Chapter 6
Changing Minds: Information Power and the Exposure/Impact Model

Contents

1. What You Will Learn in This Chapter

What You Will Learn

In this chapter you will learn --

1. The difference between transactional lobbying and informational lobbying.
2. Why information can be so potent in policy making.
3. Three pathways for communicating with policy makers.
4. General principles for using each pathway effectively based on a simple but powerful tool, the exposure/impact model.

In the next chapter, you will learn specifics on how to use each of the three pathways effectively. Then, in Chapter 11 we'll see how to micro-target legislators for maximum policy impact. And in Chapter 13 you'll learn some special techniques for lobbying rule-makers in the executive branch.

Key Concepts

Persuasion
Information Power
Advocacy
Lobbying
Transactional lobbying
Informational Lobbying
Pathways of communication
Direct lobbying
Indirect lobbying
Grassroots lobbying
The Exposure-Impact (E-I) model
Attention Escalation
Probability of exposure
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High information "mavens"
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One Message Scenario
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2. Information Power in Policy Making

- Why does a congressman come to favor one policy over another?

- Why does a regulator come to see one regulatory standard as better than another one?
- Why does a president see one version of a proposed executive order as superior to several others?
- Why does a bureaucrat perceive one way of delivering services as better than another?

For political actors, making effective policy choices is critical. Good decisions about bills, regulations, executive actions, and agency procedures advance policy goals … and build careers. Bad decisions sabotage policy goals … and derail careers.[1]

Many factors enter into policy choices but an important one is *information* (remember the 4Is?). Sometimes policymakers seek out information; often it is presented to them by people trying to persuade them. For example --

- A congressman meets with competing interest groups, listens to testimony in committee, hears from constituents and donors, talks to fellow members and executive branch officials, huddles with his Legislative Assistant and is *persuaded* that one bill is better than another.
- A regulator consults with substantive experts, meets with affected parties and studies their letters and reports, reads independent studies, reviews public comments, listens to agency legal counsel, reads staff memos, and is *persuaded* that one regulatory standard is better than another.
- The president attends to competing bureaucratic interests, consults with congressional leaders, reviews option memos, checks with political and legal advisors and is *persuaded* that one executive order is better than another.
- An agency head studies how comparable agencies operate, consults with old hands who've been around the block, meets with agency staff, listens to affected groups and is *persuaded* one operating procedure is better than another.

This chapter is about information power in policy-making. Here is a definition of *information power*.

Information power – The impact of information in changing attention and changing or sustaining policy-relevant beliefs, and hence choices about policy.

Here are two quick examples of information power in policy-making. The first concerns information and direct democracy. The second concerns information in legislative policy making.

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[1] Bad decisions that nonetheless advance careers – a phenomenon sometimes called "failing upwards" – presents a real problem for governments and other organizations because it destroys the link between individual performance and individual reward. Unfortunately, the career consequences of public policy failure, particularly at the highest levels, are quite under-studied (though a few studies address the private sector, e.g., Marko Tervio "Superstars and Mediocrities: Market Failure in the Discovery of Talent," *Review of Economic Studies* 76(2):829-850 [2009], a theoretical study.) Thomas E. Ricks *The Generals: Military Command from WWII to Today* (Penguin 2013) examines the phenomenon in today's officer corps, contrasting it with the WWII Army. My impression is that rewarding failure is relatively common among the foreign policy elite, but that is merely an impression.

Example

Who Is Behind this Public Initiative? California Proposition 188[2]

The tobacco industry fought doggedly and sometimes unethically to preserve its massive profits in the face of scientific assault, government regulation, public opinion, and private litigation. Ultimately, the industry lost the Tobacco Wars. A now almost-forgotten skirmish in those wars, fought in California in 1994, illustrates the role of information power in direct democracy.

California's progressive era history heavily shapes the state's political institutions. Part of that legacy is the state's frequent use of public initiatives and referenda. Public initiatives allow citizens to bypass the state legislature by directly enacting a piece of legislation placed on the ballot.

Although direct democracy through initiatives has some appeal, in practice the cost and difficulty of the initiative process mean that organized interests dominate the process.[3] Only the well-resourced and well-organized can get an initiative on the ballot and wage the public relations campaign necessary for success. And, the inability to amend an initiative gives substantial proposal power to the drafters. But these simple facts do not guarantee success for business groups like the insurance industry, the trial lawyers association, and tobacco companies. The story of Proposition 188 illustrates why.

Proposition 188 was the brain-child of Phillip Morris's aggressive political strategy group, especially Vice-President for State Activities, Ellen Merlo. As Merlo explained in a memo to Phillip Morris's president:

> Finally, on or about January 17th, we will file a ballot initiative seeking a state preemption bill that provides for smoker accommodation. The Initiative will be filed by three independent business and/or association members. Simultaneous with our filing of the ballot initiative, we will conduct additional polling to ensure that we thoroughly probe voter reaction to this bill, which preliminary polling indicates we have a very good chance of winning. (Glantz and Balbach p. 224).

R.J. Reynolds was less enthusiastic, based on their reading of the polls and the risk of failure. Their preferred strategy focused on the legislature. But Phillip Morris pressed on alone.

The initiative was titled "Ban on Smoking in Public."[4] But in fact the intent was very far from banning smoking in public. By the early 1990s

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[2] This mini-case is based on "How the Public Media Center Used Facts to Counter Tobacco Industry Politics," W.K. Kellogg Foundation http://ww2.wkkf.org/advocacyhandbook/docs/CSAdvocacy.pdf and Stanton Glantz and Edith Balbach, *Tobacco War: Inside the California Battles*, University of California Press 2000. The latter is an in-depth history of policy making about tobacco in California, written by a scholar-activist. It is available on-line at http://publishing.cdlib.org/ucpressebooks/view?docId=ft167nb0vq;chunk.id=0;doc.view=print

[3] See Elizabeth Gerber, *The Populist Paradox: Interest Group Influence and the Promise of Direct Legislation*. Princeton University Press 1999. Gerber's systematic evidence shows that business interests have not been able to coopt the process completely, a fact the Proposition 188 story illustrates.

[4] See the official description, available at https://ballotpedia.org/California_Proposition_188,_Ban_on_Smoking_in_Public_(1994)

many California municipalities had enacted local ordinances banning smoking in restaurants and the workplace. Proposition 188, advanced by the tobacco industry, aimed to roll-back those ordinances by pre-empting them at the state level, to allow smoking in designated areas in restaurants and work places. The proposition would have rolled back 85 local ordinances on smoke-free workplaces and 96 local ordinances on smoke-free restaurants. Reportedly, the tobacco industry spent $18 million to create and advance the initiative.

As Glantz and Balbach explain,

> Philip Morris began a quiet effort to qualify its initiative, using the Dolphin Group (which had created front groups for fighting local ordinances) to run the campaign as Californians for Statewide Smoking Restrictions (CSSR). Voters began receiving phone calls inquiring whether they would support a uniform state law restricting smoking. Respondents who answered "yes" received a packet that contained advertising materials and a copy of the petition to be signed and returned. This attractive packet, which cloaked the initiative as a pro-health measure, detailed "strict regulations" that would be implemented by the proposed law and outlined its "benefits." (p. 231)

The front group collected over 600,000 signatures supporting the so-call ban on smoking.

Polls showed that the public was very confused about the initiative. Many anti-smokers mistakenly believed the initiative banned smoking, and therefore supported it. Many smokers had the same mistaken belief and therefore opposed it.

The Dolphin Group decided that a stealth campaign was the best way to go. It relied on narrowly targeted direct mail appeals, followed by some paid media at the end. Fundamentally it tried to present the initiative as an anti-smoking measure, but a reasonable one. (Ibid p 236). They confidently expected to out-spend the opposition many times over – and did. For example, the anti-Prop 188 coalition persuaded the famous Surgeon General C. Everett Koop to cut an anti-Prop 188 ad – but never had the money to actually run the ad.

The situation was quite alarming to Gary Yates, the head of a new health foundation in California, The California Wellness Foundation. Though initially reluctant to get involved in politics, Yates and the foundation decided to mount a truth-oriented counter-campaign.[5] To do so, they entered into a $4 million grant with a non-profit public relations organization, the Public Media Center, based in San Francisco.

> The Public Media Center launched a public education campaign with highly visible television, radio, and full-page newspaper ads that carried the banner, "Who supports Proposition 188—you have a right to know." Ad copy under the banner merely listed major contributors to both sides (e.g., Phillip Morris and other tobacco companies for the YES side and major health-oriented groups on the NO side). Public Media Center's newspaper ads also reprinted both sides' arguments just as they had appeared in the official state ballot pamphlet. Both the California Wellness Foundation and the Public Media

[5] See Magdalena Beltrán-del Olmo, "Gary Yates Profile," in *The California Wellness Center Grantee*, Fall/Winter 2011 http://www.calwellness.org/assets13/docs/grantee/grantee_fall_2011/Grantee_Fall_Winter_2011.pdf

> Center were careful to adhere strictly to federal regulations: the ads took no position on Proposition 188; there was no communication between them and the YES or NO campaigns, there was no call to action in the educational materials, and particular segments of voters were not targeted. In short, the campaign merely stated the facts. Further, the Public Media Center went the extra mile by running all ad copy by the state's Fair Political Practices Commission, and the foundation took no part in the campaign after it was funded. (W.K. Kellogg Foundation)

The high-visibility campaign by The Public Media Center forced the Dolphin Group, the tobacco-funded PR organization, to abandon the stealth campaign. Instead, it began to run a series of copy-cat ads virtually identical to those of The Public Media Center, but urging support for the initiative (we will discuss the tactic of "signal jamming" shortly). A court order stopped the copy-cat ads. Pro-bono work by a DC-based public law group then forced radio stations to identify exactly who was sponsoring the pro-188 ads.

The "just the facts" campaign succeeded brilliantly. Prop 188 went down to defeat, with some 6 million "no" votes against only two-and-a-half-million "yes" votes, a margin of 71% to 29%.

Glantz and Balbach offer this post-mortem:

> In 1994 the tobacco industry was nearly successful in tricking California voters into repealing their own tobacco control laws. If the tobacco industry had been able to maintain its original strategy of a stealth campaign, its effort might well have succeeded. By limiting itself to direct mail, the industry would have stayed within a medium where it could control the message and deprive the health community of a platform. However, once the industry was forced out into the more public realm of mainstream advertising, it lost control over the public discourse about Proposition 188.

Simply publicizing who was really behind the Proposition gave the voters the information they wanted and needed.

The information supplied by the Public Media Center in its Prop 188 campaign was simple, clear, easy to understand and reached many voters. It changed voters' views and the outcome of the referendum. So, the campaign demonstrates one form of information power. We'll return to characteristics like *simple, clear*, and *widely distributed* shortly.

But direct democracy, with its focus on citizen policy-makers, is quite unusual. Information power in legislative policy-making tends to look rather different. Let's look at an example from that forum.

Example

Deregulation of the Airlines: Demonstration Effects from Southwest Airlines[6]

One of the key policy developments of the mid-1970s was the deregulation movement in Washington, a movement that continued into the late 1990s. Beginning with rail and truck transportation, Congress and succeeding administrations deregulated a group of previously regulated industries. Examples include, besides railroads and trucking, airlines, long-distance telecommunications, oil and natural gas, and banking. The deregulation movement is particularly intriguing from the perspective of the Interest Group Matrix, because many of the regulatory agencies in question were clearly captured by the regulated industry, and consumers were rarely organized or even desirous of deregulation. In fact, about the only group that pushed consistently for deregulation was policy economists! So, how did Client Politics yield deregulation?[7]

In fact, a scholarly consensus remains elusive. Many factors were at play. For instance, this was the age of "stagflation," a poorly performing macro-economy. Politicians cast about for some response, and found they could at least claim that structural changes might lead to lower inflation and higher employment. Important political entrepreneurs of the day, like Senator Edward Kennedy, needed new centrist-leaning ideas for a presidential run. In some cases, the entrenched companies were economically weaker than they had been and thus politically less potent and less inclined to fight. Still, in the case of airline deregulation, all the firms but one (United) did fight deregulation, though they eventually bowed to the inevitable.

Clearly, though, an important part of the story, at least for airlines, was information. Why? The case for deregulation was highly theoretical. It relied on abstract reasoning, arguing that increased competition would not ruin the airline industry but instead lead to a healthy industry with lower fares. Who, besides economists, could believe such moonbeams?

Fortunately for the deregulators, they had some actual evidence. Federal regulation of the airlines was restricted to interstate commerce. So, airlines that operated entirely within a single state escaped the reach of the regulatory agency (the CAB). And in fact, there were two such airlines: Pacific Southwest Airline in California, and its imitator in Texas, Southwest Airlines. So, there were two deregulated airlines legislators could look at, to see what would happen absent the heavy hand of the CAB. And these two airlines were runaway success stories. They charged very low fares, were economically successful, and wildly popular with consumers. They achieved cult status in popular culture (try googling them). Proponents of deregulation could point to them and say, "See, it really works!"

The demonstration effect from these two airlines was potent. Of course, information alone hardly explains deregulation, which was a heavy lift politically. But the demonstration effect and the power of information did play a role.

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[6] The standard reference remains Martha Derthick and Paul Quirk, *The Politics of Deregulation*, Bookings Institution 1985.

[7] For a frankly puzzled response by a leading Chicago political economist, see Sam Peltzman "The Economic Theory of Regulation after a Decade of Deregulation," *Brookings Papers: Microeconomics 1989*, pp. 1-41, with interesting discussion by Mike Levine and Roger Noll.

In this chapter we look at information power in policy-making. We study three different pathways or avenues for communicating in policy making – direct lobbying, indirect lobbying using an influential third party including public campaigns, and grass-roots lobbying through citizen mobilization. Each pathway has distinct strengths and weaknesses. We examine general principles for boosting information power in each avenue. Then, in the next chapter, we'll review some practical tips, derived from theory and experience, for people who need to utilize information power to achieve results.

3. Transactional Lobbying versus Informational Lobbying

First, though, let me try to persuade you that information power is actually important in American policy making. Maybe the Prop 188 and airline deregulation cases are unusual. After all, when you get down to it, isn't it all about greasing palms? Is there really much persuasion in the face of today's Golden Rule: "He who has the gold makes the rule"? Let's look at some more cases and then summarize the systematic empirical evidence.

First, some more definitions (sorry).

Advocacy. Advocacy is an activity – undertaken by an individual, a corporation, or a group – which tries to influence policy decisions. Advocacy can include media campaigns, public speaking, commissioning and publishing research, conducting polls, filing amicus briefs, or direct communication with a policy maker or her advisors.

Lobbying is a form of advocacy, one that has a legal definition which focuses on legislation. In fact, the word "lobbying" refers historically to the practice of waiting outside the floor of a legislature (in the lobby) in order to button-hole legislators as they entered or left the chamber. But nowadays, the legal definition and the old-fashioned image are far too narrow. A great deal of lobbying actually involves contacts with regulators and executive branch officials, not just legislators. And it involves a lot more than button-holing, though that certainly continues.

Here's a definition of lobbying:

Lobbying. A form of advocacy oriented to specific pieces of legislation, specific regulations, the allocation of specific government contracts, awards, or licenses, or other definitive government decisions.

I want to make a distinction between the methods of advocacy employed in lobbying, by distinguishing *transactional lobbying* from *informational lobbying*.

Transactional Lobbying. Transactional lobbying aims to alter specific policy decisions on a quid-pro-quo basis, for example, receipt of a government contract in exchange for a campaign contribution, a monetary payment, or services rendered.

Because bribes and explicit pay-for-play are illegal in the U.S., most transactional lobbying (it is frequently argued) turns on campaign contributions, since this form of payment for goods received, if done carefully, is completely legal. To be clear, not all campaign contributions involve transactional lobbying. Many people enjoy making campaign contributions as a way of "rooting" for their favorite political "team."[8] They don't expect anything in return. Other people, particularly the ultra-wealthy, use massive campaign expenditures in an effort to change the outcome of elections and re-configure a legislature or the executive. The most common justification for corporate contributions is "gaining access" – dollars open doors. This is a form of pay-to-play but not actual quid-pro-quo. So there are a variety of motives behind campaign contributions. Still, most transactional lobbying will involve a campaign contribution.

Much of our knowledge about the fine texture of transactional lobbying comes from individuals who over-stepped the bounds of legality. We've already looked at an example: the notorious Jack Abramoff. For connoisseurs of the sordid, here is another case illustrating transactional lobbying.

Example

Brent Wilkes and Transactional Lobbying: With a Little Help from My Friends[9]

"I attempted to get help and advice from people who could show me the way to do it right – I played by their rules, and I played to win." So defense contractor Brent Wilkes explained the secret of his success in landing more than $100 million in defense contracts in the decade before 2006. But investigative reporters and federal prosecutors offer a somewhat different account, one featuring massive campaign contributions, millions of dollars in bribes, extravagant gifts (Persian rugs and pricey antiques, a secondhand Rolls-Royce, the use of a 42-foot boat), phony real estate deals, and sex-fueled parties for congressmen and procurement officers.

At his peak, Wilkes controlled a dozen companies whose work focused mostly on digital document storage. The Defense Department and CIA were his chief customers, and he spent up to 30 weeks a year in Washington courting congressmen and agency procurement officials. His primary company was ACDS, head-quartered in an opulent building in San Diego dubbed by employees "the palace." It show-cased a wood-burning fireplace in Wilkes's office and a pavilion

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[8] See Stephen Ansolabehere , John M. De Figueiredo, and James M. Snyder. "Why Is There So Little Money in US Politics?" *The Journal of Economic Perspectives* 17.1 (2003): 105-130.

[9] This mini-case is based on David Johnston and David D. Kirkpatrick, "An Insider Dissects Beltway Influence Meddling / Contractor named by Cunningham Details the System," *New York Times* August 6 2006 http://www.sfgate.com/politics/article/An-insider-dissects-Beltway-influence-peddling-2491734.php ; Judy Bachrach, "Washington Babylon," *Vanity Fair* August 2006, http://www.sfgate.com/politics/article/An-insider-dissects-Beltway-influence-peddling-2491734.php; Greg Moran, "Cunningham Briber Reports to Prison," *San Diego Union Tribune* May 16 2014 http://www.sandiegouniontribune.com/news/2014/may/16/duke-cunningham-briber-reports-to-prison/

large enough for 400-seat banquets or performances by Cirque du Soleil, which Wilkes hired for his wife's 50th birthday party.

A former accountant in Washington and San Diego, Wilkes had known Congressman (later lobbyist) William Lowery, through casual contacts in California Republican circles. Because of this tie, a San Diego businessman hired Wilkes as a consultant in 1992 to help persuade Congress to earmark contracts for his company, which was seeking to convert military documents into digital form.

In an interview with *New York Times* reporters, Wilkes recalled his initial efforts to win the earmarks. "He rented a suite at the Hyatt Hotel a few blocks from the Capitol. In his briefcase was a stack of envelopes for a half-dozen congressmen, each packet containing up to $10,000 in checks. Wilkes set up separate meetings to pitch an earmark, and he planned to punctuate each pitch with a campaign donation. But Lowery told him that presenting the checks during the sessions was not how things were done, Wilkes recalled. Instead, Wilkes said, Lowery taught him the right way to do it: Hand over the envelope in the hallway outside the suite, at least a few feet away."

"Wilkes described the appropriations process as little more than a shakedown. He said that lobbyists close to the committee members unceasingly demanded campaign contributions from entrepreneurs like him. Wilkes and his associates have given more than $706,000 to federal campaigns since 1997, according to public records, and he said he had brought in more as a fundraiser."

Wilkes's key contact on the House Appropriations Committee was Representative Randall "Duke" Cunningham, a decorated war hero from San Diego. But Wilkes was also a major contributor to former House Whip and Republican Majority Leader Tom Delay, later indicted on various election law violations (he ultimately escaped jail time on appeal).

In 2007, Wilkes' procurement henchman at the CIA, Kyle "Dusty" Foggo (a childhood friend), was indicted for fraud, conspiracy and money laundering. Foggo was convicted and sentenced to 30 months in federal prison. Representative Cunningham pleaded guilty to federal charges of conspiracy to commit bribery, mail fraud, wire fraud and tax evasion and was sentenced to eight years and four months in prison. He was also ordered to pay $1.8 million in restitution. Cunningham completed his prison sentence in 2013. Wilkes himself was convicted of bribery in 2007 and spent 11 months in prison in 2008. But a tenacious legal defense freed him pending appeals, which dragged on for years. In May 2014 the legal legerdemain finally shut down and Wilkes entered a federal prison in Texas. He will remain there until 2023.

So, the Abramoff and Wilkes examples show that transactional lobbying occurs. There's just no doubt about it. In some areas like contracting, transactional lobbying may even be common.[10] But there are alternatives to bribery, legal or otherwise. Let's define *informational lobbying*.

Informational Lobbying. Informational lobbying aims to affect specific policy decisions by supplying a decision maker with information that induces or supports a decision advantaging the lobbyist.

Informational lobbying may involve persuasion. But lots of informational lobbying does not try to change the policy maker's mind per se. Instead the lobbyist's information may confirm the policy maker's prior beliefs, or provide cover for explaining the decision in public. The information or lobbying product may lift some of the policy-making burden from the actor, for example, by supplying a well-drafted legislative proposal or questions to ask a witness during congressional testimony. A firm or group may provide a regulator with specific language for a regulation. Or, a group may coordinate with the White House, pooling information and working in tandem to build a legislative coalition (this has become common with Supreme Court nominations). In addition, informational lobbying is often a two-way street, with the policy-maker supplying information to the lobbyist – e.g., on the strength of coalitions or the timing of events or the content of policy proposals – that helps the lobbyist participate in the process effectively.

What does informational lobbying look like in practice? A cache of documents released during litigation allows us a rare glimpse behind the scenes into a big corporation's influence machine.[11]

Example

Inside Enron's Influence Machine[12]

One of the most unusual corporate stories of the 1990s was Enron. Headquartered in Houston Texas, Enron ultimately employed 20,000 people and claimed annual revenues of over $100 billion. The company transmitted and distributed electricity and natural gas throughout the United States. So it developed, built, and operated power plants and pipelines. But it also became heavily involved in brokering energy, so the company was as much an investment bank

[10] A recent paper examines government contracts awarded to firms with long-standing political action committees and finds that more contributions are associated with the receipt of more contracts. The paper also includes two useful case studies. Christopher Witko, "Campaign Contributions, Access, and Government Contracting," *Journal of Public Administration Research and Theory* (2011): mur005 https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbnxjaHJpc3RvcGhlcndpdGtvfGd4OjQ2MTAzYzE4YzFkNWVhYjQ

[11] A cache of internal documents from tobacco giant Brown and Williamson, leaked to anti-smoking activists and placed on-line at the University of California, San Francisco medical school, also affords an unprecedented and eye-popping view of a decades-long lobbying campaign to defend cigarette smoking. The documents have been carefully indexed and are searchable digitally (http://www.library.ucsf.edu/tobacco). Stanton Glantz et al (editors) *The Cigarette Papers* (University of California Press 1996) offers a guide and commentary; it is available at http://publishing.cdlib.org/ucpressebooks/view?docId=ft8489p25j&brand=ucpress

[12] This case is based on Lee Drutman and Daniel J. Hopkins. "The Inside View: Using the Enron E-mail Archive to Understand Corporate Political Attention." *Legislative Studies Quarterly* 38.1 (2013): 5-30.

as traditional energy company. It focused on states, like California, that deregulated their electricity markets.

Hailed for six years in a row by *Fortune* magazine as the most innovative company in America, in fact Enron's success was built on systematic accounting fraud encouraged by its leaders and supported by its notoriously competitive and ruthless corporate culture. Not surprisingly, stock manipulation and criminal insider trading were frequent practices. One of Enron's most notorious acts was rigging the newly deregulated electricity market in California, resulting in massive price increases and 38 rolling blackouts across the state. Enron's bankruptcy in 2001 was the largest up to that time (the current record holder is the 2008 Lehman Brothers bankruptcy.) The accompanying accounting scandal resulted in the shuttering of the venerable Big Eight accounting firm Arthur Anderson. It also provoked the enactment of the Sarbanes-Oaxley Law, which substantially increased accounting burdens on many U.S. firms. Its former CEO remains in prison at the time I write.

To a large extent, Enron's business was predicated on favorable public policy, particularly deregulated electricity markets. Consequently it maintained a large, active, and sophisticated lobbying operation in Washington. Lee Drutman and Daniel Hopkins note, "At its peak, Enron was one of the most politically active companies in Washington. In 2001, it spent $5.1 million on lobbying, making it one of the 50 biggest spenders on lobbying overall that year. In the Oil and Gas Sector, only three companies – Exxon Mobil ($5.8 million), Marathon Oil ($5.7 million), and Shell Oil ($5.2 million) – spent more."

As part of its investigation of Enron, the Federal Energy Regulatory Commission (FERC) released the internal emails of about 150 top executives. This amazing resource appears to be the only substantial body of publicly available "real" email from a large organization.[13] As such, it has been studied by computer scientists and network scholars. Political scientists Lee Drutman and Dan Hopkins saw the email as a fantastic window on a world-class lobbying operation.

Drutman and Hopkins studied the incoming and outgoing messages of 151 senior Enron executives over the period from 1999 to 2002, over one-quarter million unique messages. The authors used computer programs to identify about 2600 emails dealing with politics. They then hand-coded the political emails.

Should we believe the uncovered email evidence? Drutman and Hopkins make a good case that we should. The exchanges occurred before other high profile prosecutions using email took place. The geographic distance between the D.C. lobbyists and company bosses in Houston made them rely on email. The emails involved thousands of employees. The "candor" in the emails suggests little editing. All in all, it seems likely the email reveal a lot about Enron's lobbying shop.

As a simple plausibility check, Drutman and Hopkins found that the members of Congress mentioned in the emails were usually on key power committees or committees of importance to the company. And, the frequency of mentions

[13] On the data, see William Cohen's Enron Email Data Set site https://www.cs.cmu.edu/~./enron/

correlated modestly with Enron's PAC contributions.[14]

So, what do the email show? Table 1 displays the activities discussed in the political emails, divided over five categories. The first thing to note is that the company spent minimal attention on campaigns, elections, or fundraising. These activities were of little interest to the lobbyists and headquarters staff. Since campaign contributions are the mother's milk of transactional lobbying, this fact alone is rather striking.

What subjects did the emails focus on? By far the biggest was "monitoring" with almost two-thirds of the emails involved. Most of these emails passed along political intelligence on what was happening in Washington. Some 56% of the monitoring emails actually employed publicly available information. But some 43% offered "unique intelligence" gathered by Enron operatives themselves, for example, from congressional staffers.

The next largest category of emails, at 15%, involved legislative contacting, that is, "meetings and other direct interactions with public officials and their staffs, as well as coalition-building activities that are organized around specific legislation." So this is the archetypal kind of inside "button-hole" lobbying. The ebb and flow of these emails moved in tandem with the legislative calendar. The majority of these emails dealt with legislative action. Drutman and Hopkins provide the following message, which shows the lobbying operation at work:

> Senate voted on the Interior Appropriates Bill late yesterday. Our amendment passed, which prevents either BLM [the Bureau of Land Management] or the Forest Service from enacting new fiber optic federal lands rights-of-way policies. The BLM made a last ditch effort to defeat this in the Senate, but we had readied key Senators and staff and they got nowhere. Action now moves to Conference, which for us means a focus on the House Conference members. Scott and I will spend the next 2 days meeting with the key Republicans in the House.

About one-quarter of the "contacting" emails detail coalition-building efforts with interest groups and other firms.

The emails in the "formal participation" category – about 9% of the emails – typically did not deal with Congress but instead regulatory or other agencies. About 71% of these dealt with making formal comments to agencies. Drutman and Hopkins offer the following message as showing typical activity:

> I know we are holding for a later filing, but I have attached further comments anyway. The document is still too rough to send out. We need to take the opportunity, as soon as possible, to get a hard hitting, thoroughly researched and carefully written document in front of the Commissioners. California's reaction to the Judge's recommendation is likely to give FERC (especially the new commissioners) a feel for how irrational the California politicians can be. We will have a limited opportunity to take advantage of that realization. We need to hit it hard in the pleading, our conversations at the Commission, the Hill and the media.

[14] Those contributions were about $250,000, so Enron's lobbying expenditures were about 20 times larger than its PAC contributions.

Remember this quote when we discuss message credibility and inside lobbying!

About 6% of the emails concern "opinion leadership." This is outside lobbying, aimed in Enron's case in bolstering public support for electricity deregulation. Though not a major activity of Enron, the emails do show lobbyists participating in forums outside government, writing op-eds, and so forth.

Some 973 emails mention specific lobby targets. Who were those people, for example, legislators or regulators? Table 2 provides the answer. The most frequently mentioned target was administrative agencies. Given the rise of the administrative state and the operations of a highly political firm like Enron, this finding is not surprising – though it is revealing. The second most frequently mentioned target is legislators and their staffs. Again, this isn't so surprising because Enron's business plan focused on opportunities created by electricity deregulation; Enron thus pushed for more deregulation.

After spending a great deal of time with the political emails, Drutman and Hopkins conclude that they show an informational lobbying operation in full swing but display few signs of transactional lobbying. This is not the same world as Wilkes's bought-and-paid-for earmarks. One can be pretty sure that Enron's top executives would not have been hindered by any moral or ethical scruples if they had believed transactional lobbying could get them what they wanted. But instead, their tactics focused on informational lobbying.

Category	Definition	Percent of Emails
Monitoring	Passing along political intelligence	60%
Legislative contacting	Meetings, direct interaction, coalition building	15%
Formal participation	Comments to agencies	9%
Opinion leadership	Promoting electricity deregulation to the public	6%
Campaigns and elections	Campaign contributions and electoral prospects	1%

Table 1. Subject of Political Emails Sent or Received by Top Enron Executives. Very little attention was devoted to campaign contributions. A huge amount of attention was devoted to information about and participation in the nitty-gritty of policy-making.

Lobbying Target	Percentage of Emails Indicating Target
Administrative Agency	22%
Legislative Actor	20%
Advisory Commission	19%
Executive Branch Official	10%

Table 2. Enron's Lobbying Targets as Revealed in the Email Messages of Its Top Executives. The most frequently mentioned target was administrative/regulatory agencies. The second most frequently mentioned target were legislators and their staffs.

What Social Scientists Have Learned About Lobbying

The internal evidence from Enron is fascinating. But Enron is just one company and an unusual one to boot. How representative is it? Social scientists have put an enormous amount of effort into systematically studying lobbying, collecting data on lobbying expenditures, campaign contributions, lobbying reports, and surveys of groups asking them what they want and what they do. What does the systematic evidence show?

In a recent essay, a leader in this research effort summarizes the current state of knowledge about lobbying.[15] Here are the empirical generalizations he highlights:

1) *Extent.* Lobbying is pervasive at all levels of government, and money spent on lobbying vastly outnumbers that spent on political campaigns.
    a. Lobbying expenditures are at least twice that of expenditures on political campaigns; some estimates put it as high as five times that of campaign expenditures.
2) *Who lobbies*. Corporations and trade associations dominate lobbying though more in terms of expenditures than numbers participating.
    a. About 84% of lobbying expenditures at the federal level come from corporations and trade associations, and a similar amount at the state level.
    b. Corporations and trade associations are a narrow majority of all groups that lobby.
    c. Large organized interest groups and groups that are supported by large corporations are more likely to lobby than smaller groups and groups supported by smaller corporate interests. This is true across industries and across issue areas.
    d. Large firms and interest groups often lobby independently, small ones as part of a trade association or group coalition.
3) *What issues and when*. The more important the policy issue is to an actor, the more likely it is to engage in lobbying on the issue.
    a. In the states, lobbying expenditures are tied to the budget cycle, not the electoral cycle; in contrast, campaign contributions are tied to the electoral cycle, not the budget cycle.
4) *Informational or transactional*. Some lobbyists specialize in issue areas, but others clearly trade on their connections with powerful congressmen.
    a. Lobbyists who trade on connections take a considerable financial hit when "their" policymaker dies or retires.
    b. It is unclear whether the what-you-know versus who-you-know distinction corresponds to informational and transactional lobbying.

[15] John M. de Figueiredo and Brian Kelleher Richter, "Advancing the Empirical Research on Lobbying," *Annual Review of Political Science*, Vol. 17: 163 -185 (May 2014). Another excellent review, focusing on money in elections but including a hard look at transactional lobbying (Section 4) is Thomas Stratmann, "Some Talk: Money in Politics. A (Partial) Review of the Literature," *Public Choice* 124*:* 135-156 (2005).

5) *Targeting*. The powerful are the principal targets of lobbyists.
    a. In Congress this means the congressional leadership and committee chairs of relevant committees.
    b. Both marginal and supportive legislators are targeted by lobbyists, but lobbying out-right enemies is rare.
6) *Effectiveness*. This is very hard to evaluate in a completely convincing way.
    a. The status quo bias prevalent in American Politics means that most pro-change lobbying inevitably appears ineffective.
    b. That said, there is some evidence of effective lobbying in various policy arenas, particularly trade policy, financial regulation, appropriations and budgeting, and taxation.

These facts are interesting, especially the gob-smacking magnitude of lobbying. But mostly they're pretty much what you might expect. Well, that's social science.

The remainder of this chapter presents a high-level how-to manual for informational lobbying: how information power works, and how to make it work for you. If you would like a how-to manual on transactional lobbying – a guide to the ins-and-outs of bribing congressmen, legally or otherwise – you will have to go elsewhere. Be sure to take your lawyer with you.

4. The Three Pathways of Communication

Let's start to unpack how informational lobbying works.

Consider a target, a policy maker whose decision we want to influence – a congressman, a regulator, an agency official. There are three *pathways of communication* for reaching the target:

- Direct Lobbying
- Indirect Lobbying of an influential third party (often the general public)
- Secondary lobbying by the influential party, including Grass-roots Lobbying via mobilized citizens

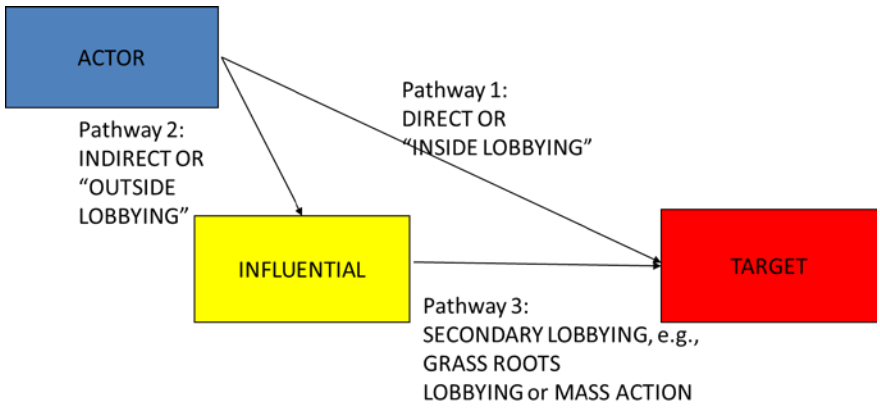

Figure 1. Communication Pathways in Advocacy. Pathway 1 is direct contact, often called "inside lobbying." Pathway 2 is indirect contact, sometimes called "outside lobbying" if the influential actor is outside the institution. The influential third party may then engage in secondary lobbying. If the influential third party is the general public or an activist group, its members may engage in "grass roots" lobbying, for instance, calling, writing letters, staging demonstrations or protests. But public opinion polls may be sufficient to evoke a response from the target.

Direct or Inside Lobbying. In direct lobbying, the advocate approaches the target policy maker him- or herself and attempts to influence a policy decision.

Indirect or outside Lobbying. In indirect lobbying, the advocate communicates with an influential third party, in the hope that this party will in turn communicate with the target policy maker. The influential third party may be and often is ordinary citizens.

Grass-roots lobbying. In grass-roots lobbying, the public or group members communicate with the target policy maker. This communication may be explicitly orchestrated by an indirect lobbyist.

Let me give you some quick examples of the three pathways in action, summarized in Table 3.

Actor	Ultimate Target(s)	Pathway 1: Direct	Pathway 2: Indirect	Pathway 3: Grass Roots
POTUS	Legislator	Contact key congressman	Speech to public (going public), Visit district (going local)	Congressman's constituents contact congressman
General Motors	Legislator	Contact congressman	Mobilize value chain (dealers, suppliers)	Value chain employers & employees in district contact congressmen
Regulated Firm	Regulator	Comments, ex parte contacts	Lobby oversight & appropriations committees	Congressmen contact regulatory agency
MELA	CDC, key CA legislators, federal judge	Testimony in agency hearing, lobby legislators, pro bono law suit	March in public, lobby editorialists, contact Democratic activists	Contacts from leg. constituents, newspaper editorials, contacts from Dem. activists

Table 3. The Three Pathways of Communication: Four Examples.

The Three Pathways in Action

Going Public

In the first example, the President of the United States (POTUS) would like Congress to enact a new law. The Constitution affords the President great power in stopping congressional enactments through the legislative veto but it gives him almost none for stimulating legislation. For instance, congressional failure to enact presidential proposals doesn't provoke a vote of "no confidence" and a new election, as it might well do in a parliamentary system. Of course, the President can lobby congressmen himself, or use professionals from the White House Office of Congressional Relations. He can also have the

administration bear some of the policy making burden, for instance, by drafting legislation. So, the President can act just like any other lobbyist. But a special resource for modern presidents is the so-called "bully pulpit," in Teddy Roosevelt's memorable phrase. In other words, the President can exploit his high visibility and inherent newsworthiness to make public speeches. These may focus public attention on an issue or even change minds. This process is often called "going public" (we'll return to going public in a minute). Going public is a form of indirect lobbying of Congress. If it works, citizens call or write their congressman, which is a form of grass-roots lobbying. A similar strategy that presidents use is "going local."[16] Here, the President makes a special trip to the district of the target congressman, who may be a key leader or a swing vote. The President's visit almost always gains top local headlines and media attention which allows him to engage citizens in the district (at least, if the President isn't too unpopular). So, going local is another form of indirect lobbying. Then, letters, calls, or comments from constituents provide grass-roots lobbying of the target congressman.

Mobilizing a Value Chain

In the second example, a major corporation like General Motors, wants Congress to enact a law or, perhaps, GM wants to block passage of a law. Lobbyists from GM, including the CEO and board members when the stakes are really high, may directly lobby key congressmen. But GM and companies like it have a powerful way to lobby indirectly: mobilize their so-called value chain (sometimes also called "stakeholders in the company"). The value chain is comprised of companies that sell goods or services to GM, or that sell GM's cars. These companies have a considerable interest in GM's welfare and may be willing to help out. In the case of automobile manufacturers a particularly useful part of the value chain, from a political perspective, is automobile dealerships. Every congressional district has a GM dealership, and the dealers are important employers and prominent local businessmen. A congressman will invariably return a call from an important local employer or businessman. And the congressman will listen attentively to what the local businessman has to say. What a great resource for GM! To summarize: mobilizing the value chain is a form of indirect lobbying for GM; and the calls to congressmen from auto dealers and other up-stream or down-stream firms in the value chain are a form of grass-roots lobbying. GM might coordinate the grass-roots effort, for instance, telling the dealers what to say and helping them contact their representative in Congress.

Lobbying an Agency through Congressional Committees

The third example involves a regulated firm – say, one of the for-profit education chains – confronting a regulatory agency, for example, the Department of Education and its "Gainful Employment" regulation. The firm knows the regulation will squash profits or maybe even put its fly-by-night operation out of business. Under the Administrative Procedures Act, the firm can submit comments on the draft rule. The firm can also meet with officials from the agency and voice its concerns (a so-called ex parte contact). Obviously, this is direct lobbying. But the firm needn't stop there. Another venue is lobbying the congressional committees with power over the agency, particularly the authorizing committee that oversees the agency's performance and writes its legislation (e.g., the Senate Committee on Health, Education, Labor, and Pensions), and the Appropriations Committee that funds the agency. Then, the

[16] For a terrific study of going local, see Jeffrey Cohen, *Going Local: Presidential Leadership in the Post-Broadcast Age*, Cambridge University Press (2010).

congressmen send the agency a message, perhaps through a meeting, a call, a letter, a hearing, or an amendment. So, direct contacts with the agency are direct lobbying; contacts with the congressional committee are indirect lobbying; and contacts between the committee members and the agency are direct lobbying (they're not grass-roots lobbying but the logic is similar). Can you think of another way the for-profit education firm can use indirect lobbying on the agency?[17]

The fourth example concerns the Mothers of East Los Angeles. What sort of direct, indirect, and grass-roots lobbying could MELA employ? I'll give you a hint: there are multiple veto-players who can stop the prison, and MELA needs only one of these to "click" in order to win. So there are multiple targets, not just one. I'll let you think about the complex MELA strategy on your own – it's a good exercise.

Different Audiences, Different Problems

Effectively lobbying an elite policy-maker like a legislator or a regulator is quite different from effectively engaging the public. And both may be different from mobilizing group members, which often involves the collective action problems and solutions we studied earlier. In other words, *different avenues* present *different problems* that require *different solutions*.

Are there some general principles or tools that allow us to analyze these differences and understand how best to communicate with different audiences? We will rely on three: the Exposure-Impact Model, Signaling Theory, and the FLAGS Paradigm.

5. The Exposure-Impact Model

The first framework that we'll use is the Exposure-Impact (E-I) Model.[18] The E-I Model is very simple and is built around two insights:

1. The "Two Components" insight: The overall impact of a message depends on the interaction of two distinct components: 1) the probability that the target is exposed to the message, and 2) the impact of the message on the target conditional on exposure to it.
2. The "Different Drivers" insight: The factors that drive exposure may differ from those that drive impact; and even if the same factor affects each component, it may do so in different directions.

We'll look at three slightly different versions of the E-I Model. The first addresses attention levels, it deals with "attention escalation." We'll focus mainly on attention escalation. The second examines actual opinion change in the face of a single political message. The third examines opinion change in the face of competing political messages – though I won't have much to say about that.

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[17] Answer: use its value chain! For example, the students enrolled in its "courses" can grass-roots lobby the agency and the congressional committees. In fact, the for-profit educational chains did use their students this way, going so far as to create and fund a grassroots organization.

[18] I draw heavily on the work of UCLA political scientist John Zaller and his "RAS model," though I take the E-I Model in somewhat different directions since I am not concerned exclusively with public opinion nor with responses to survey questions like, "Do you support or oppose the Vietnam War?" See John Zaller, *The Nature and Origins of Mass Opinion* (Cambridge University Press 1992).

It is important to see that the E-I Model applies to both mass publics and elite policy-makers. But, an important implication of the model is that communicating effectively with these audiences requires different kinds of messages. We'll analyze that point in detail.

The Model

The basic E-I model can be expressed in a simple equation, shown in Figure 3.

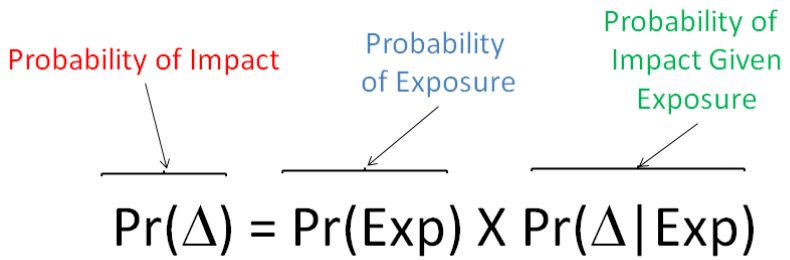

Figure 3. The Basic Equation of Message Impact. The equation says, net impact results from the interaction of exposure probability and impact conditional on exposure. The basic Exposure-Impact model is concerned with an individual's attention directed at an issue or problem. So, the "impact" is "increased attention to the issue." Shortly we extend the EI model to persuasion.

The equation says, the impact of a message on a target is: the probability the target receives the message (or, the extent of exposure to the message), TIMES the probability of impact on the target (or, the size of the impact) given the target's exposure to the message. You can see this is really just an algebraic truism – sort of like: The probability you can wet = the probability it rains X the probability you get wet when it rains.

The homey rain example may suggest how different factors may affect the two components differently. For instance, the probability it rains is really about the weather. The probability that you get wet when it rains is about, say, the probability you forget to take your umbrella with you in the morning – always a challenge for certain absent-minded people. Exactly how the model plays out depends on whether we are talking about attention or persuasion.

Attention Escalation

Let's consider the simplest application, which involves people's attention to a policy problem or issue. We can think of people as displaying a level of attentiveness to a policy or issue, as shown in Figure 4.

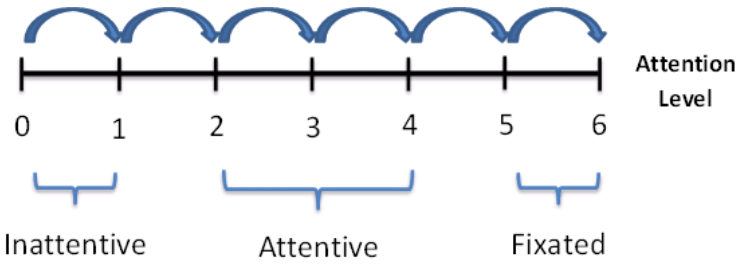

Figure 4. Attentiveness Scale. Inattentive people score low on the attention scale, say, 0 or 1. Attentive people score much higher (2-4), while "fixated" people have sky-high attention levels for the policy problem (5-6). Can messages boost the target's attention level?

Suppose our objective is to boost people's attention level to an issue or problem (this is often the President's objective in going public – I'll explain why this can change policy in a while). The E-I Model says, we must think about both their exposure to our message, and the impact of our message given exposure to it.

Drivers of Exposure and Conditional Impact

So, what are the main drivers for "probability of exposure to the message"? The most obvious driver is the density of the message in the target's environment. Is the message on TV news and on the radio? Is it in the newspapers? Are people repeating the message around the water cooler at work, and around the dinner table at night? For the general public, message density depends heavily on the media – is the media carrying the message intensely? From an advocate's perspective, then, a key question is: How can I get the media to broadcast my message intensely?

But, there is a second big driver of exposure that relates to individuals rather than the media: individual interest in current events, news, and politics. It doesn't make any difference if the media carries a message if the target audience never listens to the news, doesn't associate with people who do, and automatically tunes out any discussion of public policy. So, a big driver of probability of exposure is individual interest in politics and policy. People who are tuned out are going to be tough nuts to crack; but reaching highly attentive people might not be so difficult.

What about the drivers for "impact of the message, given exposure to it"? In other words, if the target hears or sees the message, does it raise her attention to the issue? Here, we can see several drivers. The first (perhaps ironically) is prior attention level. If someone is paying no attention to the issue, perhaps because they don't know it exists and have never thought about it (asteroid defense, anyone?) , then getting them to pay a little attention to it isn't hard. But if someone is already paying a great deal of attention to the issue, its pretty hard to get them to pay even more attention – they're close to maxed out. And if they are fixated (see Figure 4 again) then its very hard to boost their attentiveness much more.

A second driver of impact reflects the quality of the message itself: Is it credible? Does it grab the target, does the target see it as relevant to his or her life, is it interesting and memorable? Or, is the message unbelievable, irrelevant, boring, or forgettable?

Finally, are there drivers of the drivers, something that affects both the exposure drivers and the impact drivers? Social scientists have identified an important one: education and knowledge. More education and more knowledge typically lead to higher interest in the world, to civic events, to politics, and to the consumption of news. So, it boosts an exposure factor. But, higher education and knowledge also leads to higher prior attentiveness, greater prior knowledge, and maybe skepticism about information that seems wrong or contradictory to what one has learned. So it boosts resistance factors to message impact.

In sum, there are three classes of drivers: 1) attributes of the information environment, especially the media and the density of messages; 2) attributes of the messages themselves (affecting and credible); and 3) attributes of individuals, especially information levels, knowledge, education, and interest.

Information Levels: Lofos and Mavens

Based on the education/information/interest factor, I want to introduce a distinction that is extremely helpful in employing the E-I Model in practical settings. However, in my experience this distinction makes some people uncomfortable because it seems so elitist. The distinction is based on the target's level of political knowledge and level of education, which is very close to level of interest in politics and public policy. So let me be clear from the outset: I am not making a moral judgment about people based on this distinction. In fact, it is a testament to the success of a democracy that people can ignore politics and focus instead on family, friends, church/synagogue/mosque, personal improvement and hobbies, or simply entertainment. Disengagement from politics and policy is a luxury that many people can only long for. So it was for Poles, Czechs, Frenchmen, or Brits in 1938, and Americans in 1941.[19] We are very lucky to live in a time when Americans can ignore politics and policy if they want to. Should we condemn people who take advantage of this rare and precious luxury? I don't.[20] Should we celebrate people who find politics and policy fun and interesting and spend a lot of time thinking about them, rather than (or in addition to) a favorite sports team? Why?

Anyway, the distinction I want to make is between low-information individuals – let's call them "lofos" – and high information people, let's call them "mavens." (Maven is a Hebrew word, meaning an expert based on knowledge). We can also divide the mavens into ordinary mavens and super-mavens.

It may be helpful to put faces on the opposite ends of the information/knowledge spectrum. I call this exercise in stereotyping "A Tale of Two Barnies." The purpose is just to make the abstractions more real to you. On the lofo side, let me nominate a fictional character from the great age of American television, Barney Fife from the TV series *The Andy Griffin Show*. At one time this character was rated one of the 50

[19] Trotsky famously (though perhaps apocryphally) said, "You may not be interested in war. But war is interested in you." The same may be said of public policy.
[20] Admittedly, the implications can be disturbing for the operation of democracies. For a discussion, see Russell *Hardin*, "Ignorant Democracy," *Critical Review* 18 (2006).

greatest characters of American television. Though he was the butt of many jokes on the show, the character Barney Fife was by no means slow or stupid. On the positive side, he was kind, generous, and good-hearted. But, he was naïve, ignorant about the world outside his little town of Mayberry, an imaginary authority on every subject, and inclined to slogans, wild fleeting enthusiasms, and simplistic easy answers. If it's not too disturbing to you, you can take the first Barney as a kind of short-hand for everyman, the average American voter or at least a significant portion of the electorate.[21]

At the opposite end of the spectrum let me nominate a real person, former Representative Barney Frank. Frank was the long-time congressman from the 4th district of Massachusetts. Famously intelligent, pugnacious, abrasive, and witty, he was a master of ferociously complex policy arenas like financial regulation and housing. He was also an excellent legislative tactician. The landmark financial reform bill, the Dodd-Frank bill, bears his name. Again as an ideal type, you can take the second Barney as a kind of exemplar of super-mavens and high-end policy makers. If you prefer a conservative stereotype rather than a liberal one like Barney Frank, substitute Dick Cheney or Paul Ryan. But then you can't have the Tale of Two Barnies!

Anyway, let's see how the E-I Model plays out as we apply it to a population composed of Barney Fifes, Barney Franks, and the people in between.

Figure 5 shows the probability of exposure to a policy message in the media, for instance, a presidential address or a public relations campaign like the anti-smoking campaign in the Proposition 188 story. The x-axis is our political information/political knowledge scale, anchored by the opposite ends by the appropriate Barney.

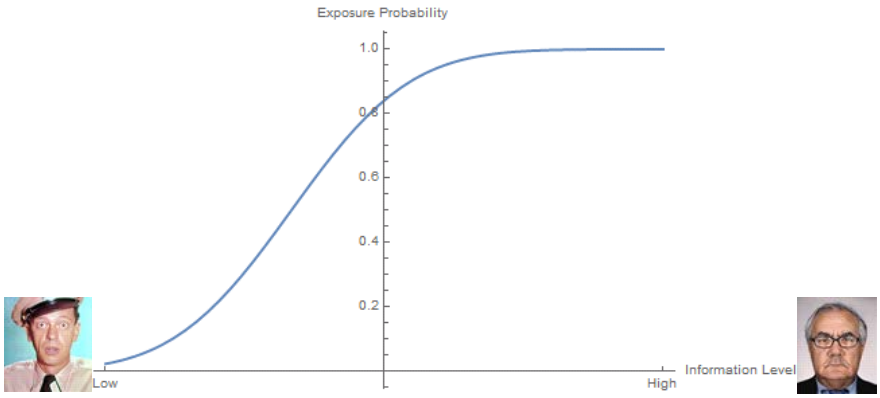

Figure 5. The Probability of Exposure to a Policy Message: Low Information People versus High Information People. The exposure probability for our fabled "lofo" Barney Fife is extremely low. The reason is, Officer Fife isn't interested in public affairs, rarely watches the news, and doesn't talk about policy with his friends. In contrast, our

[21] If you would like to learn more about what average Americans know about politics and public policy, a brief and accessible overview by a leading scholar in this area is Michael X. Delli Carpini, "An Overview of Citizens' Knowledge about Politics," In M. S. McKinney, L. L. Kaid, D. G. Bystrom, & D. B. Carlin (Eds.), *Communicating Politics: Engaging the Public in Democratic Life* (pp. 27-40). New York: Peter Lang. http://repository.upenn.edu/cgi/viewcontent.cgi?article=1053&context=asc_papers

stereotypical "maven" Barney Frank almost certainly hears the message. The second Barney compulsively consumes news, thinks about policy all the time, and is surrounded by people like him, who discuss politics and policy non-stop.

The figure illustrates the points made earlier: people with low current interest probably don't see the message but people with high interest do.[22] Interest correlates highly with information so we can use information/knowledge level as the x-axis. (In the chapter on media we'll bolster this point, by discussing how the fragmentation of contemporary media makes it easy for lofos to opt out of watching news programs altogether.)

Figure 6 displays a similar curve, now for the probability of attention escalation upon hearing the message. Suppose, for example, the message is "Planet-killing rocks roam outer space and one of them is heading for us right now! We need asteroid defense!" For Officer Fife, this is almost certainly news, and pretty scary news at that. (One could imagine an amusing episode of the show based on this scenario). He may toss and turn at night, picturing an enormous fiery rock aimed right at him. But what about Super-Maven Barney? He already knows about asteroid defense and he understands probability pretty well. He understands that rock probably won't arrive for 50,000 years. Our message isn't going to move his needle at all.

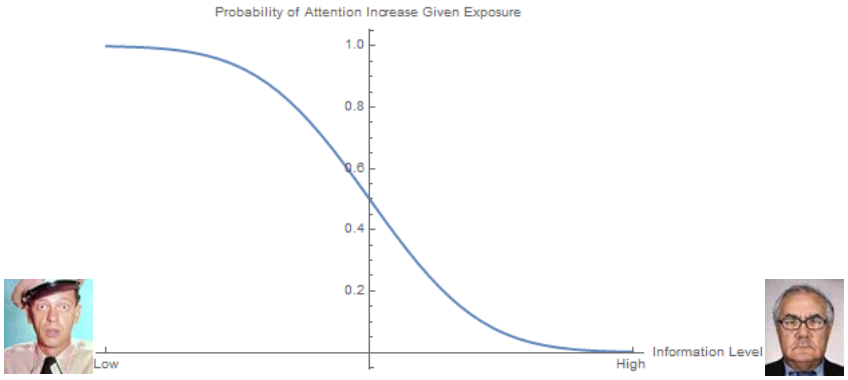

Figure 6. The Probability of Attention Increase Given Exposure to the Message: Low Information People versus High Information People. Because Lofo Barney knows nothing about the issue, if he hears the message at all it is very likely to boost his attention level to it. In contrast, Super-Maven Barney already knows a lot about it and is likely quite aware. A "hit" from the message won't affect him much at all.

Now what happens when we put the two curves together, in particular, what happens when we multiply them as required by the model? The result is shown in Figure 7.

[22] The curves in Figures 5-7 are illustrative; they are derived from actual data.

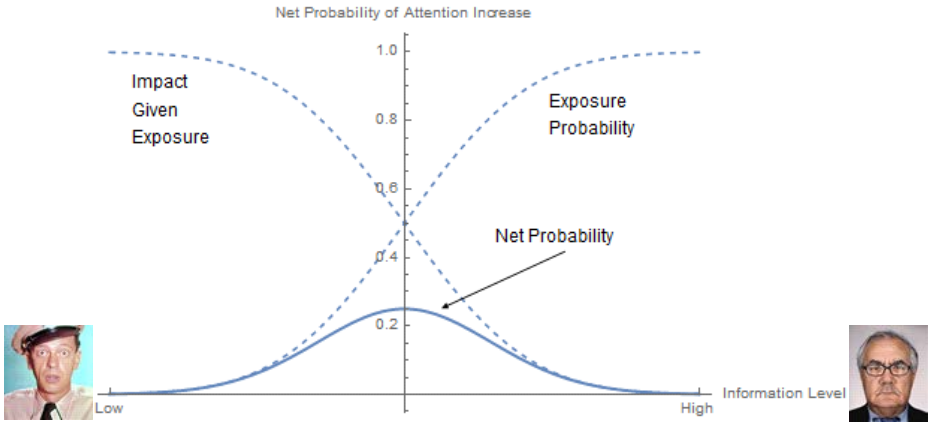

Figure 7. The Net Impact of a Message on Attention: Low Information People versus High Information People.

Figure 7 displays the exposure probability curve, the conditional impact curve, and the product of the two (the latter is darker). The greatest net impact comes neither with the lowest information people – who aren't listening – nor with the highest information people – whose minds are made up. Rather, larger impact comes from people with moderate levels of information and knowledge. These people are paying attention, at least somewhat; and, their relatively modest levels of knowledge don't engender too much resistance to the message. So their attention jumps.

Two Generic Tactics

The E-I Model highlights two generic tactics for gaining greater net impact from messages:1) increase the probability of exposure to the message (e.g., increase message density in the target's environment), or 2) increase the message's impact conditional on exposure (e.g., use a better message). You can call these the "louder" versus "better" strategies. Although this observation is – admittedly – perfectly obvious, the model implies that the two tactics will work differently for different people. That isn't so obvious. Let's take a closer look.

First consider increasing the probability of exposure to the message. Imagine broadcasting the message more often, more widely, in many different media. This increases people's likelihood of seeing the message. This tactic in operation is captured in Figure 8. As shown there, boosting exposure probabilities enhances the net impact of the message – but mostly for low-information people.

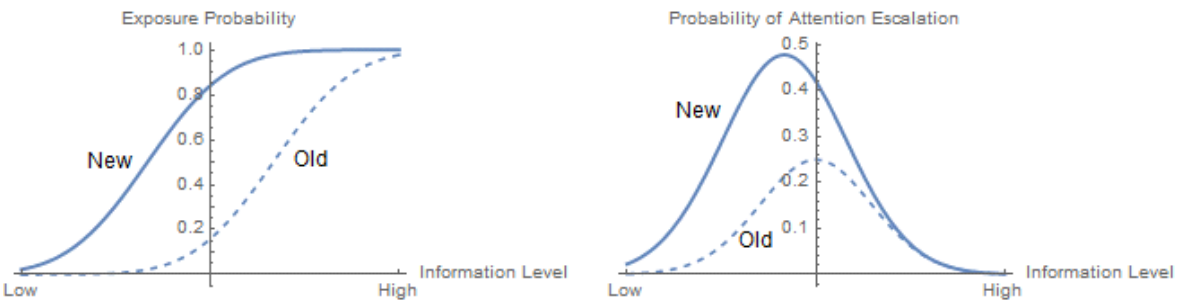

Figure 8. What Happens When Exposure Probability Increases. Shown in the left-hand panel are two exposure probabilities: the original low probability (dashed line) and a new enhanced probability (solid line). Note that the solid line lies everywhere above the dashed line, expect at the very lowest and highest information levels. The right-hand panel shows the consequences of moving from the lower exposure probability curve to the higher one: the net impact of the message is higher – but mostly for lower-information people.

This makes perfect sense when you think about it. After all, the mavens were likely to see the message anyway, even at the lower exposure probability. It was the lofos who tended to miss it. Thus, the payoff from broadcasting more intensely comes mostly among the lofos.

Now let's look at the second tactic, increasing the impact of a message on those who see it. This tactic is: use a better message. Let's start with the rather special case of a message that is better for everyone, across the information spectrum. Such a message would need to be simple, clear, and convincing both for lofos and mavens.

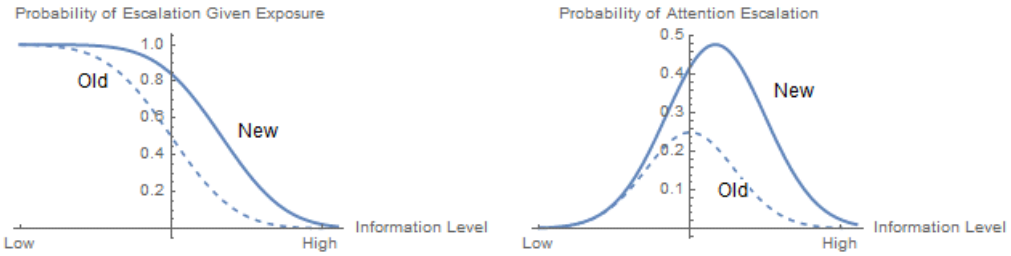

Figure 9. What Happens With An Increase In Message Impact For Those Who See It. Shown in the left-hand panel are two conditional impact functions: the original low probability (dashed line) and a new enhanced probability (solid line). Note that the solid line lies everywhere above the dashed line, expect at the very lowest and highest information levels. The right-hand panel shows the consequences of moving from the lower impact function to the higher one taking into account exposure probability: the net impact of the message is higher – but mostly for higher-information people.

Figure 9 captures the effect of a universally better message. As shown in the left-hand panel, the better message boosts the conditional impact of the message. So the new curve lies everywhere above the old curve. The right-hand panel shows the implications for net attention escalation: attention jumps a lot, but mostly for somewhat higher-information people, not lofos. Again, this makes sense: the lofos are still mostly not hearing the message. The higher information people hear it, and the better message has impact on them unless they are super-mavens whose mind is already made up.

The implication is very clear: If your object is moving the Barney Fifes of the world, exposure probability is a huge issue. But if your object is moving the Barney Franks – at least directly – then good messages are key.

In fact, the kind of messages that low-information people find powerful and the kind of messages that high-information people find powerful are typically quite different. Universally better messages are unusual. We'll talk much more about this in a few minutes. But essentially, low information people have scant tolerance for subtle, abstract, and complex arguments that rely on statistics, scientific or social scientific theories, and intricate reasoning. Rather, effective messages for them must be simple and punchy. In contrast, high-information people like elite policy makers have considerable tolerance for complex messages and (in turn) may be dismissive of rather crude appeals to emotion – though legislators in particular may be very responsive to indirect lobbying from lofos galvanized by emotional appeals. So, directly lobbying policy makers (on the one hand) and trying to mobilize mass audiences (on the other) requires not just different arguments but different styles of arguing. These are quite practical problems, as scientists who become involved in policy making discover – for instance, policy making on vaccine resistance, global warming, or genetically modified foods.[23] Again, we'll spend more time on this point shortly.

Political Messages: Persuasion Monopolies and Persuasion Contests

First, though, let's briefly examine the E-I Model applied to opinion change rather than attention escalation. And, I want to focus on opinion change that has a distinctly political or ideological character, so isn't purely factual in nature. In other words, some opinions or positions are "liberal," some "moderate," and some "conservative." Current examples are positions on immigration policy, tax rates, gay rights, mitigation of carbon emissions, federally imposed school curricula, and many others. So, we imagine a scale like the attention scale in Figure 4, but a liberal-conservative scale, as shown in Figure 10.

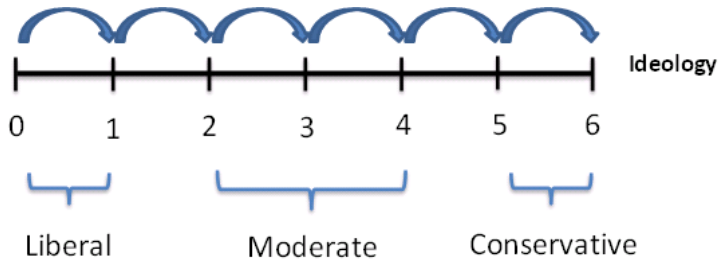

Figure 10. Positions on an Ideological Scale. Can messages shift people's location on positions that are ideological, such as immigration, abortion, tax rates, gay rights and so on?

[23] See Gerber, Alan S., and Eric M. Patashnik. "The Politicization of Evidence-Based Medicine: The Limits of Pragmatic Problem Solving in an Era of Polarization." *California Journal of Politics and Policy* 3.4 (2011). Also, Opel, Douglas J., et al. "Social marketing as a strategy to increase immunization rates." *Archives of pediatrics & adolescent medicine* 163.5 (2009): 432-437.

The E-I Model has strong implications about changing people's positions on a scale like that in Figure 10. No surprise, the same issues about exposure, impact, and information return – but with some important differences.

First, with an ideology scale like Figure 10, where should we place the lofos, mavens, and super-mavens? Decades of survey research shows that mavens tend to the ideological extremes while lofos often fall in the middle.

To some extent, the placement of lofos as "moderates" may be an artifact of the way political scientists and survey researchers measure political ideology. In particular, they often ask people dichotomous questions like "Which position is closer to your own: 'This country should do whatever it takes to protect the environment' or 'This country has gone too far in its efforts to protect the environment.'"[24] Opinion specialists have understood for over 50 years that many lofos don't have meaningful opinions on these sorts of questions – they've never thought about them or have only the vaguest impressions.[25] It's like asking them, "If faster-than-light travel were possible, would you prefer to visit Proxima Centauri or Betelgeuse?" The question just doesn't compute.[26] So they will answer some questions like this in the "liberal" fashion and some in the "conservative" fashion, which forces them into the center of the scale. But really they don't have an opinion. Other lofos actually have opinions (more or less) depending on the scraps of information they've haphazardly received. But they mix and match liberal and conservative positions in a way that looks incoherent to people who feel comfortable with Figure 10's left-right liberal-conservative scale. Again, these inconsistent extremists show up as moderates.[27] If we put the lofos on a left-right scale, they appear somewhat arbitrarily in the middle – and in fact, the people who score as moderates on such scales are disproportionately lofo pseudo-moderates. But one probably shouldn't take the position placements of lofos as all that meaningful.

Now imagine a population composed of some maven-liberals, some maven-conservatives, a few maven moderates, and a great many pseudo-moderate lofos. Suppose we subject this population repeatedly and persistently to a single message with a distinct ideological orientation, and there are no other counter-messages. (This is the One-Message Scenario). What would we expect to see over time? Suppose, for instance, the message is "We should fight communism in Viet Nam because otherwise all

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[24] You can take a quiz with questions like this and score yourself: http://www.people-press.org/quiz/political-typology/

[25] The classic reference, still required reading for graduate students in Political Science and worthy of careful study, is Philip Converse, *The Nature of Belief Systems in Mass Publics*. Survey Research Center, University of Michigan, 1962.

[26] I know this sounds terribly elitist, but the point isn't that lofos never have meaningful opinions. They understand their own lives and experiences very well and may be quite sophisticated in thinking about them. So, they can meaningfully answer, "Are you better off than you were a year ago?" Or, "Are things getting better or worse in your community?"

[27] Some mavens don't fit very well on a traditional left-right scale, for instance principled libertarians. They mix conservative positions (e.g., anti-regulation) with liberal ones (legalize recreational drugs). Adding an additional dimension (they would say, "pro-liberty") would reveal considerable coherence in their views. Conversely, the ideological inconsistency of lofos mostly reflects randomness rather than principled thought. So adding another dimension will not reveal much coherence in their opinions, because there isn't any.

Southeast Asia will be taken over by communists, and this would be bad for the United States."[28] Anti-communist conservatives will immediately agree with the message, and then hold their position even more strongly. Moderate mavens will hear the message and begin to move in the conservative direction. Most lofos won't hear the message – but over time, if the message is repeated over and over and over again without contradiction, eventually even the lofos will get it. So their pseudo-moderation will give way to a more conservative position. What about the liberal mavens? Some may resist the message, especially at first. But if repeated often enough, and expressed in a way that mavens find convincing, they too will eventually move toward the conservative position. So after a long enough period there will be consensus or near-consensus in the direction of the monopoly message.[29]

What happens if there are two contradictory messages, say, the "Viet Nam War is good" message and one like, "The Viet Nam War is killing many Americans – you can see that every night on the news – , victory is no closer than years ago, and the country will gain little from staying and lose little from just leaving." Maven conservatives will resist this message strongly as it flatly contradicts all they have ever learned about the war. Hearing this message is likely to provoke counter-arguments from them. Maven liberals, who had moved toward the consensus conservative position given the previous monopoly message, will start to re-consider, especially if the counter-message comes from the right sources in a credible or powerful way (more on this shortly). The lofos who are part of the conservative consensus mostly won't hear the message. But if the second message gets loud enough and lasts long enough, some of the lofos will also start to move in a liberal direction. What will ultimately happen depends on lots of details, but its easy to imagine that the mavens will end up polarized, perhaps pretty quickly. Most lofos won't move much, though perhaps some will shift in the direction of the new message. Actual data on public opinion about the Viet Nam War seems to show this pattern.[30]

What I have just described can be called a *persuasion contest*. This is not entirely standard terminology[31] so here is a definition.

Persuasion Contest. A persuasion contest occurs when two sides, one identified as "liberal" and one identified as "conservative", employ messages in one or more of the three pathways of persuasion in a competitive effort to change beliefs and thereby alter public policy.

So, a persuasion contest could occur with direct lobbying and counter-lobbying of elites. For example, competing experts can testify in a rate hearing before a state utility commission. Or, both sides of an issue may lobby a particular congressman, perhaps a swing voter or a pivotal player who could plausibly be swayed either way. A persuasion contest can also occur using indirect lobbying though the mass public. So, the public may be exposed to two contradictory messages, as in the Viet Nam War example. A persuasion contest could also occur with grass roots mobilization, so group members may be exposed to both mobilizing and de-mobilizing messages. Or potential grass-roots lobbyists may be exposed to

[28] See Zaller.
[29] For aficionados, I have just described the Zaller one-message model.
[30] Ibid, pages ---.
[31] But see Stergios Skaperdas and Samarth Vaidya, "Persuasion as a Contest," *Economic Theory* 51.2 (2012): 465-486.

messages that try to mobilize them on one side of an issue and messages that try to mobilize them on the other. Obviously, persuasion contests are attributes of interest group politics (in the sense of the Interest Group Matrix).

I wish I could tell you that persuasion contests have received the attention they deserve, either as direct lobbying contests over elites or indirect lobbying contests working through mass opinion. Persuasion contests aren't terra incognita to social scientists but there aren't many general principles that I feel comfortable telling you.[32] Still, I will offer some tentative lessons in the next chapter.

Let's take a closer look at each of the three pathways of communication.

6. Nutshell Review

Here is the Nutshell Review.

1. Transactional lobbying is a real thing. It happens. But **information power is often the real key in changing or sustaining policies**. Therefore, you need to understand informational lobbying.
2. There are **three communication pathways** to reach the targets of informational lobbying: **inside lobbying** typically undertaken by mavens (high information people) for mavens, **grass-roots lobbying** undertaken by citizen-signalers but aimed at mavens, and **outside or indirect lobbying** organized by mavens and often targeting potential citizen-signalers (who then communicate with policy makers via grass-roots lobbying). Each pathway presents special problems.
3. The Exposure-Impact Model highlights the different challenges created by the information level of the immediate target. **Mavens demand highly credible messages**. Lower information **lofos need saturation and punchy messages**.

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[32] There are huge theoretical literatures on lobbying, including small ones on counter-lobbying. A notable contribution is David Austen-Smith and John R. Wright. "Counteractive Lobbying," *American Journal of Political Science* (1994): 25-44. We'll use the ideas in this paper when considering how to micro-target legislators. But most studies are rather special in considering very particular settings. There are also literatures on campaigns, which often involve persuasion contests. But most of this literature is descriptive.