

Why Amicus Curiae Cosigners Come and Go: A Dynamic Model of Interest Group Networks

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Abstract Interest groups use coalition strategies to exert influence, yet, like other political actors, they also withdraw from partnerships in the pursuit of other policy goals. We explore how interest group coalition strategies have changed over time and which factors determine whether interest groups relationships form and dissolve. Utilizing dynamic networks of a panel of interest groups derived from cosigner status to United States Supreme Court amicus curiae briefs, we illuminate the evolution of the social networks of frequent signers from the 1970s to the present day. A separable temporal exponential random graph model (STERGM) shows that the number of partners is important for formation but not dissolution, while industrial homophily helps both to make and maintain connections. In addition, statistical trends suggest that while networks change, a few players have acted continuously as coordination hubs for the bulk of the decades. However, a number of other key players in particular decades would be missed without a dynamic perspective.

1 Interest Group Coalition Strategies

It is common knowledge that interest groups use coalition strategies. That is, interest groups, like other political actors, create ties with each other and demonstrate their working relationships in pursuit of mutually beneficial policy goals. Yet, many questions remain about such coalitions, particularly with regards to their historical development and over time dynamics. Most importantly, perhaps, little is known about the maintenance of relationships among interest groups. Though there is a modicum of work on the factors that draw interest groups together, few, if any,

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explore the factors of dissolution. In this work we seek to provide a more comprehensive account of interest group coalition dynamics by investigating both their development *and demise*.

Classic works in the interest group literature have sought to understand why interest group coalitions form. The dominant perspective is that coalitions serve as an economical and efficient means to form a more powerful bloc [e.g., 1, 2, 19, 20, 29, 32]. Coalitions signal broad support to policy makers on an issue [13, 21, 23, 25]. Thus, some factors thought to drive coalition formation are perceived strength of the opposition, previous experience in a coalition, and whether the group is critical to the success of the coalition [19].

Social network theory also suggests that alliances form out of the pursuit for access to resources and information [14]. That is, coalitions function as pipelines through which information and knowledge flow. The incentive for interest groups to form networks appears to be similar to that of firms: to diffuse information more quickly and benefit from the efficiency of cooperation [14, 15, 31, 32]. In addition, groups can benefit from the kinds of control offered in coalitions, such as sanctions, reputation, and trust. From this perspective, interest group network formation is largely a purposive act [18] for shared survival [26, 27]. Via the pooling of their resources and the creation of networks groups exhibit their shared policy preferences and divide the costs. In sum, the literature suggests that the motivations for coalitions among interest groups are plentiful, as are the rewards. The positive effects of networks on group performance has been demonstrated in terms of growth [28], speed of innovation [16], organizational learning [17], and reputation [30].

However, there is also good reason to expect interest groups to prefer to work alone—or, at the very least, work only sparingly in coalitions. Interest groups must maintain some autonomy from the other groups in their coalition, or risk losing their identification and competitive advantage. Thus interest groups have to consider coalitions in light of the need for differentiation. Groups would like to be seen as different enough to attract and maintain a constituency despite wanting to cooperate when they believe it will be helpful to attain valued resources. Such is at the foundation of economic theories of organizational behavior [33]. Interest groups require a niche to maintain their existence.

Collective action is thus a delicate balance. Interest groups benefit from sharing resources and signaling broad support to the targets of their pressure. However, interest groups must also demonstrate unique features that make them particularly appealing and allow them to claim credit for their accomplishments to their constituencies. Ultimately, this dance between cooperation and differentiation suggests that interest groups should not always pursue coalition strategies, but, instead, only do so when they find it necessary to accomplish their goals. As such, we expect interest group coalitions not to be permanent, with partnerships dissolving and perhaps even reappearing over time. In what follows, we engage a dynamic perspective to explore interest group networks and evaluate factors that may lead interest groups to dissolve or maintain their coalitions.

2 Hypotheses of Formation & Dissolution

The dynamic approach to interest group networks focuses on the potential for new ties to form and old ones to fall apart. This should hold true in the case of those with prior ties as well as those without them, so-called isolates, or “lone wolves” [5]. Just as all partnerships are not permanent, solitary behavior in the past does not necessarily lead to it in the future. We expect new ties to develop between organizations both with a history of working in coalitions and with a history of going it alone.

While ties may come and go it is unlikely that prior coalition behavior will be completely unrelated to future behavior. That is, we might expect those interest groups that have used coalitions in particular ways to try to do so again. In particular, organizations known to play the role of a hub or “team leader” [5] early on may be more likely to do so again. Likewise, organizations that work in large/small coalitions at time t are more likely to be those that do so again at time $t + 1$. As such, and despite some expected changes in networks over time, there is good reason to expect persistent roles for many of the organizations.

Interest groups may form coalitions based on a host of resource factors and common interests, which implies that these coalitions are not totally inclusive. Interest groups are selective about who they work with, and thus we posit that there will be limits to the number of partners for any group. As opposed to a pure contagion effect that we might see in other networks (e.g., campaign donors), we expect that for each additional partner the probability of adding another partner will decrease. We similarly test to see whether more partners leads to greater persistence of the network.

Finally, we would like to understand whether organizational attributes have similar effects on network formation and dissolution. In particular, some work distinguishes types of interest groups, arguing that different types of interest groups are more or less likely to join coalitions [9, 10]. This suggests that one should account for the type of interest group, such as whether it is a trade association, citizen group, or union. While this distinction is not statistically significant in all cases [23], there is recent evidence that working in the same industry draws groups together [5, 6]. There is less reason to believe that industry area should maintain those relationships. While working in the same industry might lead to introductions and first attempts at coalition building, maintaining the relationship might depend on other factors, like a previously good encounter. In sum, we expect the effects of industry area to be of greater importance in formation than dissolution.

3 Comparing Static & Dynamic Networks

The underlying networks of interest groups are difficult to perceive. It is widely acknowledged that they exist, but interest groups are unlikely to be perfectly forthcoming about their coalition partners and contacts in organizations during interviews or

in surveys, as their livelihood may depend to some extent on restricted access to their partners and confidentiality among them [3, 12, 24].

In order to study interest group networks, we utilize the Amicus Curiae Network database [4]. This data set includes all the interest groups that have signed onto an amicus curiae brief from 1930 to the present, which amounts to more than 15,000 unique organizations over nearly 9 decades. We use cosigning on a brief, a “purposive and coordinated” political action, to join organizations in a network [5]. In Supreme Court cases, various parties with related interests submit briefs to the Court in favor of the petitioner, respondent, or in some cases, neither. Frequently, these signers are comprised of interest groups [11]. Groups frequently coordinate on the content of a brief and cosign with one another.

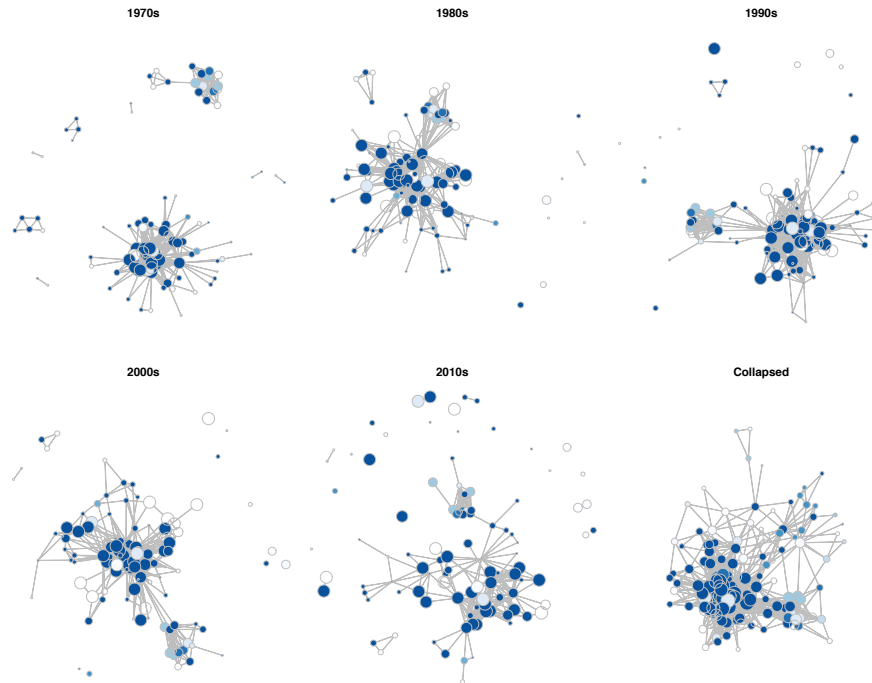
The analyses in this paper makes use of a small subset of the amicus network data. In order to look at changes in organizations’ partnerships over time we rely on a panel of repeat signers. The 167 organizations in our analyses signed onto at least one brief in every decade since the 1970s. Per usual, we use cosigning on these briefs to create ties between interest group nodes, but here we do so for each decade, thereby arriving at a five wave panel of interest group networks.

We begin by comparing the decade networks with a static network collapsed over all five decades. Graph structure in one or more of the decades that does not resemble that of the static network would suggest that it may be fruitful to explore the factors of network formation and persistence with dynamic models. Figure 1 plots both the decade networks as well as the single collapsed network plot. In terms of the latter, each node in the plot refers to a unique organization and an edge is drawn between organizations that cosigned a brief together at any time in the last five decades. Node size is proportional to the number of edges and color refers to the industry, as classified by the major divisions of the Standard Industrial Classification (SIC) code [5, 7]. Collapsing over the decades presents a dense network of primarily service organizations with only 8 isolates.

In terms of the decade networks, for each decade we have included the same 167 organizations but only drawn ties between groups that signed together in that decade.¹ The node size refers to the degree in the first decade, the 1970s, while the color again refers to the SIC code. While many of the large nodes are consistently central in the graphs, the fact that we see a number of large nodes in the periphery of the post-1970s graphs suggests that central groups in the 70s do not always remain so in subsequent decades. That is, the highly connected groups in one decade may not be the same as those in other ones. In short, comparing the collapsed network plot with the decade networks suggests that there may be good reason to look at network dynamics instead of a static network.

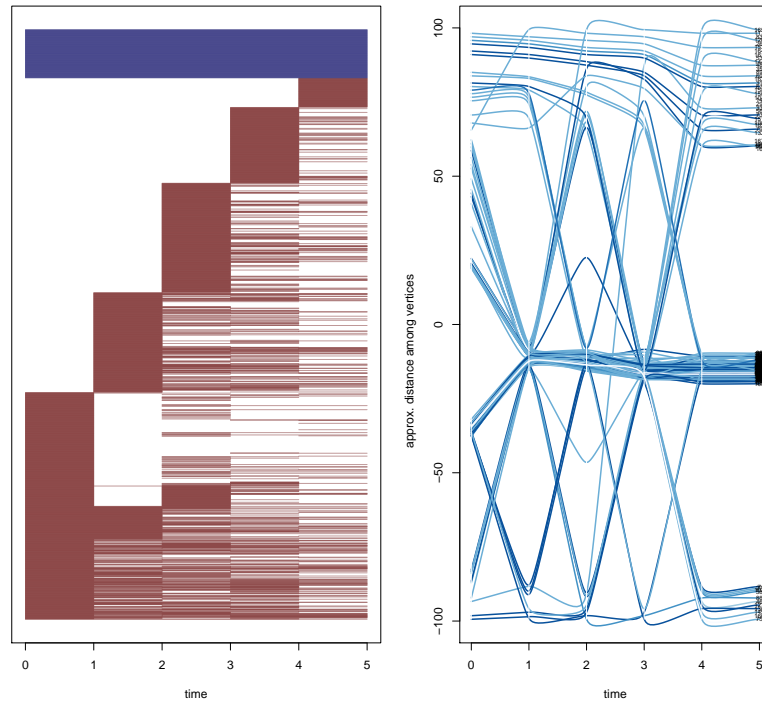
To give us a clearer idea of what is happening to the edges in the dynamic network, the left graph in Figure 2 plots the panel slices against the timeline of edges, one horizontal line for each edge. When the horizontal line corresponding to a tie between two organizations in one period crosses the vertical line associated with the panel period, the edge would be included in that network. Thus each panel period

¹ We also provide a video of the organizations changing ties over each decade at <http://dinopc.tumblr.com/#121184498222>.

Fig. 1 Interest Group Networks by Decade and Collapsed

(e.g., 1 to 2) corresponds to a social network created in that period. Lines that carry over to the next panel period (e.g., 2 to 3) means that that tie remained through the next period in time. In the Figure we see all of the ties in the starting period, 0 to 1. Looking from 1 to 2 we see that only about half of those ties remain in the next with a host of new ties appearing in that period as illustrated by the new solid block of ties a step above the initial block of ties. The solid set of lighter colored lines at the top show that several ties, only about a fifth of the organizations, remain from the first to the last period. The increasing lightness of the graph as you move from left to right illustrates that many new ties form across time and many dissolve as well, which suggests that there is good reason to explore the amicus curiae network as dynamic.

Graphing the timing of edges is helpful in revealing the dynamic density of events. However, it tells us little about the panel to panel changes in network structure and connectivity. For that we rely on the graph on the right side of Figure 2. It illustrates the overall shifts in the network by collapsing the momentary structure to a single vertical dimension and plotting across time. Here, for each panel we calculate the geodesic distance and plot the vertices' distances with each vertex's position in each panel linked by a spline [8]. Thus this figure provides a horizontal trajectory of a vertex as a line, with tightly connected vertices situated close to

Fig. 2 Timing of Edges & Proximity Timeline

one another. Curves moving up or down illustrate the group to group movement while flat lines illustrate stability. The color again refers to the SIC code. The Figure shows that while some partnerships remain, there is substantial changes in the network structure in every period of the panel. Moreover, neither stability nor change are restricted to organizations in the same industry.

Given the dynamics in the structure of these networks, we should expect that the roles of some of the groups in these networks are ephemeral. That is, a group that is particularly well connected or essential to the quick transmission of information in one period may not be so in the next. Looking solely at the collapsed network may hide various temporarily powerful players. We gain insight into the coalition behavior of these interest groups by looking at the best connected, highest degree, as well as those on the shortest path between groups, highest betweenness for both the collapsed and decade networks.

As shown in Table 1, the most connected organizations in the collapsed network are the American Civil Liberties Union (ACLU), Legal Momentum, American Jewish Committee, National Council of Jewish Women and the National Women's Law Center. With the exception of the first organization, it is important to recognize that the distribution of degree changes gradually. That is, in this network there is a wide

range of different numbers of edges across the nodes, with just about everything between 0, for the eight isolates, to 68, for the second most connected group, Legal Momentum. The ACLU also appears among those organizations on the shortest path to others, along with the National Association of Criminal Defense Lawyers (NACDL) and the National Association of Manufacturers.

Table 1 Top 5 Highest Scores on Centrality Measures

Degree		Betweenness	
<u>Collapsed</u>			
Am. Civil Liberties Union	82	Equal Employment Advisory Council	761
Am. Jewish Committee	67	Am. Civil Liberties Union	1895
Natl. Council of Jewish Women	66	Natl. Assoc. of Criminal Defense Lawyers	967
Natl. Womens Law Center	64	Natl. Assoc. of Manufacturers	1084
Legal Momentum	68	Natl. School Boards Assoc.	645
<u>1970s</u>			
Mex. Am. Legal Defense & Educ. Fund	40	Am. Civil Liberties Union	496
Natl. Council of Jewish Women	40	Mex. Am. Legal Defense & Educ. Fund	247
Natl. Council of the Churches of Christ US	40	Natl. Council of the Churches of Christ US	162
Natl. Organization for Women Foundation	41	Natl. Education Assoc.	192
Legal Momentum	41	Legal Momentum	185
<u>1980s</u>			
Am. Civil Liberties Union	54	Am. Civil Liberties Union	2636
Mex. Am. Legal Defense & Educ. Fund	32	Natl. Assoc. of Criminal Defense Lawyers	617
Am. Jewish Committee	35	Natl. Wildlife Federation	699
Natl. Education Assoc.	34	Anti-Defamation League	719
Legal Momentum	32	Planned Parenthood Federation	896
<u>1990s</u>			
Am. Assoc. of University Women	45	Internat. Assoc. of Chiefs of Police	584
Am. Civil Liberties Union	50	Am. Civil Liberties Union	2921
Am. Jewish Committee	45	Natl. Assoc. of Broadcasters	1317
Natl. Council of Jewish Women	48	Natl. Assoc. of Manufacturers	952
Natl. Womens Law Center	45	Anti-Defamation League	590
<u>2000s</u>			
Am. Civil Liberties Union	48	Am. Civil Liberties Union	2495
Mex. Am. Legal Defense & Educ. Fund	35	Natl. Assoc. of Criminal Defense Lawyers	1077
Natl. Assoc. of Social Workers	39	Natl. Trust for Historic Preservation	756
Natl. Council of Jewish Women	38	Legal Momentum	898
Natl. Education Assoc.	35	Pacific Legal Foundation	849
<u>2010s</u>			
Am. Assoc. of Retired Persons	21	Chamber of Commerce of USA	1356
Natl. Organization for Women Foundation	19	Am. Medical Assoc.	1189
Legal Momentum	22	Am. Assoc. for Justice	2540
Union for Reform Judaism	20	Am. Assoc. of Retired Persons	1416
Am. Assoc. for Justice	24	Natl. Assoc. of Criminal Defense Lawyers	1085

Looking at the centrality measures in the decade-by-decade networks in Table 1 we arrive at a somewhat familiar list of organizations. The ACLU, the National Council of Jewish Women, Legal Momentum, and National Education Association

(NEA) make frequent appearances as highly connected in the decade networks. The ACLU has a similarly high presence as an informational bridge between other organizations, appearing in the top betweenness in a few of the decades, as does the NACDL. However, the static network also undervalues a number of important players in specific periods. For instance, the decade networks show that the National Organization for Women (NOW) were particularly connected in the 1970s, and the NEA in the 1980s and 2000s and the American Association of Retired Persons (AARP) in the 2010s. Likewise, the Mexican American Legal Defense and Educational Fund had high information control in the 1970s, the National Wildlife Federation (NWF) in the 1980s, the National Association of Broadcasters in the 1990s, as well as the Chamber of Commerce and AARP in the 2010s.

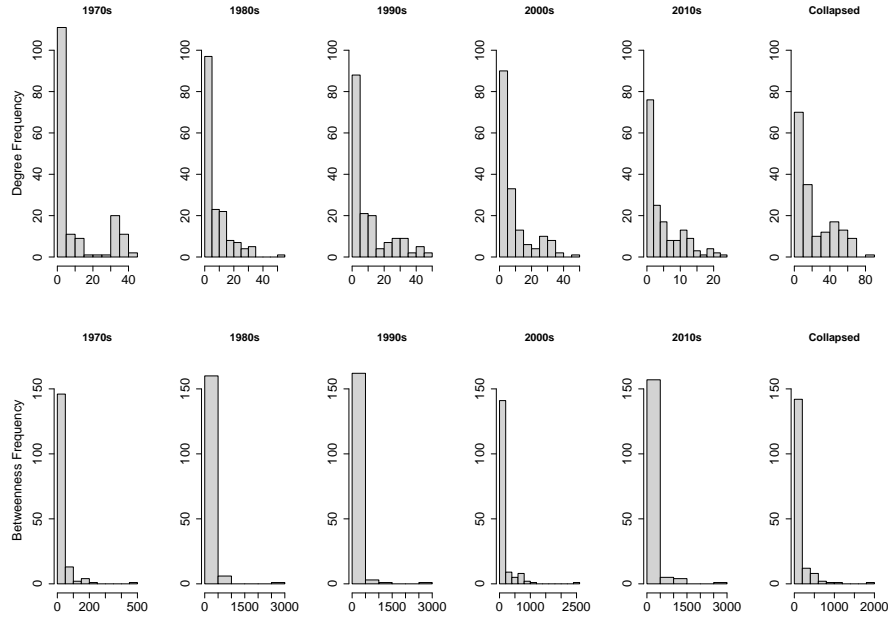
Figure 3 shows the distribution of the degree and betweenness measures from both the decades and collapsed networks. The collapsed network is presented in the last column of the Figure. Degree centrality shows primarily bimodal shaped distributions with a larger amount of organizations huddled in the lower portion of the graph. That is, there is an abundance of organizations with few connections and a small portion with many in most decades and in the collapsed network. The bimodal plots in the 1970s, 2000s and 2010s appear most similar to that of the collapsed network. The less pronounced right tail in the 1980s conveys a smaller than usual number of highly connected organizations. The distributions on betweenness shows less variance with the bulk of organizations having low information control, since most exist within cliques and few are uniquely positioned on shortest path connections to other organizations. The plots show the 1970s as having an unusually low number of high betweenness organizations.

The centrality results above show that the static and dynamic networks share a number of characteristics, but not all. The network, edge timing and proximity timeline graphs show that new ties develop over time and old ties are not permanent. Both sets of results suggest the value of a dynamic approach. However, we still have little understanding how these relationships come about and what leads to their demise or perseverance. To those ends, we turn below to a stochastic model to explore the effects of both structural and node level factors on network formation and dissolution.

4 Stochastic Model Results

Separable temporal exponential random graph models (STERGM) extend the familiar ERGM for dynamic networks in discrete time [22]. The methodological innovation allows us to model the formation of new ties between interest groups as well as their perseverance. Recall that the ERGM provides a single model of static network formation. STERGMs, however, combine two ERGMs to model both the relational formation and dissolution. The formation and dissolution ERGMs work similarly to the standard ERGM, except here there exists a time index to the tie values as well as a conditional statement that differs for the formation and dissolution equations.

Fig. 3 Histograms of Network Centrality by Decade and Collapsed



The formation equation is conditional on a tie not existing between interest groups in the previous period. The dissolution equation is conditional on the tie existing. The STERGM then combines the respective equations. Estimation is performed via conditional maximum likelihood (CML).

Table 2 presents the results of the STERGM. Given our hypotheses, we similarly specify the formation and dissolution parameters in the STERGM. Pertaining to our hypotheses on the number of shared partners we specify both edges and degree terms. The edges term adds a single statistic for the number of edges in the network. Degree adds a statistic for each of the nodes with the relevant number of degrees. Thus degree 0 takes into account the isolates. In order to test the hypotheses of organizational attribute homophily, we also add a statistic to the model for each set of joined nodes that share an industrial area. Again, we do so for both the formation and dissolution stages to test whether organization attributes previously shown to influence network development also affect network persistence.

We consider the formation and dissolution models together for each parameter to emphasize the similarities and differences in the factors of formation and dissolution. The negative edges parameter can be interpreted similarly to an intercept in a logit model. It suggests that the conditional log-odds of two organizations forming a tie would be -3.16 , provided the tie does not add any statistics for homophily or

Table 2 STERGM of Interest Group Networks

	Formation	Dissolution
Edges	-3.16*** (0.04)	-0.38*** (0.06)
Degree 0	7.89*** (0.30)	0.51* (0.21)
Degree 1	4.93*** (0.28)	0.28 (0.20)
Degree 2	4.40*** (0.20)	0.21 (0.19)
SIC Homophily	0.44*** (0.05)	0.25*** (0.07)
Num. vertices	668	668
AIC	12040.19	4121.18
BIC	12084.53	4151.27

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

the specified degrees. The negative probability of tie formation, holding constant at zero the other parameters, is noticeably smaller for dissolution.

The decreasing in magnitude yet consistently positive coefficients on the degree terms means that there is an underlying tendency for relational formation to occur, which continues to at least two partners, though the effect is reduced with each pre-existing tie that the two organizations are involved in. That is, there is a strong incentive to be in a relationship with one and two other organizations. However, dissolution appears to be largely independent. Existing relationships have a similar underlying dissolution probability at every point in time.

Perhaps most interestingly from a social science perspective, the attribute homophily shows consistently positive effects in the formation and dissolution models. Though the effect is much greater for the former, meaning that working in the same industry area brings interest groups together, working in the same industry area also makes a tie more likely to persist.

5 Conclusion

This work has the potential to provide a number of contributions to the literature on interest group behavior. Foremost, the interest group coalitions of the most frequent players in the modern era are not perfectly stable. While many of the most central players are fairly consistent throughout time, some key players are limited to particular decades. Moreover, the shape, size and overall structure of networks ranges substantially. New relationships develop and old ones dissolve.

We also provide evidence that the development and dissolution of interest group coalitions are driven by different factors. Interest groups feel the need to share resources and demonstrate large support via coalitional work, which brings interest

groups to work with more than one partner. However, the number of partners matters little for maintaining the network in subsequent periods. We also find that industry homophily plays a stronger role in the formation of networks than it does in maintaining them. Still, the evidence here suggests that shared interests both bring groups together and keep them that way.

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