

# LAWYERS' PROFESSIONAL AND POLITICAL NETWORKS COMPARED: CORE AND PERIPHERY

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*Ted Schneyer's analyses of the politics of the organized bar are an important contribution to our understanding of the public roles of lawyers and of the influence structure within the profession. His work built on and clarified a scholarly literature on interest groups within the profession and on the place of lawyers within political networks. In *The Power Elite*, C. Wright Mills characterized lawyers as "professional go-betweens" who "act to unify the power elite." He also said: "To the extent that there is any 'invisible elite,' these advisory and liaison types are at its core."*

*This Article compares networks of relationships among elite lawyers (and some other advocates, notably Washington lobbyists) found in research conducted over a period of more than thirty years in varying professional and political contexts. Several pieces of scholarship, consistent with Mills, argue that political networks are hierarchical, with a densely connected core of elites surrounded by more peripheral players. Other research, however, found network structures with empty centers—a "hollow core." Interviews with Chicago lawyers in 1975 and 1995 and more recent research on lawyers active in conservative politics found some lawyers in central, mediating roles—that is, hierarchical structures with "go-betweens" in the core. Research on broader samples of lawyers active in national policymaking, however, found networks with hollow cores. This Article compares these several findings and offers possible explanations for the differences among them.*

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## INTRODUCTION

Ted Schneyer's analysis of the drafting and adoption of the American Bar Association's (ABA) Model Rules of Professional Conduct is a nuanced account of the maneuvering of interest groups within the bar and the shifting alliances among those groups, varying from issue to issue.<sup>1</sup> It rebuts simplistic theories of rigid, bipolar conflict.<sup>2</sup> Schneyer observes, for example, that the Corporation, Banking, and Business Law Section of the ABA supported the drafting process, while lobbying to shape the rules,<sup>3</sup> but the General Practice Section opposed the revision.<sup>4</sup> The National Association of Bar Counsel (lawyers who work for the organized bar, often on ethics cases), the Association of Trial Lawyers of America, the New York and California State Bars, and the American College of Trial Lawyers all fought provisions of the proposed rules and often opposed the drafting process itself.<sup>5</sup> Schneyer notes that the ABA's Administrative Law Section, Judicial Administration Division, and Standing Committee on Clients' Security Funds succeeded in securing provisions that protected their particular interests.<sup>6</sup>

Schneyer wrote within the context of a debate among social scientists concerning the predominant distribution of political power in Western democracies, especially the United States.<sup>7</sup> Broadly, a view characterized as "pluralist" emphasized the multiplicity of interests and their fluidity, as did Schneyer. This was said to result in an unstable power structure, with no one coalition consistently holding a position of dominance.<sup>8</sup> The opposing view, labeled the "conflict" perspective and often derived to a greater or lesser degree from Marx, stressed disparities in the distribution of wealth and other political

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1. Ted Schneyer, *Professionalism as Bar Politics: The Making of the Model Rules of Professional Conduct*, 14 LAW & SOC. INQUIRY 677 (1989).

2. *Id.* at 684-85, 718, 735, 737. Schneyer argued that the ethical concerns of lawyers "can be traced to the peculiarities of their workplace, clientele, or political environment." *Id.* at 735. He observed:

Securities lawyers want ethics rules that buffer them from an aggressive SEC. Small town lawyers do not want to formalize their ongoing client relationships by putting fee agreements in writing. Bar counsel want the easiest rules to enforce. Trial lawyers want to minimize the perception that they might have to betray their clients' trust, even at the risk of having to blink at perjury. And so on.

*Id.*

3. *Id.* at 698, 706.

4. *Id.* at 714.

5. *Id.* at 714, 718.

6. *Id.* at 716.

7. See NELSON POLSBY, *COMMUNITY POWER AND POLITICAL THEORY* (2d ed. 1980); Robert Dahl, *A Critique of the Ruling Elite Model*, 52 AM. POL. SCI. REV. 463 (1958).

8. See, e.g., ROBERT DAHL, *WHO GOVERNS? DEMOCRACY AND POWER IN AN AMERICAN CITY* (1961); ARNOLD ROSE, *THE POWER STRUCTURE: POLITICAL PROCESS IN AMERICAN SOCIETY* (1967).

resources, including the services of lawyers, resulting in enduring struggles between “haves” and “have nots.”<sup>9</sup>

We commonly observe that American lawyers are prominent in public office<sup>10</sup> and play private political roles as lobbyists, organizers, and strategists.<sup>11</sup> Tocqueville is the standard historical citation on the subject,<sup>12</sup> but C. Wright Mills is more directly relevant to this Article:

The inner core of the power elite . . . includes men of the higher legal and financial type from the great law factories and investment firms, who are almost professional go-betweens of economic, political and military affairs, and who thus act to unify the power elite. The corporation lawyer and the investment banker perform the functions of the ‘go-between’ effectively and powerfully. By the nature of their work, they transcend the narrower milieu of any one industry, and accordingly are in a position to speak and act for the corporate world or at least sizable sectors of it. The corporation lawyer is a key link between the economic and military and political areas; the investment banker is a key organizer and unifier of the corporate world and a person well versed in spending the huge amounts of money the American military establishment now ponders. When you get a lawyer who handles the legal work of investment bankers you get a key member of the power elite.<sup>13</sup>

Although the lawyers that Mills described were go-betweens, they were unlikely to bridge the deep divisions in American politics—they served the social, economic, and political elite, not the dispossessed. But other lawyers represent less privileged clients. There is a substantial body of scholarly literature on “cause lawyers” of the left.<sup>14</sup> Is it possible that, as members of one profession, lawyers might provide

9. See, e.g., G. WILLIAM DOMHOFF, *THE HIGHER CIRCLES: THE GOVERNING CLASS IN AMERICA* (1974); G. WILLIAM DOMHOFF, *WHO RULES AMERICA?* (1967); THOMAS R. DYE, *WHO'S RUNNING AMERICA?* (1976); STEVEN LUKES, *POWER: A RADICAL VIEW* (1974). Some of these studies are grounded in the theoretical work of ROBERT MICHELS, *POLITICAL PARTIES* 377 (1915) (“the iron law of oligarchy”), GAETANO MOSCA, *THE RULING CLASS* (1939), and I VILFREDO PARETO, *THE MIND AND SOCIETY: TREATISE ON GENERAL SOCIOLOGY* 169 (Arthur Livingston ed., 1935) (“Every people is governed by an elite . . .”).

10. See, e.g., HEINZ EULAU & JOHN D. SPRAGUE, *LAWYERS IN POLITICS: A STUDY IN PROFESSIONAL CONVERGENCE* (1964). Richard Abel observes that lawyers “dominate the political branches of government more strongly in the United States than in any other country.” Richard Abel, *United States: The Contradictions of Professionalism*, in *1 LAWYERS IN SOCIETY: THE COMMON LAW WORLD* 186, 227 (Richard L. Abel & Philip S. C. Lewis eds., 1988).

11. See, e.g., CHARLES A. HORSKY, *THE WASHINGTON LAWYER* (1952).

12. 2 ALEXIS DE TOCQUEVILLE, *DEMOCRACY IN AMERICA* 180, 187 (Henry Reeve trans., 1835).

13. C. WRIGHT MILLS, *THE POWER ELITE* 289 (1956).

14. See, e.g., AUSTIN SARAT & STUART SCHEINGOLD, *CAUSE LAWYERING POLITICAL COMMITMENTS AND PROFESSIONAL RESPONSIBILITIES* (1998); STUART A. SCHEINGOLD & AUSTIN SARAT, *SOMETHING TO BELIEVE IN: POLITICS, PROFESSIONALISM, AND CAUSE LAWYERING* (2004); Ann Southworth, *Lawyer-Client Decisionmaking in Civil Rights and Poverty Practice: An Empirical Study of Lawyers' Norms*, 9 *GEO. J. LEGAL*

links among a substantial range of competing interest groups, thus opening channels of communication and perhaps ameliorating conflict?

Analysis of the structure of relationships among political actors, including lawyers, may shed some light on this theoretical debate and improve our understanding of the roles of lawyers in political decisions. A hierarchical network structure, with a densely connected core of actors surrounded by more peripheral players, would be consistent with the thesis that there is a dominant power elite. If, however, the network is more diffuse, without clear lines of division and identifiable coordinating actors, that would tend to support the pluralist model of shifting, fluid alliances. In this Article, I examine findings from several studies of professional and political networks in various settings. The participation of lawyers in these networks reflects, of course, both the interests of lawyers, themselves, and those of clients for whom the lawyers serve as advocates. These two sorts of interests may or may not be distinguishable. As suggested above, we should attend, especially, to whether lawyers provide bridges or links among contending interest groups.

## I. THE EVIDENCE

### A. *The American Leadership Study*

Research by Gwen Moore on connections among national policy elites, conducted during the 1970s, found an integrated communication network with a “central circle” capable of mediation among a broad range of interest groups.<sup>15</sup> Her conclusion, quite consistent with Mills’s thesis, was that “the central circle directly and indirectly integrates leaders of a wide variety of institutions into a network capable of discussion and resolving issues of national concern.”<sup>16</sup> Figure 1 is Moore’s graphic summary of her findings.<sup>17</sup> It is a typical “center and periphery” or “hub and spokes” picture in which core actors are surrounded by more particular, more specialized constituencies. Moore used data from the American Leadership Study<sup>18</sup> to examine communication across several policy areas, indicated by the labels on the boxes arrayed around the center, including elites drawn from business, news media, labor unions, government, and the academy. The analytic techniques used by Moore are discussed below.<sup>19</sup>

Many of the other network analyses discussed here use graphic representations in which differences among the actors are summarized as “social distance”—i.e., the extent to which the actors live in separate social worlds, as

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ETHICS 1101 (1996); Ann Southworth, *The Rights Revolution and Support Structures for Rights Advocacy*, 34 LAW & SOC’Y REV. 1203, 1203–20 (2000).

15. See generally Gwen Moore, *The Structure of a National Elite Network*, 44 AM. SOC. REV. 673 (1979).

16. *Id.* at 690.

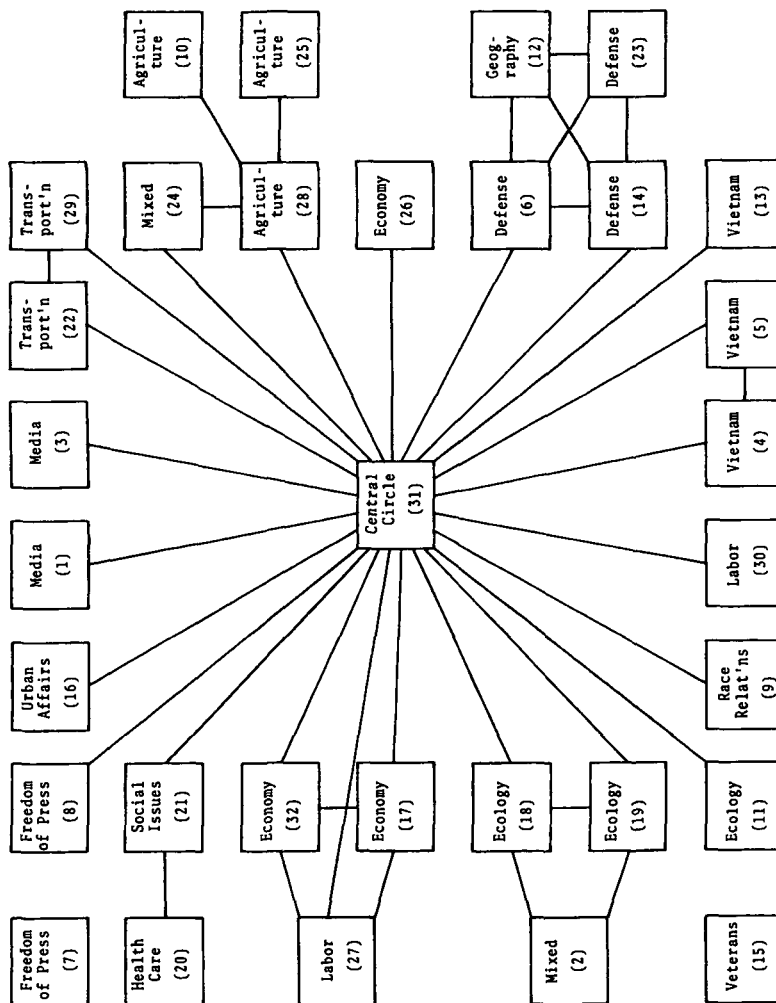
17. *Id.* at 682.

18. The data were collected by the Bureau of Applied Social Research at Columbia University in 1971 and 1972. *Id.* at 675.

19. See *infra* notes 139–43, 152–54. Moore used “graph theoretic” measures, while some (but not all) of the other analyses discussed here use “structural equivalence.” See EDWARD O. LAUMANN & DAVID KNOKE, *THE ORGANIZATIONAL STATE* 218–19 (1987).

measured by their similarities and dissimilarities, perhaps on several dimensions. Although these methods vary in the ways in which they conceptualize and compute social distance, and although those methodological differences may be important, the various techniques are all intended to enable us to comprehend a network structure in which multiple relationships are considered simultaneously. This Article examines findings from several studies of lawyers' professional and political networks at differing times and places, and it aims at synthesis rather than at a detailed consideration of particular methodological issues. The findings have all been published previously, but the point here is to derive general propositions from a comparison of the various findings.

Figure 1  
Ties Among Elites in the American Leadership Study, 1971-72<sup>20</sup>



20. Moore, *supra* note 15, at 682.

### *B. The Chicago Bar*

In 1975, the American Bar Foundation sponsored a large survey of lawyers with offices in Chicago.<sup>21</sup> The 777 respondents were interviewed face-to-face.<sup>22</sup> Among many other questions, the lawyers were asked about their acquaintance with a selected set of forty-three prominent or “notable” members of the Chicago bar. Each respondent was handed a list of the forty-three names and was asked questions intended to elicit a stronger and a weaker degree of acquaintance with the lawyers on the list. In the former, the lawyers were to check those who “would find the time to advise” the respondent because of their “personal relationship.”<sup>23</sup> One of the striking findings was that 38% of the respondents were not this closely acquainted with any of the forty-three notables, while another 37% knew one to three of them. Only 25% were connected to four or more.<sup>24</sup>

The investigators then analyzed the extent to which the notables’ circles of acquaintance among the respondents overlapped. In Figure 2, each notable is represented as a point.<sup>25</sup> The proximities of the points to one another indicate the extent to which the notables shared acquaintances within the random sample of Chicago lawyers—those with many shared acquaintances are close together in the figure; those with few are farther apart.<sup>26</sup> Representing such a large number of potential relationships in only two dimensions, with an adequate degree of accuracy or “fit,” was not possible in this case. The picture in Figure 2 therefore includes a third dimension, which captures some of this complexity. The four points with “down” arrows are located substantially below the plane of the page, indicating that they are more peripheral to the network.<sup>27</sup>

Lawyers located on opposite sides of the space have circles of acquaintance that seldom overlap. For example, the three African Americans among the notables are distant from the “social elite,” which is described in the research as “those notables who have the closest ties to . . . the world of private clubs and newspaper society pages.”<sup>28</sup> Similarly, the region including several presidents of the Chicago Bar Association (CBA) is located across the space from the area that includes four presidents of the Chicago Council of Lawyers (CCL), a liberal organization that was created to counter the more traditional CBA.

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21. See generally JOHN P. HEINZ & EDWARD O. LAUMANN, CHICAGO LAWYERS: THE SOCIAL STRUCTURE OF THE BAR (rev. ed. 1994).

22. The lawyers were selected randomly, and the response rate of the target sample was 82%. *Id.* at 5–6.

23. *Id.* at 94.

24. *Id.* The first of the two questions asked whether the respondent was “personally acquainted” with the notable. The second, discussed here, was intended to get at a stronger degree of acquaintance. *Id.*

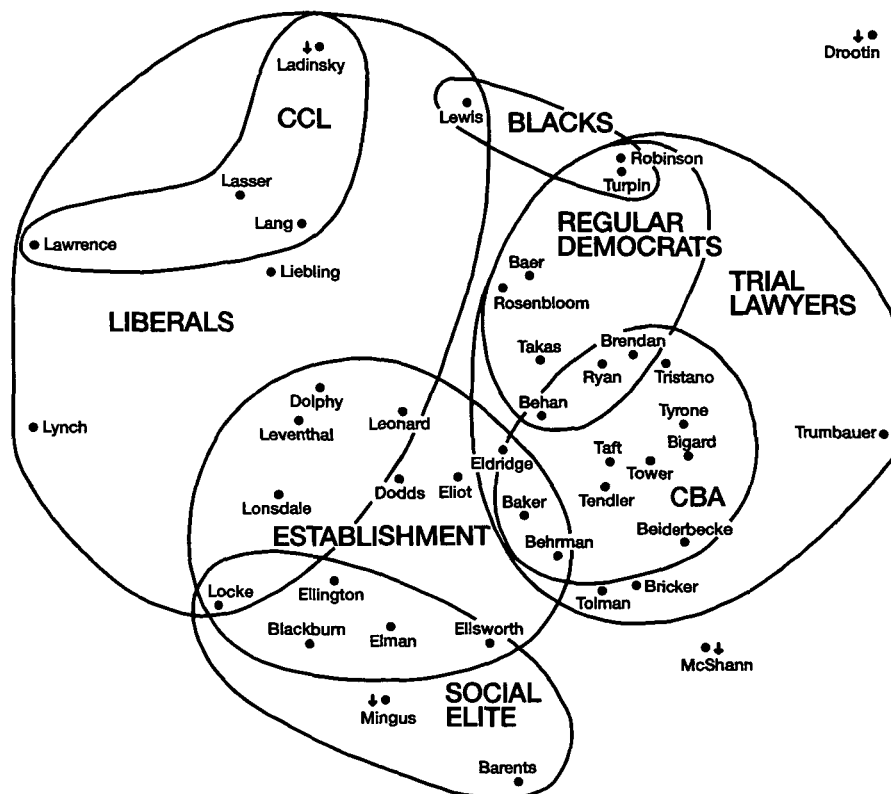
25. The names used in Figure 2 are pseudonyms. *Id.* at 97.

26. This computation uses a method known as smallest space analysis. This is a three-dimensional smallest space solution with Kruskal’s stress of .148. *Id.* at 198 n.17.

27. *Id.* at 107.

28. *Id.* at 109.

Figure 2

Patterns of Acquaintance with 43 Notable Chicago Lawyers, 1975<sup>29</sup>

As indicated in Figure 2, some lawyers occupy positions that are at or near the center of the network.<sup>30</sup> Those located where two or more categories of lawyers overlap—e.g., trial lawyers, CBA leaders, and the “establishment”—are well-placed to bridge those constituencies, carry messages from one to another, mediate disputes among them, and perhaps mobilize their varying resources.<sup>31</sup> This gives such lawyers at least the potential to exercise influence. They are Mills’s “go-betweens.” Eldridge, for example, located just below the middle of the figure, was a name partner in a major Chicago firm. A corporate trial lawyer, he had been president of the Illinois State Bar Association, the American College of Trial Lawyers, and the American Judicature Society, and was a member of the Board of Governors of the NAACP Legal Defense Fund. He was a Republican, but had been raised in a lower-middle-class neighborhood in the city, was Irish Catholic,

29. *Id.* at 106.

30. The “centroid” of a smallest space solution is the point at which the structure would balance if all of the cases (the notables, here) were equal weights resting upon a weightless plane. *Id.* at 192 n.18.

31. *Id.* at 111.

and had close ties to Democratic officeholders.<sup>32</sup> This is surely the sort of biography that Mills and Moore had in mind. By a conventional measure of network centrality, Eldridge is the notable who is closest to the center.<sup>33</sup>

Twenty years later, in 1994 and 1995, the American Bar Foundation mounted a second survey of Chicago lawyers, a partial replication of the research done in 1975.<sup>34</sup> A list of sixty-eight notable lawyers was compiled,<sup>35</sup> and that list was presented to 787 respondents, a random sample of the bar.<sup>36</sup> The lawyers were again asked to indicate two levels of acquaintance, stronger and weaker ties.<sup>37</sup> Again, most respondents knew few of the notables. At the stronger level of connection, a majority of respondents (53%) had no such ties, 24% were tied to one or two, and 23% claimed strong ties to three or more.<sup>38</sup> Thus, in 1995 Chicago lawyers were even less likely to be acquainted with the notables of the bar than they had been in 1975.<sup>39</sup>

Figure 3 presents an analysis of the patterns of acquaintance in 1995.<sup>40</sup> The presentation is less complex, but the overall structure of relationships is quite similar to the 1975 findings. Again, we see lawyers active in liberal politics at the upper left, trial lawyers at the upper right, and corporate lawyers lower in the space. And, again, some lawyers are found in the center of the network.<sup>41</sup> Cerdan, for example, was an officer of a major corporation and had become broadly acquainted in the bar through previous service as the executive director of the American Bar Association.<sup>42</sup> Liebling, also near the center of the space, was the director of a “public interest” organization, which brought him into contact with lawyers in all three of the major sectors—corporate lawyers, trial lawyers, and liberals.<sup>43</sup> Lawyers like these may be able to mediate conflicts among interest

32. *Id.* at 99–100.

33. *Id.* at 112.

34. See JOHN P. HEINZ, ROBERT L. NELSON, REBECCA SANDEFUR & EDWARD O. LAUMANN, *URBAN LAWYERS: THE NEW SOCIAL STRUCTURE OF THE BAR* (2005).

35. *Id.* at 229. In the analysis, three of these were dropped because they had very few acquaintances. *Id.* at 231.

36. *Id.* at 19.

37. *Id.* at 230.

38. *Id.*

39. *Id.* at 340 n.4.

40. This is, again, a three-dimensional smallest space solution; stress = .20. *Id.* at 341 n.7.

41. Note, however, that a few of those lawyers—Shavers, Spector, Sims, and Stitt—are farther from the center than they appear to be in two dimensions because the solution places them at a greater distance in the third dimension of the space, either above or below the plane of the page. *Id.* at 341 n.8. Again, this is indicated by up or down arrows. The names used in the figure are pseudonyms. *Id.* at 231–32.

42. *Id.* at 233, 237.

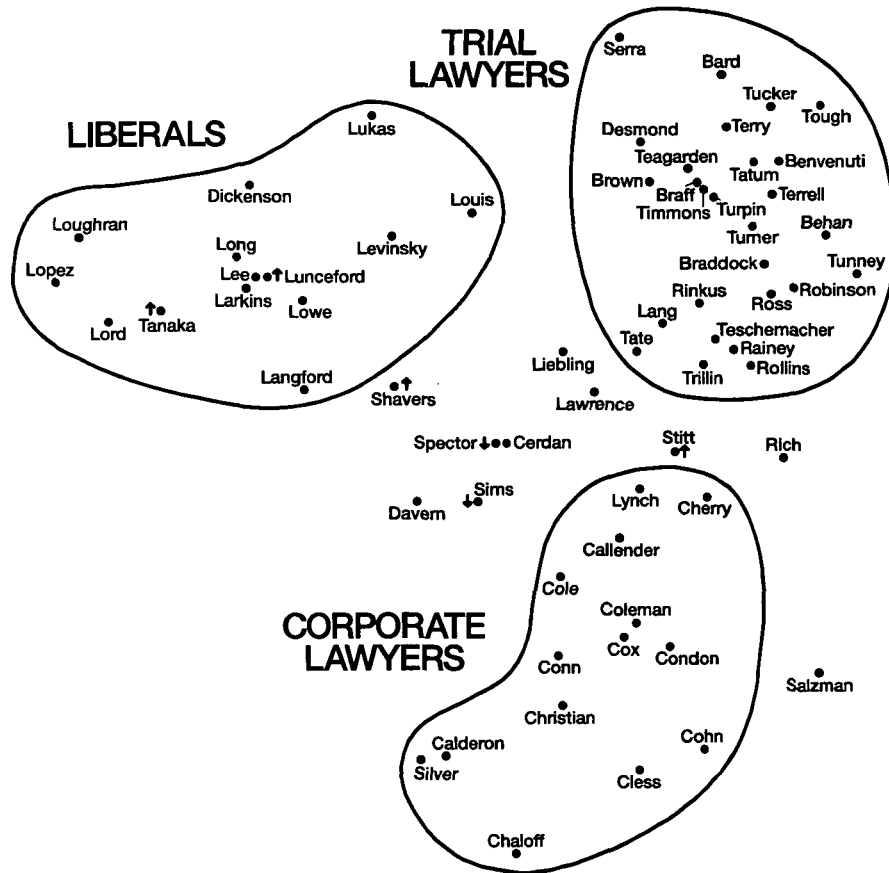
43. *Id.* at 237. Note that four of the liberal notables who are included in both analyses—Liebling, Lawrence, Lang, and Lynch—were much closer to the center of the network in 1995 than they had been in 1975. Essentially, in the intervening decades they moved into positions that made them more widely known. Lawrence became the dean of a law school, Lang became chief counsel of the City of Chicago, and Lynch became the leading partner of a large law firm. In some cases, their political views became more centrist. *Id.* at 235–36.



groups within the bar, and their prestige, authority, and wide recognition make them potential leaders.

Figure 3

Patterns of Acquaintance with 65 Notable Chicago Lawyers, 1995<sup>44</sup>



### C. Four National Policy Domains

During the years between the two studies of the Chicago bar, some of the same scholars pursued similar research in Washington, D.C.<sup>45</sup> In the Washington study, however, the sample was limited to persons active on national policy issues in four areas or “domains”: agriculture, energy, health, and labor. Moreover, nonlawyer lobbyists—the “Washington representatives” of interest groups in the four policy areas—were included in the sample. Interviews were conducted in

44. *Id.* at 232.

45. See JOHN P. HEINZ, EDWARD O. LAUMANN, ROBERT L. NELSON & ROBERT H. SALISBURY, *THE HOLLOW CORE: PRIVATE INTERESTS IN NATIONAL POLICY MAKING* (1993).

1983 and 1984 with 776 respondents, 264 of whom (34%) held law degrees.<sup>46</sup> Unlike the Chicago surveys, then, the Washington research focused on political actors, only some of whom were lawyers. Perhaps as a result, the network findings were different.

In the course of the interviews, respondents were given a list of seventy-two notable Washington representatives, eighteen from each of the four policy areas. The respondents were asked, first, to indicate those with whom they were “personally acquainted,” and, second, to select “people you know well enough to be confident that they would take the trouble to assist you briefly (and without a fee) if you requested.”<sup>47</sup> At the weaker level of acquaintance, the median number of notables known by a respondent was six, and at the stronger level it was three.<sup>48</sup> At the two levels of acquaintance, only 14% and 22% of the respondents, respectively, knew none.<sup>49</sup> Thus, Washington representatives were more likely to have ties to the notables than had been the case in Chicago, which may suggest that such ties have greater value in the Washington lobbying context. Perhaps because the set was restricted to persons active in particular policy areas, in at least one of which the respondent was also active, these policy areas appear to have been more like “professional communities” than was the Chicago bar.

Figure 4, again, is a three-dimensional figure, and the third dimension of the space is indicated by up and down arrows.<sup>50</sup> The figure uses the real names of the notables, many of whom were highly prominent in Washington in the 1980s—e.g., Clark Clifford, Charls Walker, Thomas Boggs, Lane Kirkland, Joseph Califano, Sidney Wolfe, William Timmons, and Birch Bayh.<sup>51</sup> Although some of these people had previously held public office, none was in office at the time of the survey.<sup>52</sup> Those who were more centrally located in the network tended to be generalists such as Clifford, Walker, and Boggs. Those who led particular constituencies were found among other notables within their own policy domain—for example, Lane Kirkland, at the lower left of the figure. Kirkland, who was the president of the AFL-CIO, is in the midst of other labor leaders.<sup>53</sup>

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46. See Robert L. Nelson, John P. Heinz, Edward O. Laumann & Robert H. Salisbury, *Private Representation in Washington: Surveying the Structure of Influence*, 12 LAW & SOC. INQUIRY 141, 159 tbl.2 (1987).

47. HEINZ ET AL., *supra* note 45, at 265–66. Of the seventy-two notables on the list, forty-five held law degrees; thus, lawyers were overrepresented among the notables as compared to their share of the 776 Washington representatives. *Id.* at 265.

48. *Id.* at 266.

49. *Id.*

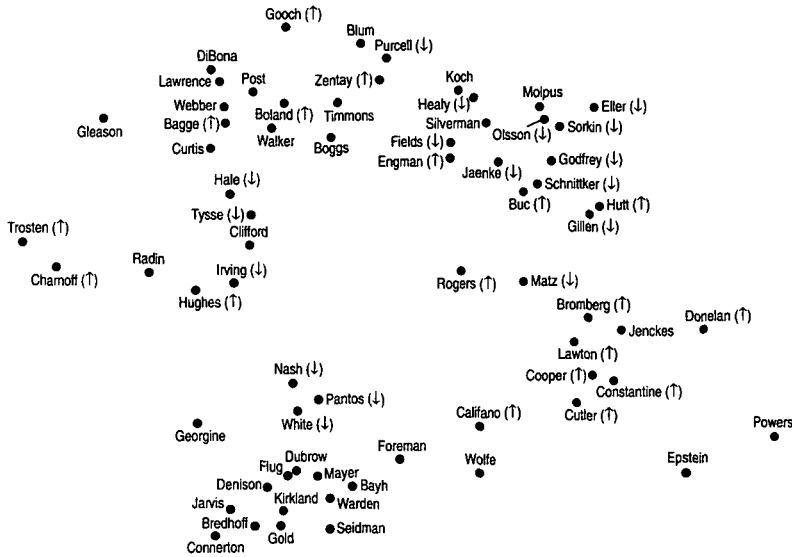
50. This is a smallest space analysis with stress of .20 in three dimensions. *Id.* at 271.

51. *Id.* at 272. Four of the seventy-two notables on the list were dropped in the analysis because they had insufficient acquaintances. *Id.* at 270–71.

52. *Id.* at 303.

53. *Id.* at 272.

**Figure 4**  
**Patterns of Acquaintance with 68 National Policy Elites, Lawyers, and**  
**Lobbyists, 1983–84<sup>54</sup>**



The surprising characteristic of Figure 4 is that it has an empty center—it is a rough circle with a hollow core.<sup>55</sup> This result cannot be attributed to the research methods; those were essentially the same as the techniques used in the two Chicago surveys. The hollow core may, however, reflect specialization within each of the four policy domains. In the figure, notables who worked on agriculture issues tend to be found at the upper right, those from the energy domain are mostly at the upper left, labor policy specialists are found at the lower left, and most of the health policy notables are at the lower right. There are exceptions, but this is the general pattern.<sup>56</sup> Thus, the center of the network is empty because none of the notables carried a portfolio broad enough to encompass the four domains. This was true even of such heavy hitters as Clifford, Boggs, Walker, Califano, Kirkland, Timmons, and Bayh.

We might, therefore, see a different pattern if we looked at the structure of relationships within only one domain. To pursue this possibility, the investigators did two further analyses.<sup>57</sup> The first examined the networks of notables within each domain as determined by their circles of acquaintance among

54. *Id.*

55. The notable who appears to be closest to the center, Rogers, is distant from it in the third dimension of the space, being located above the plane of the page. *Id.* at 271.

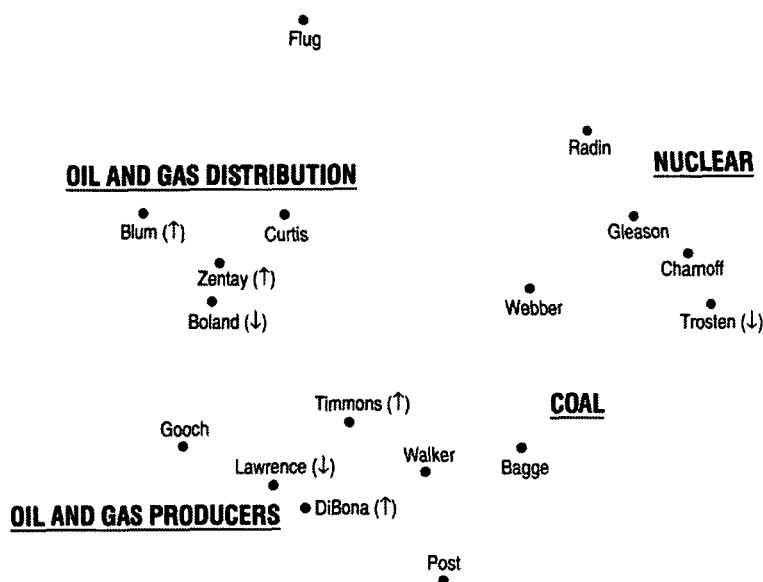
56. *Id.* at 273.

57. *Id.* at 275.

respondents active in that domain.<sup>58</sup> The second analyzed connections among the notables, themselves, within each of the four domains.<sup>59</sup>

Figure 5 presents the broader pattern of acquaintance in the energy domain.<sup>60</sup> Again, the network is a loose circle with no clear central actors. The person who is closest to the center, Webber, was the executive vice president of the Edison Electric Institute. He is located between lobbyists concerned with coal and those for nuclear power interests, probably because electricity is generated by both coal and nuclear plants.<sup>61</sup>

**Figure 5**  
**Notables' Patterns of Acquaintance with Energy Policy Lawyers and Lobbyists, 1983–84<sup>62</sup>**



The pattern in the labor policy domain (not shown here) is even clearer. It has two columns of notables, labor on the left and management on the right, with no one in the middle.<sup>63</sup> *The Hollow Core*, which presented these findings, commented on the network positions of labor lawyers and on those of prominent generalists:

58. *Id.*

59. *Id.* at 293.

60. *Id.* at 281. The figure presents the first two dimensions of a three-dimensional smallest space solution; stress = .11. *Id.* at 280.

61. *Id.* at 282.

62. *Id.* at 281.

63. *Id.* at 290.

If the external lawyers were go-betweens, serving to enhance cohesion by promoting bargains and compromise, we might have seen the principals of labor and management lined up in opposing ranks, but with their lawyers occupying a more intermediate position. The union lawyers would tend toward the union side, of course, and the management lawyers would be located nearer their management clients, but both sets of lawyers would be found between the client groups. That is not what we observed.

In fact, although the patterns in the other three policy domains are more complex and diffuse than is the case in labor, in none of the four areas do external lawyers or prominent politicians appear to function as intermediaries. Rather, they are closely aligned with particular client groups. The health policy domain is the least clearly segmented, but we nonetheless see . . . that such "super-lawyers" as Clifford, Califano, Bayh, and Boggs are embedded in particular regions of the space. They are *not* located in the center.<sup>64</sup>

In all four domains, the notables' circles of acquaintance were divided along client or interest group lines. Those representing consumer interests had acquaintances separate from those of notables lobbying for producers; meat producers were separated from grain growers (the suppliers of animal feed); drug manufacturers' lobbyists were on the other side of the space from public health interests; liberals were separated from conservatives; and Republicans from Democrats.<sup>65</sup>

The connections of the notables with each other were more dense, as one might expect, but the general pattern was similar. Let us look again at the energy domain, from this new perspective. Figure 6 shows the connections among the notables.<sup>66</sup> Here, the results of block models, which put the notables into groups with shared patterns of relationships, are superimposed on a depiction of the network structure.<sup>67</sup> The points in the figure show the relationships (proximities) among the notables, as before, and the blocks are indicated by the irregular curves enclosing sets of notables.<sup>68</sup>

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64. *Id.* at 293.

65. *Id.* at 275–93. For an analysis of conflicts among various agricultural interest groups, see Comment, *The Political Impasse in Farm Support Legislation*, 71 YALE L.J. 952, 955–65 (1962).

66. HEINZ ET AL., *supra* note 45, at 295. This figure does not use names because the notables were interviewed for this analysis and the pattern of their locations in the space might reveal individual responses. *Id.* at 294. This is a two-dimensional smallest space solution; stress = .09. *Id.* at 295.

67. *Id.* See generally Harrison C. White, Scott A. Boorman & Ronald L. Breiger, *Social Structure from Multiple Networks I: Blockmodels of Roles and Positions*, 81 AM. J. SOC. 730 (1976).

68. HEINZ ET AL., *supra* note 45, at 295.

**Figure 6**  
**Connections Among Notable Lawyers and Lobbyists Active in Energy Policy, 1983–84<sup>69</sup>**

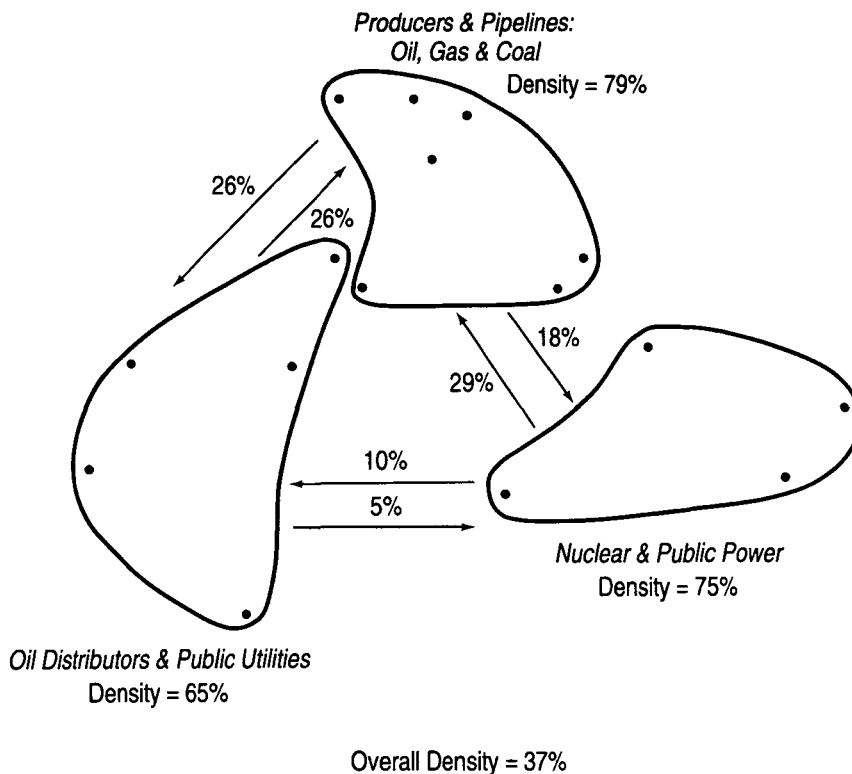


Figure 6 shows three blocks, each associated with a distinct set of interest groups. The arrows between blocks indicate the extent of cross-block ties. Because the ties among these notables are not always reciprocated (i.e., notable A may indicate a tie with B, but B may not choose A), these arrows are directional.<sup>70</sup> Thus, the responses of notables in the nuclear and public power block indicate that 10% of all possible ties to the oil distributors and public utilities block are present (i.e., two of the possible twenty ties between four notables in one block and five in the other), but the five respondents in the other block indicate that only one tie was present. The strength of personal ties is, of course, a matter on which individuals' perceptions differ.

The important thing to notice here is the extent of separation among the blocks. While the density of ties within blocks (i.e., the percentage of all possible ties) is quite high, ranging from 65% to 79%, the density across blocks is, at most, 29%. The other three domains show similar patterns—least pronounced in the

69. *Id.*

70. *Id.*

health domain,<sup>71</sup> and most pronounced in labor policy, where management representatives indicated only 15% of all possible ties with union lobbyists and the union notables claimed only 5% of the possible ties with their management counterparts.<sup>72</sup> Thus, even analyses of ties among the notables found that central intermediaries were lacking. Relationships within particular interest group constituencies were well-developed, but ties between those constituencies were relatively sparse. Note, however, that the samples used in the research—both the sample of representatives and the set of notables—did not include government officials. Perhaps officials were at the center of the networks and played the brokerage role. A majority of the members of Moore's "central circle" were government officeholders.<sup>73</sup>

#### D. Cook County Criminal Justice

A few years later, another research project in Chicago examined networks among persons concerned with the administration of criminal justice in Cook County.<sup>74</sup> Unlike the Washington data, this network included both public officials and private actors.<sup>75</sup> In 1988 and 1989, interviews were conducted with 211 respondents—152 government officials, forty-five leaders of private interest groups, and fourteen reporters for newspapers, radio, and television.<sup>76</sup> Of these, eighty-two (39%) were lawyers.<sup>77</sup> The respondents were given a list of 148 persons from these same three categories and asked to indicate how often they had been in contact with them during the past year.<sup>78</sup> The reported analyses were based on contact at least "every few months."<sup>79</sup>

Figure 7 shows the relationships among fifty-three persons who were contacted that often by at least twenty of the respondents.<sup>80</sup> Again, this is a three-dimensional solution, and the third dimension is represented by arrows. The proximity of the actors indicates the extent of overlap in their ties. This analysis uses real names, and the figure includes Richard M. Daley (then the state's attorney of Cook County, at right center) and Harold Washington (then the mayor

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71. *Id.* at 296.

72. *Id.* at 297. Lawyers for labor unions and management usually see their clients as a cause. Modjeska observes, "[W]hen labor or management retains a labor lawyer they are not simply seeking technical legal counsel in the classic, neutral sense. Rather, they are seeking a comrade, a fellow warrior, a true *landsmen*, in the basic socio-economic class struggle between labor and management." Lee M. Modjeska, *Which Side Are You On?*, 41 OHIO ST. L.J. 273, 274 (1980).

73. Moore, *supra* note 15, at 681.

74. See John P. Heinz & Peter M. Manikas, *Networks Among Elites in a Local Criminal Justice System*, 26 LAW & SOC'Y REV. 831 (1992).

75. *Id.* at 832.

76. *Id.* at 838.

77. *Id.*

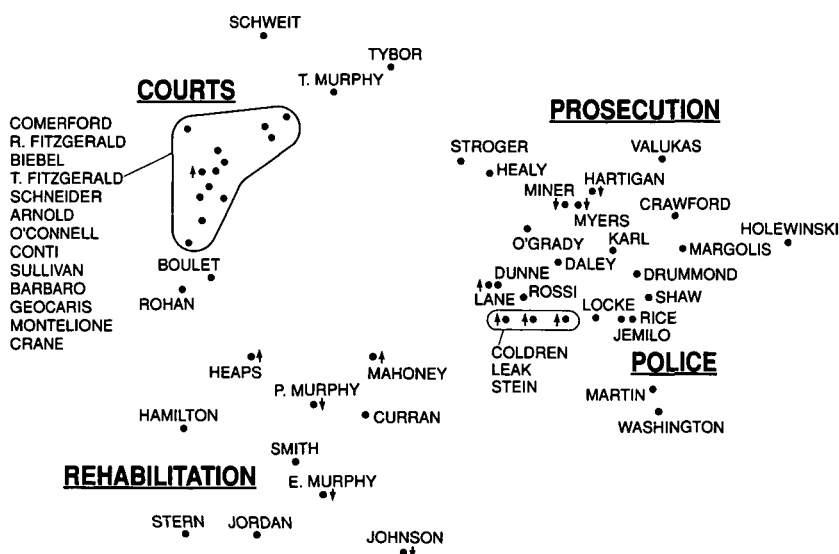
78. *Id.* at 839. Of the 148 persons on the list, ninety-seven were among the respondents. *Id.*

79. *Id.* at 840.

80. *Id.* at 846. This is a smallest space analysis; stress = .18. *Id.* The investigators also reported an analysis of the patterns of contact aggregated by the organizations or institutions with which these individuals were affiliated. *Id.* at 841-45.

of Chicago, at the lower right). Here, as in the Washington research, we see a hollow core. Government officials are not in the center of the space, but are instead divided by area of concern. Thus, Daley is located near police officials (O'Grady, Margolis, Rice, and Jemilo),<sup>81</sup> as well as several reporters who covered criminal justice and city politics (Karl, Drummond, Rossi, Shaw, and Locke). Hamilton, the presiding judge of the juvenile court, and Smith, the chief adult probation officer, are located at the lower left near Stern, the director of the Citizens' Committee on the Juvenile Court, a private group.<sup>82</sup>

**Figure 7**  
**Patterns of Contact with 53 Persons Active in Criminal Justice**  
**in Cook County, Illinois, 1988–89<sup>83</sup>**



Perhaps political networks, such as those examined in the Washington project and in the Cook County criminal justice system, typically have a different structure than those that reflect professional relationships, such as the two studies of the Chicago bar. But the evidence is more complicated than that. The network examined by Moore was largely political in character, and she found a clear center/periphery structure. And the networks among members of the Chicago bar were not purely professional; the segmentation reflected political alignments as well as clientele and practice specialization. Moreover, the structure of the criminal justice network appears to have been produced by functional specialization—that is, judges are proximate to other judges and court administrators; prosecutors and police are found with others involved in law enforcement and with the reporters who cover crime stories; and corrections interest groups have a small cluster of their own. This was an important finding

81. *Id.* at 857–58.

82. *Id.*

83. *Id.* at 847.



because it suggested that the three sectors did not work together as a tightly coupled system.<sup>84</sup>

Functional specialization was also important in the Washington networks. The birds who flocked together there were not grouped by old school ties, private club memberships, or ethnicity or religion, but by clientele and substantive specialization. But those networks were not composed solely of lawyers. If we examined a network of lawyers drawn from within a more narrowly defined set of interests, would we also see a hollow core?

### *E. Conservative and Libertarian Lawyers*

The next analysis addresses that question. It is an examination of relationships among a selected set of lawyers active on the conservative side of the American political spectrum.<sup>85</sup> The investigators began by identifying private organizations involved in a selected set of seventeen national policy issues that were of concern to conservative and libertarian constituencies between 1995 and 1998.<sup>86</sup> A media search found eighty-one organizations that supported conservative positions on these issues.<sup>87</sup> Several sources were then consulted to identify lawyers serving the organizations.<sup>88</sup> Most lawyers worked for a single organization, 127 were affiliated with two, and fifty-four were active in three or more.<sup>89</sup> The analysis reported here focuses on the fifty-four lawyers who were most broadly active,<sup>90</sup> and it estimates proximity among them based on overlap in their organizational affiliations.<sup>91</sup> That is, lawyers who shared organizational ties are closer together in the network, while lawyers who served separate constituencies are farther apart.<sup>92</sup>

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84. Note that the analysis examined contact "every few months" or more often. There was, however, some contact across the three sectors less frequently, thus providing some communication among the sectors.

85. See John P. Heinz, Anthony Paik & Ann Southworth, *Lawyers for Conservative Causes: Clients, Ideology, and Social Distance*, 37 LAW & SOC'Y REV. 5 (2003).

86. *Id.* app. A, at 44–45.

87. The organizations were identified through searches of newspapers and magazines. *Id.* at 11.

88. *Id.* at 13.

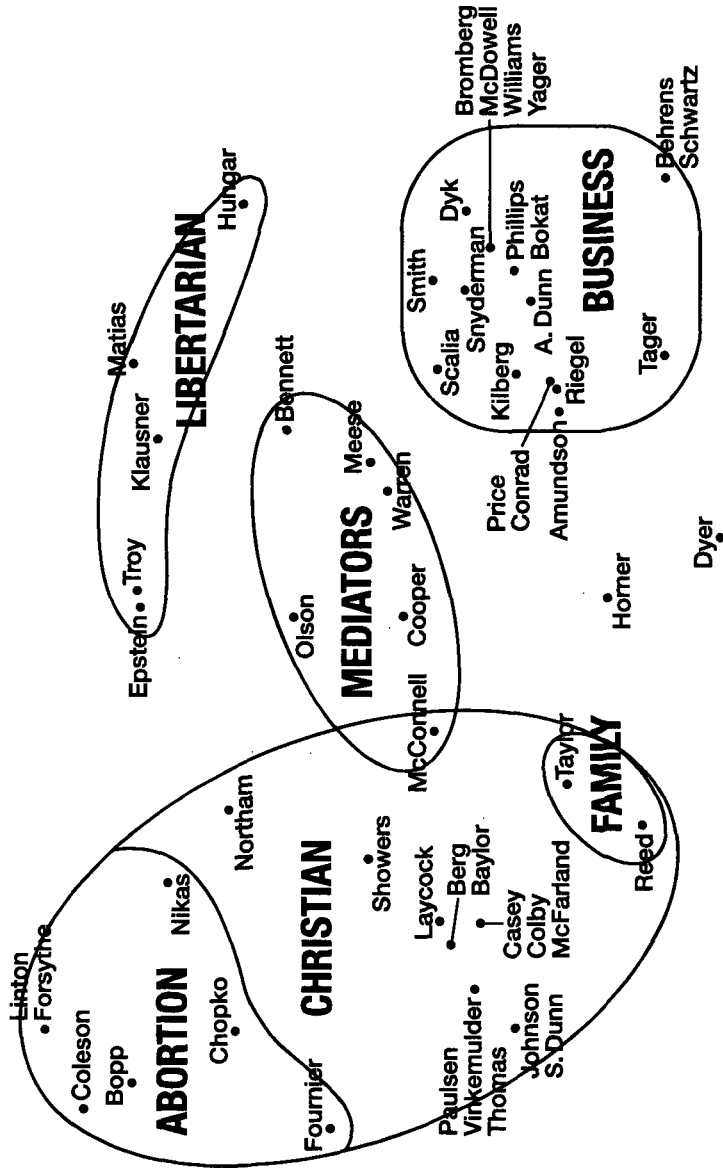
89. *Id.* at 23. No lawyers were found serving ten of the organizations. *Id.* at 13.

90. *Id.* at 24.

91. *Id.* at 24–25. The measure used focused on joint activity, not inactivity. That is, lawyers were not matched based on absence of affiliation. *Id.* at 24.

92. *Id.* at 25. This is a two-dimensional multidimensional scaling solution with stress of .04. *Id.*

Figure 8  
Organizational Ties of 54 Lawyers Active on Conservative Issues, 1995-98<sup>93</sup>



93. *Id.*

Unlike the networks seen in the four national policy domains and in the Cook County criminal justice system, the core of the network seen in Figure 8 is not hollow. Indeed, it includes well-known names such as Edwin Meese, Theodore Olson, and William Bennett. These three lawyers had previously held public office, as had others in this network, but none was in office at the time of the research. In addition to Meese, Olson, and Bennett, the central group of "mediators" includes three other prominent actors. This tends to support the proposition that narrowly defined, homogeneous interest coalitions create networks in which peripheral actors surround an influential center. There is, however, clear separation among distinct constituencies within the conservative coalition. Lawyers representing business interests are on the opposite side of the space from those affiliated with Christian conservatives, and they are especially distant from abortion opponents; lawyers serving libertarian groups are opposite those affiliated with organizations espousing "family values." Nonetheless, the six lawyers in the center of the space appear to be well-positioned to coordinate the transmission of information and ideas, and perhaps to organize cooperative action.<sup>94</sup> In this respect, their roles may be similar to those of the elites who were central in the Chicago bar's networks.

The investigators then examined direct ties among conservative lawyers.<sup>95</sup> In this analysis, the eighty-one organizations active in conservative causes were supplemented with five more to compensate for the earlier sample's potential underenumeration of litigation and research organizations.<sup>96</sup> From among lawyers serving the resulting eighty-six organizations, seventy-two prominent lawyers were selected and interviewed.<sup>97</sup> Respondents were given a list of fifty notables, all of whom were lawyers who worked with organizations included in the sample, and the respondents were asked how often they were in contact with each person on the list.<sup>98</sup> Of the lawyers interviewed, twenty-six were on the list of notables,<sup>99</sup> and the analysis reported here focuses on contact among those twenty-six. A quarter of all the possible ties among them involved contact at least two to three times per year, but only 3% were in contact as often as two or three times per month.<sup>100</sup> Some of the notables, however, had far more ties than others,<sup>101</sup> as we see in Figure 9.

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94. *Id.* at 29.

95. Anthony Paik, Ann Southworth & John P. Heinz, *Lawyers of the Right: Networks and Organization*, 32 LAW & SOC. INQUIRY 883 (2007).

96. *Id.* at 888. These additional organizations were identified by using directories of conservative groups. *Id.* Seventy-six of the organizations used lawyers in some capacity. *Id.*

97. The respondents were 73% of ninety-eight lawyers with whom interviews were requested. *Id.* at 888–89 n.7.

98. *Id.* at 889.

99. *Id.* at 890.

100. *Id.*

101. *Id.* at 890, 893.

Figure 9  
Contact Links Among 24 Notable Conservative Lawyers, 2001–02<sup>102</sup>

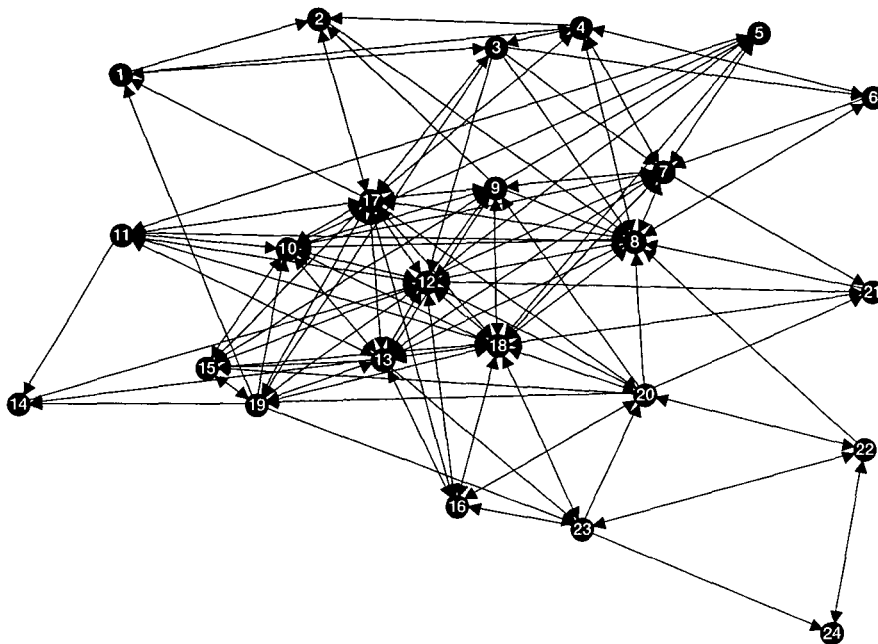


Figure 9 shows the relationships among notables who were in contact with at least one other notable two to three times or more during the previous year.<sup>103</sup> Two of the twenty-six interviewed notables had not been in contact with any of the others that often, and they are therefore excluded from this analysis.<sup>104</sup> Arrows indicate the presence of ties, and the arrows are directional because some of the ties are not reciprocated (see, e.g., those from point 23 to points 16 and 24).<sup>105</sup> Names are not used here because the data were gathered in interviews with the notables and the figure would reveal individual responses.<sup>106</sup>

The findings are consistent, in two respects, with those in the previous analysis of ties among conservative lawyers. First, there is a core in which the number of contacts received is relatively high. (The grouping of arrow points around these actors makes it easy to see this.) Second, further analyses of the network indicate that the structure is divided into distinct regions, each reflecting a constituency within the conservative coalition—business, libertarian, and religious interests.<sup>107</sup> The relationships among these lawyers, then, exhibit a clear

102. *Id.* at 894.

103. *Id.* at 891, 893. This analysis uses a “spring embedding” algorithm. *Id.* at 893 n.15.

104. *Id.* at 893.

105. *Id.*

106. *Id.* at 894.

107. *Id.* at 895.

center/periphery structure in which leaders or brokers<sup>108</sup> are surrounded by those who work within more bounded constituencies.

Did the study of conservative lawyers find a core because all of the actors were lawyers? Or, in the alternative, because they were all conservatives? To what extent is the observed structure attributable to the fact that all of these lawyers were on the same side of the great divide in American politics? Did their ideological affinities or their shared interest in defeating liberal policy initiatives and liberal candidates for office create sufficient consensus among them to permit cooperation in the selection of a set of leaders? Do lawyers serve as brokers, making them more likely to be central in political networks? Would lawyers drawn from a broader range of ideological positions also be organized in a center/periphery network, or would we find a hollow core? The investigators turned next to the last of these questions.<sup>109</sup>

#### *F. Lawyers Active in "Legal Affairs" Issues*

The boundaries of the inquiry were again defined by a particular set of policy issues. To make it more likely that lawyers would have salient roles, the research design chose controversies classified by the *Congressional Quarterly Almanac* as "legal affairs" issues. In 2004 and 2005, these matters covered a considerable range of subjects: abortion, gay rights, asbestos compensation, class action lawsuits, DNA-testing/victims' rights, flag desecration, identity theft, medical malpractice liability, guns, bankruptcy, judicial nominations, federal court jurisdiction, eminent domain, and the Terri Schiavo case.<sup>110</sup> The investigators then identified interest groups active on those issues and lawyers who served the interest groups. A search of news reports generated a list of more than 2000 organizations. The analysis reported here examines relationships among the 119 organizations that appeared in six or more news stories about these issues.<sup>111</sup> Affinity was assessed by the extent of joint participation in litigation and legislative hearings, representation by the same lobbying firms, and interlocking boards of directors.<sup>112</sup> Among the 119 organizations, 151 such ties were present, but forty-two of the organizations had none of these sorts of ties.<sup>113</sup> Figure 10 shows the ties among organizations that were connected to at least one of the others in the sample.<sup>114</sup>

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108. The article includes an analysis exploring whether the central notables function as "leaders" or as "brokers." The meanings and implications of those roles are discussed, and several measures are used that serve as indicators of one role or the other. *Id.* at 899, 904.

109. Ann Southworth, Anthony Paik & John P. Heinz, *Lawyers in National Policymaking*, in *THE PARADOX OF PROFESSIONALISM: LAW AND THE POSSIBILITY OF JUSTICE* 220 (Scott Cummings ed., 2011).

110. *Id.* at 222.

111. *Id.*

112. *Id.* at 235.

113. *Id.*

114. *Id.* at 236. The solution uses a spring-embedding algorithm (N=77). *Id.*



This network has a clear core. Note the number of arrow points surrounding the U.S. Chamber of Commerce, GE, and Citigroup, at the lower middle of the space, and around the National Association of Manufacturers, just above them. Some of the other business organizations (Bank of America, American Bankers Association, American Insurance Association) also have large numbers of contacts. The more peripheral organizations tend to be devoted to a single issue—for example, Operation Rescue, NARAL, Sierra Club, Americans for Gun Safety, and Americans for Tax Reform, the first two being active on abortion, and the latter groups being active on environmental protection, guns, and taxes, respectively. Although the greatest density of connections is found among business groups, which have relatively broad issue agendas, there is another region of the network with dense ties: the social and religious conservatives at the upper right of the space. A group of seven organizations dealing with abortion and family values has many internal connections, but this group is joined to the remainder of the network only through Focus on the Family. Liberal organizations, located primarily on the left side of the space, are much less densely connected to one another, suggesting that liberals have fewer paths for cooperation than do conservatives, especially business conservatives. Edward Laumann and David Knoke suggest that there is a separation between the “polity of organizational actors,” which is primarily concerned with economic issues and national defense, and the “polity of persons as citizens and human beings,” which is concerned with social welfare and individual rights.<sup>116</sup> In Figure 10, the core of business organizations might be thought of as focused on the former, while the more peripheral organizations tend to deal with the latter.

Given the pattern of connections among the organizations seen in Figure 10, what should we expect the relationships among their lawyers to look like? Will the lawyers simply reflect the pattern of connections among their clients, or will they tend to provide additional integration in the structure, perhaps by serving as mediators or brokers, thus creating a central core?

In a further analysis, the investigators identified ninety-eight lawyers who served more than one of these 119 organizations or who played more than one role within an organization—for example, as a litigator and a board member.<sup>117</sup> Several media sources were then searched for the ninety-eight names, and forty-seven of these lawyers were found 100 or more times in the period 2000–2008. Organizational ties of the forty-seven were examined, including ties to organizations that were not among the 119.<sup>118</sup> Figure 11 shows the organizational ties that connect pairs of lawyers—that is, the figure shows both the organizations

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116. EDWARD O. LAUMANN & DAVID KNOKE, *THE ORGANIZATIONAL STATE: SOCIAL CHOICE IN NATIONAL POLICY DOMAINS* 395 (1987).

117. Anthony Paik, John P. Heinz & Ann Southworth, *Political Lawyers: The Structure of a National Network*, 36 *LAW & SOC. INQUIRY* (forthcoming 2011) (manuscript at 6), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1694627](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1694627). These lawyers served the organizations as registered lobbyists, board members, litigators, or advocates in legislative hearings.

118. *Id.* at 8 n.7.

and the lawyers, with the organizations serving as links among the lawyers.<sup>119</sup> Lawyers can, of course, be linked by more than one organization—for example, note the multiple ties among Gray, Hodel, Porter, and Meese, at the right side of the space.<sup>120</sup>

As in Figure 10, liberals are located on the left side of the space and conservatives are clustered on the right. Another similarity to Figure 10 is that ties among conservatives are clearly more dense than those among liberals, again suggesting that conservatives are more fully integrated. The most striking feature of Figure 11, however, is the hole in the middle of the doughnut. No lawyer is found in the center of the space. This tells us first and foremost that, in today's bipolar political climate, lawyers seldom work both sides of the street, representing both Democrats and Republicans. There does not appear to be much of a place for statesmen that bridge the divisions in the polity.<sup>121</sup>

Was there ever? If a similar analysis had been done in the time of Dean Acheson and the Dulles brothers, would they have been found in the center? I doubt it. They were divisive figures.<sup>122</sup> And Clark Clifford was not in the center of the network found in the 1983–84 Washington study. Perhaps John J. McCloy,<sup>123</sup> Lloyd Cutler,<sup>124</sup> Robert Strauss,<sup>125</sup> Cyrus Vance,<sup>126</sup> or Warren Christopher<sup>127</sup> might have bridged the divide?

119. The analysis used a spring-embedding algorithm. *Id.* at 8 n.6. One of the forty-seven lawyers was excluded from this analysis because he did not share an organizational affiliation with any of the others. *Id.* at 8 n.5. The analysis including both lawyers and organizations is known as a “two mode” analysis. *Id.* at 8.

120. There are numerous major players in Figure 11: Nan Aron, Robert Barr, Gary Bauer, Julius Chambers, Joan Claybrook, C. Boyden Gray, Donald Hodel, Thurgood Marshall, Jr., Edwin Meese, and several others, including four former presidents of the American Bar Association.

121. See Charles M. Blow, *The Great American Cleaving*, N.Y. TIMES, Nov. 6, 2010, at A23.

122. See JOHN R. BEAL, JOHN FOSTER DULLES: A BIOGRAPHY 166–69 (1957); ROBERT L. BEISNER, DEAN ACHESON: A LIFE IN THE COLD WAR 306–313 (2006); JAMES CHACE, ACHESON: THE SECRETARY OF STATE WHO CREATED THE AMERICAN WORLD 228–29, 237–40 (1998); PETER GROSE, GENTLEMAN SPY: THE LIFE OF ALLEN DULLES 448–49 (1994); TOWNSEND HOOPES, THE DEVIL AND JOHN FOSTER DULLES 490–91 (1973); LEONARD MOSLEY, DULLES: A BIOGRAPHY OF ELEANOR, ALLEN AND JOHN FOSTER DULLES AND THEIR FAMILY NETWORKS 310–13 (1978). We tend to think that political discourse has recently become meaner. During the 1948 presidential campaign, however, John Foster Dulles referred to President Truman as “that shirt salesman from Missouri.” RICHARD N. SMITH, THOMAS E. DEWEY AND HIS TIMES 32 (1982).

123. Partner, Millbank Tweed; chairman, Chase-Manhattan Bank; president, World Bank; U.S. High Commissioner for Germany.

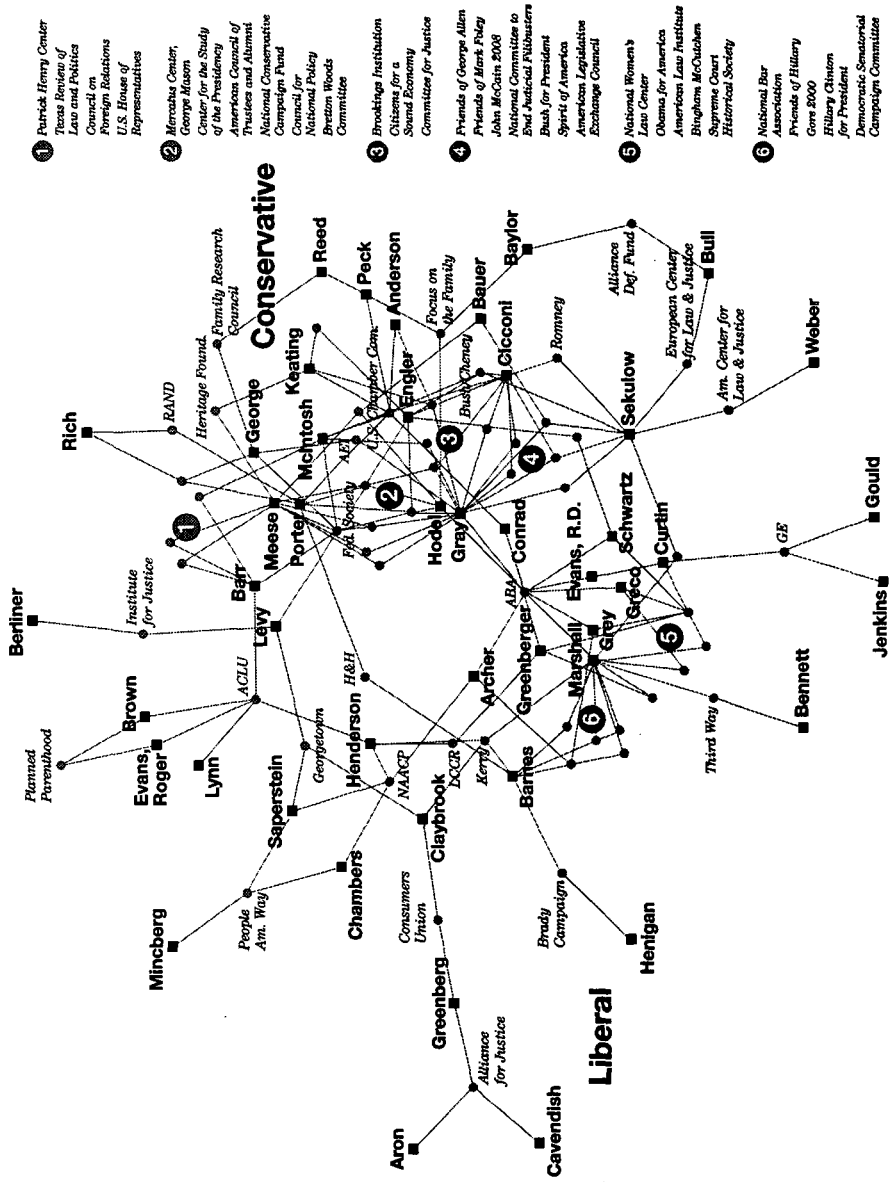
124. Partner, Wilmer Cutler & Pickering; White House counsel to presidents Carter and Clinton; chair, Lawyers' Committee for Civil Rights Under Law.

125. Partner, Akin Gump Strauss Hauer & Feld; chair, Democratic National Committee, 1972–77; Ambassador to Soviet Union/Russia, 1991–93, administration of G.H.W. Bush.

126. Partner, Simpson Thacher & Bartlett; Secretary of State, 1977–80; Deputy Secretary of Defense, 1964–67; U.N. Envoy for Croatia, 1991.



**Figure 11**  
**Ties Among Lawyers and Organizations Active on Legal Affairs Issues,**  
**2004–05<sup>128</sup>**



127. Partner, O'Melveny & Myers; Secretary of State, 1993–97; Deputy Secretary of State, 1977–81; Deputy Attorney General, 1967–69.  
 128. Paik et al., *supra* note 117, at 37.

The principal limitation of the analysis presented in Figure 11 is that it is not based on communication among the lawyers. What the analysis tells us is the extent to which the organizations were connected to overlapping sets of lawyers, and vice versa. The lawyers were not interviewed—all of the data used in the analysis were collected from public sources—and we do not know the extent of the interaction among these lawyers.

Most of the organizations seen in the figure are closely aligned with one or the other of the two major political parties. The only organization that bridges the center of the space, Hogan & Hartson (H & H), is a Washington law firm. It is a bridge because Porter and Barnes (both former Congressmen, Porter a Republican and Barnes a Democrat) were partners in the firm.<sup>129</sup> The Bingham McCutchen firm appears in the region of the space labeled 5, but given the prominence of Washington law firms and the heavy hitters included in Figure 11, it is perhaps surprising that a greater number of firms do not create links.<sup>130</sup> The principal reason they do not is that most of these lawyers worked inside the client organizations. Of the forty-six lawyers seen in Figure 11, only fifteen worked in firms, and of those fifteen only eight practiced in Washington.<sup>131</sup> Since the sample used here was selected to represent the most active and influential lawyers, it is all the more interesting that a large majority of such lawyers appear to be inside counsel. One of the criteria used to identify the sample, however, selected lawyers who had multiple roles within an organization, and this may have biased the sample toward the selection of insiders.<sup>132</sup>

The relatively few organizations that include lawyers from both political parties are located in the network between the partisans, especially in the middle of the lower half of the space. Those organizations include the American Bar Association, the American Law Institute, and the Supreme Court Historical Society<sup>133</sup> (see region 5). Most organizations active in politics, however, represent

129. Barnes later moved to Covington and Burling, another prominent Washington law firm.

130. Thurgood Marshall, Jr., is a partner in Bingham McCutchen. Paik et al., *supra* note 117, at 29 tbl.A4.

131. *Id.*

132. The finding, however, is consistent with the composition of the broader sample analyzed in the 1983–1984 Washington study (discussed *supra* Part I.C):

[L]awyers in private firms appear to play a much smaller role in Washington representation than do full-time employees of the organizations represented. Roughly four-fifths of the persons in each of the four policy domains are employees of associations and of individual corporations. . . . Outside law firms are brought in primarily for traditional legal services, such as drafting regulations or statutes, providing commentary on proposed rules, and litigating contested matters before administrative agencies.

Edward O. Laumann, John P. Heinz, Robert H. Salisbury & Robert L. Nelson, *Washington Lawyers and Others: The Structure of Washington Representation*, 37 STAN. L. REV. 465, 481 (1985).

133. Even the Chicago bar studies, in 1975 and 1995, found partisan political divisions within those professional networks. *See supra* Figures 2 & 3.

a particular constituency, and even lawyers' organizations have become increasingly divided by clientele.<sup>134</sup>

## II. INTERPRETATION

What have we learned? Some of the analyses use national data; others examine local elites. Some look only at lawyers; others use a broader sample. And—our focus here—some of the networks have dense cores, but others have empty centers. So, at this point in the story, have we reached the scene in which the detective gathers all the suspects together in the library, reviews the evidence, and solves the mystery? I'm afraid not. The solution is not that neat—but some observations, perhaps even conclusions, may be possible. Several differences and similarities among the various studies may be relevant to the observations, and some of these characteristics are summarized in Table 1.

### A. Methodological Issues

Although this Article focuses on substantive findings rather than methodological issues, the varying research designs inevitably shape what we see. Findings that appear quite persuasive sometimes become less compelling when they are examined more closely. It is possible, for example, that the way in which a network's members are selected contributes to finding either a hollow core or a set of central actors. The network structure reflects the roles of the players; thus, elite lawyers might serve as advocates, as mediators, or even as information-gatherers.<sup>135</sup> To perform the latter two functions, it is useful to be in touch with a wide variety of interest groups, and we would therefore expect to find those sorts of lawyers in relatively central positions in the networks. The Washington research that extended beyond the conservative coalition (see Figures 4, 5, 6, and 11), however, did not find lawyers bridging the constituencies. Rather, lawyers were aligned with particular factions, suggesting that they served as advocates rather than mediators or information sources.<sup>136</sup> But those findings could have been influenced by the selection of network members. The analyses focused on "notables" chosen because of their prominence or visibility—the sorts of persons mentioned frequently in news media—and this may result in the selection of

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134. SULLIVAN'S LAW DIRECTORY (2004–2005 ed. 2004) lists forty-eight lawyers' organizations with offices within the City of Chicago, including the Appellate Lawyers Association, American College of Trust and Estate Counsel, Chicago Mortgage Attorneys Association, Federal Communications Bar Association (Midwest chapter), Illinois Association of Criminal Defense Counsel, Illinois Creditors Bar Association, Intellectual Property Law Association, Lawyers for the Creative Arts, and several ethnic bar associations. Inside corporate counsel, recognizing that their client relationship is different from that of outside counsel and that their interests are sometimes at odds with those of outside counsel, formed the American Corporate Counsel Association. See Schneyer, *supra* note 1, at 717.

135. In politics, as in many other endeavors, information can be a very valuable asset. See LAUMANN & KNOKE, *supra* note 19, at 206–07.

136. HEINZ ET AL., *supra* note 45, at 301–02.

**Table 1**  
**Characteristics of Network Analyses Discussed Here**

Subject	Actors	Time	Scale	Methods	Structure
1. American Leadership Study	National elites from government, business, unions, the media, and other areas.	1971-72	National	Chains of linkages	Center and periphery
2. Chicago Bar	Lawyers	1975	Local	Acquaintance with a set of notables	Center and periphery
3. Chicago Bar	Lawyers	1995	Local	Acquaintance with a set of notables	Center and periphery
4. Washington lobbyists	Lawyers and lobbyists	1983-84	National policy re agriculture, energy, health, and labor	Acquaintance with a set of notables	Hollow core
5. Energy policy domain	Lawyers and lobbyists	1983-84	National energy policy issues	Acquaintance with a set of notables	Hollow core
6. Energy policy domain	Lawyers and lobbyists	1983-84	National energy policy issues	Connections within a set of notables	Hollow core
7. Cook County Criminal Justice	Government officials, interest group leaders, and media	1988-89	Local criminal justice system	Contact among active parties	Hollow core
8. Conservative Politics	Lawyers	1995-98	National: conservative and libertarian causes	Overlap in organizational affiliations	Center and periphery
9. Conservative Politics	Lawyers	2001-02	National: conservative and libertarian causes	Contact links among notables	Center and periphery
10. "Legal Affairs" Issues	Organizations	2004-05	National: policy issues defined as "legal affairs"	Affinities among active organizations	Center and periphery
11. "Legal Affairs" Issues	Lawyers	2004-05	National: policy issues defined as "legal affairs"	Shared organizational affiliations	Hollow core

advocates. Advocates are probably more likely to acquire prominence, and may especially be more likely to be quoted as spokespersons. Indeed, there are many situations in which negotiators prefer to work behind the scenes. But mediators or brokers can, of course, be highly influential. Mills argued: "To the extent that there is any 'invisible elite,' these advisory and liaison types are at its core."<sup>137</sup>

Networks including mediators or go-betweens might be more likely to have central actors. To design research so as to assure that mediators are included in the sample, however, it is usually necessary to rely upon reputation—i.e., to ask informants to select persons who play such roles. There are few "objective" measures that can be used to identify mediators; the preference for low visibility often makes them hard to find. But the trouble with relying on reputation is that it directs the research toward particular, limited circles of acquaintance, thus creating the appearance of greater density and making it more likely that central actors will appear as an artifact of the method.

Samples selected by identifying occupants of particular positions (e.g., the CEOs of Fortune 500 companies or recipients of the Nobel Prize<sup>138</sup>) are not subject to this bias. The American Leadership Study, from which Gwen Moore drew her data, began with a sample made up of persons in a defined set of positions,<sup>139</sup> and that was a strength of the design, but the study supplemented the original set with a snowball sample. That is, persons who were interviewed were asked to name contacts who were not on the original list, resulting in the creation of "chains of linkages."<sup>140</sup> This may well be a reasonable way to create a more comprehensive list of leaders, but it is ill-suited to an assessment of the density of networks. If network members were selected because they were connected, then one can hardly be surprised when they turn out to be connected. In the American Leadership Study, the network included "persons outside of the sample who were named as interaction partners by at least two sample members and thus form a link between them."<sup>141</sup> The resulting set was composed of 480 of the original 545 leaders (sixty-five were dropped because they were not connected), plus 396 of the "persons outside of the sample."<sup>142</sup> This produced a network in which all of the persons were "connected through chains," but the overall density of connections within the network was only 0.7%.<sup>143</sup> Thus, the probability that a member of the network would be in contact with any given other member was very small.

How much contact among the members of a network is necessary if that network is to function as a channel for communication, a means for making

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137. MILLS, *supra* note 13, at 288–89.

138. Cf. Robert K. Merton, *The Matthew Effect in Science*, 159 SCIENCE 56 (1968). The committees that select recipients of the Nobel Prize, however, are tied to particular communities.

139. Moore, *supra* note 15, at 676 tbl.1.

140. *Id.* at 677.

141. *Id.* at 679.

142. *Id.*

143. *Id.* For a discussion of Moore's methods and their possible consequences, see Edward O. Laumann, Peter V. Marsden & David Prensky, *The Boundary Specification Problem in Network Analysis*, in RESEARCH METHODS IN SOCIAL NETWORK ANALYSIS 61, 74–75 (Linton C. Freeman, Douglas R. White & A. Kimball Rodney eds., 1989).

decisions or devising strategies, or a mechanism for bringing influence to bear? How long can a “chain of connections” be and yet effectively join the most remote links? How frequently do the players need to talk to one another in order to maintain a connection? I am not aware of empirical answers to these questions.<sup>144</sup>

### *B. Historical Context*

In the era of the Tea Party and pervasive negative advertising in election campaigns, we hear much about “scorched earth” politics. This may suggest that the reason for the lack of central mediators in conflictual networks is that there are no mediators, only partisans.<sup>145</sup> If politicians merely maneuver for advantage, and are not much concerned with producing decisive government action,<sup>146</sup> then there is little support for compromise and, consequently, little need for mediators. But this is surely a caricature; the U.S. government does, in fact, take decisive action—legislation is passed, funds are appropriated, wars are fought.

Some commentators assert that, at some time in the remembered past, American politics had an identifiable middle in which the two major parties cooperated (or at least made deals) to get things done.<sup>147</sup> Indeed, the parties were once criticized for being insufficiently different or programmatic.<sup>148</sup> The lawyers who were then thought of as mediators were almost always partners in large, prestigious firms, but they had Democratic Party ties. Republican lawyers with corporate clients seldom bridged the Wall Street/Main Street divide, but Democrats with corporate clients served as communication channels, and often as more than that.

The Washington study from the 1980s (Figures 4, 5, and 6) provides some evidence addressing the possibility that recent political change has altered the structure of these networks. Clifford, Cutler, Strauss, Vance, and Boggs were in full flower in the 1980s, but none of these prominent lawyers—nor anyone else—was found at the center of that network. The overall structure (Figure 4) was remarkably similar to findings from the presidency of George W. Bush (Figure 11). The hollow core, then, precedes the recent polarization of politics, and the effect appears to be persistent.<sup>149</sup> But some network analyses using similar

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144. *But see generally* Michael Suk-Young Chwe, *Communication and Coordination in Social Networks*, 67 REV. ECON. STUD. 1 (2000).

145. *See, e.g.*, JULIET EILPERIN, *FIGHT CLUB POLITICS: HOW PARTISANSHIP IS POISONING THE HOUSE OF REPRESENTATIVES* 71–88 (2006).

146. *See, e.g.*, Susan M. Collins, *Congress Got Nasty. Here's How to Fix It*, WASH. POST, Oct. 10, 2010, at B04.

147. Tom Daschle, *Remember, We Used to Work Together*, WASH. POST, Nov. 7, 2010, at B01; David Ignatius, *Old School Politics: Put Country First*, WASH. POST, Sept. 16, 2010, at A25; James Warren, *Hey, Political Zealots, Listen Carefully to a Conversation from 1963*, N.Y. TIMES, Sept. 19, 2010, at A35.

148. Am. Political Sci. Ass'n Comm. on Political Parties, *Toward a More Responsible Two-Party System*, 44 AM. POL. SCI. REV., no. 3, part 2, supp. (1950); *see also* JAMES MACGREGOR BURNS, *THE DEADLOCK OF DEMOCRACY* (1963).

149. For an analysis of the effects of divided party control and the separation of powers in the latter half of the 20th century, *see* DAVID R. MAYHEW, *DIVIDED WE GOVERN: PARTY CONTROL, LAWMAKING, AND INVESTIGATIONS, 1946–1990* (1991).

methods—those concerning the Chicago bar and the conservative coalition—found central actors. What accounts for this?

### *C. Scale and Boundaries*

One apparent difference among these networks is the scale of the systems studied. It is plausible that networks among actors in a large system (e.g., lawyers and lobbyists of all political stripes dealing with national policy issues) would be more diffuse, less tightly integrated, and perhaps less likely to have a defined center than those in smaller, more narrowly defined systems (e.g., the Chicago bar, or lawyers drawn only from conservative and libertarian causes). But some of the research that found hollow cores concerned relatively narrow substantive areas—e.g., the individual policy domains of the 1980s study and the research on “legal affairs” issues in 2004–2005. And the networks in the Chicago bar studies and in the analysis of conservative activists had core actors even though those lawyers were drawn from widely varying constituencies. So the differences resulting from scale are not clear. On this point, therefore, I conclude that sheer scale or range is probably not a sufficient explanation for the difference in findings, but it may well be a contributing factor.

The observed structures are certainly shaped by the manner in which their boundaries are defined. In Figure 10, for example, we see the Sierra Club in a peripheral location (at the upper left). This result is no doubt attributable to the fact that environmental matters were not prominent in the set of issues used as the frame. A different set of issues would produce different findings. Networks overlap at their margins, and some are constituent parts of others. Actors marginal in one may be central in another. In Figure 11, for example, we could think of the right side of the space as roughly analogous to the analysis of conservative lawyers seen in Figure 8.<sup>150</sup> Thus, the actors at the center of the right side of Figure 11—the area that includes the U.S. Chamber of Commerce, the Federalist Society, the American Enterprise Institute, Edwin Meese, John E. Porter, C. Boyden Gray, and Donald Hodel—is the core of that constituency, rather similar to the core seen in Figure 8. Higher and lower on the right side of Figure 11, we find actors that are less securely attached to the conservative coalition. Thus, at the top of the space, we see libertarians who are aligned with the conservatives on tax reduction, small government, and opposition to eminent domain powers, but who tend to agree with the ACLU positions on abortion rights, free speech, and establishment of religion.

### *D. Government vs. Private Actors*

We would expect government officials to be in the center of political networks. Interest groups, regardless of their alignments, come to the officials to seek government action or inaction, and officials often act as mediators.<sup>151</sup> Moore's data included public officials and, as noted above, a majority of the

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150. ANN SOUTHWORTH, *LAWYERS OF THE RIGHT: PROFESSIONALIZING THE CONSERVATIVE COALITION* 178–79, 210–11 n.9 (2008).

151. See Paul A. Sabatier & Susan M. McLaughlin, *Belief Congruence of Governmental and Interest Group Elites with Their Constituencies*, 16 AM. POL. Q. 61, 67 (1988).

people in the “central circle” were officials. But, as Moore acknowledged, the survey methods contributed to this result. In constructing the snowball sample, respondents were asked: “Have you talked with individual legislators about your policy position on this issue?” and “Have you talked with federal officials about your policy position on this issue?”<sup>152</sup> Persons named in response to these questions “were included among the interaction nominations.”<sup>153</sup> Moore comments:

These questions lead to the overrepresentation in the nominations of members of Congress and political appointees, who, because of frequent involvement in a variety of issues, often are connected to persons with diverse positions and concerns.<sup>154</sup>

From one point of view, this is not a problem: if government officials are in fact in the center of the network, these questions will help locate them. But similar questions were not asked about contacts with persons in other sorts of positions. The distortion, then, is that the questions specifically solicited the names of officials and not information about contact with persons in other positions, thus resulting in the overrepresentation of government actors among the persons who were connected. And, of course, one might want to know whether private actors served as leaders, mediators, brokers, or coordinators.<sup>155</sup>

### *E. Conflict and Cooperation*

Many actors have multiple roles. One of the tenets of pluralist theory is that interest groups have overlapping and shifting constituencies. In *The Governmental Process*, David Truman observed:

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152. Moore, *supra* note 15, at 677 n.4.

153. *Id.*

154. *Id.* at 678. Moore also notes that “members of the two high-level federal political sectors and persons in the snowball sectors are considerably more strongly represented in the [central] circle than in the sample.” *Id.* at 684; *see also id.* at 681.

155. Public officials were also included in the study of the Cook County criminal justice system (indeed, most of the actors in the network were officials), but that network had no core (see Figure 7). Prosecutors, judges, and corrections officers were each grouped with their own kind, and there were no identifiable go-betweens. The three sectors of that system were, in effect, three separate networks. This is another example of the importance of network boundaries. If one studies apples and oranges, one should not expect to find them on the same tree. *See generally* Laumann et al., *supra* note 143.

Functional specialization, however, does not inevitably produce a hollow core. For example, specialization by practice type appears in the networks within the Chicago bar, but those networks nevertheless had core actors. The difference in the findings of the two studies is consistent with the methodological difference in the selection of network members—in the criminal justice study, the actors were selected by the positional method, while the notables in the Chicago bar studies were selected reputationally, through interviews with informants. The study of lawyers and lobbyists in four national policy domains in the mid-1980s (Figures 4, 5, and 6), however, selected the notables by reputation, and yet that analysis found a hollow core. HEINZ ET AL., *supra* note 45, at 264. The finding was robust enough to emerge even though the selection method had a contrary bias.



[N]o individual is wholly absorbed in any group to which he belongs. Only a fraction of his attitudes is expressed through any such affiliation, though in many instances a major fraction. . . . [A]n individual generally belongs to several groups—a family, a church, an economic institution, and frequently a very large number of associations . . . . [T]hese various groups may and frequently do come in conflict with one another . . . .<sup>156</sup>

Thus, there is variation among the adherents of interest groups in the degree to which they embrace the goals or ideology of the group. Truman devoted a chapter to “the problem of cohesion” within interest groups: “The internal political life of the group is made up of a continuous effort to maintain leaders and followers in some measure of harmonious relationship.”<sup>157</sup> Sabatier and McLaughlin report that “there is evidence of divergence in views between activist and claimed constituencies,” where “claimed constituencies” refers to potential group members who are less actively involved<sup>158</sup>—that “it is people strongly committed to a particular ideology who are most likely to bear the organization costs,”<sup>159</sup> and that “interest group leaders generally hold more extreme views than their memberships.”<sup>160</sup> Interest groups vary in the extent to which adherence is motivated by what Robert Salisbury called “expressive benefits” (including political objectives), as opposed to “solidary” or “material” benefits.<sup>161</sup> Political goals are clearly a larger part of the motivation for joining some groups (e.g., the various Tea Party groups) than others (e.g., the YMCA).<sup>162</sup> Some members join groups, and some groups form alliances with others, for the purpose of political conflict. That is, they know that their goals are controversial or will meet with resistance and they therefore seek strength in numbers. Other voluntary associations, however, are motivated by a cooperative enterprise or a pursuit that is unlikely to be opposed by others (e.g., The Jazz Institute).

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156. DAVID B. TRUMAN, *THE GOVERNMENTAL PROCESS: POLITICAL INTERESTS AND PUBLIC OPINION* 157 (2d ed. 1971).

157. *Id.* at 156; see also SCOTT H. AINSWORTH, *ANALYZING INTEREST GROUPS: GROUP INFLUENCE ON PEOPLE AND POLICIES* 68–89 (2002); Paul Edward Johnson, *Unraveling in Democratically Governed Groups*, 2 *RATIONALITY & SOC'Y* 4 (1990).

158. Sabatier & McLaughlin, *supra* note 151, at 64–65.

159. *Id.* at 67.

160. *Id.* at 90.

161. Robert H. Salisbury, *An Exchange Theory of Interest Groups*, 13 *MIDWEST J. POL. SCI.* 1, 15–16 (1969). Salisbury adapted this from Peter B. Clark & James Q. Wilson, *Incentive Systems: A Theory of Organizations*, 6 *ADMIN. SCI. Q.* 129 (1961). Salisbury, *supra*, at 15 n.25, 16.

162. Salisbury suggested that material benefits, such as insurance or discounts on goods or services, tend to maintain the membership base of an organization, while expressive benefits are more transitory and less reliable in holding members. If members join the organization primarily to get cheap insurance, the leaders will have greater freedom of action in adopting policy positions on political issues. A member who disagrees with the organization's position would forfeit the material benefits by resigning. But, if political officeholders perceive that positions advocated by the organization do not reflect the views of its members, and that the leaders are consequently unable to mobilize the base at the polls or in fundraising, the organization will have less influence. Salisbury, *supra* note 161, at 20–22.

Most networks involve some mixture of cooperation and conflict. The mix differs with the context. As we have observed, broadly inclusive networks of Washington lawyers and lobbyists are shaped by conflict over public policy issues, but they contain regions characterized by cooperation. The networks of notables in the Chicago bar (Figures 2 and 3) also display some political divisions, but there was an area of overlap in the middle of those networks that included pillars of the establishment and a few organized bar politicians. The network structures were primarily determined by professional specialization, but for the most part the various practice areas within the bar appear to have pursued their own work without getting in each other's way. These findings suggest that networks in which there is greater conflict among the actors are more likely to be characterized by open areas,<sup>163</sup> such as the hollow core, while networks in which the actors are engaged in cooperative or non-competitive collegial relationships tend to have central actors. Thus, it is possible that there is a systematic difference between the characteristic structure of "conflict networks" and that of "cooperation networks."

Let us consider a few more examples. Unlike the hollow core pattern seen in Figure 11, the network of relationships among organizations employing the lawyers (Figure 10) has a dense core, primarily composed of business interests. Why do these organizational relationships have a core, while those among the lawyers do not? Perhaps the answer is that the organizations had purposes extending beyond the particular issues on which the lawyers were active. The businesses had other work to do, things to sell. Bank of America, Citigroup, Ford, and GE had many reasons to work with or share directors with the American Bankers Association and the U.S. Chamber of Commerce. The lawyers had broader lives and work as well, of course, but the sample was selected for prominence in one set of issues. As suggested above, the lawyers were advocates who played adversarial roles. They were involved in contested political matters as representatives of a broad range of conflicting parties, which separated adversaries while allies joined in coalitions. Analysis of networks among lawyers drawn only from the conservative side of the spectrum (Figures 8 and 9), however, found a hierarchical structure with a dense core. Without the divisive effect of political contests, lawyers may cohere despite specialization of role or function, as did the Chicago bar.

#### *F. The Power of the Center*

A dense core has a different meaning and different implications in a cooperation network than in a conflict network. In a cooperation network, coordination provided by the core facilitates transactions and promotes efficiency. In a conflict network, however, coordination consolidates power. It enhances the ability of a coalition of interest groups to dominate decisions or control outcomes. In the cooperation context, therefore, all or most of the participants in the network may regard the existence of the core as benign—it helps them get things done. In a

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163. See RONALD S. BURT, *STRUCTURAL HOLES: THE SOCIAL STRUCTURE OF COMPETITION* (1992). David Knoke suggests four hypothetical oppositional models: "centrally administered," "polarized," "bargaining," and "polycentric." DAVID KNOKE, *POLITICAL NETWORKS: THE STRUCTURAL PERSPECTIVE* 135 (1990).

conflict network, by contrast, there are winners and losers. If the core aids the dominant coalition, those on the short end of the outcomes have an incentive to change the network structure. They might do that by offering deals to some of the interest groups in the core, encouraging defections and forming new alliances. Thus, the core may be subject to attack, and may be unstable. But the ability of excluded groups to mount an attack will depend upon what, and how much, they have to offer—i.e., upon the resources they are able to mobilize. If wealth and other politically useful resources are concentrated in a dominant coalition, and if the existing rewards to members of that coalition are sufficient to keep them happy, the pattern of division between winners and losers may persist. At some point along a continuum in the unequal distribution of resources and thus of persistent dominance, however, we are no longer in the realm of democratic politics.

Assuming that there is sufficient equality or fluidity in the distribution of political resources to permit competition among interest groups, actors will seek to occupy central positions in conflict networks because centrality is empowering. The book that reported findings of the 1983–1984 Washington study observed:

[T]he occupants of the core, or inner circle, hold a highly advantaged position. If other participants are dependent upon them for efficient communication, or if the core actors can form a winning coalition by choosing to side with one alliance or another, these core actors will be disproportionately powerful.<sup>164</sup>

In all of the networks that we have examined, some actors are more central than others. Even within a particular region of a network, there are clear differences in the extent to which the players are connected.

### *G. Attractions and Repulsions*

As a general rule, the more closely linked the actors are, the more similar are their views. Actors who are less well integrated into their region or segment of the network—i.e., less densely connected—tend to be less firmly committed to the goals or ideology of the group. Actors located at the margins of a constituency or between two or more constituencies tend to share views with their neighbors on both sides. On any given issue, opposing factions may line up in phalanxes, confronting one another, divided by an unbridgeable gap. Over a sizeable array of issues, however, the phalanxes will be less stable, less unified, and troubled by deserters at the edges. This is a consequence of overlapping interest group affiliations, differing goals, and the resulting dilution or ambiguity of commitment to the group or, more especially, to a coalition of groups.

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164. HEINZ ET AL., *supra* note 45, at 306.

Figure 12

**Schematic Representation of Attractions and Repulsions Among Interest Groups Engaged in Political Issues**

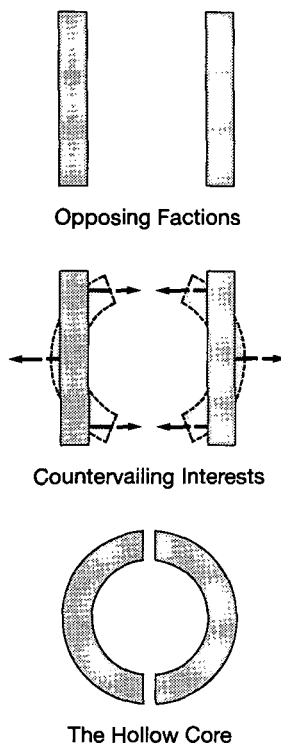


Figure 12 is intended to represent this schematically. At the top of the diagram, we see the two factions, separated. In the middle, we see that the cores of the two sides are pulled in opposite directions by their commitments to contrary ideological or policy positions, while the upper and lower margins of the two factions are attracted toward each other by overlapping affiliations or by the potential for mutually advantageous cooperation on other issues.<sup>165</sup> Because commitment to the ideology or goals of the coalition is weaker at the margins, countervailing alliances or outright defections reduce the separation between the two sides. Over time, these defections and overlapping alliances may eventuate in the structure at the bottom of the figure, a rough circle with a hollow core.

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165. See Sabatier & McLaughlin, *supra* note 151; Comment, *supra* note 65, at 967–69 (describing the formation and then dissolution of the “farm bloc” coalition in Congress). Jenkins-Smith, St. Clair, and Woods found that, in a highly conflictual battle over oil and gas leasing on the outer continental shelf, coalitions of private parties remained stable during 1969–1987, but government agencies “shuttled from one coalition to the other and back again.” Hank C. Jenkins-Smith, Gilbert K. St. Clair & Brian Woods, *Explaining Change in Policy Subsystems: Analysis of Coalition Stability and Defection over Time*, 35 AM. J. POL. SCI. 851, 877 (1991).

Thus, in Figure 11, Hodel and Gray are very unlikely to form an alliance with Claybrook or Henderson. Their goals and objectives differ so profoundly that cooperation does not occur. At the top of the space, however, there is agreement on some issues between libertarians and the ACLU or Planned Parenthood, and at the bottom of the space, especially, there is cooperation between the ABA leadership and the business community. The network is formed by overlapping interests, but is also shaped by patterns of opposition. Mutual attractions and repulsions transform the phalanxes into a more complex structure reflecting both alliances and sharp divisions. The hole in the middle of the network is not happenstance.

We began this exploration by contrasting the views of pluralists such as Ted Schneyer with those of conflict theorists such as C. Wright Mills. But the empirical research examined here suggests that we seldom encounter either pluralist or conflict systems in pure form. In democratic politics, almost by definition, there are shifts in power and changes of fortune, often associated with fluidity in alliances. But there are also continuing inequalities in the distribution of advantage; winners tend to win again, and the wealthy tend to remain wealthy. The pluralist model and the conflict model are ideal types, abstractions. At any given time or place, in any particular political system or subsystem, the reality is closer to one of those models or the other, but a close examination is likely to locate elements of both.

### CONCLUSION

In sum, this comparison of network structures suggests several propositions. First, the selection of the set of actors to be analyzed and the definition of the boundaries of the domain shape the findings. Research sometimes discloses that what was thought to be a coherent category (e.g., the Cook County "criminal justice system") is not. The scale of the set of relationships is also relevant; it appears that smaller, narrowly defined systems produce central actors more often than do larger, broader sets of relationships. Moreover, elites of some kinds (e.g., advocates) are more visible but perhaps less likely to be found in the center of networks than are those who play other roles (e.g., mediators). But these observations are consequences of the definition, scope, and composition of the network. What can we say about the processes that influence the structure of relationships?

In these analyses drawn from the last quarter of the twentieth century and the beginning of the twenty-first, patterns of alliance and opposition are readily interpretable and quite robust. Business organizations are linked to other businesses; plaintiffs' lawyers are separated from lawyers representing corporations; religious and social conservatives have patterns of contact that are distinct from those of business conservatives and of the organized bar. Two analyses of networks of acquaintance with notable Chicago lawyers, done twenty years apart, found highly similar structures, as did analyses of Washington lawyers and lobbyists separated by the same amount of time. There was considerable growth during the intervening decades in the size of both the Chicago bar and the corps of Washington lobbyists, as well as change in the specific issues on the

agendas in each of those contexts, but the Chicago studies found central actors, both times, and the Washington research did not, both times.

In large, national political systems, allies may cohere, at least for a time, around a settled set of organizers, leaders, or brokers. Adversaries, however, are unlikely to be in contact or even to share contacts.<sup>166</sup> These tendencies, combined, produce network structures in which allies are connected, adversaries are clearly separated, and few if any actors bridge the separation. Lawyers do not appear to be more likely than other elites to play a central role, but this may be attributable to a focus in these analyses on advocates rather than mediators. Interest groups located at the margins of coalitions are the ones most likely to shift their allegiance, and this sometimes creates paths across the coalitional boundaries at those margins, resulting in a pattern that resembles a rough circle—or, in three dimensions, a sphere—with a hollow core. Conflict, in a context in which the actors are responsive to opportunity and advantage, produces structures that are explicable (within limits).

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166. See also Robert H. Salisbury, John P. Heinz, Edward O. Laumann & Robert L. Nelson, *Who Works with Whom? Interest Groups Alliances and Opposition*, 81 AM. POL. SCI. REV. 1217, 1225–28 tbls.3–6 (1987).