Civil Society and the Shaping of Communication-Information Policy:
Four Decades of Advocacy

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At least since de Tocqueville, collective action by citizens to shape their government and society has attracted attention from scholars. More recently, the study of social movements has commanded a growing amount of attention in political science, history and sociology. A relatively recent extension of collective action theory, social movement studies focus on sustained campaigns by loosely-coordinated groups of citizens to pressure authorities to change laws, policies or resource distributions to rectify perceived injustices (Tilly, 2002; Tarrow, 1998; Zald and McCarthy, 1987). Research in this area has examined the American civil rights movement, the anti-communist independence movements in Eastern Europe, and various flavors of what Jeffrey Berry (1999) has called "post-materialist" politics, such as environmentalism and women's rights.[1]

So far, contention over communication and information-related policies is not part of this literature. To be sure, organized advocacy by citizens groups has played an important role shaping specific areas of communication and information policy, and there is some narrowly focused scholarly literature on this, which we will review. Yet, compared to environmentalism, gender and human rights, communications and information policy (CIP) is not typically cited as an issue-area known for sustaining social activism. Instead, it tends to be viewed as a highly specialized, and sometimes numbingly technical, realm of policy making. At times, media policy plays a supporting role in the drama of other social movements, as for instance when gender or ethnic advocates complain of stereotyped representations on TV or leftists and conservatives simultaneously accuse the news media of "corporate" and "liberal" bias, respectively. But in these cases changes in

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[1] The descriptive framework of social movement analysts has also been applied in historical contexts; e.g., studies of nationalism, slavery abolitionism, women's suffrage, and the labor movement. (e.g., Clemens, 1997)

the institutions of communication and information are subordinate to other concerns. And while recent literatures on global civil society and social movements contain numerous allusions to the importance of information technology in *enabling* activism, almost none of this literature looks at communications and information policy as *object* of activism.

This absence is conspicuous. The invisibility of CIP in discourses about public advocacy is increasingly at odds with the widely accepted claim that we are living in an "information society" and that media, networks and IT are central to the new economy. If we think of the 21st Century world – with its focus on information security and identification, its intensive surveillance by private and public sector entities, its legal and economic battles over intellectual property rights, its ongoing economic transformation of the infrastructure through digitization, privatization, competition, globalization, and consolidation, its always-on exposure to advertising, brands and news – there is certainly no lack of suitable material for political activism. If information and communication are as critical to modern life as everyone seems to think they are, where is the public contention over the politics of communication and information?

Law professor James Boyle (1997) asked a similar question in a prescient article about the politics of intellectual property. "Again and again," he wrote, "one meets a belief that [intellectual property law and policy] is a technical issue with no serious human, political or distributional consequences." Why, in short, is there no communication-information movement? Or has there been one, and it just hasn't been noticed by scholars? Has the rise of a digital infrastructure and of a so-called "information society" led to qualitative changes in the salience of communication and information policy to the public? Those questions formed the basic motivation for this paper.

To begin to answer them, the paper initiates some exploratory empirical research. It gathers data on two dimensions of the research problem. First, it attempts to quantify the number of public interest advocacy groups focused on communication and information policy (CIP) in the United States from 1961 to the present. Using a method derived from organizational ecology, it tracks the founding and disbandment of relevant advocacy organizations and delivers a rough estimate of the changing size and composition of the

population of U.S. CIP advocacy organizations. Second, the research tracks the number of U.S. Congressional hearings held each year on CIP issues, although this data goes only from 1969 to 2003. Our search terms were designed to cover the whole range of CIP topics related to the electronic media, including broadcasting, telephones, computers and telecommunications, Internet, freedom of government information, privacy, and intellectual property. The annual number of hearings provides a rough measure of governmental activity around communication-information policy. That measure can then be related to the data about the population of CIP advocacy organizations.

We readily acknowledge that the data sets we have collected are imperfect, and note that we do not attempt to use them to test precisely formulated hypotheses or draw firm conclusions. We do believe, however, that the collection and preliminary analysis of this data constitutes a significant advance in our understanding of political activity in CIP, and raises important new research questions that can be explored by others in the field.

The paper follows the following structure. In the next (second) section, we review the relevant literature in order to clarify the salience of this research and identify the key theoretical debates and problems. The third section describes the methodology and data-gathering methods we used, noting their limitations as well as their value. The fourth section sets out the empirical findings of the research. In section 5, we try to relate that data to some of the theoretical problems posed in the literature. The concluding section looks to the future and revisits the parallel with the environmental movement.

2.   A selective review of the literature

At least two families of scholarly literature need to be considered and integrated to execute our task. First, there is the burgeoning political science literature on collective action, interest groups, social movements, and civil society. Second, there is some empirical or case study research on advocacy and activism in communications policy produced by the field of communication studies.

2.1 Political science

How organized groups shape lawmaking, regulation and policy is of course central to political science. The scholarly literature on this topic is vast, and it is beyond the scope of this paper to thoroughly situate the concepts and theories we use within that broader framework. What we do here is identify and summarize some of the newer concepts and findings that are especially pertinent to our research.

The work of Jeffrey Berry (1977, 1999) focuses specifically on public interest advocacy groups in roughly the same period covered by our study. Berry's work is grounded in a distinction between interest groups that are economically motivated, such as business lobbyists, labor unions and trade associations, and "citizens groups" or "public interest groups." A public interest group, in Berry's definition, "is one that seeks a collective good, the achievement of which will not selectively and materially benefit the membership or activists of the organization." (1977, 7) In other words, for advocacy groups specific positions and policies are promoted more for their (perceived) general welfare effects than for the exclusive benefits that would accrue to the advocates.[2]

Berry's recent empirical work (1999) argues that public interest advocacy organizations (what he calls "citizens groups") constitute a new kind of "post-materialist politics" in which contention over economic benefits is subordinate to quality of life concerns. He contends that this type of politics, involving things like environmentalism and civil rights, has grown to sizable proportions since the mid-1960s. Citizens' groups "have been remarkably successful in influencing public policy" in Washington and at getting media coverage for their views. (1999, p. 2-3) His data shows that liberals are much more effective at using this organizational form than conservatives, at least when it comes to influencing Congressional legislation.

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[2] As Berry argues, one can attach the term "public interest" to organized advocacy groups without committing oneself to the idea that any of the groups' goals correspond to some universally valid Public Interest, or even that there is such a thing as "the" public interest. What matters is that the group advocates a collective good that, if achieved, will not result in the material benefits produced being selectively concentrated on its members or activists. In making this distinction, Berry is relying on the collective action theory of Mancur Olson (1966). However, the distinction between "materially interested" and "nonmaterially interested" interest groups has been challenged by Sell and Prakash (2004), who argue that both groups function in similar ways.

In an historical analysis of increases and decreases in the power of business interest groups that complements Berry's, David Vogel (1989) identifies conditions that led to the rise of public interest movements and a decline in the relative strength of business interest groups during the 1960s. Most critical in his opinion is that post-World War II economic growth had been robust for many years and was largely taken for granted; this bolstered public confidence that government could redistribute wealth or impose costs on business to improve social conditions with little pain. The decentralization of congressional committees also created more room for special issue politics. Another important change was the massive expansion of higher education that took place during the 1960s. The "citizens' movement" was able to identify and mobilize a new constituency, consisting of educated, upper middle class baby boomers, while drawing on the classical liberal-democratic coalition.

By way of contrast, Craig Calhoun (1995) characterizes these "new social movements" as working outside recognized institutional channels and as focusing on identity, autonomy and self-realization purposes more willingly than on policy issues. As a modernist, he sees new social movements as distinctive to the late twentieth century. Epitomizing this particularism is "an insistence that the organizational forms and styles of movement practice must exemplify the values the movement seeks to promulgate" (pp. 191-192). In this way, new social movements are seen as ends in themselves. Other distinctive features include a commitment to direct democracy, nonhierarchical structures, minimized role differentiation, resistance to the involvement of professional movement staff and an emphasis on non-instrumentality. Notwithstanding, Calhoun disagrees with the historical claim of epoch change implicit in post-materialist social movements understandings, noting that many of the characteristics of the "new" social movements were present and help to explain many movements that thrived in the eighteenth and early nineteenth centuries.

One of the empirically observable results of the complex of changes described by Vogel and Berry was the creation of a modular organizational form, the citizens group. These groups, exemplified by the Nader groups formed in the late 1960s and early 1970s,

created a visible, issue-focused presence in the media, Congress, and the regulatory bureaucracies that would follow up on and advance reform agendas or norms advanced by social movements. An emphasis on innovations in organizational form and organizational repertoires points to another relevant strand of the literature on social movements and institutional change. Institutional sociologists like Elisabeth Clemens (1993, 1997) emphasize the ability of people to manipulate organizational forms and organizational repertoires. Once routine patterns of interaction are articulated and established as an organizational form, they become "modular" and can be transposed from one setting to another. This transposition of organizational repertoires can be a catalyst of institutional change. (Clemens 1997, 10)

A different school of social movement theorists uses the concept of "political opportunity structure" to explain both why movements arise and grow (when opportunities emerge or increase) and why they decline (when opportunities decline and threats increase). Insofar as it can be considered a theory, political opportunity is said to be composed of four factors: 1) a change in conditions of political participation that opens up access; 2) unstable alignments of dominant political coalitions; 3) the appearance of influential allies in a ruling elite; and 4) the emergence of conflicts within and among political elites. (McAdam 1982, Tarrow, 1996). Minkoff (1999) notes that there is little direct theorizing about the relationship between political opportunity and organizational change. She does contend however that the phenomena are strongly associated: openings in the political opportunity structure decrease the risks associated with political challenge and facilitate more activist-oriented activities, while contractions tend to increase institutionalization, and promote more conservative postures to at least maintain a political presence.

The concept of political opportunity structure emphasizes structure over agency; i.e., it seems to imply that opportunities are built into institutional systems of relationships in a deterministic way. Political opportunities can, however, be "created" or recognized by "political entrepreneurs." (Sell and Prakash, 2004) E.g., political actors can seize upon a crisis to redefine the terms of a debate or to take control of an agenda. In these cases,

political opportunities are manufactured rather than being presented as an objective feature of the system.

Consistent with an agency-centered approach to political opportunity, Berry (1999, p. 29-30) describes a self-reinforcing cycle that occurs when citizens groups succeed. (See also Walker 1991) Sensing a political opportunity, political entrepreneurs engage the institutional system in some way; if the system rewards them by opening up channels for influence and producing positive results, more collective action follows. Once an activated interest or advocacy group has been formally incorporated into an institutional structure, it is not unusual to see institutions subsidizing the groups directly.[3] Organizational ecology takes a similar tack by observing how "institutional linkages" affect the survival rate of organizations. (Baum and Oliver 1991; Baum and Oliver 1992)

Finally, within political science there is a burgeoning literature on transnational civil society and its role in influencing the policies of national governments, international organizations and private sector actors (Spiro 1995; Tarrow 1996; Keck and Sikkink 1998; Keck and Sikkink 1999; Florini 2000; Tarrow 2001). Some of this literature focuses specifically on the implications of the Internet and information technology on civil society advocacy (Hajnal 2002; Rodgers 2003). Properly understood, the concept of civil society is one analytical level above that of interest groups and advocacy groups. "Civil society" implies a sphere of autonomous social action wherein interest groups and advocacy groups can spontaneously form, grow, shrink, split, merge, disband, coalesce, and compete for citizens' attention. (Keane, 2003) The groups that form are distinct from both governments and commercial firms, yet they interpenetrate state and market and profoundly affect the way both function, especially the degree to which they respond to the political and economic preferences of the population.

It is tempting to view a mobilized "global civil society" represented by international NGOs as the transnational equivalent of Berry's citizens groups engaged in a kind of

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[3] For example, the Community Relations Service of the Justice Department in the early 1970s is known to have aided broadcast license renewal challenges by minority groups. (Schement, Gutierrez et al. 1977) Later, the Reagan administration deliberately set out to "defund the left" by cutting back on these access channels to the government. (See Walker, 1991)

"post-material" politics writ larger. If such an expansion of the concept implies that the growth of a transnational civil society is producing and will continue to produce pressures leading to organized public input into international institutions and forums, just as citizen advocacy and Naderism did in the United States in the late 1960s and 1970s, it would be a useful analogy. In international institutions, civil society has become a residual category referring to whatever interests are left after governments and business interests are represented. For example, the World Summit on the Information Society, a United Nations summit operated by the International Telecommunication Union, has created a (carefully limited) space for the participation of what it calls "civil society groups" in deliberations over communications and information policy. It has even gone so far as to accredit such groups through a "Civil Society Bureau."[4] As Audrey Selian shows in her article in this issue, opening up political access in this fashion whets the appetite of civil society actors for more sustained and organized input into international institutions.

Unfortunately, as the meme of "civil society" has spread throughout the intelligentsia, it is increasingly misused as a kind of crude class terminology. It is now not uncommon to hear references to "civil society interests" or "civil society representation" in policymaking bodies, suggesting that civil society itself is a cohesive interest group, or (even worse) that the particular set of advocacy groups involved represent civil society as a whole. Often, "civil society" becomes a code word for liberal or progressive advocacy groups. However inaccurate such usage might be from an academic standpoint, such appropriation of symbols and phrases to demonstrate the worthiness, unity, size and commitment of a movement (Tilly, 2002, 88) is completely consistent with what social movement theorists tell us about how movements create a collective identity and use framing to advance their goals.

2.2   Communications

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[4] For a directory of civil society lists http://www.wsis-cs.org/. For the official WSIS home page see http://www.itu.int/wsis/. For information about civil society accreditation see: http://www.itu.int/wsis/participation/accreditation.html.

In looking for communications literature that deals specifically with public interest advocacy devoted to CIP, one quickly discovers the problem of media segmentation. That is, none of the scholarship considers as part of the same narrative all the major communication and information systems; telecommunications, mass media, computers and the Internet, intellectual property and government information policies tend to be segregated into distinct policy discourses. Communications scholarship is particularly susceptible to segmentation because of its material basis in schools devoted to professional training in journalism and mass media, and its intellectual foundation on concepts of "mass communication" articulated in the 1940s and 50s. Thus, research emanating from communication studies departments, when it has dealt with public interest advocacy or CIP-related social movements at all, tends to focus on broadcasting. Moreover, for the most part this literature is uninformed by the political science literature regarding political process, interest groups, or social movements.

A good point of entry into this literature is a watershed legal decision initiated by the United Church of Christ's (UCC) Office of Communication in 1964. In that year UCC challenged the television station license of a racist Mississippi broadcaster. The end result of the case in 1969 was not only to take away the station's license but also to give citizens and citizens' groups a new procedural right: legal "standing" to challenge broadcast license renewals before the FCC. For an excellent historico-legal account of that pivotal court case see Horwitz (1997).

Guimary (1975) and Grundfest (1977) are contemporary analysts of the surge of advocacy activity that followed upon the UCC case. Guimary's work provides useful insights into how citizens groups were organized, and forges historical links between the activism of the 1970s and the "better broadcasting" listeners and viewers groups of the 1940s-50s. Slavin and Pendleton (1983) focus on the efforts of women's groups to effect change through license challenges. Kim (1995) analyzes public interest advocacy surrounding the introduction of direct broadcast satellite services in the U.S. at a period of decline in citizen group influence due to deregulation. (See also Cole and Oettinger 1978; Linker 1983) A more comprehensive synthesis is provided by Kathryn C.

Montgomery's work Target: Prime Time (Montgomery 1989), which covers the efforts of advocacy groups to influence television programming decisions in the 1970s and 1980s. In a rich narrative account of groups contesting TV portrayals of minorities, women and gays, as well as conservative groups seeking to impose standards of decency and Christianity, she analyzes the interactions between advocacy groups and network standards and practices departments and shows how these initially contentious interactions were institutionalized and routinized over time.

In contrast to the wealth of scholarly papers on broadcasting policy, the communications literature on advocacy includes little about public engagement with issues of copyright/intellectual property or freedom of information law, and comparatively little about cable TV and telecommunications. Haight (1977) writes more as policy advocate than as scholarly analyst of public engagement, but does manage to span mass media and some telecommunication policy issues. In a treatment that does overcome media segmentation, Drake (1997) analyzes the impact of public interest group lobbying on the 1996 Telecommunications Act in the United States. Teske (1991) and Fallaschetti (2003) provide standard political science accounts of how telecommunications policy is shaped by interest groups, but the perspective is limited to economic interest groups.

There are some recent efforts to analyze Internet-related or Internet-based activism. (Tarrow 1996 and 1998; Deibert 2000; Warkentin 2001; Hajnal 2002; McCaughey and Ayers 2003) Most of this literature considers the Internet solely as a tool of activism involving issues other than CIP. But, Gurak (1997) and Leizerov (2000) do examine advocacy around privacy issues by Internet-based advocacy organizations. Both treatments are basically case studies, but Gurak uses the theory of rhetoric to contribute useful insights into some distinctive properties of online activism.

From this review it is possible to draw two conclusions. First, there is almost no connection between the communications literature and the political science literature. The political science literature has articulated potentially useful theoretical concepts that have not yet been applied to the CIP domain. To address that problem, this paper takes up the

concepts of "post-materialism" as formulated by Berry (1999), "political opportunity" as articulated by social movement analysts, and "organizational innovation" as articulated by Clemens (1993, 1997). We will draw upon our empirical evidence about CIP to see how well these concepts illuminate the data, and use the data to critique the concepts as well – bearing in mind that it is too early for hypothesis testing and that the insights must be exploratory and provisional.

Second, the literature that does deal with communications-information advocacy is episodic and case-oriented, segmented by medium, and tends to focus on mass media politics. In general, the field does not consider "communications-information" to be a single policy domain capable of mobilizing the public. We on the other hand believe that the construction of a more inclusive narrative requires the articulation of a broader concept of CIP. This expanded concept would have to look at the transformation of communication and information technology as an ongoing long-term process that can affect a number of policy domains, and recognize that digitization of the communications infrastructure converges many of the policy issues into a single discourse. Thus, any overview of advocacy and activism related to CIP must include battles over encryption and privacy as well as mass media content; freedom of information laws as well as broadcast licensing and cable franchising; battles over the proper scope and definition of intellectual property as well as subsidies to media content production; open source software and radio spectrum allocation as well as telecommunications regulation and universal telephone access.

3.   Methodology

Our review of the existing literature on advocacy in communications-information policy heightened our dissatisfaction with approaches based on anecdotes and case studies. We preferred to obtain reasonably objective, longitudinal data on advocacy groups. Likewise, it was felt that we needed some reasonably objective measure of the policymaking processes in which advocates and interest groups could intervene. This section describes the methods we used to obtain data.

3.1 Organizational ecology and its limitations

To understand the phenomenon of citizen activism around CIP, we felt that it was necessary to focus on the relevant advocacy organizations as a *population*, and analyze the changes in that population over time. We therefore adopted a method derived from the theory of organizational ecology. Organizational ecology argues that populations of organizations are best understood by investigating the environmental conditions that affect the rates of organizational founding, disbandment and change in form. (Hannan & Freeman, 1989; Singh & Lumsden, 1990:163) First advanced by Hannan & Freeman (1977), organizational ecology has been useful in analyzing the formation and disbandment of a variety of organizational populations, from specific industries (telephone companies in Baum, Korn et al. 1995) to political actors (United States state-level lobbying communities in Gray and Lowery 1996) and the emergence of diverse, often composite, social movement structures like women's suffrage, equal rights and civil rights (see e.g., Minkoff 1995; Minkoff 1999). Organizational ecology gave us a helpful framework for systematic collection of information about an unknown body of political actors over the duration of their involvement in a policy domain.

The main contribution of organizational ecology as a method has been to highlight the interaction between number of births, deaths, age and density of organizations within a population. (See Amburgey & Rao, 1996; Singh & Lumsden, 1999 for a comprehensive survey) In observing these variables, organizational ecologists have repeatedly shown how a process of legitimation and competition occurs, with organizational populations tending to follow a distinct curvilinear growth and decline in the shape of an inverted "U". Growth takes place as the organizational form is legitimated and decline occurs as competition for resources intensifies among the growing population. There are also more subtle hypotheses about how organizational variety is affected by population density. While these variables have been helpful in understanding the evolution of organizational populations – in fact, our data about CIP advocacy organizations replicates the familiar curvilinear pattern – replicating that pattern is not the point of this study. The existence of that pattern tells us very little about the question that interests us the most: how civil society collective action has reacted to (and affected) a policy domain that is constantly

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being reshaped by technological and industrial change as it moves to the center of social structure. To understand that, it is necessary to link the quantitative data about organizational births and deaths to a more qualitative analysis based on an understanding of the political history and the evolution of communications and information policy.

Further substantiating our arms-length relationship to organizational ecology has been the criticism leveled at it as a methodology. (Davis and MacAdam 2000; Young, 1995) Our experience in applying the method confirmed many of the critics' arguments (see below). Consequently, we do not use the method or data to draw fine-grained quantitative conclusions or to test hypotheses. Nor is our interpretation of the results bound to an organizational ecology theoretical paradigm. We still believe, however, that it had considerable value as a data-gathering discipline. Tracking the population of advocacy organizations and the births and disbandments of organizations in communications and information generated valuable descriptive information and facilitated a more systematic and objective overview of the phenomenon than methods used before.

Identifying organizations

To identify organizations engaged in CIP advocacy and determine the date they were formed and the date they ceased to exist, we used the Encyclopedia of Associations (EoA), a compendium of over 400,000 domestic and international organizations. The EoA has maintained a list of organizations for about 50 years using fairly consistent procedures, which made it adaptable to a longitudinal view of communication and information policy advocacy. Despite being imperfect and incomplete, several studies have used the EoA to provide a reasonably accurate retrospective of the size and characteristics of the interest group and social movement landscape in the United States. (e.g., Minkoff 1995, 1999; Baumgartner and Leech 1998; Baumgartner, Leech et al. 2003; Meyer and Mahoney forthcoming) Our sample was constructed from EoA issues ranging from 1961 to 2001; we examined issues every two years.[5]

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[5] In the 1960s, EoA issues were available only for the years 1961, 1964, and 1968. We also used 1970 and 1972 instead of 1971, due to the fact 1971 was not available at regional libraries.

We retrieved organizations listed in EoA related to the mass media, telecommunications, cable, intellectual property, privacy, and computers. Once retrieved, we decided manually whether they were public interest activist/advocacy organizations that were eligible for our count or some other kind of an organization. Commercial and professional interest groups were tracked separately. In order to do this, we applied the criteria listed below:

- The organizations must be attempting to influence communication and information public policy, broadly conceived.
- The organization and its members must not receive material, selective benefits from the adoption of its policy goals. (As noted above, commercial and professional interest groups were tracked separately.) That distinction was sometimes difficult to make.
- Organizations that solely provided funding to other organizations, or were pure publishers were not included.
- We did not include pure producers of content unless production was somehow integrated with an activist agenda and activities.
- We did not include government operated or funded organizations (e.g., Radio Free Europe).

Entries in the EoA usually have a founding date. When such a date existed and could be confirmed, we used it as the real founding date. If no such date was listed or could be found we used the date the organization first appeared in EoA as the founding date for organizational observations. If we could find historical or interview data confirming when an organization died, we used that; otherwise we used an organization's disappearance from EoA as its disbandment date. While these criteria provided us with a relatively clean dataset, other issues arose.

Limitations of the organizational ecology method
As we became immersed in the factual and historical data about CIP advocacy organizations, we became aware of how the organizational ecology method imposed choices on us that seemed to be arbitrary or unrealistic.

First, we learned through historical source material, interviews or Internet searches that several organizations devoted to more general causes (e.g., Gray Panthers, American Association of Retired Persons, Congress on Racial Equality) formed or participated in CIP campaigns at a given time. While a relatively small number of cases, they typically involved relatively large and resource-rich organizations. Whether and how to count these organizations poses a severe problem for the methodology. One way would be to count the founding and disbandment date of the organization, regardless of when they got involved in communication-information issues. This would distort the data set as a measure of comm-info activity. Another approach would be to count the beginning and end of the campaign as an organizational formation and disbandment. That would avoid the first problem, but recognizing that organizational capacity can be created without founding an organization seems to be inconsistent with the method used for other organizations. Equally problematic, such an approach would require accurate information about the organization's internal history that we simply could not get most of the time. Faced with this choice we chose not to count such organizations at all. The most consistent and logical application of the method would be to focus exclusively on organizations that dealt with communication-information policy issues as part of their core mission from beginning to end.[6]

Second, unlike most biological organisms, organizations are capable of mergers and break-ups within their lifetime, resulting in changes to the population structure. (Davidson 1995, 52) Within the duration of our study, seven public interest organizations were the derivative of another organization or multiple organizations. (For commercial-professional groups, the number of mergers and name changes was much larger.) We assumed continuity of the organization (with a corresponding change in name), thereby only counting a single founding and potentially multiple disbandments. We feel this more accurately captures the total number of organizations formed over the duration of the study, although it seemingly lies in direct contradiction to oft-cited

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[6] This means that our method fails to capture what Davis and MacAdam refer to as "social appropriation" - the process through which previously organized, but non-political groups come to be defined as appropriate sites for mobilization. (e.g, black churches in the civil rights movement). (Davis and MacAdam 2000, p. 222)

"synergistic" reasons behind mergers and acquisitions and perhaps ignores the importance of organizational adaptation. (See Davis and MacAdam 2000, 205-206)

Finally, the EoA relies on self-reporting and updating of organizational information, which most likely results in a distorted view of active organizations. Organizations often take several years to find their way into EoA. An organization such as Coalition Against Unsolicited Commercial Email, founded in 2000, did not have time to appear in EoA. This is especially risky in light of the anecdotal evidence of advocacy activities moving to the Internet environment, which makes them less likely to see themselves as needing to register in a directory such as EoA. (See e.g., Ayres 1999; Deibert 2000; Lin and Dutton 2003 among others) In order to compensate for this, we supplemented post-1995 data (consistent with the advent of the WWW) by identifying newer organizations using a software tool called TouchGraph, which visually maps out networks of hyperlinked organizations. We then utilized the non-profit database Guidestar, and actual organizational websites to cull further information about the organizations located in this manner. In Chart 3, the supplemental data not drawn from the Encyclopedia of Associations is broken out separately for comparison.

Classification of organizations

Once the set of organizations had been compiled, organizations were classified in two ways: by the type of media they focused on (print, television, the Internet, telephone, government information, or some combination); and by what we call mode of activism.

Classification by mode of activism is critical to understanding the heterogeneous field of communication-information advocacy. After careful examination of the history and framing techniques of citizens groups in CIP we identified three distinct ways of mobilizing public concern around communications and information issues:

- One is to criticize or problematize the *content* or *messages* produced. This includes calls to censor or restrict access to messages deemed offensive or indecent; attacks on or exposure of stereotypes or negative representations of ethnicities, races and religions; criticism and monitoring of political bias in journalism or the quality of reporting; calls for production of socially responsible

programs (e.g., children's' programs) or the suppression of programs and messages deemed irresponsible (e.g., tobacco ads or violence).

- Another is to try to influence the *economic* conditions of supply (e.g., subsidies, regulation, deregulation) This would include efforts to impose price, quality, market entry or market exit regulations on CI businesses, attacks on media concentration, efforts to direct governmental subsidies toward alternative producers, efforts to redistribute wealth among consumers and producers, and efforts to influence or shape technical standards. We put open source software-related activism in this category as well.

- Another is to assert or advocate *individual rights.* Rights claims can be based either on an assertion that the rights exist in current law, or on normative positions about what government should recognize as rights. Advocacy related to first amendment protection, assertions of privacy rights, rights to access government information (e.g., FOIA), fair use in regards to intellectual property, and some forms of advocacy that make claims of property rights (e.g., a claim that consumers have a right to acquire police radar-detection equipment) are the mainstay of this category.[7]

It is possible for a single organization to embrace more than one of these modes of advocacy, although for the most part we found that the categories were mutually exclusive. Less than 15% of our categorizations straddled these categories. However, this type of classification does not reflect the ability of groups using one mode of advocacy to coalesce with other groups in engaged in different modes of advocacy.

3.2 Congressional hearings.

To better understand the evolution of CIP issues over the period of study, we collected congressional hearings data using LEXIS-NEXIS's searchable Congressional

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[7] Rights-based advocacy can overlap with economic forms when property rights are involved; however, the basis of advocacy in the two categories is fundamentally different. In economic advocacy as defined above, changes in property rights are advanced in order to alter the overall market structure of the industry in a way that is claimed to be socially optimal; in rights-based advocacy the claim is that the individual is entitled to do it and that society as a whole has a vital interest in protecting that entitlement, regardless of what might be perceived as local or short-term negative consequences.

Information Service (CIS) Index. The CIS Index provides bibliographic access to all regularly produced congressional publications, including House, Senate, joint and special hearings. Each Index record brief provides title, committee, bill number, report number, and subject information, as well as an abstract. After reviewing available index subjects, we created a list of terms that captured hearings relevant to CIP issues. These terms included: "freedom of information act," "right of privacy," "intellectual property," "broadcasting," "computer and telecommunications," "Internet," "cable television," "telecommunications regulation," and "telephone." In total, we collected 2281 records dating from 1969 to 2003. However, in several cases (N=429) the same hearings were identified by multiple search terms. For instance, the same hearing about the implementation of the 1984 Cable Act was retrieved by searches for cable television, broadcasting, telecommunications regulation and telephone. Where this occurred we recoded it as "multiple" and counted a single instance of the hearing, leaving us with 1771 observations distributed as shown below.

Table 1
Congressional Hearing Subjects (1969-2003)

Subjects	Frequency	Percent
Broadcasting	217	12.3
Cable Television	42	2.4
Computer and Telecommunications	195	11.0
FOIA	157	8.9
Intellectual Property	76	4.3
Internet	97	5.5
Multiple	429	24.2
Right of Privacy	227	12.8
Telecommunications Regulation	166	9.4
Telephone	165	9.3
Total	**1771**	**100.0**

Of course, from our point of view the important thing is how this data is distributed over time; see the discussion in 4.2 and Chart 1 below.

**Chart 1: CIP Congressional Hearings (1969-2003)**
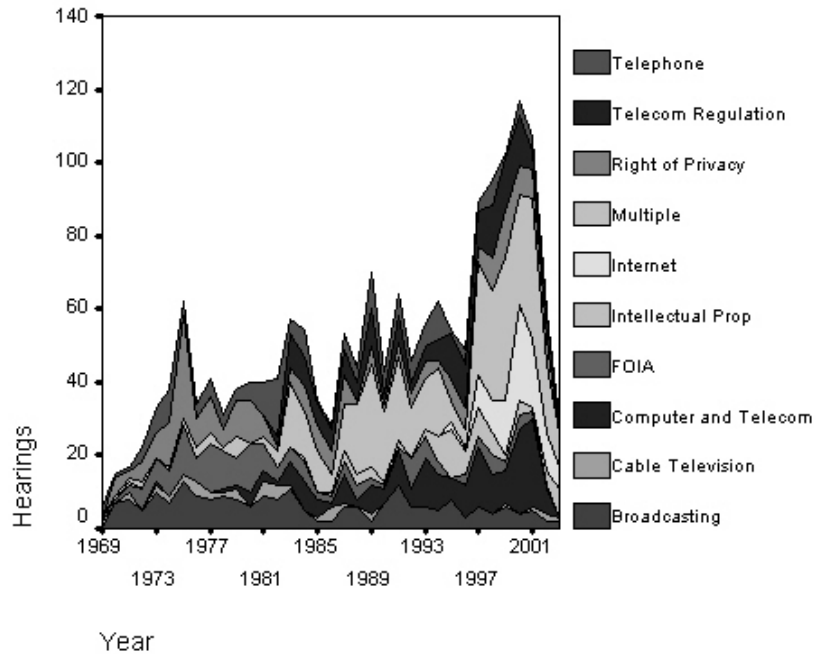
4. Peaks, Valleys and Convergence: The CIP Population and Congressional Hearings

In this section we first examine the results of the organizational ecology study. We then turn our attention to the results of the congressional hearings data.

4.1 Analysis of the Population of CIP Advocacy Organizations

We identified 202 organizations engaged in public interest advocacy on various aspects of communication-information policy (CIP) over the 42-year study period. If the adjusted method that includes recent organizations not found in EoA is used, the number rises to 223. Chart 2 displays the number of foundings, the number of disbandments, and the cumulative total from 1961 to 2003. Starting with only 13 organizations in the 1960-61 period, the cumulative total grew rapidly until the 1980-81 period, reaching 93 organizations. After 1981, the growth rate declines. Upon reaching a peak of 115 organizations in co-existing in 1997, the cumulative total begins a sustained decline over three periods. If we use the unadjusted numbers, by 2003 the total had slipped back to the level it was at in 1979.

Chart 2: Public Advocacy Organizations (1961-2003)
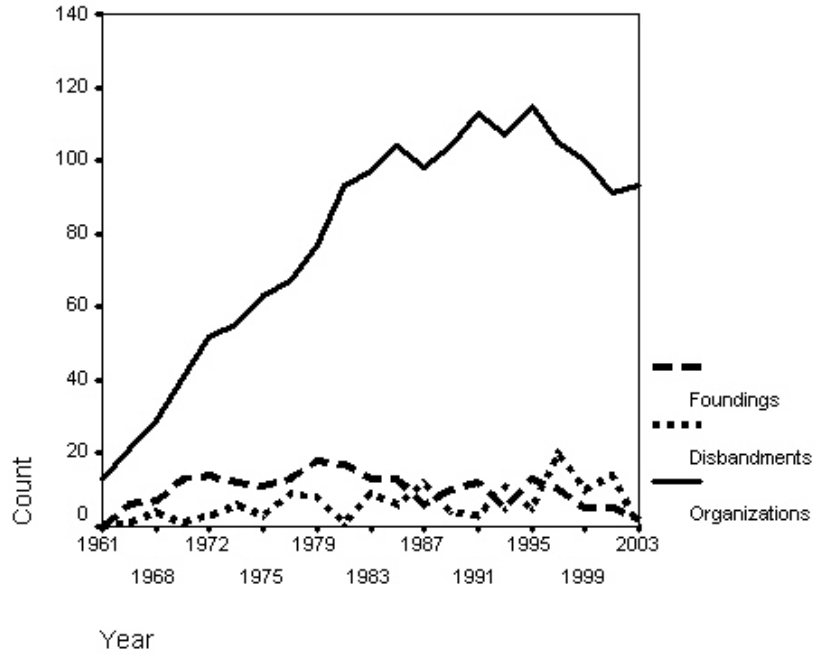
The fastest growth in the population of CIP advocacy organizations took place not with the rise of the Internet, but in the late 1960s and the 1970s. That period coincided with the emergence of the foundation-funded advocacy group devoted to specialized policy issues. The number of organizational foundings per period stayed over 10 from the 1970-71 period until the 1984-86 period, and reached a peak of nearly 20 foundings in the 1978-79 period. The same phenomenon took place over a wide variety of issue-areas, including environmentalism, civil rights, and gender as well as communication-information. (Berry, 1999; Baumgartner and Mahoney, 2002) Although initiated by liberals, the form was later adapted by conservative ideological groups.

Although the citizens group was a generic form that took root in a variety of policy areas, in CIP its adoption and utilization by liberals was legitimated by a signal change in the political opportunity structure: the aforementioned United Church of Christ Office of Communications legal victory giving citizens standing in broadcast license challenges. The first favorable decision in that case came in 1966,[8] and was decisively resolved by an

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[8] Office of Communication of the United Church of Christ v. FCC, 359 F.2d 994 (1966).

appeals court in 1969.[9] In percentage terms, there is a huge jump in foundings in the 1970-71 period. As we shall see when we discuss the coding of the organizations, most of the organizations created in the surge of activism in the 1970s were focused on broadcasting policy and practices.

Thus, the public interest advocacy organization achieved legitimacy in the mid-late 1960s and proliferated rapidly during the 1970s and the early 1980s. But, following the inverted U-shaped pattern commonly seen in studies of organizational ecology, the number leveled off in the late 1980s as birth rates declined and death rates increased, presumably because of competition for resources and changes in the political environment. In the early and mid-1990s, the growth of Internet-related advocacy organizations led to a moderate but brief surge in birth rates and in the cumulative total, but after 1997 the decline continued, fueled primarily by huge die-offs in 1996-97, and 1998-2001.

The corresponding data for commercial-professional organizations concerned with CIP makes for a useful contrast with the public interest groups.
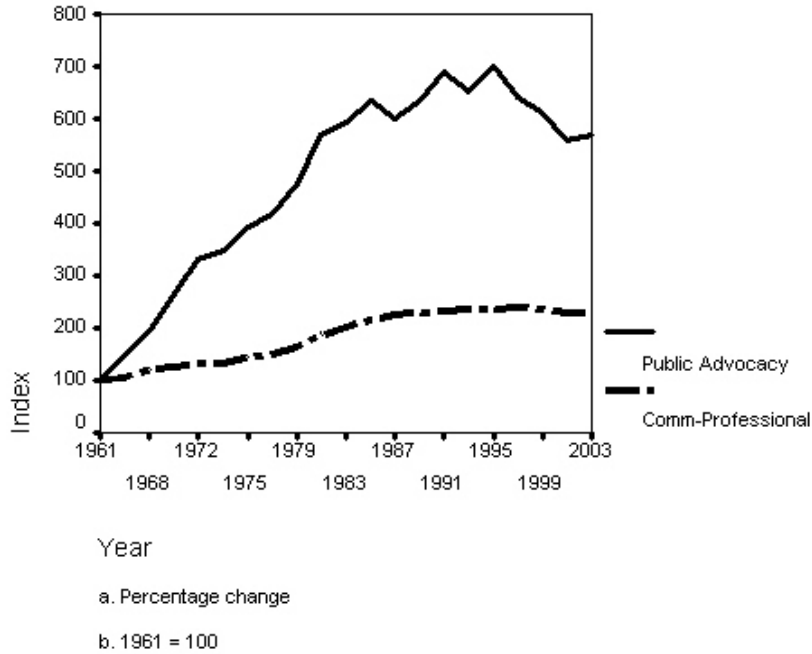
Chart 3: CIP Organizations (1961-2003)

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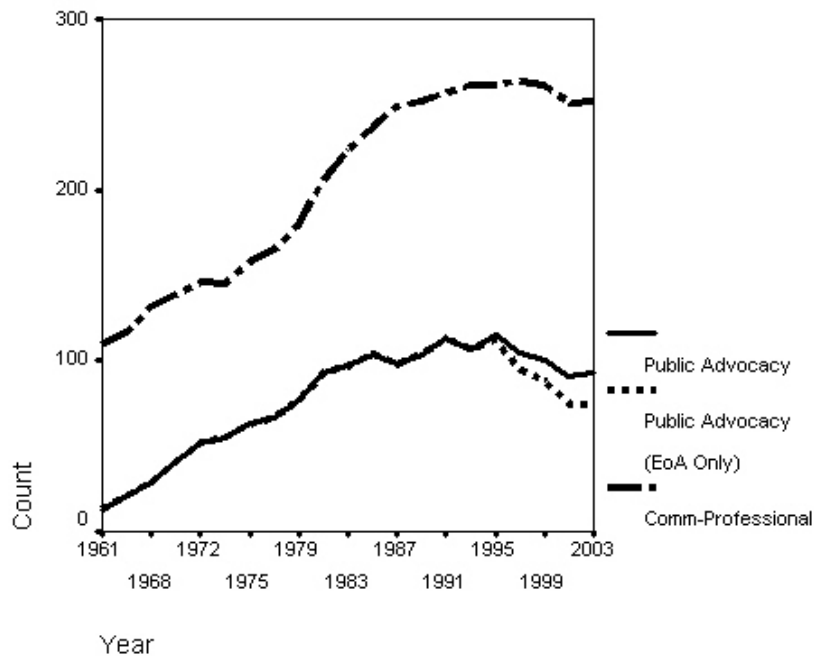
[9] Office of Communication of the United Church of Christ v. FCC, 425 F.2d 543 (1969)

There are a lot more commercial-professional groups; slightly more than 250 trade and professional groups existed in 2003, compared to only 75 (93 using adjusted numbers) public interest groups. (This does not count lobbyists for individual firms, which would tilt the lobbying scales even more toward the commercial and professional sectors.) However, the industry and professional groups tend to be highly specialized in focus and very diverse in their politics. For example, the American Library Association must be classified as a professional group with a material interest in its policy positions, but it frequently aligns with rights-oriented public interest groups such as ACLU in communication-information advocacy. Likewise, several of the professional groups in communication work to advance the interests of ethnic identities and thus may frequently share goals with civil rights-oriented advocacy organizations. There is in fact a great deal of interaction between public interest advocacy groups and trade-professional groups; on any given issue one can see "post materialist" groups coalescing with "materially interested" groups. Such cooperation can greatly increase the leverage of the citizens advocates, and vice-versa.

When the two types of groups are compared, there is a significant difference in the timing of population change. Starting in 1961, a year where both populations exhibited similar growth, Chart 4 indexes the annual percentage change in cumulative organizations. We see the dramatic growth of public interest groups in the late 60s and 70s, as compared to the population of trade and professional groups in communication-information which has a discernable increase during the 1980s. That period corresponds to the rise of the computer industry and the liberalization of the telecommunications industry.

Chart 4: Organizational Growth Rate Index (1961-2003)

Index

1961 1972 1979 1987 1995 2003
   1968   1975   1983   1991   1999

Year

a. Percentage change

b. 1961 = 100

Public Advocacy

Comm-Professional

There is also a notable difference in the way the two populations adapt to changing conditions. Among commercial-professional groups, there are more mergers and the names they adopt change more frequently in reaction to changes in technology and markets. Public interest groups on the other hand tend to adopt a more persistent identity and rarely merge. A persistent identity also means that the citizens' organizations themselves tend to be less sustainable. Of the 203 public interest organizations observed in EoA over the 42-year period, only 75, or 37%, still existed in 2003.[10] For the commercial-professional groups, 71% of the 357 observed organizations survived at the end of the period – a huge difference. This is reflected in the distinctly different growth patterns, with public interest exhibiting an erratic growth pattern following the 70s, and the commerical-professional population maintaining steady, albeit slower, upward growth.

Modes of advocacy

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[10] If one uses the adjusted numbers (i.e., includes organizations we uncovered after 1995 not found in the EoA) the number is 93 out of 224, or 41%.

The orientation of advocacy groups toward content, rights or economic modes has changed dramatically over the four decades studied. Once again, a major change is visible between the late 1960s to the 1970s. But in this case instead of stabilization from the 1970s to the present we see continual change in the proportion of organizational observations representing various modes of advocacy. In particular, the rise of Internet-related policy issues in the late 1990s seems to have made a big difference, pushing advocacy away from content and more toward contestation around individual rights and economics.[11] (See Table 2)

Table 2

Modes of Advocacy by Decade

	Content	Econ	Rights	Combination
1960s	40%	20%	34%	6%
1970s	51%	20%	20%	8%
1980s	50%	17%	23%	10%
1990s	44%	19%	29%	9%
2000s	33%	23%	33%	11%

Percentage = number of organizational observations per decade as a proportion of the total

In the 1960s, rights-oriented advocacy constituted a larger share (34%) of the observations. This reflects the predominance, in a small population, of organizations devoted to the defense of civil liberties founded during the McCarthy era. Content-oriented advocacy is also a major strand (40%), but takes two distinct forms: moderate "better broadcasting" groups and conservative "pro-decency" groups usually associated with the Catholic Church.

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[11] The change would be even more pronounced if one took the UCC case, rather than the somewhat arbitrary decade change, as the point of division. The first of the two UCC decisions was resolved in UCC's favor in 1966; the rise of activism around broadcast license challenges started to produce new organizations in 1967. If 1967 is used as the point of division between the two periods, rights-oriented activism rises to over 41% of the observations in the early-mid 1960s and content-oriented activism drops to about 34%.

The initial surge in media activism in the late 1960s and throughout the 1970s was a phenomenon wherein communication policy issues were caught up in larger social movements for civil rights and peace. Civil rights agitation started with African-Americans, but its demands and protest repertoire were later embraced by women, Latinos, gays, Asians and the aged. The critical UCC lawsuit was civil rights inspired, and after it succeeded a large number of national organizations and local coalitions of ethnic and minority groups arose to focus on broadcast license renewals. The major liberal philanthropic foundations (Ford, Markle, Rockefeller) donated millions of dollars to the support of these efforts. The national organizations served as centers of legal expertise or coordinating committees for the smaller, more numerous and less well-organized and -funded local groups.[12] This mode of advocacy was predominantly content-oriented. It claimed that mass media programming did not adequately represent the viewpoints or faces of various contentious groups.[13]

In addition to civil-rights oriented advocacy, the late 1960s-early 1970s produced a major rise in demands for mass media content to be more socially responsible. Organizations such as Action for Children's Television, Project SMART (dealing with alcohol), campaigns against cigarette ads and violence all fit into this category. Also forming during this period of intense ideological conflict were advocacy organizations of both liberals and conservatives devoted to countering bias in reporting and representation of news. All sought to contest and/or regulate the messages produced by the mass media.

Thus, the late 1960s and 1970s produced a huge swing toward content-oriented activism, rising from 40% to 51% of the observations. That mode of activism remained dominant (at 50%) throughout the 1980s. Conservative reaction to that activism contributed to its dominance: after the surge of liberal activism, conservative organizations formed that saw themselves locked in a "culture war" with "the liberal media" and more broadly with

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[12] The Encyclopedia of Associations tends to capture the national organizations but not many smaller, shorter-lived local coalitions formed for the purposes of license challenges.

[13] Such organizations, however, sometimes spanned economic and content modes of advocacy by pushing regulations and policies promoting access to mass media, or by attempting to influence the hiring practices of broadcast stations. The National Citizens Committee for Broadcasting is an example of an organization that was coded both ways.

the counter-cultural, relativistic, and secular ideas of the period. As such, they also took a content-oriented approach to influencing policy, exposing what they saw as biased reporting (Accuracy in Media, Eagle Forum, World Media Association, Fairness in Media) or supporting the suppression of what they saw as programs encouraging or reflecting immoral and anti-Christian values (National Federation for Decency, Clean Up T.V. Campaign, American Family Association). Donald Wildmon's National Federation for Decency teamed up with Jerry Falwell's Moral Majority to pioneer the use of boycott threats against advertisers to get networks to change TV programming. (Montgomery, 1989)

By the 1990s, however, change in the dominant mode is visible as content-oriented advocacy falls to 43.5% of the observations. The disbandments in the 1992-93, 1996-97 periods, coupled with a significant number of foundings in the 1990-91, 1994-95, and 1996-97 time periods, produced a major change in the composition of the population. The organizations dying off were predominantly content-oriented: anti-pornography organizations, social responsibility advocates, advocates of ethnic representation and opponents of defamation. Notable disbandments include Action for Children's Television (1993), the venerable National Association for Better Broadcasting (1997), and Tipper Gore's Parents Music Resource Center (2000). The new organizational foundings, on the other hand, were more often rights-oriented advocates associated with the Internet: Electronic Frontier Foundation (1990), Electronic Privacy Information Center (EPIC) (1994), Center for Democracy and Technology (1995), Internet Free Expression Alliance (1997), and Domain Name Rights Coalition (1998). In the 2000s, the trend intensified, with major die-offs in the 2000-2001 period. Observations of organizations devoted to individual rights-oriented advocacy grew to its highest level since the 1960s (33%); content-oriented advocacy fell to its lowest level ever (33%).[14]

Economics-focused advocacy seems to have retained a steady share of observations (around 19%) throughout the study period. In the 2000s, however, it reached its largest

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[14] As Appendix 3 shows, we performed a Chi-square test on the advocacy mode data, from which we conclude that the two nominal variables (decade and mode of advocacy) are not independent. The test is significant at the 0.05 level.

portion ever (22%). This category includes consumer organizations and policy advocates focused on communications and information industry regulation; e.g., Consumers Union, Media Access Project, Progress and Freedom Foundation, Consumer Project on Technology. The number of groups that combine economic modes of advocacy with other modes has increased steadily. This seems to have occurred as advocates realize how closely their policy goals intersect with the larger (and once considered obscure and technical) issues of infrastructure regulation. More generally, combined modes of advocacy steadily rise during the study, from 5.7% to 10.8%, perhaps indicating a more integrated approach to CIP.

Communications-Information Medium

To what extent are citizen organizations' advocacy confined to particular media forms, such as broadcasting, print, computers or telecommunications? We attempted to shed light on this question by coding organizations by the media form(s) they targeted. The coding was also intended to assess how the population of advocacy organizations as a whole responds to changes in technology.

Here we see a great deal of adaptation and change over time. As one might expect, broadcasting occupied the lion's share of advocacy groups' attention in the 1960s and 1970s. But by 2003 policy issues raised by computers and Internet made up the primary focus of more groups than broadcasting and cable. (Table 2) We saw no trend toward organizations focusing on "all" issues indiscriminately, however. While most organizations remain specialized in this regard, we do seem to see a more even distribution of their efforts over a wider variety of media forms.

Table 2

Media Forms Targeted by Advocacy Groups (percentage of observations)

	1960s	1970s	1980s	1990s	2000s
Broadcasting & Cable	42.3%	46.2%	28.7%	24.3%	22.7%
Broadcasting, Cable & Telecom	8.4%	3.2%	1.8%	1.5%	2.0%
Print	15.5%	11.0%	7.7%	6.0%	5.3%
Print, Broadcasting, Cable	4.2%	9.1%	16.5%	15.2%	9.2%
Telecom	8.5%	5.2%	4.2%	4.7%	3.4%

Telecom & Internet				3.9%	5.8%
Computers, Internet		2.1%	5.3%	12.1%	23.2%
All	11.3%	11.2%	13.5%	11.3%	12.1%
Government info (FOIA)			2.1%	2.5%	2.4%
Unknown	1.4%	5.7%	10.5%	5.6%	1.4%
Other					

Advocacy related to computers began to change the population in the 1980s. Five key organizations were founded in the early-mid 1980s: the Free Software Foundation (FSF), Computer Professionals for Social Responsibility (CPSR), the Public Interest Computer Association, Public Cryptography Study Group, and the League for Programming Freedom. FSF still exists and became a leader of the open source software movement. CPSR began with a focus on anti-nuclear and military issues, but has since grown into an international membership organization that focuses on CIP issues. The Public Interest Computer Association was originally a service organization intended to help citizens groups use computer technology, but eventually evolved (indirectly) into what is now EPIC. Later, in the early 1990s, these organizational roots contributed to the development of a tightly knit, vocal, expert, and international policy community formed around the defense of privacy and other civil liberties in electronic and computerized communications.

The political opportunities presented by the 1990s brought the liberal groups focused on various media forms and advocacy modes into closer cooperation. In January 1993 the newly installed Clinton administration began to promote the concept of a "National Information Infrastructure" or "information superhighway." Around the same time, lobbying by the remnants of the Bell system to modify the terms of the AT&T divestiture agreement compelled action on a sweeping revision of the AT&T divestiture's Modified Final Judgment and the 1934 Communications Act. The Communications Act rewrite encompassed economic regulation of broadcasting, cable, telephone, and newspapers, content regulation of the Internet, as well as support for libraries. The conjunction of major legislative reform and a Democratic Presidency focused on communications infrastructure issues created a signal political opportunity. This may account for the jump in organizational foundings in the 1994-95 period. The opportunity presented was

different from that created by the WLBT lawsuits three decades before. The citizen-based petition to deny had given media activists a direct form of leverage over broadcaster conduct. In the mid-1990s, in contrast, the influence of the advocacy groups could only come from promoting principles and setting policy agendas, and hoping that legislators would carry their ideas into the legislative process.

Led by the Center for Media Education, the Association for Research Libraries and the Washington Office of CPSR, the DC-based CIP advocacy groups formed an informal association known as the Telecommunications Policy Roundtable (TPR). The TPR eventually combined 40 public interest groups around a set of "public interest principles."[15] The TPR and its participation in the 1996 Telecom Act began the process of reorienting DC-based activist groups away from the traditional focus on mass media content and toward fundamental issues of infrastructure regulation that might span multiple media. The scope of this reorientation may not be well reflected by our categorization scheme, which applies one label to each organization over its entire lifetime.

The growth of digital communications in the 1990s produced a flurry of major institutional changes: liberalization of cryptography; the Communications Assistance for Law Enforcement Act (CALEA); the Telecommunications Act of 1996; a World Intellectual Property Organization treaty that proved to be the forerunner of the controversial Digital Millennium Copyright Act of 1998; various efforts to censor or manage Internet content including the notorious Communications Decency Act (CDA); the creation of the Internet Corporation for Assigned Names and Numbers (ICANN) in 1998; the USA "Patriot" Act in 2001. What made these institutional changes noteworthy were their increasingly transnational scope and the degree to which international trade concerns or foreign policy affected them. Cryptography and CALEA mobilized the privacy and civil liberties groups in alliance with business; opposition to CDA represented perhaps the peak of online activism's effectiveness and unity. Many of the

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[15] "Renewing the Commitment to a Public Interest Telecommunications Policy," Telecommunications Policy Roundtable, September 1, 1993. See Drake (1997) for a more detailed exposition of this story.

mobilized groups then carried their activism into the ICANN arena; this time, however, at odds with the business groups. (Mueller, 2002)

4.2 Congressional Hearings

Information about U.S. Congressional hearings provides some empirical data about the political environment in which CIP advocacy took place. The data reveals the number of hearings and provides some information about the specific CIP issues upon which the Congress was focused at any given time.

In general, the amount of Congressional activity on CIP has risen over time, although there is a great deal of variance from year to year. We see a minimum of 6 retrieved hearings in 1969 to a maximum of 117 in 2000. (Chart 1)

There are three peaks of activity, each attributable to a distinct set of issues. The largest peak of activity by far is the one that occurs from 1997 to 2001. This can be called the "digital convergence peak" because it was driven by a conjunction of concerns associated with the interaction of computers, telecommunications, the Internet and cable television; privacy issues were also a major concern. During that 5-year period, Congressional hearing activity on CIP stayed at somewhere between double and triple the average for all the previous years. Prior to that, a series of late 1980s-early 1990s peaks reflects an interest in National Information Infrastructure that continued from the first Bush administration to the first Clinton administration. A smaller peak in 1983-84 was driven by issues pertaining to the AT&T divestiture. A surge of hearings in 1974-75 was generated by a conjunction of broadcasting matters and post-Watergate concerns about privacy and the freedom of information act. In fact, that combination of topics dominated CIP hearings all through the 1970s.

Research by Baumgartner and Maloney (2002) makes it possible to compare Congressional activity on CIP to hearings activity on other social movement-related topics. The comparison proves that communications and information has become one of the largest focal points of policy activity. CIP routinely exceeded 50 hearings per year

and erupted to over 100 for five straight years at the turn of the century. In contrast, women's issues reached its peak of 48 hearings in 1992 and rarely exceeded 30, and civil rights and human rights-related hearings never exceeded 30 hearings per year during the entire post-World War 2 period. Only environmental issues generated a comparable, and somewhat larger at its peak, number of hearings during the same period. After 1992, however, environmental issues declined to much smaller levels than CIP hearings.

Is there a relationship between hearings activity and the previously discussed patterns of organizational foundings, deaths and population size? After reviewing bivariate scatterplots, analysis revealed that a strong, positive relationship existed between the cumulative number of public interest and commercial-professional organizations and the number of congressional hearings.[16] This is consistent with what has been demonstrated across several social movement organization populations and policy areas. (Baumgartner, Leech et al. 2003) Further analysis revealed a moderate negative relationship between the number of congressional hearings and the number of public interest organization foundings.[17]

While only exploratory, these findings highlight some items of interest. If congressional hearings are an indication of increased political opportunity, a corresponding decrease in foundings is a surprising development. Why were groups disappearing instead of emerging in times of (seemingly) greater opportunity to influence action? We know from our categorization of organizations by medium and mode of advocacy that the composition of the advocacy population was undergoing significant change.

5. Making Sense of the Data

In this section we take up once again the concepts of political opportunity, organizational innovation, and post-materialism and see how they stand up against the data.

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[16] r(35) = .53 for public interest groups and .63 for commercial-professional groups, p<.01, two-tailed.
[17] r(35) = -.41, p<.05, two-tailed.

5.1 Political opportunity, organizational innovation, and Congressional hearings

In the literature review, we indicated the ambiguities inherent in the construct "political opportunity structure." In discussing CIP advocacy, the concept seems at once indispensable and uselessly vague. It can be applied retroactively to any major eruption of public interest advocacy, but as a matter of fact it does help steer researchers towards locating real changes in the institutional environment associated with the advocacy. That kind of *ex post* explanation, though useful as a heuristic, indicates that a lot of work remains to be done on the definition and application of "political opportunity."

The biggest, most noticeable changes in CIP advocacy took place not with the rise of the Internet, but from the late 1960s to the end of the 1970s. Setting aside issues of causality and its direction, a combination of institutional sociology, organizational ecology and political opportunity theories may serve as a rough explanatory narrative. The mid-late 1960s saw the emergence of a new organizational form, the foundation-funded, Washington-centered advocacy group devoted to specialized policy issues. As noted above, utilization of that form took place over a wide variety of policy domains and seemed to respond to structural changes in Congress and communication technology. Within those general environmental conditions, a big stimulus to CIP advocacy came from the successful UCC lawsuit, which empowered, legitimated and rewarded a specific type of activism. The UCC success encouraged widespread imitation of the form. One would expect the number of such organizations to rise and decline in line with the standard pattern uncovered in studies of organizational ecology: as the organizational form is legitimated, new entry occurs in response to success, and then competition for resources and participants leads to a shakeout. Thus, the population growth of the 1970s stalled in the 1980s; in the mid-1990s, the growth of Internet-related advocacy organizations led to a moderate but brief surge in birth rates, but after 1997 a decline set in.

The decline of the 1990s however is particularly interesting given the enormous increase in legislative activity associated with the 1997 – 2001 period, a period that did not give rise to a corresponding surge of organizational births and did see a major increase in

organizational deaths among public interest groups. Does an increase in congressional activity represent a political opportunity, or is the increase in hearings a function of interest group demand? Our data suggests the latter. The rise of the cumulative total of advocacy organizations – both commercial-professional and public interest – seems to produce more legislative activity, although one would expect there to be interdependent effects. The data suggest that any major revival of public interest activity around CIP will hinge more on structural changes in political institutions than on an increase in legislative activity per se.

To fully understand what was occurring, political opportunity structure theorists would require comparative research; e.g., they would need to know how different political institutions generated different amounts of legislative hearing activity as communication-information technology changed from the 1960s to the 2000s. Furthermore, there would be a need to identify what the characteristics were of the organizations that did take advantage of the increased opportunities.

5.2 Post-materialism

In general, our evidence provides some qualified support to concepts of post-materialist politics. We say "qualified" because the data also provides an important reminder that techno-economic changes can stimulate the growth of new "material" interest groups, and that distributional conflicts among existing "material" interest groups can be revived by technological transformations. The institutional and regulatory upheavals associated with changing communications technology (e.g., the AT&T divestiture, the rise of cable television, the emergence of the Internet) led to serious policy conflicts over pricing and regulation, involving both consumer-supplier battles (rate regulation in cable and telephone) and conflicts among competing businesses (local telephone companies vs. long distance telephone companies vs. Internet service providers; broadcasters vs. cable operators vs. content producers; equipment manufacturers and consumers vs. copyright holders, etc.). There was nothing especially "post-material" about these policy conflicts; the engaged groups were seeking selective and material benefits.

On the other hand, our "ecological" analysis of public interest advocacy groups and commercial-professional advocacy groups uncovered structural differences between the two organizational populations that are hard to explain if there is no relevant distinction between them. The two populations grew according to very different timetables, with the public interest groups reacting more to political opportunities affecting conditions of access in the 1960s and 1970s, and the commercial-professional groups (apparently) reacting more to the general growth of the communication-information sector of the economy and associated changes in regulation and policy in the 1980s. The correspondence between congressional hearings and cumulative population size is stronger for commercial-professional groups than for public interest groups. For commercial-professional groups, the relationship between births and hearings is weaker and statistically insignificant, whereas for public interest groups the negative relationship is strong and significant. The two populations also reveal very different patterns regarding mergers, name changes and longevity. If the separation of the CIP advocacy organizations into two distinct groups was arbitrary, as Sell and Prakash (2004) appear to argue, these major differences would not show up. Although as noted before we are not at the stage of rigorous hypothesis testing, the evidence suggests that public interest advocacy groups and economic interest groups represent two distinct types of interest group organization.

6.   Conclusions

We began this study asking whether a broad conception of CIP can provide the basis for a sustained social movement, given the centrality of CIP to the modern world. The data we have discussed indicate that the answer is almost certainly "no" if one looks backwards, but very possibly "yes" if one looks forwards and extrapolates current trends. The hearings data shows that CIP has taken its place alongside "the environment" as one of the main preoccupations of lawmakers, and that this increase is associated with growth in the cumulative size of the advocacy organization population.

In the past, mass media content served as a lightning rod for social movements that were not concerned with communication-information policy per se (feminism, civil rights,

environmentalism, peace, anti-capitalist and cultural/religious conservative groups). The critical issues about the institutional infrastructure of communication and information were too segregated from each other and too technical and specialized to be strongly linked to the other forms of public activism related to the media. Now, however, there is evidence that digitization and the rise of the Internet are overcoming that segregation, and focusing public attention on seemingly obscure issues of communications infrastructure and regulation. In the explosion of congressional hearings we see that a larger portion of the hearings are indexed under multiple terms, indicating a trend toward previously distinct issue areas converging.

One also sees significant change in the composition of the public interest population, with dramatic shifts in the dominant mode of advocacy in the late 1990s and early 2000s. There is a steady diminution of the content-oriented advocacy associated with the 1970s and a move toward rights and economics. More organizations combine more than one mode of advocacy. Membership and financial resources have been redistributed across issue-areas and media forms. Most importantly, a qualitative assessment of the data shows that since the mid-1990s the new generation of liberal citizens groups involved in communication and information has developed an ability to address a broader range of issues with a common agenda. This capability, developed in connection with the 1996 Telecom Act and the struggles over intellectual property in the digital environment, is now being put to use in the transnational context of the World Summit on the Information Society. Unlike in the past, the agenda is not confined to specific media but encompasses more fundamental information and communication policy issues such as intellectual property, privacy, infrastructure regulation and policy, and economic development. This is not unlike the business lobby response to the growth of public interest advocacy in the 60s and 70s.[18] An attempt to make the same type of effort seems to be possible within the public advocacy organizations space, where advocacy modes are now characterized by greater diversity and more general positions regarding CIP.

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[18] At that time, the Business Roundtable, a lobbying group of 200 or so CEOs from the nations largest firms started in 1972, helped redirect specific business lobbying efforts towards more general business issues. For instance, they took up issues such as labor law, which cut across industry boundaries, in an effort to drive the congressional agenda. (Berry, 1984)

Boyle (1997) compared information policy issues to the early stages of the environmental movement, which lacked an overarching frame to connect to the public:

> "[W]e are at the stage that the American environmental movement was at in the 1950s. [Back then] There [were] people who care about the issues we would now identify as "environmental"….There [were] flurries of outrage over particular crises….Lacking, however, [was] a general framework, a set of analytical tools with which issues should – as a first cut – be analyzed, and as a result a perception of common interest in apparently disparate situations – cutting across traditional oppositions.

We would echo the parallel with the environmental movement. The research left us with a sense that we are on the cusp of a major structural change in the organizational form and the program of CIP advocacy, something analogous to what occurred between the 1960s and 1970s, but involving transnational collective action and the use of the Internet for organization and mobilization. All that is missing is the spark of an opportunity created by change in the political structure.

References

Amburgey, T. L., & Rao, H. (1996). Organizational ecology: Past, present, and future directions. The Academy of Management Journal, 39(5), 1265-1286.

Ayres, J. M. (1999). "From the Streets to the Internet: The Cyber-Diffusion of Contention." Annals of the American Academy of Political and Social Science(566): 132-143.

Baum, J. A. C., H. J. Korn, et al. (1995). "Dominant Designs and Population Dynamics in Telecommunications Services: Founding and Failure of Facsimile Transmission Service Organizations, 1965-1992." Social Science Research 24(2): 97-135.

Baum, J. A. C. and C. Oliver (1991). "Institutional Linkages and Organizational Mortality." Administrative Science Quarterly 36(2): 187-218.

Baum, J. A. C. and C. Oliver (1992). "Institutional Embeddedness and the Dynamics of Organizational Populations." American Sociological Review 57(4): 540-559.

Baumgartner, F. R. and B. L. Leech (1998). Basic Interests: The Importance of Groups in Politics and Political Science. Princeton, Princeton University Press.

Baumgartner, F. R., B. L. Leech, et al. (2003). The Co-Evolution of Groups and Government. Annual Meeting of the American Political Science Association, Philadelphia, PA.

Baumgartner, F.R. and C. Mahoney. (2002) "Social Movements, the Rise of New Issues, and the Public Agenda." D. S. Meyer, V. Jenness and H. Ingram, Routing the Opposition: Social Movements, Public Policy, and Democracy. Minneapolis, University of Minnesota Press.

Berry, J. M. (1999). The New Liberalism: The Rising Power of Citizen Groups. Washington, DC, Brookings Institution.

Berry, J. M. (1984). The Interest Group Society. Boston, MA, Little, Brown and Company.

Berry, J. M. (1977) Lobbying for the People: The political behavior of public interest groups. Princeton: Princeton University Press.

Boyle, J. (1997). "A Politics of Intellectual Property: Environmentalism for the Net?" Online at www.law.duke.edu/boylesite/intprop.htm

Clemens, E.S. (1997). The Peoples Lobby. Chicago: University of Chicago Press.

Clemens, E.S. (1993). "Organizational Repertoires and Institutional Change: Women's Groups and the Transformation of U.S. Politics, 1890-1920." American Journal of Sociology 98, 4: 755-798.

Cole, B. G. and M. Oettinger (1978). Reluctant regulators: The FCC and the broadcast audience. Reading, Mass., Addison-Wesley.

Davidson, L. (1995). American Anti-Management Theories of Organization: A Critique of Paradigm Proliferation. Cambridge, Cambridge University Press.

Deibert, R. J. (2000). "International Plug 'n Play? Citizen Activism, the Internet and Global Public Policy." International Studies Perspectives (1): 255-272.

Drake, W. (1997). Public Interest Groups and the Telecommunications Act of 1996. The Social Shaping of Information Highways: European and American Roads to the Information Society. H. Kubicek, W. H. Dutton and R. Williams. Frankfurt/New York, Campus Verlag/St. Martin's Press: 173-198.

Fallaschetti, D. (2003). "Can Latent Groups Influence Policy Decisions? The Case of Telecommunications Policy." Journal of Law, Economics, and Organization 19(1).

Florini, A. (2000). The third force : the rise of transnational civil society. Tokyo Washington, D.C., Japan Center for International Exchange; Carnegie Endowment for International Peace : Distributed in the U.S. by Brookings Institution Press.

Gray, V. and D. Lowery (1996). The Population Ecology of Interest Representation: Lobbying Communities in the American States. Ann Arbor, The University of Michigan Press.

Grundfest, J. (1977). "Participation in FCC Licensing." Journal of Communication 27(1): 85-88.

Guimary, D. L. (1975). Citizens' groups and broadcasting. New York, Praeger.

Gurak, L.J. (1997). Persuasion and Privacy in Cyberspace: The Online Protests over Lotus MarketPlace and the Clipper Chip. New Haven: Yale University Press.

Haight, Timothy R., ed. (1977) Telecommunications Policy and the Citizen: Public Interest Perspectives on the Communications Act Rewrite. New York: Praeger Publishers.

Hajnal, P. I., Ed. (2002). Civil Society in the Information Age. Hampshire, England, Ashgate.

Hannan, M. T., & Freeman, J. (1989). Organizational ecology. Cambridge, MA: Harvard University Press.

Hannan, M. T. and J. Freeman (1977). "The Population Ecology of Organizations." American Journal of Sociology 82(5): 929-964.

Horwitz (1997). "Broadcast Reform Revisited: Reverend Everett C. Parker and the 'Standing' Case." Communications Review 2(3): 311-348.

Keane, John (2003). Global Civil Society? Cambridge: Cambridge University Press.

Keck, M. E. and K. Sikkink (1998). Activists Beyond Borders: Advocacy Networks in International Politics. Ithaca, Cornell University Press.

Keck, M. E. and K. Sikkink (1999). "Transnational advocacy networks in international and regional politics." International Social Science Journal 51(1): 89-101.

Kim, H. (1995). "The Politics of Deregulation: Public Participation in the FCC Rulemaking Process for DBS." Telecommunications Policy 19(1): 51-60.

Leizerov, S. (2000). "Privacy Advocacy Groups v. Intel: A Case Study of How Social Movements are Tactically Using the Internet to Fight Corporations." Social Science Computer Review 18(4): 461-483.

Lin, W.Y. and W. H. Dutton (2003). "The 'Net' Effect in Politics." Party Politics 9(1): 124-136.

Linker, J. (1983). Public Intervenors and the Public Airwaves: The Effect of Interest Groups on FCC Decisions. Communications Policy and the Political Process. J. J. Havick. Westport, CT, Greenwood: 149-167.

McAdam, D. (1982) Political Process and the Development of Black Insurgency, 1930-1970. Chicago: University of Chicago Press.

McCaughey, M. and M. D. Ayers, Eds. (2003). Cyberactivism: Online Activism in Theory and Practice. London, Routledge.

Minkoff, D. C. (1995). Organizing for Equality: The Evolution of Women's and Racial-Ethnic Organizations in America, 1955-1985. New Brunswick, Rutgers University Press.

Minkoff, D. C. (1999). "Bending with the Wind: Strategic Change and Adaptation by Women's and Racial Minority Organizations." American Journal of Sociology 104(6): 1666-1703.

Minkoff, D. C. (2002). Macro-Organizational Analysis. Methods of Social Movement Research. B. Klandermans and S. Staggenborg. Minneapolis, University of Minnesota Press: 260-285.

Montgomery, K. (1989). Target: Prime Time: Advocacy Groups and the Struggle over Entertainment Television. New York, Oxford University Press.

Mueller, M. (2002). Ruling the Root: Internet Governance and the Taming of Cyberspace. Cambridge, MA: MIT Press.

Reimann, K. D. (2002). International Politics, Norms, and the Worldwide Growth of NGOs. 43rd Annual Convention of the International Studies Association, New Orleans, LA.

Rodgers, J. (2003). Spatializing International Politics: Analysing Activism on the Internet. London, Routledge.

Schement, J. R., F. F. Gutierrez, et al. (1977). "The Anatomy of License Challenge." Journal of Communication 27(1): 89-94.

Sell, S.K. and A. Prakash (2004). "Using Ideas Strategically: The Contest Between Business and NGO Networks in Intellectual Property Rights." International Studies Quarterly 48:1, 143-175.

Singh, J. V. and C. J. Lumsden (1990). "Theory and Research in Organizational Ecology." Annual Review of Sociology 16: 161-195.

Slavin, S. and M. S. Pendleton (1983). Feminism and the FCC. Communications Policy and the Political Process. J. J. Havick. Westport, CT, Greenwood: 127-147.

Spiro, P. J. (1995). "New Global Communities: Nongovernmental Organizations in International Decision-Making Institutions." The Washington Quarterly 18(1): 45.

Tarrow, S. (1996). "Fishnets, Internets and Catnets: Globalization and Transnational Collective Action." Estudios/Working Paper 78.

Tarrow, S. (1998). Power in Movement: Social Movements and Contentious Politics. (Second edition) Cambridge: Cambridge University Press.

Tarrow, S. (2001). Rooted Cosmopolitans: Transnational Activists in a World of States. Workshop on Transnational Contention: Working Paper 2001-3, Madison, WI.

Teske, P. (1991). "Interests and Institutions in State Regulation." American Journal of Political Science 35(1): 139-154.

Tilly, C. (2002). Stories, Identities and Political Change. Lanham, MD: Rowman & Littlefield Publishers

Tucker, D. J., J. V. Singh, et al. (1988). Ecological and Institutional Sources of Change in Organizational Populations. Ecological Models of Organizations. G. R. Carroll. Cambridge, MA, Ballinger Publishing: 127-151.

Vogel, D. (1989). Fluctuating fortunes: the political power of business in America. New York, Basic Books.

Walker, J. L. (1991). Mobilizing interest groups in America: Patrons, professions, and social movements. Ann Arbor, University of Michigan Press.

Warkentin, C. (2001). Reshaping world politics : NGOs, the Internet, and global civil society. Lanham, MD: Rowman & Littlefield Publishers.

Young, R. C. (1995). Is population ecology a useful paradigm for the study of organizations? The American Journal of Sociology, 94(1), 1-24.

Correlations

Pearson Correlation

	PA_BIRTH	PA_DEATH	PA_CUM	CP_BIRTH	CP_DEATH	CP_CUM	HEARINGS
PA_BIRTH	1	.020	.155	.364(*)	.017	-.045	-.408(*)
PA_DEATH	.020	1	.269	-.084	.736(**)	.309(*)	.429(*)
PA_CUM	.155	.269	1	.150	.215	.963(**)	.529(**)
CP_BIRTH	.364(*)	-.084	.150	1	-.107	.005	-.278
CP_DEATH	.017	.736(**)	.215	-.107	1	.271	.389(*)
CP_CUM	-.045	.309(*)	.963(**)	.005	.271	1	.633(**)
HEARINGS	-.408(*)	.429(*)	.529(**)	-.278	.389(*)	.633(**)	1

* Correlation is significant at the 0.05 level (2-tailed).
** Correlation is significant at the 0.01 level (2-tailed).

List of Variables:

PA = Public Interest Advocacy Organizations
CP = Commercial-Professional Advocacy Organizations
PA_CUM = Number of Public Interest Advocacy Organizations in existence in a given year
CP_CUM = Number of Commercial-Professional Advocacy Organizations in existence in a given year
BIRTH variables = Number of organizational foundings (PA or CP) in a given year
DEATH variables = Number of organizational disbandments (PA or CP) in a given year
HEARINGS = Number of CIP-related Congressional hearings in a given year