Process in the United States, p. 277.

5. Truman, op. cit., p. 288.

6. Ibid., pp. 350-352.

7. Ibid., pp. 506-507, 322-350, 264-288. See also Zeigler, op. cit., chapter 1; Hugh A. Bone, American Politics and the Party System (3rd ed., New York: McGraw-Hill Book Co., 1965), pp. 605-614; Claudios O. Johnson, et al., American State and Local Government (4th ed., New York: Thomas Y. Crowell Company, 1965), pp. 76-77.

8. Betty Zisk, "Introduction," American Political Interest Groups: Readings in Theory and Research, pp. 7-8.

9. Milbrath, op. cit., pp. 41-48. Group resources can include size, membership cohesion, geographic distribution, status in the community and status of its goals, leadership, form of organization, characteristics of the political environment.

10. Harmon Zeigler, "Interest Groups in the States," in Politics in the American States: A Comparative Analysis, p. 107.

11. Bone, op. cit., p. 605.

12. See Chapter II for factual discussion of these differences.

13. See Appendix A, questions 9, 9A.

14. In constructing this index, the activities were divided into high, medium and low. Three activities were rated low: only following the Legislative Index company record of daily proceedings, making an initiative for a specific point, or giving testimony. Moderate activities included supplying memoranda to support testimony, preparation of position papers, or preparation of position papers and memoranda without testifying. These are rated higher because they involve more organizational decision and research work. Those in the high category division prepared memoranda, position papers, testified, and worked on proposition language.

15. For relationship between personal workload and direction action index see Chapter 6.

16. See Chapter 1 for factual discussion of this and the following points.

17. See Chapter 2.

18. John E. Babout and Emil Sady, "Staging a State Constitutional Convention" in Major Problems in State Constitutional Revision, W. Brooke Graves, ed. (Chicago: Public Administration Service, 1967), pp. 68-69.

19. Leon Cohen, "The New York State Constitutional Convention," unpublished manuscript, chapter 4, p. 16.

20. New York Times editorial, February 13, 1967. See also G. T. Mitau, Politics and Processes (New York: Charles Scribner's Sons, 1966), pp. 11-35; Lewis Froman, Jr., "Some Effect of Interest Group Strength in State Politics," American Political Science Review, LX (December 1966), 952-962; Wilbert Hindman, "Roadblocks to Conventions," in Capitol, Court-house and City Hall: Readings in American State and Local Government, ed. Robert Morlan (3d ed., Boston: Houghton Mifflin Company, 1966), p. 68.

21. Ibid.

22. Albert Sturm and James Craig, Jr., "State Constitutional Convention 1950-1965," State Government, XXXIX (Summer 1966), 160. See also Terry Sanford, Storm Over the States (New York: McGraw-Hill Book Company, 1967, pp. 46-47.

23. WMCA v. Lomenzo, 377 US 633 (1964).

24. For comparisons with other states see Albert Sturm and James Craig, Jr., "State Constitutional Commissions: Fifteen Years of Increasing Use," State Government, XXXIX (Winter 1966), 63.

25. One lobbyist, active during this period, said Samuel's committee was dreamed up by his public relations firm as a vehicle to propel him into the public spotlight. He wanted to become known statewide so he could run for Governor. The day after the 1965 elections he announced his decision to run for Democratic candidate for Governor; he missed and ran as candidate for Lieut. Governor.

26. Constitutional Convention Staff Report, "The Constitutional Convention of 1967: Background Information," p. 5, mimeographed.

27. Alan Campbell, "A New Constitution for New York?" Modernizing State Government: The New York Constitutional Convention of 1967, ed. Sigmund Diamond (New York: Academy of Political Science, 1967), p. 5.

28. See Chapter

29. For example, the United Federation of Teachers, Public Education Association and United Parents Association.

30. Chapter 371 of the New York Laws of 1965.

31. Vernon O'Rourke and Douglas Campbell, Constitution-making in a Democracy: Theory and Practice in New York State, pp. 82-83, 91.

32. "Apparently the political leaders on all levels feel that the public neither knows or cares about the importance of selecting high grade persons for the convention." From a memo in the State Charities Aid Association files, March 23, 1966.

33. William Van den Heuvel, "Charter Convention--the Lessons Learned," New York Law Journal, January 23, 1968, p. 56.

34. See Appendix A, Interview questions 6B, 9, 11, 11A, 11B, and 17.

35. Article XI (?) of the Constitution says, "Neither the state nor any subdivision thereof shall use its property or credit or any public money, or authorize or permit either to be used, directly or indirectly, in aid or maintenance, other than for examination or inspection, of any school or institution of learning wholly or in part under the control or direction of any religious denomination, or in which any denominational tenet or doctrine is taught, but the legislature may provide for the transportation of children to and from any school or institution of higher learning."

It is labeled the Blaine Amendment because James Blaine tried to pass a similar amendment to the federal constitution through Congress. Those in favor of retaining the provision felt it was a smear tactic to label it with his name. It is used in this paper because it was the nickname, not to connote any editorial opinion either way.

36. Members of the parent PEARL organization were: American Ethical Union, American Jewish Committee, New York Chapter; American Jewish Congress, New York Metropolitan Council, Americans for Public Schools, Association of Reform Rabbis of New York State and Vicinity, B'nai B'rith, Citizens Union, City Club of New York, National Council of Jewish Women, New York City; National Women's Conference, Parent-teachers Association, New York Civil Liberties Union, New York Jewish Labor Committee, New York Metropolitan Region; United Synagogues of America, New York State Council of Churches, New York Federation of Reform Synagogues, Protestant Council of the City of New York.

Branches of the organization often included members not on the main board, which created coordination problems. For example, the

Suffolk Council of PEARL included Suffolk branches of the following organizations not on the central board: NAACP, Haddassah, Liberal Party, Church Women United, Teachers Committee to Preserve the Public Schools, Nassau-Suffolk Classroom Teachers Association, Theological Seminary of America, Unitarian Fellowship of the Three Villages, Women's International League for Peace and Freedom.

37. The shift in language is evident in these excerpts from letters #1 and #3:

Citizens for Educational Freedom is a non-sectarian, non-partisan, non-profit organization. Its members are dedicated to securing freedom and equality in education for all children of all races creed and color.

We are in favor of the traditional separation of Church and State. . . . However, we believe that the 900,000 children presently attending nonpublic schools in New York State are entitled to the best quality education our society can provide. . . .

We feel that justice in education to all children is impeded in New York State as long as Article XI, Section 3 . . . is part of our State Constitution.

Our concern is the repeal of Article XI, Section 3. . . . You know how we stand on this section -- we hope to see it eliminated in the interest of normalizing educational opportunities for 900,000 New York school children.

Now we would appreciate knowing your stand. . . . Would you please oblige us by answering the attached single query questionnaire and returning it to us. . . ?

38. Church and State (Washington, D. C.: Americans United for Separation of Church and State, November 1968), pp. 18-19.

39. The League of Women Voters and the Civil Service Council for the Constitutional Convention also held candidates meetings but they were smaller, less well publicized, and usually included candidates for other state offices.

40. The Tablet, November 10, 1966.

41. Some of these groups may have testified later at a convention committee hearing usually in response to the committee's mass solicitation of possibly interested groups.

42. The criticisms and quotations are from anonymous lobbyists' comments or from Vanden Heuvel, op. cit.

43. For more on lobbyists' convention tactics, see Chapter VI.

44. League of Women Voters of New York State, State Board, "Statement of Reasons," November 1967, mimeographed.

45. The Nation, editorial, November 23, 1967, pp. 389-390. Groups against the proposed constitution included: Republican legislative leaders, Mayor Lindsay, Senator Javits, Conservative Party, Liberal Party, Citizens Union, League of Women Voters, Citizens Public Expenditure Survey, Inc., Committee for Modern Courts, State Congress of Parents and Teachers, Council of School District Administrators, New York School Boards Association, New York Times, New York Post, Westchester-Rockland newspapers, WABC, WCBS, NAACP, State Association of Towns, County Officers Association, New York Grange, National Organization of Women, Women's City Club, NASW, UPA, The Correctional Association of New York, New York Civil Liberties Union, Community Service Society, Commerce and Industry, The City Club of New York, Citizens Committee for Children, American United, PEARL, Protestant Council of New York, State Council of Churches, Associated Industries, B'nai B'rith (District 1), United Synagogues of America, etc.

Those supporting the new constitution included Governor Rockefeller, Senator Robert Kennedy, Howard Samuels, New York State Catholic Committee, Agudath Israel of America, Committee for Educational Freedom, Union of Orthodox Jewish Congregations and others interested in aid to sectarian schools.

46. Citizens Union, Voters Directory, 1967, pp. 7-8.

47. Some of the unions opposing the constitution were: United Federation of Teachers; District 37, AFSCME; District 65, Retail, Wholesale and Department Store Union; UFT of College Teachers; Local 199, Drug and Hospital Employees; Amalgamated Jewelry, Diamond and Watchcase Workers Union; Joint Board, Fur, Leather and Machine Workers Union; Local 169, Clothing workers; Social Service Employees Union.

48. Citizens Public Expenditure Survey, Inc., Albany Report, October 20, 1967.

49. William Haddad, press release, May 23, 1967. The League of Women Voters and other civic groups also made similar threats.

50. Blossom Saxe, convention speech, August 15, 1967.

51. Education Conference Board, press release, August 20, 1967.

52. See New York Constitutional Convention, Transcript of Proceedings, September 26, 1967, pp. 85-86; Governor Rockefeller's message to the Convention, untitled, September 19, 1967, and Van den Heuvel, op. cit., p. 56.

53. Letter from Howard Samuels to Marion Ames, President, New York League of Women Voters, March 9, 1967.

CHAPTER VI

LOBBYING TACTICS

Interest group literature and legislative systems studies generally identify the lobbyist as a knowledgeable mediator incorporating group demands into official policies. When lobbyists were asked about their personal tactical role in this process, the data indicated that they worked with group givens, such as contact patterns reflecting large or small membership bases, adapting such assets to the convention situation through timing and selection of access points which reflected their own personalities, lobbying style and perception of the situation. By contrast, their evaluation of the similarity or difference between lobbying tactics in the two arenas, was not related to differences in access etc., but rather to the quantity of program workload and personal effort required in the two situations.

Lobbying is one aspect of the efforts of men, characteristically organized in groups, to influence the making of public policy wherever it is made, by means ranging from personal persuasion and entertainment of public officials, through formal representations before legislative committees and administrative agencies, to educational public relations in the broadest sense.¹

Lobbyists are the men who play the representational role. "The AFL-CIO does not lobby . . . rather, individuals who represent the AFL-CIO, and whose roles can be identified, do."² These men are professionals who are expected to have a familiarity with the necessary decision-making arenas, know where the levers of power are, and when to use them.³

To convey his group's importance and its information, messages

must be couched in terms relevant to the situation, and to each target's set of predispositions, since these both influence the manner in which such messages are interpreted. "It is the lobbyist's job to create messages and choose means of transmission which are most likely to insure clear and favorable reception of the message by the intended receiver."⁴

A veteran New York lobbyist explained that, "Lobbying is like chess: move and countermove." Moves are designed to create maximum leverage for the group by accommodating group goals and resources to the characteristics of the policy-making milieu.

The techniques and tactics which any particular group employs will be determined largely by such factors as size and geographic distribution of the membership, cohesion of membership, financial resources, prestige position . . . quality of leadership and staff, and relations with political parties and other organized groups. . . . Depending on the aims and characteristics . . . an interest group may attempt to influence its own membership, other pressure groups, the electoral process, the legislative, executive and judicial branches of the government, and public opinion.⁵

Throughout the literature, lobbyists are designated as the fount of "expert knowledge concerning the legislative process, its labyrinths as well as its main paths, its vulnerability to penetration."⁶

Discussion of lobbying activity patterns usually becomes merely a catalogue of techniques such as entertainment, presentation of research results, constituent contacts, etc. These are then either combined with file material and news clippings in case studies,⁷ or analyzed in terms of personal forms of lobbying.⁸ Two relevant strands from this research relate lobbyist's activity to the group's expectations of his proper representational role, and to their own personality strengths.

"Personality affects patterns of time allocation, tactics pursued,

role in policy-making . . . and the lobbyist's conception of his profession. . . ."9 For example, New York lobbyists who prefer personal contacts tend to spend more time on the scene meeting with officials, while less gregarious representatives emphasize the written report, well-timed letters or testimony at committee hearings.

Bernard Cohen in his study of the Japanese peace treaty suggested that the manner of lobbyist involvement is rooted in the character of his organization.

At the most general level we can say that different kinds of organizations become involved in different ways, partly because they visualized the process, and their own roles in relation to it, in special and distinctive terms. More specifically, the leaders of these groups seem to have differed . . . in the way they viewed their own political roles, and in what they regarded as the most effective and proper points of access to the political process. And these differences, in turn, seem to be related to differences in the character of group memberships and constituencies, and in the kind of responsibility that group leaders bear towards their constituencies.¹⁰

In more specific terms, leaders of heterogeneous groups work first to establish an internal consensus, while representatives of small homogeneous groups can devote most of their efforts to immediate communications with policy-makers. Additionally, groups with intangible interests "seem to cast their leadership in an educational role vis-a-vis the general membership."¹¹ Groups with specific tangible interests want their leaders to act as spokesmen and push specific viewpoints.

To summarize, interest group activity literature identifies the lobbyist as an active, knowledgeable professional who participates in the formulation and execution of group strategy. His role is identified as intermediary between group demands and needs and the policy-making sphere.

His understanding of the decision-making milieu is seen as a leadership asset which contributes to effective group activity. In terms of these strands of research it was hypothesized in this study that lobbyists' perceptions of their working situation affect the allocation of their group's resources among the four stages of the constitutional revision cycle, and the implementation of each group's convention period strategy.

However, the actual use of lobbyist's perceptions in group campaigns remains unstudied. Do lobbyists use only certain tactics, acceptable to their group, as Cohen suggests? Do they adapt group responses or their own personal actions to fit policy-making environments? A narrower subdivision of the broad action hypothesis was designed to explore these questions. It states that interest group policies reflect the nature of the group, while their constitutional revision cycle strategies and tactics incorporate adaptations to meet the environmental conditions.

To study the hypotheses group activity was divided into policies, strategy and tactics. Policies refer to the long range purposes and goals of the group. Strategy is the over-all plan to achieve designated objectives. Tactics are the specific actions designed to implement a strategic plan.¹² Chapter IV explained the development of group policies in terms of organizational characteristics. Chapter V related these goals and group limitations to lobbyists' uses of opportunities in the constitutional revision cycle as evidenced by varying levels of involvement over the three years, adaptation of goal priorities to fit constitutional emphases, and manipulation of stages to take advantage of the nonrecurring nature of the cycle and counter earlier defeats without

fear of political repercussions. In this chapter, strategy and tactics are examined in terms of general group communication patterns with policy makers, and the lobbyist's own responses to aspects of the convention cycle environment.

Lobbyists were asked how their convention participation compared with their legislative activities; specifically in terms of their group goals, the amount of work involved, the use of interest group alliances, and the general techniques used in a specific situation.¹³ The comparisons were made between the convention stage (No. 3) and the 1967 politically divided state legislative session. Consequently, some lobbyists answered the question of similar activities affirmatively, even though they also acknowledged their manipulation of convention cycle peculiarities for their own strategic advantage.

Generalizations concerning activity patterns are derived primarily from lobbyists' responses to an open-ended question asking for the story of their major convention lobbying effort. Wherever applicable, they were asked to discuss one of three issues: selection of judges, retention of the prohibition of aid to sectarian schools or elimination of the ban on taxation of intangible personal property.¹⁴ This assured some overlap for purposes of comparison, and the three topics represent a cross-section of the type of issues considered by the convention.

Perception and Lobbying Activities

When asked if their convention stage activities were similar to their regular legislative routine, forty-one lobbyists characterized them as similar, forty-two as different. Table 6.1 show this evaluation

TABLE 6.1

LOBBYISTS' PERCEPTIONS OF THEIR CONVENTION AND LEGISLATIVE TACTICS,
THE REASONS FOR THEIR PERCEPTIONS OF DIFFERENCES, BY TYPE OF GROUP LOBBYIST REPRESENTED (N)

Perception of Tactics	Group Categories (N)								
	Church Humanit.	Citizen	Education	Bus. Assn.	Bus. Corp./ Trade Assn.	Labor	Gov't.	Misc.	Total
Similar tactics	5	7	5	4	5	7	4	1	38
Different tactics	5	3	4		21	3	3	4	43
REASONS FOR PERCEPTIONS OF DIFFERENT TACTICS									
More leg. issues					(13)				(16)
New relationships	(3)	(1)	(1)		(4)	(1)			(10)
Different CC techniques	(1)		(2)		(4)	(2)	(1)		(10)
Misc. reasons	(1)	(2)	(1)				(2)	(1)	(6)
Total	10	10	9	4	26	10	7	5	81

Special ad hoc convention groups were left out since they did not have the same comparative framework as the other convention lobbyists.

in terms of group categories, and includes respondents' reasons for evaluating the two as different.¹⁵ The table indicates that half or more of the lobbyists for the most active group categories, citizen, church humanitarian, business association, labor and government, saw their convention stage and legislative activities as similar. The question then occurs as to how this perception fits with the fact that a majority of these same lobbyists perceived the over-all convention cycle as different and developed strategies incorporating these differences.¹⁶

What does "similar activities" mean to the lobbyists? A precise definition would be difficult to obtain since the phrase was never clearly defined during the interview. Nevertheless, by cross-tabulating this answer with other answers concerning similarity of goals, and workload, an estimate of lobbyists' perceptual reference points can be created. The data suggest that the similar/different activity evaluation refers to quantity of work. Quantity, in turn, encompasses both the size of their group's program and the personal effort required of the lobbyist. This can be seen in several ways.

The data in Table 6.1 show a clear business lobbyist identification of tactics and goals. Thirteen lobbyists (62% of those with tactical differences) associated the use of less techniques with the need to follow less interests.

At the legislature I talk to groups, write up about 200 bills, work up a legislative program, key bills before the legislature begins, and generally keep busier than at the convention.

I had only a few conferences with leaders and committee chairmen, but we didn't do much because we couldn't change what came out of committee and we are willing to accept the status quo.

For these lobbyists, adjustment to the convention environment meant that they noted the convention agenda and then watched for possible adverse reforms by reading the daily Index.¹⁷

Other lobbyists also keyed their activity comparison to the nature of their convention goals as shown in Table 6.2 which indicates a high association (Yules Q = .777) between these two variables. The table shows that 90% of those perceiving similar activities also felt their goals were the same in both situations. Lobbyists assessing activity patterns as different split almost equally on the question of goal similarity. However, it should be noted that nineteen of the twenty-three identifying different convention goals (83%) also characterized their activities as different.

TABLE 6.2

LOBBYISTS' PERCEPTION OF THE SIMILARITY OF
THEIR CONVENTION AND LEGISLATIVE ACTIVITIES, AND
THEIR ESTIMATE OF THE SIMILARITY OF THEIR CONVENTION AND LEGISLATIVE GOALS*

Nature of Goals	<u>Similarity of activities</u>				Total	
	(N)	Yes (%)	(N)	No (%)	(N)	(%)
Similar	37	90.3	22	53.9	59	73.5
Different	4	9.7	19	46.1	23	26.5
Total	41	100.0	41	100.0	82	100.0
Yules Q = .777						

*This table represents a condensation of a table with a more specific breakdown of reasons which had a gamma of .551.

Several lobbyists explaining the relationship between goals and activities stressed the contrast between a purely defensive legislative role and active convention lobbying for constitutional change. Others related activities to the acceptability of their goals. A labor lobbyist said her union's main interest was the right to strike. "We did very little because we knew we could not get it through the convention. It was not sufficiently popular for delegates to risk their necks." Another said he worked more during the ratification because then his group was "directly affected."

Quantity also refers to the amount of goal related work. There is a moderate association (Goodman and Kruskal's Gamma .301) when the lobbyists' reasons for their workload and activity comparisons are cross-tabulated. For example, those saying that their convention workload was reduced because they pursued fewer convention interests, also said their activity pattern was different because they had more legislative contacts and work. Thus the reasons given are compatible.¹⁹

Ninety-one percent (N = 11) of those assessing their convention and legislative workloads as identical gave the same assessment of their activities; again, a consistent quantitative perception. The lobbyists who felt their goals created more convention work were evenly divided on the question of similar activities. The main reasons given for activity differences were changes in technique and subject matter. One lobbyist commented that, "I had 75% more work because there were so many 'live issues.' I accelerated my activities as the process accelerated."

In summary, the reasons given by lobbyists to support their perceptions of convention goals, workload and activities tend to reinforce

each other, creating a consistent view of lobbying activity measured in terms of group policy needs. The interrelationship also supports the idea that lobbyists view their activity in the context of their group.

However, quantity is also measured in terms of effort expended, i.e., the amount of personal adaptation a lobbyist feels required to do in certain circumstances. This is supported by data in Table 6.1 which indicate that twenty-six lobbyists (one-fourth of interview population, 62% of those perceiving activity differences) attributed activity changes to differences in the decision-making process which made personal lobbying adjustments necessary. These alterations seem to relate primarily to relationships with delegates or problems caused by non-legislative procedures.

Most comments concerning delegate-related activities either referred to the amount of work involved in establishing new relationships or expressed evaluations of the philosophical attitudes of delegates. For example,

We had to develop lines of communication, new relationships even with legislators since they had different positions. This was more work.

The difference between lobbyist-legislator and lobbyist-delegate relationships is the difference between a mother and a babysitter.

We had more work because we had to educate the delegates, teach them the real fundamentals.

At the convention we were not dealing with the regular legislative animal. It was harder to be honest at the convention because they believed the myth that political bargaining is bad.

Delegates were already committed to their positions so there was less trading. It was harder to get modifications.

The convention was a fiasco because of the control of down-state Democrats. We had no influence with them so we sought no goals.

We decided to do no lobbying because the convention was controlled and the delegates' minds made up.

For other respondents, differences in convention procedures necessitated alterations in their personal patterns.¹⁹ In the legislature, party discipline is tight and the leadership triumvirate of Assembly Leader, Senate Majority Leader and Governor make the key decisions. At the convention, discipline was less automatic since delegates sought no re-election and often had their own independent power bases. In addition, subject matter committees played a more independent role in policy development because they synthesized individual propositions into draft articles. Another difference concerned floor amendments; rare in the legislature, while at the convention whole articles were written during floor debate.

There is less chance at the convention to get back at things and re-work them. The legislature has more re-writing stages.

At the legislature I file more memoranda because there are fewer hearings.

In the legislature you need only the three leadership posts. In the convention you need everybody because it requires ratification by the people.

Even the document room was different. It was possible to get copies of things at the convention.

Committee members were always busy in committee meetings so it was hard to find time to talk to them.

The committee on style and arrangements had influence so we maintained constant liaison with them.

The committee thinking process made it harder for lobbyists because we were not privy to committee deliberations where decisions were made. Information came from rumors. You needed delegates to espouse your view.

One lobbyist summed up the connection between environmental perception and activity changes when he said convention lobbyists were more inhibited because "they know the outer limits of political realities in the legislature, but not here."

Turning from the similarity of legislative and convention activities to the lobbyist's activity, the data indicate an identification of the extent of their personal activity with their evaluation of their group's convention stage involvement. These relationships are demonstrated in Tables 6.3 and 6.4. Table 6.3 shows a very strong association ($\text{Gamma} = .774$) between lobbyist's perception of his organization's convention stage involvement and his own workload.²⁰ Seventy-six percent of those perceiving more lobbying work also perceived maximum group involvement, while conversely, 81% of those taking it easy at the convention considered their group to be only moderately or minimally involved. This again supports the hypothesized relationship between group needs and lobbying activity. Groups more involved at the convention had lobbyists working harder, and vice versa.

Table 6.4 reinforces this point. The data show a strong association ($\text{Gamma} = .666$) between lobbyists' delegate oriented activities and the amount of time they personally spent at the convention. The table shows that half of those ranked highest on the direct activity index also went to the convention daily or weekly; while half of those at the low end of the activity index appeared at the convention infrequently if at all. As might be expected, the vaguest category, the middle is also almost equally divided in terms of lobbyist's convention presence.

One-fourth of the respondents were at the convention weekly or

TABLE 6.3

LOBBYISTS' COMPARISONS OF THEIR CONVENTION AND LEGISLATIVE WORKLOAD,
AND THEIR PERCEPTION OF THEIR GROUP'S INVOLVEMENT IN THE CONVENTION STAGE

Group's Convention Involvement Level	<u>Comparison of Workload</u>					
	More (N)	(%)	Equal (N)	(%)	Less (N)	(%)
High	19	76.0	9	69.2	8	19.0
Moderate	5	20.0	4	30.8	17	40.5
Low	1	4.0			17	40.5
Total (N - 80)	25	100.0	13	100.0	42	100.0
Gamma	.774					

TABLE 6.4

DIRECT LOBBYING ACTIVITY INDEX (CONVENTION STAGE),*
THE AMOUNT OF TIME A LOBBYIST WAS PERSONALLY AT THE CONVENTION

Personal Time at the Convention	<u>Direct Activity Index (N)</u>			
	High	Moderate	Low	Total
Daily/weekly	15	6	2	23
Moderately	12	4	12	28
Rarely	3	8	5	16
Never	1	4	10	15
Total	31	22	22	82
Gamma	.666			

*See explanation of the index in Chapter V.

daily, and another 34% (N = 28) were present for key hearings, votes, floor debates or as often as their organization could afford to send them. The thirty-one lobbyists rarely or never there probably had either no positive goals or were New York City-based and could therefore make key contacts without going to Albany. The ad hoc convention group lobbyists often did not appear regularly because they lacked the funds (e.g. PEARL) or because their perception of the proper lobbying role involved contact by memoranda rather than personal talks (e.g., Council for a Sound New York Constitution, Committee on the Constitution Convention of the Association of the Bar of the City of New York).

A lobbyist's reasons for personal participation may be related to his personality, his view of key decision-making points, or his geographic proximity to the convention scene. One Albany lobbyist said that he "submitted no draft propositions, no memoranda, no testimony, but I went to the Capitol daily and worked with Delegates Reidy, Bergan, Desmond, Froessel, Greenberg and Bartlett," (all important committee members). Another simply said, "There's no substitute for being there."

Civic, church, humanitarian, business association and government lobbyists were the most active on the convention scene. The reformers account for 40% (N = 8) of those at the convention daily or weekly. This is indicative of great effort since most of these groups experience summer slowdowns as staff and members vacation till fall. In summary, the data suggest that lobbyists perceive activity in terms of a combination of group needs and their own level of involvement. It reinforces the notion that lobbyists act as group spokesmen, mediating between the private and public decision-making arenas as hypothesized at the beginning of this

chapter.

Convention strategy and tactics

The convention's Select Committee on Lobbying reported that 153 appearance statements had been filed by groups and eighty-one itemized expenditure statements. The grand total of reported expenditures was \$145,652.93. Individual groups reported costs ranging from a low of \$4.90 per month for the New York State Council of Churches to the Citizen Tax Council monthly tab of \$23,251.66.²¹ These figures are only the tip of the iceberg; many groups did not report or reported expenditures only partially.

What kind of activities did these monies finance? The answer is related to access points, organizational resources, and lobbying tactics. Access can be considered generally, in terms of the category of decision-maker on whom groups focus their efforts, or more specifically, in Truman's terms of penetration into the decision-making sphere through "fellow-travellers."²²

Access is useful to groups when it provides a fair hearing from officials or current inside information or official's assistance in spreading the group position.²³ This latter aspect of access is facilitated by the presence of "fellow-travellers," who are representatives of various interests through their non-official affiliations. The assumption made by Truman and other group theorists is that the availability of such contacts within the decision-making environment is an asset for any group.²⁴ "Given interest group members who are actually an official part of the legislative process, the job of lobbying is eased considerably."²⁵ Truman goes even further almost equating such access with

influence and success.²⁶

In terms of convention literature a similar causal chain is implied in scenarios where the reformers call the convention, elect like-minded men, and write a new modern constitution. The assumption is that such access exists, is noticed by lobbyists, and used successfully.²⁷ In New York experience, differences in access patterns were evident within the convention, yet knowledge of them did not invariably lead to success. In the New York cycle the election system meant that current political chieftains were elected thus precluding realistic hopes for radical change. But the ad hoc nature of the convention and its summer schedule attracted a sprinkling of non-career politicians who could afford to take one summer's leave of absence from their professions.

In regular legislative sessions, lawyers and business men in insurance and real estate are overrepresented. At the convention additional representation was accorded four other categories: women, labor, educators, and government employee/public officials. The fourth category was most obvious. Approximately three-quarters of the delegates held past or present party or public office leadership positions; seventy delegates were simultaneously drawing two public paychecks.²⁸

The influence of the government category was increased further by their strategic location within the convention system. For example, many observers considered the convention merely a summer legislative session since eight of the thirteen current legislator-delegates had convention leadership positions.²⁹ In addition, committee assignments usually reflected occupational interests. Thirteen judges were on the Judiciary Committee, twelve members of the Legislative Committee worked for the state legislature, fourteen Local Government Committee members held local

government positions or worked for the State Office of Local Government.³⁰

Many staff positions were held by personnel on leave from interest group positions. Three Executive Directors of convention committees will serve as examples: Dr. John V. Connorton, Vice President of the Greater New York Hospital Association was Director of the Health, Housing and Public Welfare Committee; Dr. Elbert Fretwell, Jr., City University of New York Dean, headed the Education Committee; and Mr. Donald Gilmore, Sr., Economist for the Committee for Economic Development, directed the Economic Development Committee. One lobbyist complained that, "Too many lobbyists had to register for the convention."

Respondents were asked if any member of their own group was a convention delegate or staff member. They answered literally, identifying only those who were active, policy-making members of their group. In these terms, 24% said yes. However, many lobbyists knew of "fellow-travellers." For example, no labor organization lobbyist claimed David Dubinsky, President of the International Ladies Garment Workers Union, as an inside member-delegate since that specific union was not registered for the convention. Yet all labor lobbyists mentioned him as a source of information and a conduit for their ideas.³¹

Nevertheless, the convention experience suggests that knowledge of access does not necessarily produce successful use of access. Equally important is the position of the insider within the decision-making system. For example, Judge Bernard Botwin was known as an influential advocate of court reform, but his position within the convention as chairman of the Executive Committee lessened his usefulness to court reformers. He could still give them his vote, but they needed another committee for

success via his access.

The crucial placement of access points is evident again in the case of the League of Women Voters' fight to have districting standards included in a new apportionment article.³² League advice on new apportionment provisions was sought by the paid staff of the Legislative Committee and the apportionment subcommittee chairman, Leonard Sand, a reform Democrat and lawyer in the New York State apportionment case, WMCA v. Lomenzo.³³ However, Judge Shapiro, the committee chairman, was unfriendly to the League because he disagreed with their court reform proposals. The old line Democrats on the committee supported him, while minority members and reform Democrats supported Sand. In this situation, the League had access to key spots within the committee but the hostility of the chairman, for other unrelated reasons, negated their access. Thus the equation of "insiders" with access and success seems an oversimplification.

Specific access points are determined in the context of a general pattern of communication between organizations and decision-makers. This pattern effects the category of decision-maker, leader or rank and file, which the group emphasizes; the kind of decision-making situation favored, and the tactics they prefer to use. The convention data lend support to Cohen's thesis that differences in the mode of communication reflect differences in group membership and interests.³⁴ This, in turn, is a refinement of the general axiom that groups use whatever resources they have to influence officials. Mass membership groups use people power; business interests use their status and connections.³⁵

Table 6.5 shows the patterns of communication between organizations

TABLE 6.5

PATTERNS OF COMMUNICATION BETWEEN ORGANIZATIONS AND CONVENTION STAGE DECISION-MAKERS

Group Categories	<u>Communication Patterns</u>					Total
	Group Leaders with Convention Leaders*	Group Members with All Delegates	Group Leaders with All Delegates	Group Members with Convention Leaders	No Group Communication with Convention	
Church/humanit.	2	4	3		1	10
Citizen	1	7	1		1	10
Education	5	4			2	11
Bus. Assn.	1	2			1	4
Bus. Corp.	7				1	8
Trade Assn.	9	2		1	6	18
Labor		6	1	1	2	10
Govt.	2	3		2		7
C.C.	1	4	1	1	2	9
Misc.	2			2	1	5
Total	30	32	6	7	17	92

*Convention leaders were broken into the top political leadership, committee chairmen, or a combination of both.

and convention personnel, divided according to group categories. As the table indicates, thirty groups used their leaders to contact convention leadership, two-thirds of them including both party and committee leadership posts. Thirty-two groups asked their general membership to contact all convention delegates. It is interesting to note that leaders tended to contact leaders and members to contact the entire delegate body, rather than a mixture of leaders to masses or vice versa. Perhaps this reflects a tendency to see techniques in stereotyped terms which equate one to one contact with leaders and mass letters or appeals with a total deluge of all officials.

Looking at the figures in terms of group categories, civic and labor organizations, usually with large membership and broad goals, used their membership to write all convention delegates. By contrast, 62% of the specialized business interests used inter-leader contacts.³⁶ The education category communication patterns divided almost equally, possibly reflecting the split between specialized groups, such as the universities, and more extended interests such as United Parents Association, New York State Teachers Association and Public Education Association.

As might be expected, government groups used their members to contact both all and selected delegates since, in either case, their members were co-workers or friends of the majority of office-holding delegates, e.g., the New York City lobbyist said he works with both chairmen and party leadership. Then Mayor Lindsay comes for receptions with the rank and file delegates, and dinner with the leaders. The existence of these group based communication patterns restricts the hypothesis relating group strategy and tactics to environmental conditions because it

TABLE 6.6

ACTIVITIES PERFORMED BY CATEGORIES OF GROUPS
REPRESENTED BY LOBBYISTS AT THE CONVENTION STAGE

<u>Direct, Visible Activities</u>	Group Categories (N)									
	Church Humanit.	Cit.	Educ.	Bus. Assn.	Bus. Corp.	Trade Assn.	Labor	Govt.	C.C.	Misc.
Followed index of Convention activity only (N - 10)					2	6	1		1	
Index plus one Limited Action (N - 10)			3		4	1		1		1
Testimony only (N - 10)	2	2	4				1			1
Memoranda, Position Papers but no Testimony (N - 7)	1		1		1	1	1		1	1
Testimony and Memoranda (N - 19)	2		2	3	1	4	5	1		1
Testimony, Memoranda, Position Papers, Proposition Wording (N - 35)	5	8	1	1		6	2	5	6	1
Total (N - 91)	10	10	11	4	8	18	10	7	8	5

trade association, labor and government lobbyists reported member information and action bulletins, but less public relations activity. As might be expected, business corporations engaged in no grass roots activity since they lack a constituency in the sense that the other groups have one.

House bulletins ranged from the dull factual Commerce and Industry sheet to the newsy, political, analyses put out by the Catholic Welfare Committee and the League of Women Voters. Associated Industry's Constitutional Convention Reporter was an excellent amalgam of impartial background on issues and knowledgeable political reporting.

The lobbyist's skill, expertise and perceptions come into play when he decides how to use his group's assets, whom to inform and when. For example, lobbyists approach committee personnel within the framework of their own philosophical leanings, committee relationships and mutual friends. For example, here is a sample of assessments from lobbyists interested in the wording of the local government article:

Frank Moore was put in the Local Government and Home Rule Committee as Rockefeller's man to make sure no changes were made in the local government article.

Chairman Campbell and the eggheads wanted metropolitan government. The staff and minority party wanted the status quo. The Democrats were divided so the Republicans won. Since Office of Local Government people were on the staff they attended confidential meetings and had an advantage.

Campbell was for the CED philosophy of regional government. So was Travia. I saw Campbell several times and couldn't convince him, so I worked with Moore. I established contact with all committee members beginning with Republicans to see if they were on my side.

A real estate lobbyist forestalled an increase in real estate tax limits in the constitution by reaching Convention President Travia through his advisor, Scotty Campbell. He convinced Campbell of his

adds group resources as an intervening variable which limits strategy as well as policies.

Similarly, group limitations are evident in an examination of the tactics favored by different kinds of groups. Tables 6.6 and 6.7 summarize the direct and indirect tactics employed by groups during the convention stage. Table 6.6 shows the groups' direct activities towards convention personnel. The amount of activities increases from a bare minimum of following the convention Index, through sporadic efforts either at committee hearings or in terms of memoranda or position papers on one or two issues. The most active groups testified, prepared propositions, and submitted memoranda and position papers. As anticipated from earlier documentation of civic and social reformers activity, half to four-fifths of the church/humanitarian, citizen, government and ad hoc convention group lobbyists reported the top number of activities.

Business association and labor lobbyists tended to fall in the moderate levels since they supplemented testimony with memoranda but did not elaborate through position papers and actual working suggestions. Business corporation representatives tended to work through the Index. One such lobbyist rationalized his watchdog position by explaining that, "Corporations should not get involved in conventions as people do, since conventions are the voice of the people."

Table 6.7 summarizes the indirect, member and citizen oriented activities of groups. Respondents could give up to four answers which means the maximum number for any technique in the table is the total number of groups in a category. Over one-half of the reform and education lobbyists reported information activities directed towards both their own members and the general public. Business association,

TABLE 6.7

INDIRECT, MEMBER ORIENTED ACTIVITIES, BY CATEGORIES
OF GROUPS REPRESENTED BY LOBBYISTS DURING THE CONVENTION STAGE (N*)

Grass Roots Activities	<u>Group Categories (N)</u>									
	Church/ Hum.	Cit.	Educ.	Bus. Assn.	Bus. Corp.	Trade Assn.	Labor	Govt.	C.C.	Misc.
Information in house organ., con- vention news service, spec. bulletin, or combination of house organ./news service (N - 41)	4	9	6	3		6	4	2	4	3
Information and action bulletins (N - 45)	9	3	5	3		5	7	6	5	2
Letters to the editor (N - 30)	5	7	5	1			3	2	6	1
Public oriented public relations campaign (N - 33)	3	8	6	1		2	3	3	7	
Educational conferences, meetings (N - 23)	3	6	6			2	2	1	3	
Total (N - 77)	10	10	10	4	0	13	9	7	8	5

*Each Respondent could have four answers, which means maximum group participation in each activity could be maximum number of Respondents in category.

position with background material. He then nullified the major opponents, welfare lobbyists who wanted more money for services, by convincing them that the money should come from non-municipal sources.

The Civil Service Council for a Constitutional Convention (CSCCC) provides an example of judiciously used lobbying tactics. The ad hoc coalition of 150 civil service unions representing 500,000 people, was created in 1966 to insure maintenance of the constitutional guarantees of merit examination and promotion, veterans' preferences, and contractual guarantee of pension funds. The group showed its strength during the selection of delegates stage by electing 109 delegates pledged to maintain these safeguards.

Early in 1967 the group began preparing a multi-faceted offensive. A suggestion of the scope of their activity is evident in these excerpts abstracted from their convention files:

prepare "Brief" giving goals and send to all delegates

have several members of executive boards of affiliated unions interview each delegate before the convention opens

have a CSCCC representative at all convention sessions and relevant committee hearings, as frequently as necessary to "feel the pulse"

send list of non-affiliated organizations to affiliated ones and get others to join

form publication committee to prepare stories for press, radio, union publications

send weekly letters to member unions urging involvement. create a flood of letters from rank and file whenever necessary.

With member support backing them up, the CSCCC lobbyists worked with friendly delegates and the Labor Committee. Several delegates were asked to introduce CSCCC propositions. Analyzing

the Labor Committee, the CSCCC lobbyists concluded that Chairman Crotty was not a "100% friend of civil service," and the vice-chairman of the committee clearly opposed them. They began to use hearings, testimony and personal communication to change their minds.

The key meeting was held on July 25, 1967, to discuss the Civil Service Commission's proposal to eliminate the top 3% of the Civil Service from competitive examination, a position obviously opposed by CSCCC. The meeting was attended by all major labor union lobbyists, representatives of the Civil Service Commission, Labor Committee leaders and two of Travis's counsels. "The discussion elicited no new information or change of position," but it re-emphasized the solid labor opposition. In addition, the State's experts gave a poor presentation that destroyed their own case. At the meeting, Travis gave assurances that the matter would be dropped. However, CSCCC continued member pressure until the August vote, 172-0, which achieved their goal. Thus, the CSCCC lobbyists orchestrated their resources in terms of their perception of key personnel and problems.

The form of the CSCCC, an intergroup alliance, represents a classic means for groups to increase their power and decrease their workload. "A well-financed outfit working on a single major bill or issue can really do a job, compared with one . . . interested in hundreds of bills."³⁷ Another successful coalition, this one with reform interests, was organized by the State Communities Aid Association (SCAA) in early 1966. Dismayed at the lack of preparation for the convention among the social welfare groups, the SCAA decided to assume statewide leadership for those groups interested in increasing the effectiveness of the Family Court. This soon expanded into other policy areas, often involving

groups with views contrary to their own. The aim was mutual participation and enlightenment rather than promotion of specific objectives.

In addition, SCAA cultivated business group participation. As Gordon Brown, SCAA President, explained, business assistance was vital because "we . . . lack political leverage. Our hearts are pure but our clout is poor."

ad hoc alliances that were formed also helped overcome the traditional splintering of voluntary agency strength. By speaking with one voice, a number of agencies were able to get the attention of convention delegates and key staff people. And this unified approach had gratifying success in shaping several decisions that affect health and welfare.⁴⁸

An excellent example of this success was the modification in adoption procedure. Under the present Article VI (32), children must be placed with custodians or guardians of the same "religious persuasion . . . when practicable." The Catholic Welfare Committee wanted to retain this section without change; the social welfare agencies wanted to remove it in toto. SCAA representative Beekman Pool worked with the Health, Housing and Social Services Committee. Initially, Chairman Badillo was against any change. Pool sent him a letter saying he would seek agencies' support for compromise wording. On the day of the committee discussion, a barrage of telegrams was hand delivered to committee members by Pool who wanted to make sure they arrived on THE day.

The week of August 17, 1967, a compromise was worked out between the religious and welfare groups. The religious provision was retained but a clause was added making "welfare of the child . . . of primary concern." Thus religion became a factor rather than the primary factor. When the amendment passed on August 23rd, one delegate called it the "best possible obtainable compromise" between outright retention and

repeal.³⁹

In summary, chapters IV, V and VI have supported the hypothesis that lobbyist's perceptions are a factor influencing group allocation of resources within a decision-making environment and the implementation of group strategies. Chapter IV explored the hypothesis that group goals reflect internal needs, but are adapted to external environments to which the group is attracted because of perceived self-interest. Chapter V related group involvement within the convention cycle to group goals, group limitations and the lobbyist's perception of convention cycle characteristics which would be strategically useful. Thus groups used the ratification campaign to kill a convention document they disliked. The chapters also indicated lobbyists' perceptions of differences in delegate-constituency relationships such as no re-election, the honoring of subject matter commitments, and the level of delegate expertise which the lobbyist then used in devising his tactics. The difference in convention subject matter, the need to settle all matters in a determined length of time, and the need for voter acceptance of convention decisions were perceived and manipulated by lobbyists. Finally, the sequential, non-recurring nature of the cycle presented opportunities utilized by lobbyists in devising convention cycle strategies. Chapter VI has documented the lobbyist's role in utilizing group related techniques and communication patterns within the confines of the convention situation. The chapter also examined the lobbyist's perception of his activity patterns, which he assesses in terms of quantity of policy related work and personal adaptations to new conditions.

FOOTNOTES TO CHAPTER VI

1. Edgar Lane, Lobbying and the Law (Berkeley, Calif.: University of California Press, 1964), p. 11.
2. Malcolm Jewell and Samuel Patterson, The Legislative Process in the United States, p. 275. See also Edwin Epstein, The Corporation in American Politics, pp. 12-15.
3. See Donald Matthews, United States Senators and Their World (New York: Vintage Books, 1960), pp. 190-196, Jewell and Patterson, op. cit., p. 277; Lester Milbrath, The Washington Lobbyists, chapters 9, 10.
4. Ibid., p. 189. For a discussion of the relationship between the psychological references of the decision-makers and facility of group access see David Truman, The Governmental Process, chapter 13; Harmon Zeigler and Michael Baer, Lobbying: Interaction and Influence in American State Legislatures, p. 53; Bauer, Pool and Dexter, American Business and Public Policy: The Politics of Foreign Trade, pp. 466-467.
5. Henry A. Turner, "How Pressure Groups Operate," The Annals, CCXIX (September 1958), 64. See also Hugh A. Bone, American Politics and the Party System, pp. 610-611.
6. William Keefe and Morris Ogul, The American Legislative Process: Congress and the States, p. 361.
7. For example, Stephen Bailey, Congress Makes A Law; Bauer, Pool and Dexter, op. cit.; Legislators and Lobbyists (Washington, D. C.: Congressional Quarterly Service, no date).
8. For example, Milbrath, op. cit.; Zeigler and Baer, op. cit.; Walter de Vries, "The Michigan Lobbyist: A study in the Bases and Perceptions of Effectiveness" (unpublished Ph.D. dissertation, Michigan State University, 1960).
9. Milbrath, op. cit., p. 108. See also Chapter III.
10. Bernard Cohen, "Political Communication on the Japanese Peace Settlement," in American Political Interest Groups: Readings in Theory and Research, p. 227. See also S. E. Finer, "Interest Groups and the Political Process in Great Britain," Interest Groups on Four Continents, ed. Henry Ehrmann (Pittsburgh: University of Pittsburgh Press, 1958), p. 117.
11. Bernard Cohen, op. cit., pp. 229-230.
12. See Milbrath, op. cit., pp. 41-48.
13. See Appendix A, questions 6A, 10, 11, 11A, 11B, 16, 16A.
14. For an issue classification, see Vernon O'Rourke and Douglas Campbell, Constitution-Making in a Democracy. During my interviews,

twenty lobbyists discussed the Blaine amendment fight, ten discussed the ban on intangible personal property, four gifts and loans, eight labor issues, nine selections of judges, three higher education mandate, and twenty-two miscellaneous issues.

15. Those making the comparison of similar cycles rarely gave reasons and were not pressed for it.

16. A cross-tabulation of lobbyists' perceptions of convention and legislative cycle similarities with convention and legislative activity pattern similarities had a gamma of .114 signifying no statistical correlation.

17. The 1967 New York State Constitutional Convention Record and Index contains an itemization of the propositions as they are introduced, a brief summary of their contents, and an updating of their passage through the convention processes. It is updated daily. A similar volume, The Legislative Index, appears during legislative sessions.

18. Numerically, sixteen lobbyists of the twenty-four respondents with lighter policy workloads made these comparisons. See Chapter IV for more discussion of workloads.

19. See Harmon Zeigler, "Interest Groups in the States," Politics in the American States: A Comparative Analysis, p. 139; Bettye Schack, "New York's Court Reform Fiasco" (typed manuscript, undated). Additional factual information in Chapter II, supra.

20. A problem arose occasionally when two lobbyists from the same organization rated the same activities at different levels of intensity. For example, the two Bar Association representatives disagreed on their group's activity level at the convention and ratification. The higher evaluation in each case was given by the more active of the two men, reinforcing the personal activity aspect of their perception. In another case two lobbyists gave different evaluations of the same activity, one considering it more important than the other did.

21. See explanation of the index in Chapter V.

22. Select Committee of Lobbying, Report, September 21, 1967, in convention files. Note that there is not necessarily an overlap between expense and appearance statements; a group may file one, both or none.

23. Truman, op. cit., p. 343.

24. Johnson, op. cit., p. 76. See also Milbrath, op. cit., chapters 9 and 10.

25. See Truman, op. cit., pp. 333-350; Keefe and Ogul, op. cit., p. 360; Zeigler, "Interest Groups in the States," p. 136.

26. Ibid., p. 136.

27. Samuel Eldersveld, "American Interest Groups: A survey of

Research and Some Implications for Theory and Method," ed. Henry Ehrmann, Interest Groups on Four Continents (Pittsburgh: University of Pittsburgh Press, 1958), pp. 186-187. Truman says, "The produce of effective access . . . is a government decision." Op. cit., p. 507.

28. See O'Rourke and Campbell, op. cit., chapters 1, 2.

29. Information on delegates; backgrounds is taken from the official biographies in New York State Constitutional Convention Delegates, 1967 (Albany, N.Y.: The Legislative Index Co., 1967). See Chapter II, supra.

30. Anthony Travia became convention President, Moses Weinstein and Earl Brydges were Democratic and Republican floor leaders, Perry Duryea was a convention Vice-President, four other legislators were committee chairmen.

31. All the subject matter committees had 27 members, 15 Democrats and 12 Republicans.

32. Not only will a member-legislator be psychologically predisposed to favor one's cause, he may also push relevant memoranda around the convention. For example, delegate S. J. Mathews circulated a position paper on the forest preserve with the following covering letter; "Dear Andy [Tyler]: You are undoubtedly swamped with mail and position papers. I do hope, however, you will peruse the attached. . . ." Or John Dickenson circulated a position on uniform assessment of real property to all the other delegates. There were hundreds of instances of such inside lobbying. As would be anticipated, there is a relationship between high activity levels and the size of a group's convention lobbying staff or the presence of group members among the delegate body. Fifty-seven percent of those groups with two or more working lobbyists at the convention were rated in the high activity category. Fifty-nine percent of the lobbyists representing groups with member delegates perceived their group's involvement as high.

33. The League wanted districting standards, in an ordered sequence, as part of the apportionment article. They suggested the following priorities: "Equality must be overriding, contiguity is necessary, and county lines should be crossed only to maintain equity. If county or other lines must be broken, the territory so divided should be as compact as possible. The size of the Legislature should . . . be flexible enough to allow the use of as many of these standards as possible." League of Women Voters letter to all delegates, August 31, 1967.

34. Bernard Cohen, op. cit., pp. 227-229.

35. WMCA v. Lomenzo, 377 U.S. 633 (1964).

36. See V. O. Kay, Politics, Parties and Pressure Groups, p. 134; Bone, op. cit.

37. See ibid. for similar Congressional lobbying patterns.

38. Matthews, op. cit., pp. 186-188.

39. Gordon Brown, "A Five Million Dollar Blunder," State Charities Aid Association, Viewpoint, XV (Winter, 1968), 5-6.

40. New York State Constitutional Convention, Transcript of Proceedings, August 23, 1967, p. 3373. See also New York State Catholic Committee, Convention Round-up, August 25, 1967.

CHAPTER VII

LOBBYISTS' PERCEPTIONS OF SUCCESS

Interest groups are usually analyzed in decision-making studies as one of the independent variables affecting the final decision. Therefore, the question of group success is phrased in terms of their "influence or impact on governmental decision."¹ Answers to this question are almost impossible to ascertain. "Because influence takes place only in the decisional process of human beings, it is extremely difficult to measure."²

Fortunately, such an enterprise is unnecessary here because this paper has focused on group policy-making activities and the policy-making milieu through the lobbyist's eyes. Thus the questions asked are: Did the lobbyist feel his group was successful in achieving its objectives? Does the lobbyist relate success to his activities or to his group's effectiveness? Subjective answers such as these are difficult to compare with each other, so lobbyists were asked to compare their convention success to normal legislative success thus providing some form of internal comparison.³

It was hypothesized that lobbyists' perceptions of the level of their group's convention cycle success reflects their ability to use perceived environmental attributes to their advantage. This hypothesis reflects the general notion in the literature that lobbyists' skills and knowledge are resources of the organization which can turn mediocre

opportunities into margins of success.

The more successfully interest groups accommodate themselves to legislators and the legislative process, in terms of the self-interest and conceptions of the former and the dynamics of the latter, the more rewarding will be their activities, the more accepted and appreciated their involvement.⁴

The groups with lobbying experience tend to be more successful than ad hoc groups, partly because the former are familiar with techniques to accomplish the same purpose in a variety of ways.⁵

The hypothesis was only partially supported by the data from this study. A basic reason for this was the way the hypothesis was operationalized. Success had to be considered in two time contexts: one limited to the convention stage, per se; the other in terms of the complete three year, four stage cycle. However, the specific interview questions on success were framed only in terms of the convention stage in order to make the evaluation more comparable with legislative session successes.

Thus the answers were useful in establishing a lobbyist's definition of group success, but were less helpful in elucidating the relationship between the respondent's perception and his group's achievements. This question was examined indirectly from answers to earlier interview questions regarding strategy and manipulation of the total cycle.

Combining the two strands of data it appears that the kind of groups most successful at the convention stage were primarily those with non-contentious, specific interests; the majority of them were active only at this stage. By contrast, the groups most successful in the ratification stage were those reform and general interest groups

who initiated the cycle, failed in the writing stage, and used ratification to defeat the proposed constitution.

The role of the lobbyist in attaining group success is impossible to pinpoint in a causal sense. However, the data suggest they played an adaptative role since relationships do emerge between the lobbyist's perception of his group's success and both his over-all comparison of the two cycles, and his strategic manipulation of these convention cycle stages.

The general success hypothesis was considered in terms of three narrower propositions. One specified the broad relationships between the environmental situation and the group which create the context in which the lobbyist works. It states that the nature of the convention cycle affects the possibility of group success because the environment of each stage favors only certain kinds of interest groups. The proposition is derived from observations in the literature that suggest that

lobbying skills are not as important as the legitimate claim of the group to represent a public that has a stake in the outcome of a given decision. Techniques can maximize the advantage gained from according legitimacy to a group but cannot create legitimacy.

General political power is . . . difficult to define and is probably best understood as a subjective definition on the part of the individual legislator.⁶

Legitimacy is defined as the decision-maker's acknowledgement of the group's right to represent certain segments of the public. Representativeness can be related to the decision-maker's perception of the proportion of potential members the group speaks for, its authenticity, and/or the identification of its interest with the

'public interest.'⁷ Thus, legitimacy varies with the topic under discussion and the decision-makers to be influenced. For example, Citizens for Educational Freedom's influence in the context of the Blaine Amendment controversy was not transferrable to the adoption issue although both have church-state overtones.

The convention cycle provided an opportunity to test this idea because different convention stages had attributes which should favor varying kinds of groups. The data do support the notion of a contextual legitimacy. For example, the convention, peopled with advocates of the political status quo, favored groups promoting moderate, non-structural reforms. The public, as referendum decision-makers, looked to broad reform groups as the ones with legitimacy, and followed their instructions to defeat the 'pseudo-reform' offering.

The other two narrow propositions referred to lobbyists' perceptions of their convention stage success. They stated that:

(1) Lobbyists' estimation of their group's convention stage success based on a comparison of the number of achievements with the total number of goals.

(2) Lobbyists who perceived their groups as more effective in the convention than in a legislative session also perceived their convention stage success as better than in a legislative session and vice versa.

The data show that lobbyists care about content as well as quantity of goals achieved. If they win all defensive goals but lose a few positive ones, they tend to lower their over-all evaluation. In addition, as anticipated, lobbyists who perceived their groups as more

effective at the convention also tended to perceive their success as great in the convention environment.

TABLE 7.1

LOBBYISTS' PERCEPTIONS OF THEIR GROUP'S SUCCESS AT THE CONVENTION STAGE, AND THEIR COMPARISON OF THE GROUP'S CONVENTION STAGE AND LEGISLATIVE SESSION SUCCESSES

Perception of Success	At the Convention (N)	(%)	Convention-Legislative (N)	(%)	Evaluation
Great	40	35	7	9	Much Better at the CC
Good	18	16	16	20	Better at the CC
Moderate	14	13	14	18	Equal
Poor	8	7	14	18	Worse at the CC
Failure	10	9	7	9	Much Worse at the CC
Total	80*	100	69**	100	

* Three respondents gave no answer, nine said not applicable.

** Three said no comparison was possible, four gave no answer, fifteen said not applicable.

Lobbyists' Perceptions of their Convention Stage Success

Table 7.1 shows the lobbyists' perceptions of their convention stage success and their comparison of this record with a 'normal' legislative session record. Almost half of the respondents (47%) evaluated their success at the highest levels, while another 30% went to the other extreme. This low category contrasts sharply with Milbrath's tally of

Washington lobbyists' success ratings.⁸¹ Washington lobbyists were generally expansive, giving themselves high marks, with only 6% descending to a poor rating and no failures.

The reason for more numerous pessimistic assessments among New York State lobbyists seems traceable to the wording of the question. Milhath's lobbyists were asked for an over-all evaluation of their general record; the New York State lobbyists were asked about the specific results of one six month endeavor. Indeed, in remembering their legislative activities after the convention summer, the lobbyists painted a rosier picture of past triumphs. Thirty lobbyists said their convention record was worse than a normal legislative one, while sixteen considered them equal. Only 24 respondents said they did better at the convention.

General comments on their convention success were usually couched in terms of their group's projected goals or their chances in the general convention environment. Most lobbyists based their estimation of group success on the ratio of goals achieved to goals desired. Yet the calculation is not strictly analagous to a profit and loss balance sheet. The positive and negative aspects of goals can affect the over-all tally. Positive goals, that is those incorporating change, seem to have a higher value than negative goals. This may reflect the fact that more effort is generally required to create change than to block it since the collegial decision-making system of legislative bodies has a multiplicity of spots for killing proposals. To be passed a proposal must negotiate all such shoals. The lobbyists' measured weighting is evident in the following comments:

We had moderate success: 40% killed and 60% incorporated. We opposed extension of gifts and loans to private groups, repeal of Blaine, continued veterans preferences, and the election of judges and all were incorporated in the constitution.

Our showing was moderate. We usually do better at the legislature. We killed none of the things we really wanted eliminated, we didn't get in any of the things we really wanted in.

Many business representatives rated their convention success as only moderate precisely because they achieved only their negative goals.⁹

We had moderate convention success, much worse than at the legislature. Of the eleven we opposed, we killed seven. We favored two issues and were successful with neither one.

We had success with the negative items. We had no luck with the labor bill of rights.

We achieved 95% of our positive goals, 33% of our negative goals. We lost on gifts and loans, the bond referenda and state revenues.

The subjectiveness of such evaluations is illustrated by the following contrast. One lobbyist said her group had 90% negative and positive successes, yet she rated them as a failure at the convention because they failed to retain the Blaine Amendment. However, another citizen group in a similar situation rated their convention record as great because they did win 80% of their positive goals, losing only on the Blaine issue.

When lobbyists were asked to estimate the percentage of positive and negative goals they secured at the convention, only half were willing to make such an evaluation. While findings based on only half the interview population are necessarily tentative, the cross-tabulation of these percentages with general success perceptions corroborates the hypothesis defining success in terms of the quantity of

achieved goals. Table 7.2 shows the percentage of positive successes correlated with general perceptions of success; Table 7.3 correlates the percentage of negative attainments with the general perceptions of success.

TABLE 7.2
RESPONDENTS' PERCEPTIONS OF THEIR CONVENTION STAGE SUCCESS
CORRELATED WITH THEIR EVALUATION
OF THE PERCENTAGE OF POSITIVE GOALS ACHIEVED

Percentage Positive Goals Achieved	SUCCESS RATING									
	Great		Good		Moderate		Poor/ Failure		Total	
	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)
100%	1	10.0	1	12.5					11	27.0
75-99%			3	37.5			1	11.1	4	10.0
76-75%	1	7.7							1	2.6
Over 75% but Missed Key Goal					6	50.0			6	15.0
51-75%	1	7.7	1	12.5					2	5.3
1-50%			2	25.0	3	30.0	3	42.9	8	21.1
0	1	7.7	1	12.5	2	20.0	3	42.9	7	18.4
Total	13	100.0	8	100.0	10	100.0	7	100.0	38	100.0

Note: Fifteen respondents said they had no positive goals.

Gamma .680

TABLE 7.3

RESPONDENTS' PERCEPTIONS OF THEIR CONVENTION STAGE SUCCESS
CORRELATED WITH THEIR EVALUATION OF THE
PERCENTAGE OF NEGATIVE GOALS ACHIEVED

Percentage Negative Goals Achieved	SUCCESS RATING									
	Great		Good		Moderate		Poor/ Failure		Total	
	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)
100%	17	80.0	9	50.0					17	42.5
87-99%	1	4.8	1	11.0	1	14.3	1	12.5	4	10.0
74-86%	2	9.7	2	20.0					4	10.0
61-73%			2	10.0	1	14.3	1	12.5	4	7.5
48-50%			1	10.0	5	71.4	2	25.0	8	20.0
1-47%							4	50.0	4	10.0
Total	19	100.0	10	100.0	7	100.0	8	100.0	40	100.0

Note: Six respondents had no negative goals.

Gamma = .779

Looking first at Table 7.2, it is interesting to note that eleven lobbyists (one-tenth of those interviewed) won all of their positive goals, while another eight lobbyists said they secured over three-fourths. As anticipated, a majority of these respondents perceived their success as great or good. However, five lobbyists specifically said that they lowered their success evaluations because they failed to win a key positive issue, a loss which could not be balanced out by their multitude of smaller successes. This kind of juxtaposition of quantity with the character of the goal modifies any strict numerical balance

sheet. For example, the General Electric lobbyist said, "We did moderately well. We couldn't kill the things we really wanted out, we couldn't get the things we really wanted in."

In general, lobbyists with high percentage estimates tended to place themselves in the high success categories, so it might be supposed that lobbyists with low percentage estimates would rate themselves near the failure end of the scale. One-third of the respondents did this, but another 29% put themselves in the above average categories. Such divergent interpretations of similar statistics probably reflects the total mix of group goals. Those with the optimistic evaluation presumably did quite well in terms of their negative goal successes.¹⁰ For example, the New York Chamber of Commerce lobbyist said, "We were very successful in keeping things out, but we got nothing in that we wanted. The main issue we wanted was an industrial development article to promote more jobs."

The mixed nature of most group agendas was verified statistically when a cross tabulation of percentages of negative and positive successes failed to show any statistical association. Nevertheless, the table did indicate that seven lobbyists were successful in negative terms, while failing to secure positive goals. Additionally, six lobbyists felt they achieved all their goals; seven lobbyists scored 100% on positive goals and four lobbyists scored 100% on negative goals but had no positive ones.

Turning to Table 7.3 shows that over half of the lobbyists secured over 85% of negative interests. These twenty-one lobbyists represent almost one-fourth of the total interview population, which

suggests that it was easier to keep the status quo (negative goals) than to make changes. This point is reinforced by the fact that every group had some kind of negative goal success, while seven lobbyists had no positive goal successes. These data also lend credence to the hypothesized relationship between the environmental characteristics of each stage and the opportunities for groups to succeed. Thus, the convention delegates, representing a cross-section of current political power centers,¹¹ were more likely to be interested in preserving the status quo than in shattering their own power bases.

The lobbyists often explained their success in terms of different convention relationships with the delegates or among the various groups. Discussing convention relationships, lobbyists said:

We had more convention influence because we had interests beyond Blaine which gave us more leverage with political leaders. In addition, we could bargain in terms of ratification support.

We had less effect because of non-legislative delegates who wouldn't listen to community organizations.

We were less effective because delegates were not representative of, or responsive to their constituencies.

In the legislature we can exert electoral influence over legislators. We can influence re-election, we can do favors.

In terms of organizing for success, lobbyists said:

We had more power, people and money at the convention. We were united, a most unusual occurrence.

Ad hoc alliances that were formed also helped overcome the traditional splintering of voluntary agency strength. By speaking with one voice, a number of agencies were able to get the attention of convention delegates and key staff people. And this unified approach had gratifying success in shaping several decisions.¹²

For these lobbyists the environment affected the possibility of their success.

Quantity of goals can also refer to the size of a group's total program. Since all interest groups suffer "from shortages of money, skilled personnel, information and time,"¹³ a focused, hierarchical list of priorities or a small convention agenda should increase their chances of success. Several lobbyists made this point in the interviews:

The key to our success was our small program.

We did better at the convention than in legislative sessions because we limited ourselves to a few key issues.

Our larger legislative program means we do worse at legislative sessions,¹⁴ and have less cooperation from other organizations.

Table 7.4 shows the correlation between the number of issues that a group pursued at the convention and the lobbyist's evaluation of their success. The relationship between group programs and success reinforces the quantitative basis of success, and also indicates the greater probability of success among organizations that adapt to their environment by shifting agenda priorities.¹⁵

Two-thirds of those in the high success categories were interested in less than three issues. The reverse occurred with the multi-goal organizations: 70% of those interested in eight or more issues were ranked by their lobbyists in the moderate or failure categories. These twenty-one groups represent only 10% of the great success category, but 40% of the poor/failure categories.

TABLE 7.4

NUMBER OF GOALS THE GROUP WORKED ON AT THE CONVENTION AND THE LOBBYISTS' PERCEPTIONS OF THEIR GROUP'S CONVENTION SUCCESS

Perception of Group Success	NUMBER OF ISSUES									
	1		2-3		4-7		8-10		Total	
	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)
Great	5	37.5	0	0	4	13.0	3	11.5	12	24.3
Good	5	37.5	4	20	5	17.0	4	15.1	18	35.7
Moderate			4	20	5	17.0	5	18.5	18	35.7
Poor	3		2	10	2	7.0	2	7.5	7	14.3
Failure	3	22.0	2	10	3	11.0	4	15.1	12	24.3
Total	13	100.0	20	100	27	100.0	31	100.0	70	100.0
Grand	Total									

The data indicate that 87% of those interested in only one issue evaluated their convention success as great or good. Those interested in two or three issues had similarly rosy evaluations. However, groups with larger convention programs are evenly distributed through the success categories: fifteen of the forty-three with four or more goals felt they did well, fourteen evaluated their success level as moderate and fourteen felt they did badly.

Perceptions of Effectiveness and Success

Lobbyists who perceived the convention and legislative cycles as different were asked if these differences affected their organization's effectiveness.¹⁶ Of those answering the question, nine felt

they were more effective in the convention environment, twenty-one considered the two equal, and nineteen felt they were less effective. Those feeling more effective attributed it to their influence within the delegate body, or to their early awareness of the unique nature of the convention cycle which enabled them to develop a successful convention strategy.

Most of the lobbyists who felt less effective at the convention traced the reasons back to poor delegate relations as compared with legislator-lobbyist relationships. Delegates, unhampered by election ties, were seen as inflexibly opinionated, disinterested in organizations' objectives, and ignorant of groups' historical influence. Lack of intimacy with the new delegates made many lobbyists uneasy and cautious since they felt unsure of the boundaries of interaction.

Several lobbyists contrasted this situation with the ongoing, familiar, legislative pattern. For example:

Our influence is based on personal relationships built up over the years. This makes it easier for us to wheel and deal in the legislature.

We had less opportunity to be of service by digging into the background and technicalities of subjects.

It was hypothesized that there would be a positive relationship between lobbyist's feelings of effectiveness and success since both refer to consequences of group activity. Table 7.5 correlates the lobbyist's perception of effectiveness with his perception of group success at the convention and compared to his average legislative record. Although a relationship is evident, the moderate gammas of .542 and .562 indicate a weaker association between the variables than one might expect.

TABLE 7.5
 CORRELATION OF LOBBYIST'S PERCEPTION OF EFFECTIVENESS
 WITH HIS PERCEPTION OF CONVENTION SUCCESS,
 AND HIS COMPARISON OF CONVENTION AND LEGISLATIVE SUCCESS (N)

<u>Convention Success</u>	<u>Perception of Effectiveness</u>		
	More in Conv.	Same in Both	Less at Conv.
Good	7	13	4
Moderate		5	7
Poor/Failure	2	4	8
Total (49)	9	21	19
Gamma .562			
<u>Comparison of Success</u>			
Better at Convention	5	7	4
Equal		7	1
Worse at Convention	2	6	13
Total (44)	7	20	18
Gamma .542			

Those lobbyists who felt more effective at the convention rated their success as good-great, and most of them said they did better at the convention than legislative sessions. Those who felt the environmental differences did not effect their role tended to evaluate their convention success rated as moderate or high, but when comparing this to legislative sessions only one-third said they had similar success records in both situations. Twice as many of the less effective feeling lobbyists evaluated the convention as a less than great success, and most of those in the moderate or lower success categories claimed better

legislative records. This may be a matter of pride or an accurate reflection of the situation for many groups.

Interestingly, there was no relationship between activity variables and lobbyists' success evaluations.¹⁷ For example, approximately one-half of the lobbyists in each success category said their activities in the two situations were similar. There was also no statistical relationship between the amount of work a lobbyist did at the convention and his success record. However, in a descriptive sense, the figures indicate an inverse relationship between the size of a lobbyist's convention workload and his perception of success. For example, 42.1% (N=8) of those in the least successful categories had greater workloads, while 60% in the more successful categories had lighter workloads.

This might suggest that there is no perceived relationship between one's workload and group success, except that interesting relationships going the opposite direction appear between success and the lobbyist's work style and convention appearance record. The majority of lobbyists at the convention daily or weekly tended to perceive their success as great or good. At the other extreme, seven of the ten lobbyists never at the convention rated their group's success as poor or failure.

Since 'contact style' lobbyists¹⁸ are those preferring to speak directly with officials, it is probable that they spent more time in the Albany chambers, and that therefore, they tended to give high success ratings. Indeed the data indicate that two-thirds of the 'contact men' rated their success as great or good, while 40% of the 'administrators' saw their success level as poor or failing. Turning the statistics

around, 63% of the great success lobbyists were 'contact men', 70% of the poor/failure categories were 'administrator' lobbyists.

This relationship suggests either that lobbyists who were personally involved in the convention evaluated their success as higher to satisfy their own ego needs, or perhaps contact men and on-the-scene lobbyists actually did far better because convention procedures such as floor amendments required immediate decisions if groups wanted to incorporate their ideas in the constitutional text. This latter relationship would reinforce the hypothesized role of the lobbyist as group adaptor.

In summary, the data show positive associations between lobbyists' perceptions of success and the quantity and type of group goals. Relationships also exist between perception of group effectiveness and group success, although a lobbyist's work style and time at the convention seemed to effect his perceptions of success.

Environment and Success

It was hypothesized that groups represented by lobbyists who perceived the existing variations between the convention and legislative cycles would fare better at the convention than groups which were not so led. This reflects the interest group literature assumption that lobbyist expertise is a precondition for effectively utilizing access.

The only effective communications are those which get through the perceptual screen. In fact there is no other way to influence government decisions. . . . The lobbying process, then, is essentially a communications process, and the task of the lobbyist is to figure out how he can handle communications most effectively in order to get through to decision makers.¹⁹

Convention data in Table 7.6 show that a majority of lobbyists in every success category perceived differences between the two cycles. When the dependent/independent variable relationship is reversed, the relationship remains almost the same. The 30% perceiving cycle differences and great convention success are balanced by the 26% perceiving cycle differences and convention disaster. Thus in terms of over-all perception and group success there is only a small variation between the more and less successful lobbyists.

TABLE 7.6
PERCEPTION OF SUCCESS CONTRASTED WITH PERCEPTIONS OF
DIFFERENCES IN THE CONVENTION AND LEGISLATIVE PROCESSES

Perception	Evaluation of Convention Stage Success									
	Great		Good		Moderate		Poor		Failure	
	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)
Different (N = 50)	15	75.0	6	56.1	13	65.4	4	50.0	9*	64.2
Similar (N = 28)	5	26.0	7	43.9	6	31.6	4	50.0	5	35.8
Total	20	100.0	13	100.0	19	100.0	8	100.0	14	100.0

* Three of the respondents included in this category said they failed at the convention and won during ratification.

However, lobbying perception can also be indicated in the over-all strategy of the group and its compatibility with the decision-making environment. This view of perception is derived from the idea that the probability of group success involves more than mere expertise. It also involves the nature of the group's membership, the acceptability of

their goals, and the amount of legitimacy accorded to them by the decision-makers.

The effective lobbying organization is hard to describe since success is not singly dependent upon the technique or goals of a particular interest. Those groups which are recognized by legislators as serving a representative function for a legitimate public will be more effective than those that are not; those groups whose goals do not conflict with legislator's perceptions of the public interest will be more effective than groups whose goals do conflict. . . . Within this context the skillful or inept tactics of lobbyists are given their limits.²⁰

Using this frame of reference, the part played by lobbyists' perceptions and its relation to eventual success can be seen indirectly in their manipulation of the convention cycle stages. Traditionally conventions are supposed to be superior vehicles for structural reform because their one-shot nature lessens party discipline, and the role of reformers in initiating the cycle gives them access within the convention forum itself.²¹

In New York State the combination of normal partisan election mechanisms for the selection of delegates plus the possibility of dual office-holding stacked the convention with beneficiaries of the current system. The convention structure placed these men at key decision-making points--committee chairmanships, staff experts and convention leaders. As delegates these men wanted to solve some problems such as ghetto redevelopment, educational financing, individual freedom guarantees, etc.--but all within the existing power framework. Since the reformers generally wanted to alter the power rules, they met obstacles instead of access points.²²

Table 7.7 illustrates this point by showing respondents' perceptions of their convention success broken down according to their group

TABLE 7.7

LOBBYISTS' PERCEPTIONS OF THEIR GROUPS' CONVENTION SUCCESS AND THEIR COMPARISON
OF CONVENTION AND LEGISLATIVE SUCCESS, BY GROUP CATEGORIES

Success Levels	Group Categories																			
	Church		Good Gov't		Educat.		Bus. Assn		Bus. Corp		Trade Assn		Union		Govt.		ad hoc CC Group		Misc.	
	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)
Great/Good (N - 38)	3	33.3	1	10.0	4	40.0	2	50.0	3	50.0	12	80.0	3	33.3	6	85.8	3	50.0	1	25.0
Moderate (N - 19)	5	55.6	3	30.0	1	10.0	2	50.0	1	16.7	2	13.3	4	44.5					1	25.0
Poor/Failure (N - 23)	1	11.1	6	60.0	5	50.0			2	33.3	1	6.7	2	22.2	1	14.2	3	50.0	2	50.0
Total	9	100.0	10	100.0	10	100.0	4	100.0	6	100.0	15	100.0	9	100.0	7	100.0	6	100.0	4	100.0
Convention-Legislature Success Comparison																				
Better at CC (N - 24)	4	44.4	2	22.2	3	33.3			1	16.7	7	50.0	1	12.5	1	25.0	2	66.7	2	66.7
Same at Both (N - 16)	1	11.1	3	33.3			2	50.0	3	50.0	4	27.5	2	25.0	1	25.0				
Worse at CC (N - 30)	4	44.4	4	44.4	6	66.7	2	50.0	2	33.3	3	22.5	5	62.5	2	50.0	1	33.3	1	33.3
Total	9	100.0	9	100.0	9	100.0	4	100.0	6	100.0	14	100.0	8	100.0	4	100.0	3	100.0	3	100.0

affiliations. The figures show the reformers' perception of nonfulfillment. Over half of the good government and education group lobbyists rated their groups as convention failures, and approximately half of the church-humanitarian, business association and labor lobbyists evaluated their record as moderate.

Between 45% and 67% of the lobbyists representing broad reform groups evaluated their convention record as worse than their usual legislative results. In fact only ten of these lobbyists rated their convention successes as better than legislative ones. Since this is only one-fourth of these representatives, it seems indicative of the inhospitable atmosphere for their kind of constitutional reforms.

This bias against structural reform can be illustrated using examples from the lobbyists' case studies. Reform group coalitions seeking structural changes in the New York State court system and appointment rather than election of judges were unsuccessful because these issues affect the political power distribution. On such issues no group could match the legitimacy of judges lobbying to protect their own positions.

On broader issues such as keeping the forest preserves 'forever wild,' removing the Blaine Amendment, eliminating the religious provision from the adoption law, or preserving civil service pension guarantees, the winning coalitions had all formed ad hoc alliances designed to create decision-makers' a knowledge of their legitimacy on the particular issue. That the two church-related issues changed the status quo and the other two maintained it were not the deciding factors. What mattered in all four cases was the group's manipulation of opportunities presented by the broadness of convention topics to

align with legislative competitors in a comprehensive front. Their influence derived from their role as "nodes in the communication process. . . . The presence of associations astride the communications process was important indeed."²³

On two issues, gifts and loans and free higher education, the lack of a clear group consensus and the inability of any one segment to command the opinion process meant that the party leaders settled the issue along party lines. Moderate reform took place at the behest of the parties not the initiative of groups.

In all these cases the winning groups espoused moderate reform or status quo goals which did not alter the distribution of political power within the state. Instances where group suggestions were accepted reflected the decision-makers' acknowledgement of their legitimacy to speak for the interested segment of the public. Thus the case studies reinforce the view that

the influence of interest groups in the legislative process depends more on the harmony of values between the group and the legislature than it does on the ability of the group to wield its 'power'. . . .²⁴

Returning to Table 7.7, in only three categories did 50% or more of the respondents characterize their records as highly successful with the highest percentage being 85% of the government representatives. This reflects their close association with the convention delegates and the similarity of their notions of change. The other two successful categories of representatives were corporate and trade association representatives; yet eighty percent of these groups were not actively involved in this stage. When they participated they wanted only specific "pressure group" type modifications, or they worked to maintain the

general status quo. For example, a good business climate and fiscal home rule for New York State cities were considered incompatible by business and undesirable by the key convention decision-makers.

Business interests had the same kind of advantage in the convention that they have in legislative sessions; they represent the same power establishment as the legislators. This meant they could safely ignore most convention activity, and be successful in those instances where they chose to exert even moderate effort. They represent a classic example of the point that

the influence of interest groups in the legislative process depends more on the harmony of values between the group and the legislature than it does on the ability of the group to wield its 'power' either through skillful techniques or presumed electoral influence.

Yet, although business interests were at the top of the convention success evaluation continuum, only eight of them (40%) felt they did better in the convention environment. This is because many of them lost on a key provision, such as the referendum on state bonds, which would not have been decided unfavorably in the party disciplined legislature.

Those groups which lack a general establishment basis for successful inter-action must create an ad hoc base by establishing their right to represent some public viewpoint on a certain issue. Certain ad hoc convention groups such as Civil Service Council for the Constitutional Convention and the Constitutional Council on the Forest Preserve established their right to represent their members by advertising their electoral strength during the selection of delegates stage. The Committee for Educational Freedom established itself as the voice of the

voting Catholic population by electing a majority of convention delegates committed to their goal of repealing the Blaine Amendment.²⁶

A final table illustrating the lobbyist's role as tactician correlates their perceptions of convention success with their position on the ratification state referendum. A gamma of $-.621$ indicates a strong negative association between convention failure and a position against the proposed constitution. The data in Table 7.8 show that only 26% of those with great convention success perceptions were against the new constitution, but 86% of those with a poor record and 92% of the perceived convention failures were using the ratification opportunity to cancel out their convention state losses.

TABLE 7.8

LOBBYISTS' PERCEPTIONS OF CONVENTION STAGE SUCCESS
AND THEIR GROUP'S POSITION ON THE PROPOSED CONSTITUTION

Position on Consti- tution	Perception of Convention Success									
	Great		Good		Moderate		Poor		Failure	
	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)	(N)	(%)
Con	4	26.7	7	46.7	12	75.0	6	85.7	11	91.7
Neutral	7	46.6	8	53.3	2	12.5	1	14.3		
Pro	4	26.7			1	12.5			1	8.3
Total	15	100.0	15	100.0	16	100.0	7	100.0	12	100.0
Gamma	$-.621$									

These reform groups had an already established legitimacy with the referenda decision-makers, the public, since they regularly dispensed information on election issues. The Citizens Public Expenditure Survey

lobbyist said they had ratification influence "because the time was short in which to make a decision, so voters turned to us as usual." The groups capitalized on this recognition to urge a "no vote."

The table also confirms an earlier assertion that groups rewarded in legislative style with negative or status quo goals would prefer to sit out the ratification stage. Forty-six and seven-tenths percent of those in the great success category, and 53.3% of those in the good success category were neutral at the convention. The New York Telephone Company lobbyist explained why:

We were so successful at the convention that we decided to have nothing in our house organ on ratification for fear of being misinterpreted by the convention leadership. Anyhow we didn't care about the result since we had maintained the status quo.

In summary, the convention cycle data indicate that each stage had special features used by groups to maximize their resources. Groups with legitimacy among the public used the two referenda stages to call a convention for reform and then to kill a non-reform product. Groups such as labor and the Catholic church indicated their traditional electoral strength in terms of convention issues and established their right to represent the public interest when these issues were determined in the convention. Finally, groups with moderate reform interests, especially if they established their right to the 'spokesman' role, won their goals in the convention proper since they fit into the decision-makers' perceptions of correct constitutional change. Assuming that the lobbyist, as group tactician and mouthpiece, created strategy to utilize these cycle differences, it can be said that his perceptions are an important component in the creation of group success.

FOOTNOTES TO CHAPTER VII

1. Lester Milbrath, The Washington Lobbyists, p. 328. See also Betty Zisk, ed., American Political Interest Groups: Readings in Theory and Research, p. 204; Graham Wootton, Interest Groups, chapter 5.
2. Milbrath, op. cit., p. 330.
3. See Appendix A, questions 18, 19.
4. Abraham Holtzman, Interest Groups and Lobbying, p. 72.
5. Gilbert Steiner and Samuel Gove, Legislative Politics in Illinois, p. 48. See also David Truman, The Governmental Process, p. 330.
6. Harmon Zeigler, "Interest Groups in the States," in Politics in the American States: A Comparative Analysis, p. 141.
7. Wootton, op. cit., pp. 89-91. See also Harmon Zeigler, Interest Groups in American Society, p. 276; Zeigler, "Interest Groups in the States," pp. 139-140; Malcolm Jewell and Samuel Patterson. The Legislative Process in the United States, p. 294.
8. Milbrath, op. cit., pp. 347-351, 365.
9. Evaluation of a group's success usually appeared in their house organs, e.g.: Commerce and Industry said: "The constitutional convention adopted in whole or major part more than half the points advocated by Commerce and Industry Association. . . . It is now an all-or-nothing package. . . . We strongly urge a 'no' vote." Convention 1967, September 21, 1967, October 11, 1967. See also New York Chamber of Commerce, Ratification Position Paper, October 20, 1967, p. 10; AFL-CIO Report, Tenth Constitutional Convention, New York State AFL-CIO, October 1967, pp. 3-19.
10. Zeigler says that those with defensive interests have a better chance of success than those who try to change existing values, but Milbrath says there is no relationship between the defensive or offensive posture of a group and the lobbyist's appraisal of their organization's success. It would seem from my study that both are correct but discussing different aspects of the same effectiveness since they represent the same values and opinion as the decision-makers, and on particular pressure group status quo concerns they are likely to be more successful. But lobbyists rate their overall success in terms of their overall programs which are usually composites of positive and negative goals. The results for this total program will consequently vary with the circumstances surrounding each decision so in this sense there is no automatic success for a defensive organization because no purely defensive organization really exists. See Milbrath, op. cit., pp. 349-350; Zeigler, "Interest Groups in the States," p. 134.
11. See Chapter II and Chapter VI.

12. Gordon Brown, "A Five Million Dollar Blunder," pp. 5-6.
13. Raymond Bauer, Ithiel de Sola Pool and Lewis Dexter, American Business and Public Policy: The Politics of Foreign Trade, p. 341.
14. Issues are broad policy areas such as church-state, education, local government within which there may be many specific positions (individual topics). Thus a group with only one issue area may still have two or more specific positions which it pursued at the convention.
Those groups with one to five or eight to fourteen separate positions had over 50% of their lobbyists in the great/good success categories. Those with six to seven issues were evenly divided between the good, moderate and poor categories. Groups with fifteen or more issues had approximately 50% of their representatives in the moderate success category. See also Zeigler, op. cit., p. 89.
15. See Chapter IV.
16. See Appendix A, interview question 7A. Due to an interviewing mistake, lobbyists with similar perceptions were not asked this question, although hindsight shows that they should have been.
17. See discussion of lobbying activity in Chapters V, VI.
18. For a discussion of lobbying work styles see Chapter III.
19. Milbrath, "Lobbying as a Communication Process," American Legislative Behavior: A Reader, p. 305. See also S. E. Finar, "Interest Groups and the Political Process in Great Britain," Interest Groups on Four Continents, pp. 135-136.
20. Zeigler, op. cit., pp. 276, 274.
21. See Tip Henry Allen, "State Constitutional Revision in the South: Two Case Studies," (Unpublished Ph.D. dissertation, University of Alabama, 1961), chapter 1.
22. See literature on non-decision-making such as Peter Bachrach and Morton Baratz, Power and Poverty: Theory and Practice (New York: Oxford University Press, 1970).
23. Bauer, Pool and Dexter, op. cit., pp. 324-325.
24. Zeigler, op. cit., p. 274.
25. Ibid., p. 89.
26. See Chapter V for information on group activities at different convention cycle stages.

CHAPTER VIII

CONCLUSIONS

This study has focused on lobbyists' perceptions of two comparable but different decision-making environments: the New York State constitutional convention cycle and the legislative cycle. The nature of these perceptions, the lobbyists' use of environmental cues to develop approaches to decision-makers, and the relationship between perceptions of the environment and perceived group success were examined.

It was found that the lobbyists evaluate new experience in the context of their previous legislative routine. The most salient aspects of their working milieu are those loci of decision-making power which are functionally important to the lobbyist. Group goals, resources and organizational limitations create the set of conditions which the lobbyist has to coordinate with environmental opportunities. Within the limits of these constraints, lobbyists' perceptions of significant variations between the convention and legislative cycles were incorporated in the development of their overall strategy. The lobbyist's evaluation of his group's success reflects a combination of goals accomplished and his own level of participation and feeling of effectiveness.

Ninety-one lobbyists registered for the 1967 New York State constitutional convention (stage 3) were interviewed in 1968. Ninety percent of these lobbyists had previous legislative experiences which enabled them to compare the new convention situation with their previous

legislative routine. The interview data were analyzed in terms of three broad hypotheses and eight narrower ones.

The first group of hypotheses were concerned with whether or not lobbyists perceived environmental attributes and with the frame of reference which determined salient points in the decision-making process. It was hypothesized that:

Lobbyists will perceive differences between the constitutional revision cycle and the state legislative cycle.

Two narrower propositions related to the content of the perceptions.

Lobbyists' regular activities during legislative sessions color their perceptions of the constitutional convention revision cycle.

The most salient features of the convention stage environment are those most related to the functional needs of lobbyists.

The data supported all three hypotheses. Lobbyists' explanations reflected a fairly sophisticated political assessment of environmental factors affecting the character of the decision-making system. Their interpretations of the more general and specific aspects of the environment were couched in terms of general and specific functional needs. Thus, broad environmental features such as unicameralism and nature of the cycle, were related to the general mediator/communicator role played by lobbyists within the decision-making structure. By contrast, the level of more specific decision-making access points was perceived in relation to the manner in which the respondent lobbied.

When asked to make a choice as to the similarity or dissimilarity of the convention and legislative cycles, 61% of the respondents appraised them as dissimilar. Later, answering questions on specific

structural points, additional lobbyists said one or another varied from the legislative model. If these lobbyists are included as part of 'dissimilar' perception category, it brings the total to 86% of the sample, clearly indicating a perceptual consensus supporting the hypothesis.

The most strongly remembered aspects of the convention cycle environment were features such as the absence of legislative continuity or delegate influence and attitudes which created a unique convention atmosphere. Interestingly, the idea of convention atmosphere was not on the interviewer's check list, but lobbyists continually mentioned it as an important differentiating characteristic. This suggests that lobbyists do note intuitively the informal norms and relationships which affect internal power relationships.

Additional features of the convention environment were perceived in relation to the lobbyist's role as mediator between outside groups and the decision-making apparatus. Convention purpose, scope and agenda were all seen in more concrete terms such as a composite product and broader, permanent issues, which affected the form of lobbying communications.

The more independent congressional style decision-making role of convention committees and the important role of floor amendments were contrasted to the cipher-like legislative committees and the absence of floor amendments or any similar forms of individual independence. Leadership was either perceived as identical because of the physical transference of legislative leadership to convention leadership roles; or as different due to weaker leader-led relationships, or the potential power of the leader in a unicameral power structure. All of these evaluations

were explicitly comparative, contrasting convention features to the legislature's. They also were interpreted in functional terms related to the place of the lobbyist within that environment.

Lobbyists' assessment of the influence of various decision-making factors reflected three sets of reasons related to three different categories of factors: leadership posts, delegates and party discipline; committee chairmanships, staff and work style; and constituent, media and interest group factors. The categories and accompanying reasons were then fashioned into distinctive judgments of the relationship among those factors functionally important to each individual lobbyist. Since each category may be perceptually independent, the lobbyist is free to reinterpret only the parts of the environment which seem changed to him. Thus he might see party relationships as similar but procedures and constituent relations as different because his mode of operation with party leaders was identical in both environments, while his actual actions were modified to suit convention peculiarities.

These three categories are all comparative in the sense that the lobbyists' yardstick for evaluation was the tightly disciplined, leadership-run legislature. Since the legislative leadership triumvirate is the important access point in that system, it followed, as hypothesized, that it was most salient for lobbyists in the new environment. Lobbyists related President Travis's power to his ties with the delegates, the impact of legislative discipline in the new context, characteristics of the delegate body, unicameralism, and Travis's personality. Such explanations of the sources of Travis's strength suggest that lobbyists' perceptions of the leader-led category of decision-making factors were related to their need to assess the fluidity of power before selecting

access points.

Committee related decision-making factors seemed to reflect a different set of perceptual referents since they were tied in more to the policy-making role of the committee, per se, and less to the influence of leader power. Committees were stronger because they wrote articles, or weaker because they had less leeway in killing propositions than legislative committees do.

The final category of decision-making factors: groups, constituents, and media, were perceived in terms of delegates' relationships with outsiders or the kind of action opportunities provided by the convention agenda. Thus, convention personnel were seen in terms of influence relationships, committee factors in terms of procedural possibilities for action, and other external factors in terms of possible rivalries or assistance.

The content of the lobbyists' perceptual explanations contained an "experience-specificity" association which supports the hypothesized relationship between perception and functional need. Those factors which lobbyists could explain in most detail were the ones they actually worked with during the convention cycle. For example, they could have a general impression of gubernatorial impotence at the convention, but few could give reasons for this perception since they had not worked with him. However, they could be quite precise about impressions of delegates, leaders and other contact points used in the convention session. Thus, lobbyists' reaction conform with their tendency not to generalize from specifics. They prefer concrete explanations of one committee rather than a summary evaluation of all committees extrapolated from experience with one.

The saliency of different decision-making points and consensus on their convention influence varied with each lobbying style, thus reinforcing the relationship between functional need and perception. Lobbying style was categorized on the basis of the ratio of time allocated to desk work to time allocated to personal on-the-scene contacts. 'Administrators' emphasized the former, 'contact men' the latter, and 'combination stylists' a mixture of the two.

Administrators, who tend to incorporate lobbying chores in among their office routine, were most aware of Travis and considered him more influential in the convention. Contact men, who spend more time on the scene, were agreed that committees, their chairmen and staff, had more influence in the convention. Combination stylists were aware of both leadership and committee access points, but they tended to feel that the committee chairmen were less influential at the convention, while Travis and the individual delegates had more.

In summary, the content of the lobbyists' perceptions established that they consider environmental features as important determinants of their behavior. Furthermore, they evaluated environmental attributes in terms of their own previous experience and functional needs.

The second major hypothesis dealt with the relationship between perception and action, since in a perceptual system both aspects must be present. It was hypothesized that

Lobbyists' perceptions of their working situation effect the allocation of their group's resources among the four stages of the constitutional revision cycle, and the implementation of each group's convention period strategy.

A narrower proposition spelled out those features of the conven-

tion environment that should affect interest group activity.

The most important differences between the convention and legislative systems in terms of the effect on interest group activity are the division of the constitutional revision process into four separate, non-recurring stages as compared to the two stage legislative cycles, public expectations concerning the function of each process for the body politic, the method of transforming decisions into law, and the content of convention and legislative session agendas.

Two other propositions concerned group activities in the convention cycle.

Groups' goals, organizational resources and limitations determine the level of interest group involvement in each of the four convention stages.

Interest group policies reflect the nature of the group, while their constitutional revision cycle strategies and tactics incorporate adaptations to meet the environmental conditions.

The data confirmed the hypotheses by indicating that lobbyists' perceptions are used as modifiers of group behavior patterns, the general outlines of which are set by the nature of the group's goals, resources and limitations. The level of involvement of any group reflected a mixture of four factors: group goals, their organizational characteristics, their perceptions of key aspects of the situation, and assessments of the most advantageous points for their group to act.

The lobbyist cannot mold his group to fit decision-making situations; attributes of the group are 'givens' with which he must work. Chief among these are group goals, generally created to answer internal membership needs. This was confirmed in convention data by the lack of statistical correlation between similarity of convention and legis-

lative goals and lobbyists' perceptions of convention and legislative cycle similarities. The data also illustrated that groups with large or heterogeneous memberships and/or intangible goals tended to have larger, more diverse programs and a less hierarchial order of priority than groups with small, homogeneous memberships and/or specific, tangible goals.

Goals affected group activities in terms of the lobbyist's own workload and in terms of overall activity patterns. Lobbyists tended to discuss workload in relation to the quantity of goals. For example, 74% of those with less convention work attributed it to a smaller convention program.

The nature of group goals affected overall activity patterns in the sense that groups with constitutional type goals, especially positive reforms, were motivated to call a convention, worked hard to incorporate their ideas into the new document, and then worked hard at ratification because their goals had been unfulfilled. The data showed that government and business groups with limited or status quo interests were generally active only at the convention session, per se; while education, citizen, church-humanitarian, and business association lobbyists, all working for large programs of broad constitutional reform, were generally active at three or four of the convention stages.

Group attributes also set other limitations for lobbyists. For example, legal limitations, statutory or by-law, kept many reform groups from participating in the selection of convention delegates. Lack of membership cohesion caused other groups to modify their behavior either by playing down controversial issues or, in some cases, even foregoing action altogether. In addition, group characteristics affected

activities in a more basic way by favoring certain techniques. For example, large and heterogeneous membership groups tended to use all member contact by letter or telegram to all delegates, and to emphasize the educational role of their leaders vis-a-vis decision-makers and the public. Small, homogeneous groups with specialized interests preferred to let their leaders act as spokesmen, in their contacts with convention leaders--both party and committee positions.

Within the context of all these group-created givens, the lobbyist acts as adaptor; indicating convention cycle opportunities to his group and formulating strategy and tactics to utilize group resource to maximum advantage within the decision-making environment. This was revealed initially in an examination of the legislative and convention registration dockets, which suggest that the impetus for registration lies in the character of group goals not in written statutory threats. Thus, the legislative dockets are filled primarily with business and professional groups interested in the statutory details affecting their work. By contrast, business interests at the convention represented less than one-half the docket, and humanitarian, church, citizen, and labor groups, usually active but unregistered for the legislature, represented approximately three-eighths of the convention docket. These latter groups also tended to register multiple lobbyists in anticipation of goal related opportunities. The lobbyists' personal selective perception was supported in instances where lobbyists with several clients registered only those with constitutional interests.

Lobbyists' perceptions were also useful in adapting group goals to the convention either through a reassessment of priorities or a change in working allies. Priorities were modified either by putting

structural reforms near the top as the business associations did, or by seeking goals in their widest ramifications as the Catholic Welfare Committee and other reformer groups did. Some lobbyists, especially for government groups, modified their traditionally defensive legislative posture, to seek a few positive goals. Finally, groups redistributed resources by creating internal convention committees to guide their activities, or joined ad hoc alliances, often with legislative competitors, to push for specific constitutional goals.

The data suggest that the lobbyists' perceptions of their own activities as similar or different in the two cycles reflected a comparison of the quantity of work both in terms of program size and personal effort. Adjustments in personal lobbying patterns were made in terms of lobbyists' perceptions of their relationship with the delegates, differences in convention procedure, and the amount of time they personally spent in Albany during the convention summer. For example, many lobbyists attributed more convention work to the greater number of convention opportunities for goal progress.

The data also suggest that some perceptions while accurate from the group's point of view could not be utilized effectively. For example, many reform groups had access points within the convention which were of minimal assistance because they were not in useful decision-making locations. Other groups were aided when key members were given convention staff positions.

The convention cycle differences hypothesized as significant to groups were confirmed as such by data which also supported the broad hypothesis that lobbyists affect the allocation of group resources and the development of group strategies. The sequential, non-recurring

aspect of the four stage cycle was particularly important in that it enabled groups to play each stage as it arrived, and then manipulate the sequence to overcome previous problems without the worry of precedents and promises built into the continuing legislative cycles.

Public expectations that conventions are apolitical, intellectual bodies devoted to solving major issues on their merits, led many reform groups to call a convention as a way to solve New York's appointment and fiscal crises. These groups were legally limited in their activities during the partisan selection of delegate procedures, and ad hoc alliances with specific goals and electoral clout dominated the election stage. Consequently, a cross-section of the dominant political cliques, committed to certain specific goals such as repeal of the Blaine Amendment, were elected as delegates. The reformers were active at the convention stage because of the nature of the convention agenda but their activities and allocation of resources were slanted in terms of the lobbyists' perceptions of delegate bias.

The method of transforming decisions into law became crucial at the ratification stage because it meant that the decision-makers were the electorate not the politicians. The shift in focus meant that the reformers, who called the convention but lost at the convention session, could work in their traditional electoral informational role to repudiate the flawed product. This manipulation of cycle opportunities is evidence of both the importance of these aspects of the convention environment and the use of lobbyists' perceptions in adapting group needs to decision-making opportunities.

The final set of hypotheses dealt with the relationships between lobbyists' perceptions of their group's success and their use

of environmental cues. It was hypothesized that

Lobbyists' perceptions of the level of their group's convention cycle success reflects their ability to use perceived environmental attributes to their advantage.

Success was self-defined by the lobbyist, and analyzed in terms of both the convention session (stage three) and the overall cycle. Two narrower propositions referred to the content of lobbyists' perceptions of the convention stage success.

Lobbyists' estimate of their group's convention stage success is based on a comparison of the number of achievements with the total number of goals.

Lobbyists who perceived their groups as more effective in the convention than in a legislative session will also perceive their convention stage success as better than in a legislative session and vice versa.

A third proposition referred to external preconditions of success which circumscribe the lobbyist's function.

The nature of the convention cycle affects the possibility of group success because the environment of each stage favors only certain kinds of interest groups.

The data showed that lobbyists evaluate their success in quantitative terms, but that the loss of positive goals is weighed more heavily in the balance than the loss of negative goals. In addition, lobbyists who felt more effective at the convention also felt more successful in the convention environment and vice versa.

The distinctive features of each stage of the convention cycle and the non-continuity of the cycle made it possible to assess the role

of group legitimacy in creating group success. The data showed that environmental features of each stage favored particular kinds of groups, lending them the advantage of legitimacy when speaking to decision-makers. Thus civic and social reform groups had an advantage in the two referendum stages where their prestige with the public enabled them to lobby for their position. At the selection stage, groups traditionally effective in electoral politics--the church and labor--manipulated the opportunities to secure certain goal guarantees. During the convention stage businesses with status quo interests and government groups lobbying their cronies had the most legitimacy and the greatest success. By recognizing these situational features and capitalizing on them in their development of group strategy, lobbyists were able to add an important component to the formula for their group's success.

These findings relate to the body of existing interest group literature and policy-making studies in that the hypotheses are based on general assumptions in the literature regarding the role of lobbyist as knowledgeable group agent, an expert in maintaining and using access points, and the role of groups as rational manipulative actors in the decision-making system. The study also borrows assumptions from the few books on lobbyists as political actors.

However, it differs from the literature in two ways. Interest-group literature and policy studies usually view the group as one of the many factors influencing the final policy. Lobbyists are seen as communicators of group power, and the proof of lobbying expertise is the production of policies beneficial to the group. When lobbying and lobbyists are discussed, ". . . the focus of evidence shifts from lobbying to its context, and it is the context that circumscribes the

lobbying function."¹ This study reverses the dependent and independent variables since it focuses on lobbyists as the dependent variable and their use of environmental cues in their own participatory role. However, the study parts from other lobbyist studies in that it does not create ideal role types or patterns between legislators and lobbyists, but rather it considers the lobbyist's perceptions in relation to his own group's needs.

The study is important at the elementary level because the axiom of lobbyist expertise needs further exploration. Even in books on lobbying it is assumed rather than analyzed. In addition, it is significant because the lobbying function as mediator/communicator is increasingly important as more groups seek redress of grievances through governmental participation. The way the lobbyist perceives the system will affect the manner in which he explains group policy and the access points he selects. This, in turn, affects the content of the final policy which will be seen by those the lobbyist represents as an indication of governmental responsiveness to them. In this sense, the lobbyist as communications broker plays a role in creating a feeling of legitimacy between government and governed.

Furthermore, research into lobbyists' perceptions of the decision-making process can illuminate the loci of power most sensitive to organized economic and social power, since the lobbyist tends to relate power points to his functional needs. It can also show the actual details involved in creating political power from economic and social power.

The area of lobbyist perceptions has been barely tapped. Addi-

¹ Heinz Eulau, "Lobbyists--The Wasted Profession," Public Opinion Quarterly XXVIII (Spring 1964), 35.

tional research could be done on the relationship between perception, lobbying style and groups; between perception, activities and the status of a group; between perceptions and the decision-makers' reaction to lobbying assessments. Case studies could trace the perceptual cycle in precise detail. The internal group relationships between lobbyists and other group leaders need more research in order to assess the kind of contact among leaders and between leaders and members.

In summary, this study was designed to illuminate aspects of the relationship between decision-makers and their operating environment by studying actors whose jobs are defined in terms of their cognizance of such factors. The data supported hypotheses that lobbyists do perceive environmental variations in a functional and comparative context. Furthermore, they utilize these perceptions in the development of group strategies and tactics designed to accommodate group givens to policy-making peculiarities and opportunities. Lobbyists' perceptions of their group's success were associated with their views of their own effectiveness and the number and kind of goals they could implement. However, correct perceptions alone could not produce success. External conditions create a group's legitimacy which is generally a precondition of success. The lobbyist can maximize the impact of this legitimacy, he cannot create it. Thus, perceptions account for a small but necessary amount of flexibility in group approaches to decision-making centers.

To me the convention cycle was an expensive sham, vitiated as a true modernizing vehicle by the partisan election process. The lobbyists' real policy-making service appears in their accurate perception of the cycle and their announcement of these evaluations first, in the form of threats to convention decision-makers, and then as advice to

the electorate.

The lobbyist emerges as an intuitive, sensitive, political member of government decision-making teams. He is not the omnipotent power broker, not the impotent beggar of favors, but rather a pragmatist dealing with the opportunities in each situation. His value within the process rests on his ability to influence policy-making outcomes by the way in which he represents his public.

APPENDIX A

Lobbyist Interview Schedule

Code Number _____

Name _____

Name of Organization _____

Date _____ Place of Interview _____

I am interested in your views concerning the constitutional convention held last year. I would like to know your attitudes towards the convention itself, and the convention as compared to a New York State Legislative session, especially the 1967 one. I am also interested in the goals your organization sought at the convention and the techniques you used to pursue your goals.

I hope you will be completely frank in your answers. Everything you tell me will be kept in the strictest confidence. I would like to use my tape recorder so I don't misinterpret your answers later.

1. NYS membership of organization

A. number of members _____

B. number of chapters _____

2. Type of organization (check applicable one)

 church civil rights educational or school humanitarian business governmental group (town, city, county, etc., organizations) service or veterans large membership citizens farm (large membership - over 50,000) farm (small membership) labor (large membership) labor (small membership) trade association (large membership) trade association (small membership) special group formed to act during the convention other (specify) _____

3. Respondent's position in organization _____

A. Size of lobbying staff _____

1. _____ full-time

_____ part-time

2. _____ paid

_____ volunteer

4. Would you please tell me how you spend most of your time as a lobbyist?
- working in own office
 - talking to legislators
 - appearing before legislative committees
 - reporting back to own organization
 - other (specify)
- A. In general, what are the most important things a lobbyist should do in order to be most effective in his job?
- B. Do lobbyists develop specialties in lobbying techniques or subject matter? yes no.
If yes, what are your specialties?
- C. What aspects of lobbying do you enjoy the most?
5. Was any member of your organization affiliated with the 1967 constitutional convention as a delegate or staff member? yes no
If yes, please give name(s) and position(s).
6. On this sheet are listed some of the major issues considered at the convention. Would you please rate the general categories in terms of their importance to your organization. Please use 5 for the most important scaling down to 0 for issues of no importance to your group. Under each category you will note breakdowns into specific topics. Any topics your organization supported please mark with an "s"; any you opposed please mark with an "o". Please feel free to add any issues or topics I have left off the list.

see CARD A

CARD A

Convention Topics of Discussion

- A. REAPPORTIONMENT
- 1) guidelines of reapportionment
 - 2) reapportioning agency other than legislature
- B. THE LEGISLATURE
- 1) unicameral legislature
 - 2) increased size of legislature
 - 3) longer legislative terms
 - 4) legislative procedures
- C. THE JUDICIARY
- 1) consolidation of the court system
 - 2) appointment of judges
 - 3) creation of new administrative courts
 - 4) state assumption of court costs
- D. THE EXECUTIVE BRANCH
- 1) increased powers of the state Comptroller
 - 2) creation of a Department of Law
 - 3) removal of reorganization restrictions
 - 4) creation of an ombudsman
 - 5) public control of authorities

E. BILL OF RIGHTS

- 1) rights of accused revised in light of recent court decisions
- 2) limitations on wiretapping and/or eavesdropping
- 3) trial by jury in civil cases
- 4) grand jury indictment
- 5) right of citizen/taxpayer to sue the state
- 6) extension of anti-discrimination categories

F. CONSERVATION

- 1) loosening "forever wild" provisions to permit greater recreational use of forest preserves
- 2) extension of "forever wild" provisions to include waters, etc.

G. CHURCH-STATE PROVISIONS

- 1) repeal of Article XI(3)
- 2) dropping religious requirement for adoption of children

H. EDUCATION

- 1) constitutional status for State Univ. and City Univ.
- 2) free higher education
- 3) apportionment of aid to local school districts
- 4) control of the Board of Regents
- 5) guarantee of equality of educational opportunity

I. ELECTORAL MATTERS

- 1) maintain 21 year voting age limit
- 2) state-wide primaries
- 3) add initiative and referendum provisions
- 4) recall of elected officials

J. HOUSING

- 1) elimination of referendum requirement for housing bonds
- 2) removal of specific requirements for permissible types of state-aided housing
- 3) re-definition of areas eligible for slum clearance

K. LABOR

- 1) bargaining rights of public employees increased
- 2) labor bill of rights
- 3) extension of civil service to other branches
- 4) elimination of veterans' preferences
- 5) modifications of competitive examinations

L. LOCAL GOVERNMENT

- 1) increased financial home rule
- 2) right to levy taxes without state government o.k.
- 3) increased tax and debt limit
- 4) taxation of state and public authorities real property
- 5) development of regional and metropolitan governments
- 6) consolidation of local service districts
- 7) reapportionment of local legislative bodies

- M. _____ SOCIAL WELFARE
 _____ 1) state assumption of welfare costs
 _____ 2) abolition of Board of Social Welfare
 _____ 3) establishment of "right" to certain standard of living
- N. _____ STRUCTURE OF THE CONSTITUTION
 _____ 1) two parts instead of one
 _____ 2) short rather than long constitution
 _____ 3) form of submission to voters for ratification - one package
- O. _____ TAXATION AND FINANCE
 _____ 1) revenue sources
 _____ 2) elimination or modification of voter approval requirements for bond issues
 _____ 3) removal of gifts and loan restrictions
 _____ 4) removal of prohibition against taxing intangible property
 _____ 5) revised budgetary system
 _____ 6) abolition of Governor's item veto
- P. _____ MISCELLANEOUS
 _____ 1) correction - permit work release programs
 _____ 2) remove gambling restrictions
 _____ 3) other - please specify

* * * * *

6. A. Do you pursue the same kind of goals during regular legislative sessions? _____ yes _____ no
 1. during the 1968 legislative session? _____ yes _____ no
 2. If the goals were different, please give examples using the 1968 legislative session.
- B. How would you compare the amount of work involved in following your convention goals to the amount of work involved in pursuing goals during a legislative session? _____ more work _____ the same _____ less work Why?
7. Some say that a convention and a legislative session are identical processes; others say there are significant differences. Do you think they are the same or different? _____ same _____ different
 Why? (Probe: structure, method of proposition passage, type of issue, powers, accountability, delegate body, etc.)
- A. If respondent thinks they are different, ask him if the differences had any effect on the effectiveness of his organization.
 _____ more effective _____ the same _____ less effective
8. I am going to name a few factors which could influence both conventions and legislative sessions. Please answer two questions for me:
 1) Do you think the factor influenced convention proceedings?
 2) If so, would you say its impact was greater, the same, or less than its impact on a legislative session?
 I would appreciate any illustrations you can give me.

<u>Factor</u>	<u>more</u>	<u>equal</u>	<u>less</u>
Convention President (cf. Speaker)	_____		
Majority party leadership	_____		
Minority party leadership	_____		
Governor	_____		
role of the individual delegate/leg.	_____		
committee chairman	_____		
committee staff	_____		
the Rules Committee	_____		
subject matter committees	_____		
activities of lobbying organizations	_____		
constituent pressures	_____		
mass media	_____		
formal rules	_____		
informal rules of the game	_____		
party discipline	_____		
other (please specify)	_____		

9. The activities related to a convention can be divided into four separate time zones: the call for a convention, selection of delegates, the convention itself, and ratification of the product. How involved was your organization at each stage?

<u>Stage</u>	<u>very</u>	<u>moderately</u>	<u>a little</u>	<u>very little</u>	<u>none</u>
call for a convention	_____				
selection of delegates	_____				
convention itself	_____				
ratification	_____				

9. A. Why did your organization concentrate on those periods? (Probe: goals, organization's by-laws, resources, etc.)
10. Several possible techniques for bringing home a point to an official are listed on this card. Would you please evaluate these techniques as they work for you?
Please rate them on a scale running from 5 for very effective to 0 for not effective at all.

see CARD B

CARD B

Techniques

- _____ personal presentation of arguments
- _____ presenting research results
- _____ testifying at hearings
- _____ having an influential constituent(s) contact the official
- _____ entertaining the official for an evening
- _____ giving a party or dinner
- _____ contributing money to a political campaign
- _____ contributing work to a political campaign
- _____ inspiring a letter writing or telegram campaign
- _____ publicizing voting records

CARD B (cont'd)

- _____ bribery
- _____ offering personal favors and assistance to officials
- _____ obtaining assistance from other organizations
- _____ drafting actual bill language
- _____ having an official introduce your bill language
- _____ demonstrations, marches, other extra-legal political activities
- _____ instituting a public relations campaign to convince the general public of your organization's point of view
- _____ other (please specify)

* * * * *

11. Now let's discuss the way you used the various techniques in working on one issue in particular (use Blaine, selection of judges, intangible property tax ban or their most important issue). Could you please recall for me the actions your organization took at the various stages of the convention process to promote your goals in relation to (_____)?
- (Checklist of key points to elicit:)
- type of goal - legislative? constitutional? old? new?
 - timing of effort - stages of convention, uses of various hearings, states of proposition passage, importance of the time of the year when convention was held
 - targets - assessment of influential men and access to them, success after access, choice of committees to approach, concentration of resources in terms of delegate targets (friends, neutrals, enemies) and stages of the process
 - utilization of sub-divisions of organization - when? how? why?
 - nature of the opposition
 - concessions made - when? how? why? to whom?
 - legislative history of action on this item - before convention? after?
- A. Would you say your organization's activities concerning this item were typical of your organization's activity at the convention in general? _____ yes _____ no
1. If no, explain the main differences.
- B. Would you say your organization's activities at the convention were similar or different than your legislative activities? _____ similar _____ different
12. There are always conflicting opinions in a body such as a constitutional convention. How would you rate the conflicts listed on this card in terms of their effect on (issue discussed in question 11)? Please rate them on a scale running from 5 for most important to 0 for absolutely no importance.

see CARD C

CARD D

Types of Issues

- patronage issue
 broad policy issue
 proposals changing the governmental structure
 issues of interest only to a few organizations
 issues of interest only to your organization
 issues on which the electorate is divided
 issues on which the party is divided
 issues on which the convention leadership had a position opposing yours

* * * * *

16. How important was intergroup cooperation in furthering your group's convention aims as compared to furthering legislative interests?
 more important the same less important
- A. Did you cooperate with the same or different groups?
 same different
17. What groups do you generally consider to be your opponents?
18. At the end of the convention your organization had a record of success based on the number of objectives you accomplished as compared to the total number of objectives you had. Without considering the subsequent defeat of the proposed constitution, how do you appraise the record of your organization's success at the convention?
 failure good results
 poor results astounding success
 moderate results
- A. Of the number of items your organization opposed, how many were killed in convention?
 number of items opposed number accepted
- B. Of the number of items your organization favored, how many were incorporated into the final convention propositions?
 number of items favored number accepted
- C. How does this record of success compare with your records of success at typical legislative sessions?
 much better a little worse
 better worse
 equal much worse
- D. Did you get any of your unsuccessful convention objectives passed during the 1968 legislative session? yes no
 If yes, which ones?
19. To your mind, which lobbying organizations were the most successful at the convention?
 A. the least successful?

This ends the interview. Thank you very much for talking to me.
Your comments have been very helpful.

If it would be possible, I would like to have copies of the material
you used during the convention period, sent to delegates, sent your members,
etc. May I have copies or look at your files?

Thank you again for giving me so much of your time.

POST-SESSION EVALUATION:

Length of interview _____ Completeness _____
 General receptivity of respondent to interview:
 Rapport and cooperation throughout the interview:
 Impressions of responses:
 sincere?
 well-informed?
 open-minded?
 resentment or resistance?
 fluency?
 reliability?

APPENDIX B

List of Respondents, Their Organization Affiliation,
and the Classification of Organizations by Type

Business Associations, Chambers of Commerce

Buffalo Area Chamber of Commerce
Herbert L. Berry

Commerce and Industry Association of New York, Inc.
Arnold Witte

Empire State Chamber of Commerce
Welles A. Gray

New York Chamber of Commerce
Leonard Lund

Business Corporations

Blue Cross/Blue Shield (Fifteen groups)
Mr. Straub

Consolidated Edison of New York, Inc.
John R. Titus

Ford Motor Company
James Timmis

General Electric Company
A. W. Halverson

Mobil Oil Corporation
Everett Schultheis

New York Clearing House Association
Frank McNamee

New York Stock Exchange
William Sanford

New York Telephone Company
John M. Walsh

Church, Humanitarian Organizations

Citizens Committee for Children
Les Marks

Community Service Society
Karl Zukerman

New York State Council of Chapters, National Association of Social Workers
Janet Oliphant

State Charities Aid Association
Beekman H. Pool

New York State Catholic Welfare Committee
Charles W. Tobin, Jr.

New York State Council of Churches
Rev. Theodore L. Conklin

Not registered but interviewed:

Agudath Israel
Rabbi Scherer

Civil Liberties Organizations

Citizens Committee for Constitutional Liberties
Miriam Friedlander

New York Civil Liberties Union
Neal Fabricant

Americans United for Separation of Church and State/Protestants and Other
Americans United
Gaston Cogdell

Educational, School Groups

Columbia University, New York University, Fordham University, Syracuse
University, University of Rochester, Cornell University
Jay O'Brien

Council of Supervisory Associations of the Public Schools of New York City
Albert Morrison

Empire State Sunday School and Baptist Training Union Congress
Bertha Warner

Long Island Conference of Religious Elementary and Secondary School Administrators

Thomas Ford

Nassau-Suffolk Classroom Teachers Association, Inc.

Jack T. Weber

New York State Federation, Citizens for Educational Freedom

Thomas A. Gibbons

New York State Teachers Association

J. Howard Goold

Not registered but interviewed:

American Jewish Congress

Leo Pfeffer

City University of New York

Julius C. E. Edelstein

Teachers Committee to Preserve the Public Schools

Jack T. Weber

United Parents Association

Florence Flaas

Research Institute for Catholic Education

Magr. Edgar McCarren

Public Education Association

Fred McLaughlin

"Good Government," Taxpayer, Large Membership Citizen Groups

Citizens Public Expenditure Survey, Inc.

Anthony Rudmann

Citizens Tax Council

Abraham Lindenbaum

Citizens Union of New York City

William Dean

George Hallett

Committee for Modern Courts

Roger Hunting

Five Counties Taxpayers Defense, Inc./United Home Owners and Tenants

William Quirk

League of Women Voters
Bettye Schack
Marion Ames
Martha Greenawalt

Governmental Groups

Civil Service Employees Association
Seth Towse

Mayors Joint Municipal Survey Committee of North Shore Villages
Robert Clark

Nassau County Village Officials Association
Harold Weidner

New York State Sheriffs' Association
Edward Dillon

Not registered but interviewed:

Association of Towns
William Sanford

Conference of Mayors
Don Walsh

New York City
Peter Piscitelli

Miscellaneous

New York Recreation and Park Society/New York State Recreation Society
Vincent Fowler

New York State Bar Association
Dixon West

Oneida Nation of Indians
George Shattuck

New York Farm Bureau, Inc.
Robert Van Slyke

New York State Grange
Augustine Marvin

Special Constitutional Convention Organizations

Civil Service Council on the Constitutional Convention

Henry Fehling

Joe Collins

Committee of Constitutional Issues

Bill Scott

Committee on the Constitutional Convention of the Association of the Bar
of the City of New York/Association of the Bar of the City of New York

Howard Kalodner

Roswell Perkins

Constitutional Council of the Forest Preserve

Arthur Crocker

Council for a Sound New York Constitution

Bill McCutchen

Not registered but interviewed:

Citizen's Committee for a Constitutional Convention/Citizens Committee
for an Effective Constitution

Howard Samuels

Committee for Public Education and Religious Liberty

Adriene Kivelson

Unions

American Federation of State, County and Municipal Employees, District
Council 37

Clarise Danielson

Court Clerks Benevolent Association/Uniformed Court Officers

John D. English

New York State Employees Council 50, AFL-CIO

Joseph O'Sullivan

Social Service Employees Union

Edward Perlmutter

United Federation of Teachers

Alice Marsh

Brotherhood of Railroad Trainmen

Howard Koch

Empire State Federation of Teachers

Israel Kugler

International Brotherhood of Teamsters
John R. Harold

New York City Central Labor Council, AFL-CIO
Moe Smith

New York State Legislative Education Board. Brotherhood of Locomotive
Firemen and Enginemen
F. B. Boardman

Trade Associations

American Insurance Association
William L. Martin

American Mutual Insurance Alliance
Robert Littlefield

Council of Engineering Laws
Allen Beamish

Empire State Marine, Inc.
John C. Tobin

General Building Contractors of New York State, Inc.
Paul B. Richards

New York Railroad Association
Victor Condello

New York State Association of Real Estate Boards
Frank J. Lasch

New York State Bankers Association
John LeFerovich, Jr.

New York State Builders Association
Frank J. Lasch

New York State Cannery and Freezers Association, Inc.
W. D. Tyler

New York State Council of Retail Merchants, Inc.
Clifford Allanson

New York State Nursing Home Association, Inc.
Joseph Rose

New York State Mutual Insurance Association
Lewis Aronowitz

New York State Petroleum Council
Charles Matthews

Real Estate Board of New York
Eugene Rubin

Savings Association League of New York
Richard Steinhaus

Savings Banks Association of New York State
Lawrence Costiglio

Fireman's Association of the State of New York
Fred A. Williams

Associated Industries
E. Gwyn Thomas

NOTE: All respondents let me see some of their convention papers, letters, etc., but the following lobbyists gave me free access to convention files:

Americans United for Separation of Church and State
Civil Service Council on the Constitutional Convention
Committee for Modern Courts
League of Women Voters
New York Chamber of Commerce
State Charities Aid Association

SELECTED BIBLIOGRAPHY

Books

- Adrian, Charles R. *Governing our Fifty States and their Communities.* New York: McGraw-Hill Book Company, 1963.
- Allen, Tip, Jr. and Ransone, Jr. *Constitutional Revision in Theory and Practice.* Alabama: University of Alabama Press, 1962.
- Almond, Gabriel and Sidney Verba. *The Civic Culture: Political Attitudes and Democracy in Five Nations.* Princeton: Princeton University Press, 1963.
- Bachrach, Peter and Morton Baratz. *Power and Poverty: Theory and Practice.* New York: Oxford University Press, 1970.
- Baskston, Charles H. and Gerald D. Hursh. *Survey Research.* Illinois: Northwestern University Press, 1963.
- Bailey, Stephen. *Congress Makes a Law.* New York: Vintage Books, 1950.
- Baker, Gordon E. *State Constitutions: Reapportionment.* New York: National Municipal League, 1960.
- Benfield, Edward C. *Political Influence.* New York: Free Press of Glencoe, 1961.
- _____ and James G. Wilson. *City Politics.* New York: Vintage Books, 1963.
- Bates, Frank G. and Oliver P. Field. *State Government.* New York: Harper and Brothers, 1928.
- Bauer, Raymond, Ithiel de Sola Pool, and Lewis Dexter. *American Business and Public Policy: The Politics of Foreign Trade.* New York: Atherton Press, 1967.
- Bentley, Arthur F. *The Process of Government.* Cambridge, Massachusetts: The Balknap Press, 1967.
- Blaisdell, Donald. *American Democracy Under Pressure.* New York: Ronald Press, 1957.
- Bone, Hugh. *American Politics and the Party System.* 3d ed. New York: McGraw-Hill Company, 1965.
- Bonner, H. *Social Psychology: An Inter-Disciplinary Approach.* New York: World Book Company, 1953.

- Bromage, Arthur W. *State Government and Administration in the United States.* New York: Harper and Brothers, 1936.
- Buchanan, William and Centrel Hadley. *How the Nations See Each Other.* Urbana: University of Illinois Press, 1953.
- Carpenter, William S. and Paul T. Stafford. *State and Local Government in the United States.* New York: F. S. Crofts and Company, 1936.
- Cater, Douglas. *Power in Washington.* New York: Random House, 1964.
- Chase, Stuart. *Democracy Under Pressure: Special Interests versus the Public Welfare.* New York: Twentieth Century Fund, 1945.
- Clapp, Charles L. *The Congressman: His Work as He Sees It.* Washington, D. C.: The Brookings Institute, 1963.
- Cohen, Bernard. *The Influence of Non-Governmental Groups on Foreign Policy-Making.* Boston: World Peace Foundation, 1959.
- Columbia University, Legislative Drafting Fund. *Index of State Constitutions.* 2d ed. Dobbs Ferry, New York: Oceana Publishing Company, 1959.
- Connors, Richard J. *The Process of Constitutional Revision in New Jersey.* New York: National Municipal League, 1970.
- Cornwell, Elmer, Jr. and Jay Goodman. *The Politics of the Rhode Island Constitutional Convention.* New York: National Municipal League, 1969.
- Coser, Lewis and B. Rosenberg. *Sociological Theory: A Book of Readings.* 2d ed. New York: The MacMillan Company, 1964.
- Costikyan, Edward N. *Behind Closed Doors: Politics in the Public Interest.* New York: Harcourt, Brace and World, 1966.
- Crawford, Finis G. *State Government.* New York: Henry Holt and Company, 1931.
- Crew, Robert E., Jr. *State Politics: Readings on Political Behavior.* Belmont, California: Wadsworth Publishing Company, 1968.
- Dahl, Robert. *Who Governs?* New Haven: Yale University Press, 1961.
- Deakin, James. *The Lobbyist.* Washington, D. C.: Public Affairs Press, 1966.
- Desley, James Q. *Growth of American State Constitutions: From 1776 to the End of the Year 1914.* New York: Ginn and Company, 1915.
- Dember, William. *The Psychology of Perception.* New York: Holt, Rinehart and Winston, 1960.
- Dexter, Lewis A. *How Organizations are Represented in Washington.* New York: Merrill Company, 1969.

- Diamond, Sigmund (ed.) Modernizing State Government: The New York Constitutional Convention of 1967. New York: Academy of Political Science, 1967.
- Dishman, Robert B. State Constitution: The Shape of the Document. New York: National Municipal League, 1960.
- Dodd, Walter F. The Revision and Amendment of State Constitutions. Baltimore: The Johns Hopkins Press, 1910.
- _____. State Government. Second edition. New York: The Century Company, 1928.
- Doerr, Edd. The Conspiracy That Failed. Washington, D. C.: Americans United for Separation of Church and State, 1968.
- Dougherty, J. Hampden. Constitutional History of the State of New York. Second edition. New York: The Neale Publishing Company, 1915.
- Eckstein, Harry. Pressure Group Politics: The Case of the British Medical Association. Stanford, California: Stanford University Press, 1960.
- Ehrmann, Henry (ed.). Interest Groups on Four Continents. Pittsburgh, Pennsylvania: University of Pittsburgh Press, 1958.
- Ellis, John T. American Catholicism. Second edition, revised. Chicago: University of Chicago Press, 1969.
- Encyclopedia of Associations. 5th ed., Vol. I. Michigan: Gale Research Company, 1968.
- Engler, Robert. The Politics of Oil. New York: The MacMillan Company, 1961.
- Epstein, Edwin M. The Corporation in American Politics. New Jersey: Prentice-Hall, 1969.
- Fenno, Richard, Jr. The Power of the Purse: Appropriations Politics in Congress. Boston: Little, Brown and Company, 1966.
- Frank, Elke (ed.). Lawmakers in a Changing World. New Jersey: Prentice-Hall, 1966.
- Friedman, Robert. The Michigan Constitutional Convention and Administrative Organization: A Case Study in the Politics of Constitution-Making. Ann Arbor: Institute of Public Administration, 1963.
- Froman, Lewis, Jr. Congressmen and Their Constituencies. Chicago: Rand McNalley and Company, 1963.
- Garceau, Oliver. The Political Life of the American Medical Association. Cambridge: Harvard University Press, 1941.

- Gosnell, Cullen and Lynwood Holland. *State and Local Government in the United States*. New York: Prentice-Hall, 1951.
- Gove, Samuel and Victoria Ranney (eds.). *Issues for the Illinois Constitutional Convention*. Urbana: University of Illinois Press, 1970.
- Grant, Daniel R. and H. C. Nixon. *State and Local Government in America*. 2d ed. Boston: Allyn and Bacon, 1968.
- Graves, W. Brooke. *American State Government*. 4th ed. Boston: D. C. Heath and Company, 1953.
- _____. *Major Problems in State Constitutional Revision*. Chicago: Public Administration Service, 1960.
- Gross, Bertram. *The Legislative Struggle: A Study in Social Combat*. New York: McGraw-Hill Company, 1953.
- Gross, Neal, Ward S. Mason, and A. W. McEachen. *Explorations in Role Analysis: Studies of the School Superintendency Role*. New York: John Wiley and Sons, 1958.
- Heady, Ferrell. *State Constitutions: The Structure of Administration*. New York: National Municipal League, 1961.
- Heard, Alexander (ed.). *State Legislatures in American Politics*. New York: The American Assembly, 1966.
- Heider, Fritz. *The Psychology of Interpersonal Relations*. New York: John Wiley and Sons, 1958.
- Herring, Pendleton. *Groups Representation Before Congress*. New York: Russell and Russell, 1929; reissued 1967.
- Hoar, Roger. *Constitutional Conventions: Their Nature, Power and Limitations*. Boston: Little, Brown and Company, 1917.
- Holtzman, Abraham. *Interest Groups and Lobbying*. New York: The Macmillan Company, 1966.
- Irvine, Charlotte. *How to Study a State Constitution*. New York: National Municipal League, 1962.
- Jacob, Herbert and Kenneth Vines. *Politics in the American States: A Comparative Analysis*. Boston: Little, Brown and Company, 1965.
- Jahoda, Marie, Morton Deutsch, and Stuart Cook. *Research Methods in Social Relations with Especial Reference to Prejudice, Part II, Selected Techniques*. New York: The Dryden Press, 1951.
- Janda, Kenneth. *Data Processing: Applications to Political Research*. Evanston, Illinois: Northwestern University Press, 1965.

- Jewell, Malcolm and Samuel Patterson. *The Legislative Process in the United States*. New York: Random House, 1966.
- Johnson, Claudius O. *Government in the United States*. Revised edition. New York: Thomas Y. Crowell Company, 1937.
- Johnson, Claudius O., et al. *American State and Local Government*. New York: Thomas Y. Crowell Company, 1965.
- Kariel, Henry. *The Decline of American Pluralism*. Stanford: Stanford University Press, 1961.
- Kaufman, Herbert. *Politics and Policies in State and Local Governments*. New Jersey: Prentice-Hall, 1964.
- Keefe, William and Morris Ogul. *The American Legislative Process: Congress and the States*. 2d ed. New Jersey: Prentice-Hall, 1968.
- Kellogg, Charles. *NAACP: A History of the National Association for the Advancement of Colored People*. Baltimore: Johns Hopkins Press, 1967.
- Kelly, Alfred H. *The Meaning of American Constitutional Government*. Michigan: Constitutional Convention Studies, 1961.
- Key, V. O., Jr. *American State Politics: An Introduction*. New York: Alfred A. Knopf, 1956.
- _____. *Politics, Parties and Pressure Groups*. 5th ed. New York: Thomas Y. Crowell Company, 1964.
- _____. *Public Opinion and American Democracy*. New York: Alfred A. Knopf, 1964.
- Lane, Edgar. *Lobbying and the Law*. Berkeley: University of California Press, 1964.
- Legislators and the Lobbyists*. Washington, D. C.: Congressional Quarterly Service, 1965.
- League of Women Voters. *A Citizen's Handbook*. New York: League of Women Voters, 1968.
- _____. *Legislative Practices and Procedures*. New York: League of Women Voters, January, 1970.
- _____. *Legislative Review*. New York: League of Women Voters, 1967.
- _____. *You and Your New York State Government*. New York: League of Women Voters, 1962.
- Lincoln, Charles. *The Constitutional History of New York from the Beginning of the Colonial Period to the Year 1905*. 5 vols. Rochester, New York: The Lawyer's Cooperative Publishing Company, 1906.

- Lipset, Seymour, Martin Trow, and James Coleman. *Union Democracy*. New York: Doubleday and Company, 1962.
- Lockard, Duane. *The Politics of State and Local Government*. 2d ed. New York: The MacMillan Company, 1969.
- Lowi, Theodore J. *At the Pleasure of the Mayor*. New York: The Free Press, 1964.
- McConnell, Grant. *Private Power and American Democracy*. New York: Alfred A. Knopf, 1966.
- McKean, Dayton D. *Pressures on the Legislature of New Jersey*. New York: Columbia University Press, 1938.
- Mahood, H. R. *Pressure Groups in American Politics*. New York: Charles Scribner's Sons, 1967.
- Matthews, Donald R. *United States Senators and Their World*. New York: Vintage Books, 1960.
- Merton, Robert K. *Social Theory and Social Structure*. New York: The Free Press, 1968.
- Milbrath, Lester W. *The Washington Lobbyists*. Chicago: Rand McNally and Company, 1963.
- Mitau, G. T. *State and Local Government: Politics and Processes*. New York: Charles Scribner's Sons, 1966.
- Morlan, Robert (ed.). *Capitol, Courthouse and City Hall*. 3d ed. Boston: Houghton Mifflin Company, 1966.
- National Municipal League. *Model State Constitution*. 6th ed. Introduction by John P. Bebout. New York: National Municipal League, 1966.
- _____. *Reapportionment: A Year in Review*. New York: National Municipal League, 1966.
- _____. *Salient Issues of Constitutional Revision*, ed. John P. Wheeler. New York: National Municipal League, 1961.
- _____. *State Constitutional Convention Studies Series, 1969-1970*. New York: National Municipal League, 1970.
- Odegard, Peter. *Pressure Politics: The Story of the Anti-Saloon League*. Boulder: University of Colorado, 1928.
- Olmsted, Michael. *The Small Group*. New York: Random House, 1959.
- O'Rourke, Vernon and Douglas Campbell. *Constitution-Making in a Democracy: Theory and Practice in New York State*. Baltimore: Johns Hopkins Press, 1943.

- Parsons, T. and E. Shils (eds.). *Towards a General Theory of Action*. Cambridge: Harvard University Press, 1957.
- Patterson, Samuel C. (ed.). *American Legislative Behavior: A Reader*. Princeton: D. Van Nostrand Company, 1968.
- Polsby, Nelson. *Community Power and Political Theory*. New Haven: Yale University Press, 1963.
- Pratt, John W. *Religion, Politics and Diversity: The Church-State Theme in New York History*. Ithaca: Cornell University Press, 1967.
- Rankin, Robert Stanley. *State Constitution: The Bill of Rights*. New York: National Municipal League, 1960.
- Rich, Bennett Milton. *State Constitution: The Governor*. New York: National Municipal League, 1960.
- Roche, John D. and Leonard Levy. *Parties and Pressure Groups*. New York: Harcourt, Brace and World, 1964.
- Rose, Arnold M. *The Power Structure: Political Process in American Society*. New York: Oxford University Press, 1967.
- Sanford, Terry. *Storm over the States*. New York: McGraw-Hill Book Company, 1967.
- Sayre, Wallace S. and Herbert Kaufman. *Governing New York City: Politics in the Metropolis*. New York: Russell Sage Foundation, 1960.
- Schattschneider, E. E. *Party Government*. New York: Holt, Rinehart and Winston, 1942.
- Schmidhauser, John R. *Iowa's Campaign for a Constitutional Convention in 1960*. New Jersey: Eagleton Institute Series in Practical Politics, 1963.
- Schriftgiesser, Karl. *The Lobbyist: The Art and Business of Influencing Lawmakers*. Boston: Little, Brown and Company, 1951.
- Scott, Andrew and Margaret Hunt. *Congress and Lobbies: Image and Realities*. Chapel Hill: University of North Carolina Press, 1965.
- Simon, Morton. *Public Relations Law*. New York: Appleton-Century Crofts, 1969.
- Smith, Edward C. and Arnold J. Zurcher. *Dictionary of American Politics*. 2d ed. New York: Barnes and Noble, 1968.
- Sperber, Hans and Travis Tritschuh. *American Political Terms: An Historical Dictionary*. Detroit: Wayne State University Press, 1902.
- Spiro, Herbert J. *Responsibility in Government: Theory and Practice*. New York: Van Nostrand Reinhold Company, 1969.

- Stedman, M. S. (ed.). *Modernizing American Government: The Demands of Social Change*. New Jersey: Prentice-Hall, 1968.
- Steiner, Gilbert Y., and Samuel K. Gove. *Legislative Politics in Illinois*. Urbana, Illinois: University of Illinois Press, 1960.
- Stephen, Frederick P. and Philip J. McCarthy. *Sampling Opinions: An Analysis of Survey Procedure*. New York: John Wiley and Sons, 1958.
- Straetz, Ralph and Frank Munger. *New York Politics*. New York: New York University Press, 1960.
- Sturm, Albert. *Constitution-Making in Michigan*. Ann Arbor: Institute of Public Administration, 1963.
- _____. *Methods of State Constitutional Reform (University of Michigan Government Studies No. 28)*. Ann Arbor: University of Michigan Press, 1954.
- _____. *Recent Trends in State Constitutional Revision*. Arizona: Bureau of Government Research, Arizona State University Press, 1965.
- _____. *Thirty Years of State Constitution-Making: 1938-1968*. New York: National Municipal League, 1970.
- Tompkins, D. C. *Congressional Investigations of Lobbying*. Berkeley: University of California, Bureau of Public Administration, 1956.
- Truman, David. *The Governmental Process*. New York: Alfred A. Knopf, 1951.
- Vose, Clement. *Caucasians Only*. Berkeley: University of California Press, 1967.
- Wahlke, Eulau, et al. *The Legislative System*. New York: John Wiley and Sons, 1962.
- Wells, David. *Legislative Representation in New York State*. New York: International Ladies Garment Workers Union, 1963.
- Wheeler, John P., Jr. *The Constitutional Convention: A Manual on its Planning, Organization and Operation*. State Constitution Studies Project, published series 1, No. 4. New York: National Municipal League, 1961.
- Wheeler, John P., Jr. and Melissa Kinsey. *Magnificent Failure: The Maryland Constitutional Convention of 1967-1968*. New York: National Municipal League, 1970.
- Wilson, James Q. *The Amateur Democrat*. Chicago: University of Illinois Press, 1962.
- _____. (ed.). *City Politics and Public Policy*. New York: John Wiley and Sons, 1968.

- Wolf, George. *Constitutional Revision in Pennsylvania: The Dual Tactic of Amendment and Limited Convention.* New York: National Municipal League, 1969.
- Wootton, Graham. *Interest Groups.* New Jersey: Prentice-Hall, 1970.
- Zeigler, Harmon. *Interest Groups in American Society.* New Jersey: Prentice-Hall, 1964.
- Zeigler, Harmon and Michael Baer. *Lobbying: Interaction and Influence in American State Legislatures.* Belmont, California: Wadsworth Publishing Company, 1969.
- Zeller, Belle. *Pressure Politics in New York: A Study of Group Representation Before the Legislature.* New York: Prentice-Hall, 1937.
- Zimmerman, Joseph. *State and Local Government (College Outline Series),* New York: Barnes and Noble, 1962.
- Zisk, Betty (ed.). *American Interest Groups: Readings in Theory and Research.* Belmont, California: Wadsworth Publishing Company, 1969.

Articles, Pamphlets, Reports, Newsletters
(Published)

- AFL-CIO. *1966 Official Proceedings, 9th Constitutional Convention; New York State, AFL-CIO.* New York: AFL-CIO. (October 27-29, 1966).
- Annals. CCCXIX. September 1958.
- Associated Industries. *Constitutional Convention Reporter.* 1967.
- _____. *Monitor, 1966-1967.*
- Bartley, Ernest. "Methods of Constitutional Change," in W. Brooke Graves, *Major Problems in State Constitutional Revision.* Chicago: Public Administration Service, 1960.
- Beratz, Morton. "Corporate Grants and the Power Structure," *Western Political Quarterly*, II (June 1956), 406-415.
- Bebout, John E. "Recent Developments in the Use of Constitutional Conventions in the States," paper delivered at the APBA Annual Meeting, September 8, 1955, p. 12.
- Bebout, John E. and Emil Sedy. "Staging a State Constitutional Convention," in W. Brooke Graves, *Major Problems in State Constitutional Revision.* Chicago: Public Administration Service, 1960.
- Bird, Frederick. *Constitutional Aspects of State Financial Administration.* Constitutional Research Paper No. 4, November 1961. Michigan: Citizens Research Council of Michigan.

- Brown, Bernard E. "Pressure Politics in the Fifth Republic," *Journal of Politics*, XXV (August 1963), 509-535.
- Brown, Gordon E. "A Five Million Dollar Blunder?" *SCAA Viewpoint* (Winter 1968). New York: State Charities Aid Association.
- Campbell, Alan. "A New Constitution for New York?" *Modernizing State Government: in The New York Constitutional Convention of 1967*, ed. Sigmund Diamond. New York: Academy of Political Science, 1967.
- Catholic Welfare Committee. Constitutional Convention Fact Sheet.
- _____. Constitutional Convention Round-Up.
- Cellar, Emanuel. "Pressure Groups in Congress," in *The Annals*, CCCXIX (September 1958), 3.
- Chamber of Commerce of the United States. *Mechanizing Local Government*. Washington, D. C.: Chamber of Commerce of the United States, 1967.
- Church and State. Washington, D. C.: Americans United, 1966-1968.
- Citizens Committee for a Constitutional Convention. *An Introduction to the Need for a Constitutional Convention in New York State*. New York, 1965.
- Cohen, Bernard. "Political Communication on the Japanese Peace Treaty," in *American Political Interest Groups: Readings in Theory and Research*, ed. Betty Zisk. Belmont, California: Wadsworth Publishing Company, 1969), p. 230.
- Commerce and Industry. *Convention '67*. 1967.
- Committee for Economic Development. *Modernizing State Government*. New York: Committee for Economic Development. July 1967.
- Committee on Constitutional Issues. *Briefing Papers*. 1967.
- Community Service Society. "Proposals to the 1967 State Constitutional Convention on welfare, health, and housing provisions of the New York State Constitution," January 1967.
- Connery, Robert and Caraky, Demetrios (eds.). *Governing the City: Challenge and Options for New York*. New York: The Academy of Political Science, 1969.
- "Constitutional Revisions in the Empire State: A Bibliography." *Bookmark*, June 1967.
- Corbett, Raymond. *Report on the 1967 New York State Constitutional Convention*. Issued by the New York State AFL-CIO at its 10th Constitutional Convention. October 2, 3, 4, 1967.

- Corry, John. "Cardinal Spellmen and New York Politics," *Harper's Magazine*, December 1967, pp. 74-85.
- Dodd, W. F. "The Function of a State Constitution," *Political Science Quarterly*, XXX (1915), 201-222.
- Dorr, Harold. "The Myth of the Constitutional Convention," *Michigan Alumnus Quarterly Review* (December 6, 1947), pp. 22-23, quoted in W. Brooke Graves, *Major Problems in State Constitutional Revision*, Chicago: Public Administration Service, 1960.
- Elderaveld, Samuel. "American Interest Groups: A Survey of Research and Some Implications for Theory and Method," ed. Henry Ehrmann, *Interest Groups on Four Continents*. Pittsburgh: University of Pittsburgh Press, 1958, pp. 186-187.
- Empire State Chamber of Commerce. *New York State Convention Report*.
- Eulau, Heinz. "Lobbyists: The Wasted Profession," *Public Opinion Quarterly*, XXVIII (Spring 1964), 27-38.
- Finer, S. E. "Interest Groups and the Political Process in Great Britain," in *Interest Groups on Four Continents*, ed. Henry Ehrmann. Pittsburgh: University of Pittsburgh Press, 1958.
- Foundation for Citizen Education, New York. *New York State Constitutional Convention*. Foundation for Citizen Education in cooperation with the League of Women Voters of New York State. New York, 1966.
- Freund, Paul A. "To Amend--Or Not To Amend--the Constitution," *New York Times Magazine*, December 13, 1964.
- Froman, Lewis, Jr. "Some Effects of Interest Group Strength in State Politics," *American Political Science Review*, LX (December 1966), 952-962.
- Garceau, Oliver and Corinne Silverman. "A Pressure Group and the Pressured: A Case Report," *American Political Science Review*, 1951.
- Graves, W. Brooke. "State Constitutional Law: A Twenty-Five Year Summary," *William and Mary Law Review* (Fall 1966), pp. 1-46.
- Harris, Robert J. "States Rights and Vested Interests," *Journal of Politics*, XV (November 1953).
- Hindman, Wilbert. "Roadblocks to Conventions," in *Capitol, Courthouse and City Hall: Readings in American State and Local Government*, ed. Robert Morlan. 3d ed. Boston: Houghton Mifflin Company, 1966.
- "Improving the Legislative Process: Federal Regulation of Lobbying," *Yale Law Journal*, 1947.
- Jones, Charles. "Representation in Congress: The Case of the House Agricultural Committee," *APSR*, LV (June 1961), 358-367.

- Keefe, William J. "Judges and Politics: The Pennsylvania Plan of Judge Selection," *University of Pittsburgh Law Review*, XX (March 1959), 621-631.
- Keith, John. "Recent Constitutional Conventions in the Older States," in *Major Problems in State Constitutional Revision*, ed. W. Brooks Graves. Chicago: Public Administration Service, 1960.
- Latham, Earl. "The Group Basis of Politics: Notes for a Theory," *American Political Science Review*, XLVI (June 1952), 376, 397.
- League of Women Voters. *Convention News Service, 1967*. New York: League of Women Voters, 1967.
- _____. *National Voter, November-December, 1968*, p. 3. New York: League of Women Voters, 1968.
- Leiserson, Avery. "Problems of Representation in the Government of Private Groups," *Journal of Politics*, XI (August 1949), 566-577.
- Longley, L. "Interest Group Interactions in a Legislative System," *Journal of Politics* (August 1967), 637-658.
- Luttbeg, Norman and Harmon Zeigler, "Attitude Consensus and Conflict in an Interest Group: An Assessment of Cohesion," *American Political Science Review* (1966).
- McConnell, Grant. "The Spirit of Private Government," *American Political Science Review*, LII (September 1958), 754-770.
- March, James G. "Introduction to the Theory and Measurement of Influence," *American Political Science Review*, XLIX (June 1955), 431-451.
- Martinetti, Ronald, "Revising New York's Constitution," *The New Leader*, October 9, 1967, pp. 18-20.
- Milbrath, Lester. "Lobbying as a Communication Process," *American Legislative Behavior: A Reader*, ed. Samuel Patterson. Princeton: D. Van Nostrand Company, 1968, p. 303.
- Moore, Frank C. *Constitutional Conventions in New York State*. Reprinted from *New York History*, January 1957.
- Mueller, John E. "Voting on the Propositions: Ballot Patterns and Historical Trends in California," *American Political Science Review* (December 1969), pp. 1197-1212.
- Newfield, Jack. "The Case Against Nelson Rockefeller," *New York Magazine*, March 9, 1970.
- The New Jersey Legislature. *Report submitted by the Eagleton Institute of Politics, November 15, 1963*. Rutgers: The State University, 1963.

- New York Public Library Municipal Reference Library. The Constitutional Convention (bibliography) in Municipal Reference Library Notes, Vol. 40 (June 1966), 109-116; (September 1966), 117-121.
- The New York State AFL-CIO and the 1967 Constitutional Convention. New York State AFL-CIO, undated.
- New York State Educational Conference Board. Recommendations to the 1967 Constitutional Convention. Albany, New York, 1966.
- New York State Teachers Association. Constitutional Convention Bulletin.
- New York Times. Constitutional Convention Almanac 1938. New York Times, April 5, 1938.
- Patterson, Samuel. "The Role of the Lobbyist: The Case of Oklahoma," Journal of Politics, XXV (February 1963), 72-92.
- Seidel, Eleanor T. New York State's Constitution. New York: Women's City Club of New York, Inc., 1957.
- Smith, J. "Regulations of National and State Legislative Lobbying," University of Detroit Law Journal, XXIII (1966), 663.
- Soraux, Frank. "Patronage and Party." Midwest Journal of Political Science III (May 1959), 115-126.
- State University of New York. Education and the 1967 Constitutional Convention. State Education Commission.
- Sturm, Albert and James B. Craig, Jr. "State Constitutional Commissions: Fifteen Years of Increasing Use." State Government, XXXIX (Winter 1966), 56-63.
- _____. "State Constitutional Conventions 1950-1965." State Government, XXXIX (Summer 1966), 152-161.
- Sumner, Judge Bruce. "Constitutional Revision in California." State Government, XL (Autumn 1967), 224-230.
- The Tablet. 1966-1967.
- Taft, Charles P. Lobbying: What Does It Consist Of. Revised edition. Booklet No. 8. Washington, Connecticut: The Center for Information on America, 1969.
- "Trends of State Government in 1967." State Government, XL (Spring 1967), 71-72.
- Turner, Henry A. "How Pressure Groups Operate," The Annals, CCCXIX (September 1958), 64.
- van den Heuvel, William J. "Charter Convention--The Lessons Learned," New York Law Journal, January 23, 1968.

- Velie, Lester. "The Secret Boss of California," *Colliers*, August 13, 1949, p. 121 and August 20, p. 121.
- Walker, Harvey. "Myth and Reality in State Constitutional Development," in W. Brooks Graves. Chicago: Public Administration Service, 1960.
- Weinstein, Jack. "Issues for the 1967 Constitutional Convention," *New York State Bar Journal*, XXXVIII, No. 4 (August 1966), 327-338.
- wolfinger, Raymond E. and Fred I. Gerstein. "The Repeal of Fair Housing in California: An Analysis of Referendum Voting," *American Political Science Review*, Vol. 62 (September 1968), 753-769.
- Zeigler, Harmon. "Interest Groups in the States," in *Politics in American States*, ed. Herbert Jacob and Kenneth Vines. Boston: Little, Brown and Company, 1963.
- Zeller, Belle. "The Federal Regulation of Lobbying Act," *American Political Science Review*, XLII (April 1948), 239-271.
- Zisk, Betty, et al. "City Councilmen and the Group Struggle: A Typology of Role Orientations: *Journal of Politics*, XXVII (1965), reprinted in Zisk, *American Interest Groups: Readings in Theory and Research*. Belmont, California: Wadsworth Publishing Company, 1959.

Public Documents

- Advisory Commission on Intergovernmental Relations. Tenth Annual Report. Washington, D. C.: Government Printing Office, January 31, 1969.
- Breur, Ernest Henry. *Constitutional Developments in New York, 1777-1958: A Bibliography of Conventions and Constitutions with Selected References for Constitutional Research*. Albany: University of the State of New York, State Education Department, 1958.
- Bronstein, Eileen. "The Bill of Rights and the Right to Counsel (Art. I, Sec. 6)" for the Constitutional Committee on Style and Arrangement, July 31, 1967. (Mimeographed.)
- Minutes of Judiciary Committee Public Hearing Relative to Selection of Judges, Albany, June 6, 1967. (Mimeographed.)
- New York Constitutional Convention Record and Index. Albany: The Legislative Index Company, 1967.
- New York State. Annual Budget Message, 1969-1970.
- New York State Board of Regents. *Education and the 1967 Constitutional Convention*. Albany: University of the State of New York, State Education Department, 1966.

- New York State Constitution. Albany, New York, n. d.
- New York State. Constitutional Convention. Transcript of Proceedings, April 5, 1967 to September 18, 1967.
- New York State Constitutional Convention 1938. Journal of the Constitutional Convention of the State of New York. Albany: J. B. Lyon Company, 1938.
- New York State Department of Law. Attorney General Louis J. Lefkowitz. Answers Important Questions About the 1967 Constitutional Convention. Albany, 1966.
- New York State Department of State. Candidates for District Delegates to the Constitutional Convention. Albany. (Mimeographed.)
- New York State Department of State. Delegates-at-Large, State Constitutional Convention. Albany, 1966.
- New York State Department of State. Votes Cast for all Candidates for the Office of Delegate-at-Large in the State of New York. Albany, November 8, 1966.
- New York State Department of State. New York State Constitution Amended to January 1, 1966. Albany, 1966.
- New York State Legislature. Clerk's Manual of Rules, Statutes, Procedures and Precedents, 1967-1970. Albany, 1967.
- New York State Legislature. "100 Questions and Answers about the New York State Legislature." Albany: New York State Legislature, 1967.
- New York State. Rules of the 1967 New York State Constitutional Convention and Pertinent Resolutions and Statutes.
- New York State. Temporary State Commission on the Constitutional Convention. Transcript of Public Hearings: Index to Witnesses. Albany, 1966.
- New York State. Temporary State Commission on the Constitutional Convention. Transcript of Public Hearings: Index of Organizations. Albany, 1966.
- New York State. Temporary State Commission on the Constitutional Convention. Transcript of Public Hearings, 1966: October 3, 4, 10, 11, 1966.
- New York State. Temporary State Commission on the Constitutional Convention. 1967 Convention Issues: Introductory Report, December 22, 1966. 1967 Convention Series, no. 1.
- New York State. Temporary State Commission on the Constitutional Convention. Toward an Effective Convention: Legislative and Other Recommendations. 1967 Convention Series, no. 2.

- New York State. Temporary State Commission on the Constitutional Convention. For Effective Constitutional Review. 1967 Convention Series, no. 5.
- New York State. Temporary State Commission on the Constitutional Convention. Local Finance, January 27, 1967. 1967 Convention Series, no. 3.
- New York State. Temporary State Commission on the Constitutional Convention. Revision and Simplification. 1967 Convention Series, no. 15.
- New York State. Temporary State Commission on the Constitutional Convention. First Interim Report: February 19, 1957. Leg. Doc. 1957, no. 8.
- New York State. Temporary State Commission on the Constitutional Convention. Second Interim Report: September 19, 1957. Leg. Doc. 1957, no. 57.
- New York State. Temporary State Commission on Revision and Simplification of the Constitution. Staff Report no. 1: Inter-law School Commission on the Problems on Simplification of the Constitution: May 22, 1958. Leg. Doc. 1958, no. 57.
- New York State. Temporary State Commission on Revision and Simplification of the Constitution. First Steps Toward a Modern Constitution: December 31, 1959. Leg. Doc. 1959, no. 58.
- New York State. Temporary State Commission on Revision and Simplification of the Constitution. Simplifying a Complex Constitution: February 17, 1961. Leg. Doc. 1961, no. 14.
- Temporary Commission on the Courts. "Constitutional Amendment and the Constitutional Convention of 1938." Staff Memorandum, May 24, 1955. (Mimeographed.)
- Wisconsin Legislative Reference Bureau. Constitutional Revision on Other States. Research Bulletin 65-3, May 1965.
- U. S. Congress, McClellan Committee. Final Report, pp. 64-65, quoted in Lester W. Milbrath, *The Washington Lobbyists*. Chicago: Rand McNally and Company, 1963.
- Zeigler, Harmon. "Interest Groups in the States," in *Politics in the American States: A Comparative Analysis*. Herbert Jacob and Kenneth Vines, eds. Boston: Little Brown and Company, 1965.

Unpublished Material

- Allen, Tip Henry, Jr. "State Constitutional Revision in the South: Two Case Studies." Unpublished Ph. D. dissertation, University of Alabama, 1961.

- Asch, Sidney. "Simplification of the Constitution of the State of New York: Simplification as a Goal of the Constitutional Convention." Paper presented to the Democratic State Committee, Advisory Committee on the Constitutional Convention, Syracuse, N.Y., August 1966. (Mimeographed.)
- Bebout, John E. "Recent Developments in the Use of the Constitutional Convention in the States." American Political Science Association paper, September 8, 1955. (Mimeographed.)
- Cohen, Leon S. "The New York State Constitutional Convention" (Manuscript copy.)
- _____. "Role Orientations of Constitutional Convention Delegates: Preliminary Analysis of the 1967 Constitutional Convention." Paper presented at the American Political Science Association meeting, September 5, 1967. (Mimeographed.)
- Cornwell, Elmer, Jr. "A Sub-System Approach to State Constitutions." American Political Science Association paper, 1969. (Mimeographed.)
- _____. and Jay Goodman. "The Rhode Island Constitutional Convention: A Preliminary Analysis." Paper presented at the American Political Science Association meeting, September 1967. (Mimeographed.)
- De Vries, Walter O. "The Michigan Lobbyist: A Study in the Bases and Perceptions of Effectiveness." Unpublished Ph.D. dissertation, Michigan State University, 1960.
- Freedman, Irving. "The Issue of Public Support for Church-Related Education in the 1967 New York State Constitutional Convention: A Study in the Decision-Making Process." Unpublished Ph.D. dissertation, State University at Albany, 1969.
- Hedlund, Ronald and Samuel Patterson, "The Illinois Lobbyist Survey," Inter-University Consortium for Political Research, 1969.
- Klein, Bernard W. "Political Partnership in Four State Legislatures." Unpublished Ph.D. dissertation, Michigan State University, 1966.
- New York State. Unpublished constitutional convention committee file information. Albany: State Library, Manuscript Division.
- Schack, Bettye. "New York's Court Reform Fiasco." May 1968. (Typewritten.)