

Interest Groups in Georgia:
Business as Usual

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Introduction

Georgia politics has evolved from the "politics of the rustics"¹ to the "politics of consensus."² The state where once the quintessential southern demagogue Eugene Talmadge reigned and defied political battles and where the antics of Lester Maddox evoked defensive and blushing support now chooses colorless, often inarticulate, businesslike technicians to govern. Atlanta where blacks had to sit-in to be served in public restaurants has elected black mayors for thirteen years. The state and its capitol city revel in their positions as directors of the "new south" and aspire beyond regional dominance to leadership in national and international arenas. The division of interests between the primary economic forces in the state and the poor, mostly rural, whites on one side against the blacks and the more liberal, urban, affluent whites on the other has changed. Often today, the interests of the business elite merges with blacks and working class whites. The demographic changes in the state and the active pursuit of modernization and economic development spur the alignment of interests.

Geographical-economic interests. The urban/rural cleavages and the north/south split are not as important as they were once. The importance of the black vote increased dramatically. By 1980, one-fourth of the state's population and its voting age citizenry was black.³ Traditional voting patterns shifted, but usually resulted in the selection of fiscally conservative, anti-federal government and racially moderate candidates. Importantly, these changes have occurred in spite of the fact that the

state remains very diverse. Throughout the decade of the 1980s, Georgia's population increased. Industrial expansion, measured by a 24 percent increase in the number of employees engaged in manufacturing, was spread throughout the state. The proportion of the state's population living in census defined urban areas remained virtually constant, but the metropolitan area increased at a higher rate than non-metropolitan population. The suburbs grew generally faster than the central cities. The city of Atlanta lost 14 percent of its population while its metropolitan areas expanded by 23 percent. The state's highway system was expanded in order that the furthest corners of the largest state east of the Mississippi could be reached. Governors made trips abroad, selling Georgia's business and economic climate and encouraged local governments to pass legislation that would attract business.

However, in 1985 a professor of real estate at the University of Georgia coined the term "two Georgias" to delineate the disparity between Atlanta and the rest of the state.⁴ One of the most fascinating and revealing political arguments about the state has resulted. The statistics Professor Floyd marshalls eloquently support his case. Rural counties are once again losing population: only 3.1 percent of Georgia's work force are farmers. Although Georgia per capita income was 90% of the national average, only five counties in the Atlanta area enjoyed an income above the national average and 121 counties in the state had per capita incomes 75 percent or less than the national average. Recently, the number of manufacturing jobs outside the Atlanta area has decreased. Georgia was able to attract industry from the north during the 1970s rural industrial development but in the 1980s these companies are moving their plants overseas for ever cheaper wages. The textile industry that remains

has to mechanize its plants and lay off even more workers. The 18 county Atlanta metropolitan area dominates the Georgia economy. By 1984, this area accounted for 41 percent of Georgia's population, 48 percent of the state's civilian employment and 49 percent of its personal income. However, some of the political leadership warns against emphasizing the differences between Atlanta and the rest of the state. Unlike in years past, when politicians wanted to attack Atlanta and portray it as an anomaly, the governing interests do not want the diversity of the state to be divisive and instead appear to fear that an Atlanta/anti-Atlanta syndrome will re-emerge to upset the political and economic agendas of the state. Governor Joe Frank Harris attacks the discussion as ". . . insidious. There are those who are attempting to drive a wedge, to divide our people, to pit one section of our state against another."⁵ Former Governor George Busbee, who courted much of the new industry to the state between 1975 and 1982 admits that not all the areas of the state have benefitted equally. However, ". . . as one state and one people, we have built the needed infrastructure. As a result, Georgia has been a leader in economic growth."⁶ Obviously, both Harris and Busbee are very much aware of the differences in the economic climate throughout the state. Yet they articulate the ethos of the 1980s Georgia--the interests of the state have to work together. The overriding goal of the state is economic development. The historic divisions in the state and the separation of interests are no longer important and can no longer be tolerated. The achievements during the 1970s and 1980s according to Busbee, resulted from "one state represented by one governor and one legislature and supported by people from all areas of our state."⁷

Political parties. Although there are encroachments of Republican party strength, Georgia remains a predominantly one-party state. The 1966 gubernatorial campaign was the first and last hotly contested two-party race at the state level. The Republican candidate Howard (Bo) Callaway, a one-term Congressman, actually won a plurality but not a majority of the vote. Under Georgia's constitution at the time, the election was decided by the overwhelmingly Democratic state legislature who gave their votes to Democrat Lester Maddox. Since then, gubernatorial battles have been decided in the Democratic primary and the runoff. The Republicans it appears were not going to mount an opponent against Governor Joe Frank Harris's bid for a second term in 1986. Allegedly, the Republicans in turn expected that Governor Harris would not support any Democratic opposition against Senator Mack Mattingly running for his second term. A Republican candidate, Guy Davis, entered the race but there is virtually no contest as both Governor Harris and the Republican party ignore the frustrated Davis's candidacy.

Republican strength, however, has emerged in contests for federal offices. Except for supporting the presidential candidacy of its native son, Jimmy Carter, in 1976 and 1980, Georgia has fallen in the Republican column in every presidential election since 1964. There was no distinction between North and South Georgia votes in the 1984 presidential contest. The 1984 Democratic national ticket carried 24 of the state's 159 counties.⁸ Reagan attracted majorities broadly throughout the electorate. Support for the Democrats was limited to certain areas of the state having a combination of large minority populations and severe economic problems.

Changes also have been occurring at the congressional level. The Georgia congressional delegation in 1986 contained no member whose tenure in office dates prior to 1972. In non-presidential contests, the Republicans registered their first statewide victory since reconstruction in 1980. The election was significant in other respects because it truly ended old style Georgia politics. Herman Talmadge, a veteran of 24 years in the U.S. Senate, was not returned to Washington. Besieged by personal troubles including alcoholism and a nasty public divorce and censured by the U.S. Senate for financial improprieties, Talmadge won a hard fought Democratic primary. But in the general election, as Ronald Reagan swept to victory, Republican businessman Mack Mattingly won his first election victory. Mattingly projected the image of a presentable, very conservative alternative who promised to remove politics from the "professional politician." Georgia's growing numbers of white collar, professional, city and suburban voters gave the Republican candidate 51 percent of the vote. Mattingly is to some extent, using anti-Atlanta images in his campaign against Wyche Fowler who has represented the Fifth Congressional District, mostly urban Atlanta and majority black. Republicans had suffered a loss of congressional seats in 1974 when voters in the Fifth (urban Atlanta) and Fourth (suburban Atlanta) Districts replaced Republican congressmen with moderate-to-liberal Democrats. However, Sixth District Congressman Newt Gingrich, a leading spokesman for the conservative right, became the sole Republican in the Congressional delegation in 1978. Surprisingly in 1984, Democrat Elliott Levitas was defeated by 34 year old political newcomer Pat Swindall. Swindall, a conservative lawyer and businessman supported by right wing religious groups, ousted Levitas by carrying 53 percent of the vote. Both Gingrich

and Swindall are favored to retain their seats in 1986. All of these Republican victors had never held previous political office.

The Republicans have not developed a farm system of local office holders to train and run for higher office. Legislative seats may be particularly important. Four of the last five governors--Sanders, Carter, Busbee and Harris--served in the state legislature. Of these governors, only Carter did not hold a position of leadership in the General Assembly. If there is any kind of state-wide political network in Georgia, it appears to reside in the ability of the state legislators to deliver their home communities for a candidate. Aware of this, the Republicans have mounted Operation Breakthrough to win legislative seats and local offices. There are only 26 Republicans in the House and nine in the Senate. In 1984 Republicans made impressive victories in the counties surrounding Atlanta. These suburban counties are the fastest growing part of the state and have encouraged Republicans to make realistic challenges in 1986. This increased Republican challenge has caused some of the Democrats in the state legislature to worry about their seats and the Republicans in the legislature. The state's "doughnut Democrats"--suburban Democrats, whose hold along portions of the interstate perimeter around Atlanta is tenuous--have given prominence to the Republicans who comprise 15 percent of the legislature and hold no chairmanships by complaining that the Republicans have taken over the "progressive, good-government" agenda.⁹ In response, the state senate passed an ethics bill, and a bill to ban straight-ticket voting. Georgia is far from being a two-party state. However, the Republicans have made enough inroads to elicit reaction from the Democrats. The party is strengthening its state organization and raising money for candidates. It

is showcasing moderate Democratic office holders from other states, emphasizing the need for the Democratic party to move to the center. Race. The politics of race in Georgia has changed over the years. The black vote may unify in presidential races, but it is no longer monolithic in state and local races. In 1970, Jimmy Carter and Carl Sanders split the black vote. Sanders garnered the support of the Atlanta black leadership and the black vote in the metropolitan area; Carter was supported by the rural voters. Four years later in the Democratic primary, blacks split between Bert Lance and George Busbee. Busbee sought and received support from elected black officials and blacks in small towns and rural areas; Lance carried the black precincts in Atlanta. When Joe Frank Harris began his come-from-behind campaign in 1982, he lined up the support of most of the black members of the Georgia House of Representatives. No longer can black leaders from Atlanta campaign around the state and deliver the votes to candidates. This demonstrates that there is a diversity of black leadership and that the vote, while predominantly Democratic, will not support one candidate in the Democratic primary.

Atlanta remains the city where blacks are the largest proportion of officeholders. The Fifth District Congressional seat will be held by a black after the 1986 election. Blacks hold only six seats in the state Senate and 21 seats in the House. But they are integrated into the daily operations of the legislature, holding committee and sub-committee chairmanships. Julian Bond, whose seat was denied him when he was first elected to the House, capped his career in the Senate by serving as first black chair of the Fulton County Delegation. The Black Caucus in the legislature has gained more respect and power as other legislators consult

the caucus about a wide range of issues. The members have matured to the point that internal squabbles no longer dominate their meetings. In 1984, a Harris-appointed black State Court of Appeals Justice, Robert Benham, won 58 percent of the vote in a statewide primary to retain his position. Other types of statewide offices are not immediately available for other blacks. Benham's campaign was low-key, his picture was not used on campaign posters, except in Atlanta, and the legal establishment and the Harris network campaigned for him. However, Georgia candidates know they cannot, in most cases, campaign successfully by attacking blacks. Democratic candidates actively seek the support of blacks. The politics of race--pitting whites against blacks--has as George Busbee described in his first inaugural address "gone with the wind."¹⁰

Viewing Georgia in 1986. Urban-rural differences persist, the Democratic dominance over state politics prevails and racial differences exist. Yet the official ethos in the state is to emphasize the unity of the state--this is the way progress is achieved. Differences are not to be emphasized, they are to be minimized. Atlanta's progress is good for the state and its benefits must be distributed to the rest of the state; racial harmony is necessary for all citizens to achieve their rights and the Democratic party must maintain a moderate-to-conservative posture. Within the context of this political ethos, we will examine how interest groups affect executive, legislative and judicial politics in Georgia.

Power Studies

Given the multi-dimensional nature of Georgia state politics how can we address such questions as what groups are most powerful, do groups affect the political process, and has influence altered over recent years? Although a multitude of analytic strategies exist, we chose to use

a variation of a traditional "power study" approach. Originally employed by Floyd Hunter¹¹ in his path-breaking study (coincidentally) of the infra-structure of Atlanta politics, power studies seek to discover who or what wields influence within a given institution, city, state, or even nation.

To solve the puzzle of "power," scholars who employ Hunter's reputational approach conduct "snow-balling" interviews with elites and groups. Hunter devised an index of power by asking "knowledgeables" (members of four local organizations) to list "leaders in the community" in four categories: government, business, high society and civic affairs. He then chose fourteen "judges," individuals well-acquainted with the city, to name the four top leaders on each of the category lists. Hunter ended up with forty individuals, twenty-seven of whom he interviewed.

From this "snowball" approach, Hunter not only was able to explicate Atlanta's power structure, but to provide broad-based generalizations about the nature and sources of influence. In short, he found that the distribution of power in the city resembled a pyramid. At the pinnacle was a small group of individuals which derived its power from its economic status, rather than political position. Instead, the larger group below this economic apex was the political understructure. Moreover, because these economic elites were guided by strong self-interest in retaining power, a status quo philosophy permeated the entire influence structure of the city. The elite, consulting informally within its circle first formulated policies beneficial to them, and then transmitted these policies to the understructure for publicized approval. That is, the

ultimate goal of Atlanta kingpins was to retain power by preventing drastic changes.

Given our interest in group presence within each of the institutions of Georgia politics, we used separate power designs for each institution to determine the influence of specific groups, rather than individuals. Hence, we kept separate "lists" of influential groups, named by elites, for each institution.¹²

Interest Groups in Georgia

Generally, one-party dominant states, states that have an unequal distribution of wealth and states that do not have a post industrial diverse economy give rise to strong interest groups. According to Morehouse, these characteristics place Georgia in the class of states with strong interest groups.¹³ Generally in these states, business groups are expected to be strong; other groups do not have their resources and/or visibility. Stability of interest groups is also a major characteristic.¹⁴ We examined these characteristics of interest groups as we analyzed our interviews.

Interest Groups and the Executive

Interest groups form client relationships with individual agencies and exert their primary influence through them. This is true in Georgia and in other states. However, because of the special powers of the Georgia governor, our elites more often stressed the relationship between the interest groups and the governor. They usually described the relationship between the interest group and the departments as a facilitating one. The Georgia governor sets the budget and has a line item veto. Because he does not have to take the "bad with the good" when

deciding whether or not to veto legislation or the budget resolution sent to him by the legislature, he is more powerful than most governors. In addition, the governor is no longer limited to one term, but may succeed himself to a second term. This gives the chief executive longer time to implement his agendas. This constitutional change has drastically altered the nature of Georgia politics. The bi-factional politics first exhibited in the Talmadge, anti-Talmadge forces, succeeded by the "ins versus the outs"¹⁵ is no longer evident. Those who do not support a governor during his initial campaign try to become included in the administration because they do not enjoy the possibility of being shut out for eight years. The governor, therefore, can exert power by gaining the cooperation of those people and groups who may have chosen to sit out four years in the past. This change has resulted in a less volatile political atmosphere in Georgia. The interest groups identified as most powerful in the executive arena are businesses generally, the major Atlanta banks, Coca Cola, Delta and Georgia Power specifically. The Georgia Association of Educators is also perceived to have considerable influence with the executive branch. Why do these groups have power and how do they wield it?

The domination of business groups. One way of analyzing interest groups might be to examine those involved in elections and campaigns and those involved in governing. The individual companies have Political Action Committees. The exception is Georgia Power; as a regulated utility it is not permitted to form a political action committee. The banks, Coca Cola and Delta give to political campaigns. However, they usually cover their bases if the race is closely contested and give some funds to more than one candidate. They also encourage their executives to give individually and to become actively involved in campaigns. The Georgia Association of

Educators was the first branch of the National Association of Educators to form a state PAC. GAE over the years has used sophisticated techniques to mobilize its members. However, it has been criticized for giving its endorsement too easily in campaigns. The Georgia Association of Educators also tarnished its image somewhat in this basically anti-union state when it moved toward making collective bargaining demands. Some candidates, in fact, thought they improved their status with the voters if they were perceived as not giving in to the demands of the special interests of the teachers.

Involvement in governing by interest groups means contributing to the governing process as well as making demands on it. Business, in general, is influential because every governor in the past two decades has given priority to economic development. The attitude appears to be that unless business is demonstrably acting against the public interest, it needs to be supported. As one of our elites commented, "The state of Georgia is not only the government of Georgia; the state of Georgia is government in partnership with Georgia business." Coca Cola and Delta are major producers in the state. In addition, for years Coca Cola was directed by Robert Woodruff. Mr. Woodruff, one of the most influential men in the state's history, has been credited with making and breaking political careers. His enlightened attitudes in the sixties moderated elites and was influential in preventing extreme reactions during the civil rights movement. At the state level, governors are likely to ask these industries to support their "red carpet" tours through the state--to bring new businesses to Georgia. Delta may be asked by the Governor to fly a seriously ill Georgian to another state. All these companies contribute to expenses of the governor whether he is marketing the state

to business or entertaining other governors at the annual meeting of the National Governors Association. Georgia Power had developed and collected sophisticated information on all the communities it serves, including descriptions of the population, the businesses, the labor force, utility services, schools, and so forth. Georgia Power then turned its information over to the Department of Industry and Trade. The theme that runs through these examples is the symbiotic relationship between the state and business. Because these companies find Georgia hospitable for their businesses, they are excellent advertisements for the state. In turn, Georgia is not likely to pass any bottling legislation that would prove expensive to Coke. In 1979, the Tax Reform Commission recommended that jet fuel be taxed at the same rate as gasoline; this potential revenue source was never exacted. It is unlikely that Georgia Power will have to absorb all the cost overruns of its new nuclear plant; somehow there will be a phased-in rate increase even if it necessitates an end-run around the Public Service Commission.

The mutual interests of business and the governor activated business support for the major program of the Harris administration. Along with economic development, recent governors have stressed the need for improvement in the public education system. For years, the state had high illiteracy rates, low teacher pay and a high pupil dropout rate. In 1980, 44% of the state's population over 25 years old did not have a high school education. During the Busbee administration part-time kindergarten was phased in statewide. Governor Harris appointed an Education Review Commission. In addition to educators, businessmen and local community leaders served on the commission. Some sources maintain that the business leaders who were well aware that the check-off list for relocating

industries as well as the qualifications for employment in new service industries emphasized education, prodded the governor to action. Governor Harris, whose style is to orchestrate behind the scenes before placing his prestige on the line, had the business community sell his Quality Basic Education Program throughout the state. The Business Council of Georgia enlisted its members in the local chambers of commerce to pressure their local legislators to vote for the governor's program.

The lesser role of other groups. Social interest groups are not considered to be influential actors in the Georgia political system. They are present of course, and some more than others are considered to be experts on their subject matter. They appear to be most effective when they work with their client agencies. Usually these groups are making requests that would result in budgetary increases. The Georgia constitution mandates a balanced budget; therefore they are often in competition for small increases. The directors of the agencies have to negotiate their budgets with the governor before he presents his budget to the legislature and the agency heads can make a persuasive case for their clientele groups. However, the general view by agency staff and members of other interest groups is that many of the social interest groups regularly sacrifice effectiveness because they do not maintain the necessary working relationships with the agencies. However, some elites notice an improvement within the last few years. The governor and his staff appear to encourage consultation and cooperation. The Department of Human Resources and Continuum and the Council on Maternal and Child Health Care convinced the governor to include \$500,000 in his 1986 budget for several neo-natal units around the state. Governor Harris also appointed a commission to study child abuse after several legislators, members of

DHR staff and advocates for child health met with him. During the past three years the general economic conditions in the state were good and incremental gains were made by the social interest groups. However, the next budget will reflect an economic slowdown and it remains to be seen if the mutually supportive relationship between the executive and the interest groups can develop beyond its current formative stage.

Therefore, in the executive arena the businesses dominate. Individual companies and coalitions of businesses play a contributive as well as an extractive role. The Georgia Association of Educators is the only non-business group considered to be very influential. Social interest groups are not influential, their clients are not politically powerful and their leadership, either because of lack of resources or skill is often ineffective.

Interest Groups and the Legislature

Power in the Georgia General Assembly is centralized; it rests with the leadership broadly defined. Without hesitation, our respondents in government and with interest groups, immediately singled out Speaker of the House Tom Murphy when they were asked to identify the influentials in the legislature. Murphy's name was usually followed by Lieutenant Governor Zell Miller's who serves as President of the Senate. Both men are considered to wield influence not only because of the positions they hold, but because of style and personality. Both men have held their positions longer than any of their predecessors. Murphy has a gruff public demeanor, but those who have gained his support and those who have fought him equally agree that he is a "fair man who keeps his word." He protests that he does not exert as much influence as the press and others claim. The lieutenant governor has expanded his influence by winning back

power he gave away in his first term. Maintaining that the appointment of committees and their chairs should not be made by one person, Miller shared his power with other legislators. However, the increased feuding in the Senate and the growing perception that the upper house was considerably weaker than the House of Representatives spurred Miller to end the "experiment" after ten years. This act has earned him respect from the legislators and lobbyists. There is intense rivalry between the House and the Senate and between the lieutenant-governor and the speaker; lobbyists must pay attention to both.

Lobbyists are quick to explain that the "leadership" extends to others and that the growing professionalism of the members of the legislature and its staff demands their attention. As might be expected, the chairs of the standing committees, especially of appropriations and the rules committees exert great influence. The elected leadership demands attention. The House, because of its size, is more hierarchical in structure. In the Senate, there are a few individuals who can deliver votes on almost any issue. The lobbyists are aware of the leadership structures and the differences between the two houses.

Lobbying techniques. The Georgia constitution forbids lobbying.¹⁶

Instead, it identifies those who represent interests before the General Assembly as "registered agents." The law does not provide for disclosure reports by the agents; it requires only that they pay a \$5 fee to the Secretary of State's office and list the group he/she represents.

Successful lobbying depends upon visibility and credibility. Much of the work is done between legislative sessions. Lobbyists warn "If you have not made your contacts and lined up your initial support before the session, you can't walk in there and hope to win." However, lobbyists are

ever present during the session. The Capitol has few offices for the legislators and the lobbyists gather in the hallways, watching TV monitors and sending in messages to the legislators. Lobbyists interact with each other here; pluralism of the lobbying interests is evidenced by the physical territory staked out by those sharing areas of interest. Our interviews revealed that lobbyists knew some of the more visible lobbyists in other areas but they were more knowledgeable about those who operated in their own sphere. Many of the groups hold receptions and dinners during the session. The primary function of these social functions is to make your presence known.

Lobbyists across issues are emphatic that their best weapon is grass-roots organization. Many of the groups have sophisticated techniques for keeping their constituents informed and mobilizing them. For example, the Medical Association of Georgia has the names of three or four doctors who know each legislator personally. Georgia Power has identified not only its own employees but also businessmen who may contact a legislator in its behalf. The lobbyists claim that the support of a legislator's key and vocal constituents is the most important variable in the legislator's decision making process. In contrast, testimony before a legislative committee is mostly a formality and has little effect on the legislative process.

The dominance of business interests. Service in the Georgia legislature is a part-time occupation. The legislators receive a salary of \$10,000 per year plus a \$59 per diem when they are on committee business or when the General Assembly is in session. Three-fifths of the members of the General Assembly are engaged in business occupations.¹⁷ In contrast, only sixteen percent of the legislators are lawyers, the next single largest

occupation group. The presence of so many businessmen and women in the General Assembly reinforces the generally pro-business atmosphere of Georgia government. Legislators often sit on committees that examine legislation in which their private occupations have an interest. For example, the 14 member House Insurance Committee includes four insurance agents, one former agent and an insurance company's general counsel. Some legislators argue that experts in a certain area can often provide technical advice that other members of the committee have yet to acquire. They also contend that the expertise of the membership gives the legislators some independence and forces them to rely less on organized interests' advice. Each body of course, has rules suggesting that a member abstain from voting on a bill if he/she is "immediately and particularly" interested in the legislation. There is no clear interpretation of these rules.

The business interests that influence the executive extend their primacy to the legislative branch. The major Atlanta banks, Coca Cola and Delta give generously to political campaigns. The entire legislature is up for re-election every two years, and the members are always worried about re-election expenses. The lobbyists for these individual groups and for the trade associations are usually well known. "If you have to waste time introducing yourself to a legislator during the session you've lost ninety percent of your effectiveness," observed one long-time, respected lobbyist. In addition to the groups mentioned before, the Georgia Poultry Association is considered particularly influential in the legislature. Much of the credit for its success is given to its lobbyist and the fact that poultry-raising, in which Georgia leads the country, is the only section of agri-business that is doing well in the state. Most of the

business lobbyists are trying to keep legislation from being passed. Many of them realize that if certain pieces of legislation get to the floor they may lose and therefore their jobs have to be done with the committees and with the leadership. Georgia Power is one business that prefers to have legislation regulating it come to the General Assembly rather than before the Public Service Commission. Constituents are more likely to exert influence over legislators than the PSC.

Professional associations' influence. Professional associations, because of their status often sway votes. The Georgia Association of Educators is respected because the teachers in the legislators' home districts have influence and because teachers are likely to vote. GAE is ever present in lobbying for raises as well as educational reforms. In fact, some observers criticize them for being more interested in the former than the latter. Still, it is difficult for legislators to deny either the importance of the profession or support for them. Another influential professional association is the Medical Association of Georgia. MAG encourages its members to contribute to a PAC, and to be involved in local politics. MAG, as does GAE, offers workshops around the state about the coming legislative session. However, the two organizations are dissimilar in their policy of endorsements. GAE has a litmus test of issues; MAG does not. Both groups have employed respected lobbyists who many believe would be influential no matter which group they represented. MAG is often pitted against other health professionals and is rated as a formidable and hard-to-defeat opponent. The issue of tort reform is the most visible battle engaging MAG and MAG has met its toughest opposition in the Trial Lawyers Association. Much of the trial lawyers success is because Speaker Murphy is a long time practicing defense attorney. For the first

time the doctors organized a 1,500 strong march on the Capitol. The Business Council of Georgia urged its members to contact their legislators and formed a liability insurance task force. Lawyers, in turn, mounted a \$400,000 television, radio and newspaper advertising campaign.

Compromises were worked out but failed to reach a final vote before adjournment. Plans for the next session call for the business groups to play more of a leadership role and less of a supportive one. This change in strategy reinforces the certainty of business influence with the members of the General Assembly.

Government agencies as effective interest groups. Executive departments lobby for their budgets and programs. The success of these departments depends on the same variables that affect the strength of other interests. Constituents' size and status, politically divisible goods and professionalism are critical for these departments. The most influential of the department heads is Transportation Commissioner Tom Moreland. His power comes in part from a dedicated tax on motor fuel which gives him great budgetary independence. Moreland also controls a precious commodity that most legislators want--roads--and he skillfully allocates his funds. The Board of Regents also has sway with the General Assembly. Legislators are reluctant to be perceived as against higher education. There is also a tradition of removing the University system from overt political bargaining since Governor Eugene Talmadge's actions almost cost its accreditation.¹⁸ Additionally, the Governor's liaison with the Board is a uniformly well-respected veteran who is skilled at smoothing over differences. The Department of Human Resources increased its credibility and influence with the legislature when its Commission presented a well defined plan for his budget. Also, in 1986 they emphasized certain

portions of their programs, namely infant mortality and nutrition for pregnant women. The emphasis on specific goals, themes, and the presence of a legislative liaison proved very successful.

Traditionally, the Georgia Municipal Association and the Association of County Commissioners have been influential in the General Assembly. They represent the people who govern the house districts. Both organizations were responsible in 1986 for the defeat of a proposal supported by rural school districts to broaden the school tax base. However, the local government associations are not as influential as they once were. There are more competing interests now and their challenges lie ahead when they will be competing for a larger part of the state budget when federal revenue sharing ends.

Social interest groups as minor interests. As in the executive arena, social interest groups have relatively less influence with the legislature. The same reasons that place social interest groups in a minor role with the executive are responsible for their place in the General Assembly. Legislators and representatives of other groups claim that either for lack of funding or lack of knowledge, the presence of the social interest groups is more tenuous. They appear "not to have done their homework. You have to lay the groundwork." These groups are also perceived as less willing to compromise, more likely to "threaten" a legislator with lack of support at re-election time. Obviously, these indictments do not apply to all groups. Some of the lobbyists admit that mistakes have been made in the past. They and other lobbyists observe that lobbying for part of the budget or for certain clients is inherently more difficult. These groups appear to be more aware than they once were of building coalitions and of targeting certain legislators for

support. One lobbyist always tries to identify the most conservative legislator who will lend support so that the issue cannot be identified as "liberal." This lobbyist stresses that "it is important to get the whole legislative choir singing from the same hymn book." Strategies like these work. During the past legislative session Continuum and other groups concerned with maternal and infant health worked with the Department of Human Resources and the Governor before the session began. With this support and that of key legislators they met their goals. Social interest groups also appear to be more successful when they form alliances with professional groups. There do not seem to be cases of these groups attempting to gain the support of the business interests.

In summary, the business interests dominate the legislative sphere as they do the executive arena. Legislators, as individuals, represent business interests more than any other occupational group. Executive agencies are not uniformly influential with the legislature. Their success depends on the same characteristics that affect the influence of other groups. Social interest groups do not yet have the status or influence of other groups.

Interest Groups and the Judiciary

Scholars have conducted a great deal of research on the role interest groups play in the federal judicial process. Although such analyses span many, many pages in the annals of political science, we can briefly summarize their findings: 1) contrary to prevailing folkwisdom about the neutral nature of the judiciary, the evidence overwhelmingly indicates that private interest groups attempt to influence the outcome of lawsuits by filing briefs and retaining expert attorneys and 2) that influence is on the upswing--each year more and more groups take to the

courts to achieve policy ends. Hence, the federal judiciary is not immune to the traditional lobbying efforts of pressure group politics, efforts that have increased over the past two decades. In fact, some scholars have even claimed that the federal courts are just as susceptible to the efforts of interest groups as their legislative and executive counterparts.

Does the same hold true for state judicial systems? As is the case with many areas of political science, few have attempted to test these propositions at the state level. Thus, the role interest groups play in the states' judicial process remains relatively unknown.

Clearly, then, a goal of this section of our study is to shed some light on what remains a relatively unexplored phenomenon--interest groups and state judicial systems.¹⁹ More specifically, given the lack of any particular theoretical direction, we chose to address the following question: do findings for the federal judiciary hold true at the state level? According to our analysis, the answer is a definitive "no." In fact, our examination of interest groups may be most noteworthy for its incompatibility with studies of the federal bench because 1) we discovered that private interest groups do not play a significant role in the state's judiciary and 2) that they will not wield increased influence within the near future.

The domination of "public" interest groups. Although our elites differed over several dimensions of power, they were in agreement over at least one major statement: "External organized interests and reform groups have had no influence whatever in the judicial process in Georgia." In fact, of the seven organizations to which our elites made reference, only one was a non-governmental group, the State Bar Association. And, even with such an

obvious choice, our respondents had their reservations, some noting that the Bar "has been an influence for good, but weak."

Of the six remaining organizations, all of which are governmental bodies, the most influential are the Council of Superior Court Judges, the Judicial Administrative Districts, and the Council of Juvenile Judges.

Composed of the "judges, senior judges, and judges emeriti of the superior courts of the state," the Council of Superior Court Judges was rated by all our elites as "the most important group which affects the judicial process in the state." The Council's formal charge is "to further the improvement of the superior courts and the administration of justice." To that end, the Council has established uniform rules for superior courts, held seminars on various aspects of judicial procedure, and distributed manuals on civil and criminal jury instructions. But its power, according to our respondents, emanates not from its formal responsibilities, but from tradition. Georgia has always accorded its superior court judges with "tremendous power in their own circuits," and hence, they have become a group to which policy is not easily dictated. For that reason, as one of our elites claims, "If there is to be any change in procedural aspects of the courts, it usually requires powerful vote support of the Council." In short, this governmental body has traditionally enjoyed a certain degree of influence and independence, which it plans to guard and retain in the years to come.

Our elites also generally agreed on the powerful role played by the Judicial Administrative Districts and the Council of Juvenile Court Judges. The former are the ten judicial districts representing the administrative apparatus of the judicial circuits. The superior court judges within each of these geographical districts elect one of their

members to serve as an administrative judge. These judges, in turn, "are authorized by statute to utilize caseload and other information for management purposes and to assign superior court judges . . . to other counties or circuits as needed." From where do the Administrative Districts derive their power? One respondent noted that they "are now becoming a machine for enforcing norms upon the rank and file trial court judges." Moreover, the districts are accountable to the all-powerful Council of Superior Court Judges, a connection that certainly enhances their prestige.

The Council of Juvenile Court Judges is composed of the "51 full or part-time juvenile court judges and 58 superior court judges exercising juvenile court jurisdiction." Its overall goal is to contribute to the "more effective administration and operation of the state's juvenile courts."

Although our elites generally agreed that the Council of Juvenile Court Judges is the "second most effective organized interest group," few explained why. One reason may be that the Juvenile Council, in fact, performs a great many services for the State. In the 1984-85 Annual Report, the Judicial Council/Administrative Office of the Courts noted numerous activities in which the Council was engaged including the direction of the Purchase of Services for Juvenile Offenders and Permanent Homes for Children programs. The first, which is federally funded through the State' Department of Community Affairs, provides monetary support and assistance to local courts for "the maintenance and development of a variety of alternatives to institutional treatment of juvenile offenders." Such programs provide local judges with greater latitude over the sentencing of young offenders. The second program, funded by the State,

sets up panels to review cases of children in foster homes and to monitor their progress. The importance of the Council of Juvenile Court Judges, then, may stem from the actual work in which it engages, rather than from specific traditions or norms.

Almost all our elites noted three other organizations, the Judicial Council of Georgia, the Council of Probate Judges, and Council of Magistrate Judges. Some disagreement ensued, however, over their actual influence and power. Consider responses to the Judicial Council, which is created by the Georgia Supreme Court with the overall goal of submitting proposals to improve the operation of the state's judicial apparatus. One of our elites claimed that this was an extremely powerful group because it "usually must review legislation which might have an effect in any way upon the judiciary and which develop many administrative rules for the courts." Another claimed simply that the Council is "weak" and generally overshadowed by the Council of Superior Court Judges.

Regardless of the relatively minor intra-elite disputes over power among certain groups, a clear picture of the Georgia judiciary vis-a-vis interest groups emerges--the system is dominated by governmental organizations. Unlike the federal judiciary, which is now characterized as a major target of private group pressure, the state courts, as our analysis suggests, are controlled by those who are actually part of the system.

The stability of judicial interest group politics. Our second finding also fails to support expectations established by scholars examining the federal judiciary. Researchers here have concluded that the role of interest groups, be it in Congressional hearings over judicial legislation or nominees to the federal bench or in actual litigation, has increased

over the past decade. That is, the system is increasingly the target of pressure group politics.

Our findings for the Georgia courts point in just the opposite direction: not only has the distribution of power remained fairly stable over the past decade, but, if anything, it has become more difficult for non-governmental groups to have any role in the judicial process. As one elite notes, "The Council of Superior Court Judges has always been the dominant judicial organization, and has jealously resisted interference by any outside groups." He continues, noting that "since [the Council] . . . has now seized power of the Judicial Administrative Districts, it will be the dominant force and power center in the Judicial branch for the foreseeable future."

Why does power in the state's judicial process remain so concentrated? As the old adage goes, power breeds power. Because traditional norms call for the general exclusion of outside interests, this process merely snowballs year after year. One elite pointed toward the example of the two commissions appointed by the Governor to review the state's judicial apparatus. The first, in 1971, met with "great success." But, when the second commission appeared (in 1985), "organized opposition . . . particularly the superior courts, rendered its report much less effective than it would otherwise have been."

In sum, two major conclusions scholars have reached about the federal judicial system remain unsupported for the State of Georgia. That is, governmental, rather than private, groups wield power in the State and it seems unlikely that change will occur in the near future.

Although these findings contradict expectations formulated for the federal courts, they fit rather nicely into the conclusions drawn by Floyd

Hunter more than 30 years ago. Like Hunter, we found that power within the state's judiciary is relatively concentrated: elites only recognized three organizations as possessing any real influence over the judiciary. Moreover, we, as did Hunter, found that such power was relatively stable, owing to the fact that once elites marshalled the influence they were anxious to maintain the status quo.

Conclusion

Interest groups are by their nature pluralistic. In Georgia, however, business groups tend to be preeminent in the executive and legislative arenas. Business interests are thought to be interests of the state as a whole. Therefore, among this plurality of interests, we can identify that business groups are clearly the elite groups. Although they are different types of groups, the judicial arena is also dominated by elite interests, the governmental groups.

Stability of influence is a hallmark of interest groups in the executive, legislative and judicial arenas. There does not appear to be a fluctuation of interest group influences. As the politics in Georgia has changed over the years, certain interests have acquired a preeminent status and as long as their goals are viewed as coinciding with the interests of the state, their influence will be great.

Notes

¹V. O. Key, Jr., Southern Politics in State and Nation (New York: Vintage Books, 1949), pp. 106-129.

²Jack Bass and Walter DeVries, The Transformation of Southern Politics: Social Change and Political Consequences Since 1945 (New York: American Library, 1976), pp. 136-157; Thomas G. Walker and Eleanor Main, "Georgia," in Robert P. Steed, Lawrence W. Moreland, and Tod A. Baker, editors, The 1984 Presidential Election in the South: Patterns of Southern Party Politics (New York: Praeger Publishers, 1986), pp. 96-122.

³Census data and information have been compiled from U.S. Bureau of the Census, Statistical Abstract of the United States: 1972 (Washington, D.C., 1972); and Statistical Abstract of the United States: 1982-83 (Washington, D.C., 1982).

⁴Charles F. Floyd, "Two Georgias," Georgia Business and Economic Conditions 45 (1985); "The Two Georgias Revisited," Georgia Business and Economic Conditions 4 (1986).

⁵Bill Shipp, "Governor Harris Loses by a Split Decision," The Atlanta Journal and The Atlanta Constitution, July 16, 1986, C-1.

⁶George Busbee, "Let's All Pull Together, Georgia," The Atlanta Journal and The Atlanta Constitution, September 14, 1986, C-1.

⁷Ibid.

⁸Walker and Main, op. cit.

⁹Jim Galloway, "Partisan Politics Hits Legislature," The Atlanta Journal, February 3, 1986, E-1.

¹⁰George D. Busbee, "Inauguration Speech," Journal of the Senate of the State of Georgia, Regular Session, Volume 1, January 14, 1975, p. 53.

¹¹Floyd Hunter, Community Power Structure (New York: Doubleday, 1963).

¹²Throughout this paper, the reader will find unattributed observations and quotes. These were statements from elites who preferred to remain anonymous.

¹³Sarah McCally Morehouse, State Politics, Parties and Policy (New York: Holt, Rinehart and Winston, 1982):108.

¹⁴See Ronald J. Hrebenar and Ruth K. Scott, Interest Group Politics in America (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1982). L. Harmon Zeigler, "Interest Groups in the States," in Virginia Gray, Herbert Jacob and Kenneth N. Vines, Politics in the American States: A Comparative Analysis (Boston: Little, Brown and Company, 1983):99-132; Morehouse, op. cit.

¹⁵Key, op. cit.; Bass and DeVries, op. cit.

¹⁶(a) Lobbying is any personal solicitation of a member of the General Assembly, during a session thereof, by private interview, or letter, or message, or other means, not addressed solely to the judgment, to favor or oppose, or to vote for or against any bill, resolution, report, or claim, pending or to be introduced in either branch thereof, by any person who misrepresents the nature of his interest in the matter to such member or who is employed for a consideration by a person or corporation interested in the passage or defeat of such bill, resolution, report, or claim for the purpose of procuring the passage or defeat thereof. Lobbying shall not include such service as drafting petitions, bills, or resolutions; attending to the taking of testimony; collating facts; preparing arguments and memorials and submitting them orally or in writing to a committee or member of the General Assembly; and other services of like character intended to reach the reason of the legislators.

(b) Lobbying shall be punished by confinement in the penitentiary for not less than one year nor more than five years (Ga. L. 1878-79, p. 29, 1, 2; Code 1882, 4486a; Penal Code 1895, 319, 320; Penal Code 1910, 324, 325; Code 1933, 47-1001.)

¹⁷"Members of the General Assembly of Georgia," (Atlanta: Senate Public Information Office and House Public Information Office, 1985:120.

¹⁸Numan V. Barley, "Politics and Government in the Postwar Era," in Kenneth Coleman, editor, A History of Georgia (Athens, Georgia: The University of Georgia Press, 1977):389.

¹⁹The Georgia judicial system may best be described as a "confederacy." The Supreme Court meets and functions as a unit; the Court of Appeals typically in panels of three; there are 45 Superior Court circuits, 58 of these judges also act as Juvenile Court judges while other circuits have separately elected full- or part-time Juvenile Court judges; State Courts handle misdemeanor cases, while each county has its own probate and magistrate court; in addition, there are 450 special courts (City Courts, Civil, Municipal Courts and Recorder's Court) statewide. Moreover, the state's judicial system enjoys "overlapping jurisdictions" essentially determined by Bar practices in various regions or counties.