

## Book Reviews

Richard L. Engstrom, Editor

**Ian Shapiro, Peter A. Swenson, and Daniela Donno, eds.** *Divide and Deal: The Politics of Distribution in Democracies*. New York and London: New York University, 2008. vi, 359 pp. (\$39.99 cloth).

A state's distributive policies are at the heart of most contentious politics. Policy decisions affect the "who gets what, when, and how" of the available political, economic, and social resources. Especially true in democracies, allocation of benefits produces both intentional and unintentional consequences. Students of politics strive to understand the tensions that arise from the resultant distributive conflicts.

In the introduction, the editors of this collection of eleven essays spell out the volume's goals, and give a brief overview of each chapter. They seek an "understanding of the role of demand in distributive politics" (p. 11). Not aspiring to grand theory, the editors nevertheless appropriately raise questions about what is redistributed and to whom. Particularly insightful, they emphasize that "redistribution is not always downward" (p. 3). The editors correctly anticipate that the work will "speak to several different literatures concerned with democracy and distributive politics" (p. 14).

The essays are organized into three sections: Part I's five chapters focus on institutions; Part II and III, with three chapters each, are concerned with individuals and coalitions, respectively. While organizationally helpful, the unifying specifics of these subjects and the volume's overall themes are left to the careful reader to distill. As with most collected works, the individual essays stand alone, each carving out its unique research. The discerning reader should nevertheless extract some underlying thematic questions, including: Are the benefits reallocated efficiently? Do individuals or groups possess a sense of entitlement to a particular good? And, does the distribution occur via the state or the market?

Part I's five essays on institutions run the gambit of topics: welfare capitalism in developing countries; welfare expenditures in Europe; differentiated taxes in developed countries; access to AIDS treatment; and electoral rules in Russia. Two of these five chapters are particularly strong. Isabela Mares's sophisticated argument (Chapter 2) on distributional conflicts in European countries is the best. She models welfare expenditures, and the resultant higher taxes, on employment, thus noting the trade-off between growth and full employment. Loyal to the institutional focus, Mares takes seriously the effect of centralized wage bargaining on wage demand

and employment, while considering central bank independence, the nature of the welfare system, etc. Equally loyal to the theme, Jana Kunicová (Chapter 5) analyzes the effect of electoral rules and legislative voting on the budget in the Russia Duma from 1994 to 2003. Speaking to the institutional literature on legislatures, he considers different types of distributive politics such as pork barrel allocations and the effect of electoral rules, and appropriately emphasizes the learning process of new democracies in these areas.

The other three chapters of Part I leave room for improvement. Steffen Ganghof's essay (Chapter 3) regarding taxation structures in EU and OECD countries stays within the thematic framework of institutions but could have been more tightly argued and the concepts made clearer. Most detrimental to a volume on distributive politics, the essay didn't fully capture the choice (*viz.* the politics) between different taxes. Jeremy Seekings' call (Chapter 1) for more scholarly research on welfare capitalism in Southern societies such as Brazil, Costa Rica and Hong Kong and Nicoli Natrass' work (Chapter 4) on access to AIDS treatment are interesting topics with clear distributive consequences but both lack analytical insight and depth. The former presents no original research and lacks specificity while the latter seems to explain the obvious by concluding that income and wealth have more to do with access to AIDS treatment in her native South Africa than democracy. Both chapters leave the reader wondering what they have to do with institutions, even in the broadest sense.

Part II's emphasis on individuals achieves greater analytical consistency and quality, in large part given all three chapters focus on the United States. Christopher Howard's contribution (Chapter 8) on age, social class and individual attitudes toward distributive politics is the most insightful, clearly written, and logically argued chapter. The author provides convincing evidence that Americans favor spending much more on the elderly through social security than on the youth, defense, or unemployment. Part II's other two chapters contain a complementary focus on religion, moral values and American exceptionalism, although the latter is left for the reader to extract. Kenneth Scheve's and David Stasavage's Chapter 6 analyzes the relationship between religion and social insurance in the United States from 1970-2002, focusing on the psychology of individuals' attitudes regarding social insurance, e.g., religious Americans buy less life insurance—the notion "God will provide" dominates preferences. Along the same vein, Woojin Lee and John Roemer's investigation (Chapter 7) of the influence of Americans' moral values in the 2004 U.S. election identifies a moral Puritanism and policy bundling. Moreover, their analysis properly emphasizes the role of ideology in Americans' attitudes in a manner critically missing in Scheve and Stasavage's otherwise fine work—they fail to control for ideology (religious Americans tend to be more conservative) and wealth or

income (social class and religious adherence are related). Similarly, Lee and Roemer unfortunately leave until their conclusion any sense of how their work relates to questions about distribution.

Part III conceptually utilizes coalitions to juxtapose its chapters on the German health care system, Indian democracy, and the repeal of the U.S. federal estate tax. Peter Swenson's overview (Chapter 9) of the early history of German health care system focuses on the early 1930s and considers the coalitional politics of three major social forces: capital, labor, and medicine. A labor-doctor agreement ultimately won the coalitional battle, thus laying the foundation for the contemporary Germany's system of health care. This essay's fundamental questions about the politics of distribution are well embedded into the volume's thematic framework, clearly answering who gets "what, when, and how." Equally well done, Mayling Birney, Ian Shapiro, and Michael J. Graetz's unique analysis (Chapter 11) of the use of public opinion in the repeal of the United States' federal estate tax clearly captures how questions of inter-generational transfer impact distributive politics. In addition, this essay seeks to understand the impact of public opinion on legislative outcomes. This combination makes for a fascinating policy case study in a single country, turning a rather narrow topic into a theoretically insightful analysis. Finally, Pranab Bardhan's colorful overview of Indian democracy (Chapter 10) presents work on the politics of distribution only in the broadest sense. He suggests that the country's politics are best seen as one large collective action problem where actors' short-term political preferences trump longer term political, economic, and social solutions. Considered together, these three chapters operate well within the book's overall themes, in large part because the authors make clear the importance of coalitions in distributive politics and, second, because two of the volume's editors had a hand in penning two of them.

These eleven essays analytically tackle numerous aspects of the politics of distribution. Many chapters report new and exciting research. Their individual strengths and weaknesses are, in this respect, comparable to most edited volumes—each piece of scholarship stands or falls on its own merits. Collectively, however, this book contains the normal weaknesses of an edited volume—in facilitating the authors' unique contributions it doesn't fully integrate the individual essays through basic concepts, topics, methods, or cases. With potential as a unifying concept, the volume instead proceeds with a very broad and implicit notion of distribution as a fundamental term. Missing this conceptual rallying point, each contributor is left to discern what was being distributed and by whom. Similarly, the loose conceptualization of institutions as an organizing term does little to hold together Part I's five chapters.

Regarding topics covered, the volume contains a rather odd, almost random, collection of essays (although many contributors appear to have been selected for their previously published and overlapping scholarship). Little coherence is achieved when such a wide range of topics is mixed with the broad interpretation of distribution. The volume could have concentrated on a single theme, such as Chapters 2, 3, 11, and even possible 8's investigations of the distributive politics of taxation. Similarly, it could have utilized a common methodological approach or related case studies to achieve greater integration. Instead a high degree of methodological pluralism (e.g., legalistic description, survey analysis, advanced mathematical modeling, and comparative historical analysis) and a hodgepodge of country studies (Russia, Germany, India, and many chapters on the United States) characterize the volume.

In conclusion, most readers will greatly enjoy the majority of essays contained in this volume, with their focus on specific policy issues and insightful case studies. Taken as a whole, however, the collection does not present a coherent investigation of the politics of distribution. The editors are content to argue that "the realm of distributive politics is occupied by a complex mix of actors, motivations, coalitions, and institutional contexts" (p. 14). Appropriately advancing the notion that the politics of distribution are complex, the lack of analytical integration through conceptual commonality, topics, methods, or cases leaves unidentified any generalizable tendencies.

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**George Thomas.** *The Madisonian Constitution*. Baltimore, MD: Johns Hopkins University Press, 2008. xi, 264 pp. (\$50.00 cloth).

Thomas, a political scientist, disputes the claim that the U.S. Supreme Court is the final, sovereign arbiter of the meaning of the U.S. Constitution. The assumption that the Court is the final arbiter of the Constitution's meaning "fosters a mind-set that distorts our constitutionalism, even if it is partly rooted in the practical political choices of our representative branches" (p. 168). Thomas capably guides readers through the history of intellectual contests between Congress, the president and the courts over whose definition of the Constitution should prevail. Drawing on significant court cases, the book emphasizes the way political leaders and jurists struggled to find principles for interpreting the Constitution in light of constantly evolving legal, social, and economic challenges in the United States.

For Thomas, “American constitutionalism is primarily about countervailing power and not about the legal limits enforced by courts” (p. 2). Interbranch struggles over the meaning of the Constitution are part of the enduring politics of balancing liberty and democracy in the United States. These struggles were set in motion by the original “Madisonian” Constitution, a document that aimed to create institutional rivalries rather than fundamental law. The written constitution divided offices among separated powers, and gave each branch a share in bringing the constitution to life and maintaining it. Madison “rejected the notion that there could be a single sovereign enforcer” of the Constitution (p. 38) such as the Supreme Court. Madison himself energetically used Congress as a platform for elaborating the Constitution in struggles over the national bank.

Thomas then reviews the unfolding of efforts of the branches to put their stamp on Constitutional meaning. In the wake of the Civil War, Congress pressed for amendments to alter the Constitution and enacted laws intended to implement these amendments. Though the Supreme Court undermined the Reconstruction Republicans’ view of the meaning of these Civil War amendments, it was the waning of political will in Congress, not a surrender to judicial supremacy, that accounts for Congress’s acquiescence to the Court’s interpretation. Progressives such as Woodrow Wilson, Theodore Roosevelt and Herbert Croly had little patience with the Madisonian system of countervailing institutional power and railed against the independence of the Court when it undercut their reform agenda. These clashes flared most spectacularly over the issues of antitrust and the commerce clause. But the Progressives failed to develop a complete theory of how popular will could fully achieve its policy changes and at the same time ensure Constitutional protections for liberty.

Like the Progressives, the New Deal’s constitutional thinkers insisted on expanded national powers to deal with the economy. But unlike the Progressives who rejected the Madisonian Constitution, FDR embraced it to justify his effort to expand national power. When the Court used its authority to strike down key New Deal legislation, FDR responded with a court-packing scheme aimed at increasing executive influence over the application of the Constitution. The Supreme Court became more accepting of New Deal initiatives in 1937, but Thomas shows that they did not surrender to Roosevelt’s view.

“The New Deal breakthrough” on economic power, concludes Thomas, has “left the Court and the meaning of liberty adrift” (p. 125). Liberal Supreme Court Justices have continued to search for a solid Constitutional grounding for protecting unenumerated liberties and rights such as privacy, but the New Deal failed to provide clear guideline for protecting liberty. Cases such as *Griswold v. Connecticut* (1965) reveal how painfully unfin-

ished this liberal project remains. From this point of view, conservatives' arguments in favor of originalism are a flawed, but a very serious and sincere effort, to find a way to reign in judicial discretion, as the Rehnquist Court's federalism decisions illustrate.

*The Madisonian Constitution* makes many valuable points. Thomas shows that key decisions such as *NLRB v. Jones and Laughlin Steel Corp* (1937) were "not the reversal they were retrospectively made out to be" (p. 109). He carefully considers the thought-provoking points of Robert Bork and other conservatives regarding the difficulties of liberal jurisprudence. He also makes the welcome observation that Congress, which should play a central role in defining the meaning of the Constitution, has abdicated too much responsibility.

As is often the case with efforts to grapple with the sweep of Constitutional history, Thomas's arguments are not always self-evident on first reading. This is a dense book, and it is annotated as extensively as a law review article. This book presumes more than a basic understanding of case law such as *Brown v. Board of Education*, and it would be stronger if it lingered a bit longer on explaining the significance of the facts of the case.

Thomas recognizes that real politicians use the Constitution to further their goals, whether that goal is to increase their institutional power, to undermine the power of rival institutions, or to use government in some politically advantageous way. But the book is too brief to give politics the full consideration that the Constitution's framers gave it. The Madisonian system balanced constitutionalism and democracy by deliberately inserting supermajority rules to ensure that only extraordinarily large majorities would be able to change the Constitution. This supermajority political requirement tempers democracy, and acts as a shock absorber for the popular backlash against the decisions of Court. Often, it channels that backlash into a resigned incrementalism. This supermajority rule is a strong, underappreciated legitimizing force for the Constitution; at the same time, the difficulties it places in the way of Constitutional change invite the conflicts Thomas describes.

The book provides a valuable reminder that there is no one "true" interpretation of the Constitution, or one ultimate umpire. It is appropriate for all the branches to participate in this effort, and not just the Court. American constitutionalism is served by the insistence by the branches that they stand up and fight for their definition of the Constitution. The U.S. Constitution is a living document whether Americans like it or not, and political battles over its meaning are inherent in American democracy.

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**Lisa Handley and Bernard Grofman, eds.** *Redistricting in Comparative Perspective*. New York: Oxford University Press, 2008. xvi, 331 pp. (\$100 cloth).

Lisa Handley and Bernard Grofman state, in their edited volume *Redistricting in Comparative Perspective*, that the redistricting of representational district boundaries is “the most neglected topic” in comparative research on electoral system design (v). One important indicator of this, they note, is that “Most textbooks on comparative politics do not mention it at all” (p. 3).

The reason for this neglect is obvious. Most countries with democratic elections employ some form of proportional representation arrangement to convert votes into seats within their legislative bodies, at least along political party lines. These systems award seats in multi-member districts, which are often preexisting administrative units, based on proportional allocation rules (Appendix A). The design of the districts in these systems is not generally viewed as an important source of bias in the allocation of seats across a country. Far more attention is paid to which among a set of proportional allocation procedures is adopted and the number of seats allocated to each district. The latter is important because as “district magnitudes” increase, the percentage of the votes needed to win a seat decreases, and generally the allocation of seats awarded to a political party or group will be more proportional to the share of the votes it receives.

The process also receives little attention in most countries that rely on single member districts (SMDs) with simple plurality or majority election rules. Although districts in this context can have a major impact on how votes convert into seats for political parties and other groups, only in the United States are the law, politics, and consequences of redistricting extensively studied. This is no doubt the case because most large democratic countries relying on this system have placed the design of districts into the hands of independent redistricting commissions (IRCs), usually made up of some combination of bureaucrats and judges (this is the case in Australia, Canada, and the United Kingdom). The theory behind such commissions is that they work with previously specified districting criteria, which are applied in a nonpartisan, even apartisan, manner, and whatever partisan or other group consequences might result from elections in the districts are not intentional. This substantially reduces the allegations that districts have been gerrymandered through the manipulation of their boundaries.

This volume consists of 18 chapters covering numerous features of redistricting rules and practices. There is insufficient space in this review for all of the chapters to be covered in any detail. Not surprisingly, given the neglect mentioned above, most of these chapters deal with a single country. In the final chapter, “A Comparative Survey of Structures and Criteria for

Boundary Delimitation,” Handley does provide an overview of the election systems employed in 87 countries or territories, and details about redistricting procedures and criteria utilized in the 60 in which districts undergo revisions. This useful information is provided in full in three appendices to the book. While there is not a clear statement providing a time for which the information applies, two of the surveys that serve as major sources for the information were conducted in 2004. The other chapters concerned with more than one country are on Eastern and Central Europe (by Marina Popescu and Gabor Toka), reserved seats in national parliaments (Andrew Reynolds), and to post-conflict settings (Handley).

Handley writes in her overview that “if countries were to be placed on a spectrum of how ‘political’ the delimitation [districting] process is, the United States would sit firmly at the ‘political’ end of the spectrum” (p. 278). This feature of our system is well known, of course, and has been the subject of numerous reform proposals to depoliticize the process. This review will focus on the chapters concerning the U.S., and those that deal with the use of IRCs in countries using SMDs, something that interests electoral reformers in the U.S.

The U.S. experience with redistricting is the subject of three chapters. The first of these, “United States Redistricting: A Comparative Look at the 50 States,” by Michael P. McDonald, provides support for Handley’s statement from the last round of redistricting. McDonald notes that our redistricting process is “exceptional” in the degree to which it is “decentralized, political, and often litigated” (p. 55). It is, he states, “one of the most intensely fought political battles in American politics” (p. 55). McDonald examines both congressional and state legislative redistricting across the 50 states and classifies about half of the plans, on each level, as partisan gerrymanders in favor of the party in control (Table 4.2, p. 62-65). These determinations were not based on replicable methods, but rather on what McDonald identifies as “my own subjective observations based on reactions to maps in a state’s press and, in some cases, my own examination of characteristics of the adopted maps themselves” (p. 70 n.18). But there is no widely agreed upon measure of gerrymandering, and McDonald’s classifications can be accepted as an indication, by a respected student of the process, of the widespread politicization of districting in the U.S. He also reports that these results were quite predictable, given that when one party was in control of the process, 84.4 percent of the resulting plans was a partisan gerrymander.

Another dimension of American redistricting that leads to disputes over district lines is the creation of majority-minority districts. Unlike other countries that have adopted systemic mechanisms to provide for the election of minorities (see Reynolds’ chapter, “Reserved Seats in National Legislatures: A Comparative Approach”), numerous jurisdictions in the U.S. have



relied on the tweaking of district lines to do so. Provisions of the Voting Rights Act stimulated arguments over the legal necessity and/or normative preference to do this for groups protected by the Act, especially African Americans.

The debates over whether to create these districts, as noted by David Lublin in "Race and Redistricting in the United States," have provoked "heated battles" (p. 141). Given the preference of African Americans to be represented by members of their own group, and by white Democrats rather than Republicans, these battles have involved both racial and partisan considerations. Indeed, the entanglement of race and party in American politics has created an intriguing thesis, called the perverse effects thesis. This notion maintains that the creation of majority-minority districts not only results in the election of more minority representatives, but also fewer Democratic representatives overall. The districts surrounding the majority-minority districts, it is argued, will have fewer minority voters in them and therefore elect Republicans rather than Democrats. More descriptive representation for African Americans, in short, will result in less substantive representation, as Republicans, in Lublin's words, "generally oppose legislation favored by blacks" (p. 148).

This thesis has greater intuitive appeal than empirical support. Lublin qualifies its application by noting that, empirically, it has less explanatory utility when Democrats control the redistricting process rather than Republicans (p. 148), and when the jurisdictions involved are outside the South (p. 151 n.22). And while he cites his earlier work maintaining that the Democrats lost "approximately nine" seats in the U.S. House due to new majority-African American districts in the 1992 and 1994 elections, he takes no position on whether this cost the Democrats control of the House in 1994, as others have maintained (pp. 148-149).

The perverse effects thesis also receives attention from Thomas Brunell and Grofman in their chapter, "The Partisan Consequences of *Baker v. Carr* and the One Person, One Vote Revolution." They state that the thesis itself is "far too simple" (p. 226) and the partisan effects of majority-minority districts "exaggerated" (p. 235). They analyzed U. S. House elections from 1962 through 2002 and concluded that "Creating black majority seats may have cost the Democrats a dozen seats but southern realignment, that is, white flight from the party, costs Democrats half of their seats in the South!" (p. 233). Particularly interesting findings are that prior to 1970 the probability of a Democrat winning a House district in the South with an African American population under 10 percent was "two-thirds or more," whereas by 2002 it took over 40 percent to bring the chances above 50 percent (p. 233).

McDonald reports that electoral reformers in the U.S., in a search for ways to reduce the politicization of redistricting, are showing increased interest in IRCs employed in other countries (p. 68). These commissions are very different from those that have often been called “IRC”s in the U.S., which are *bipartisan* commissions in which Republicans and Democrats are equally represented, often by party members of the state legislature or people appointed by party leaders, and which include some type of provision for a “tie-breaker” to be added to the commission in case of deadlock. These commissions are not depoliticized, but rather designed to make redistricting a fair political fight.

Truly independent commissions do not contain partisan representatives. This is the case in Canada, where parliamentary districts are adopted by IRCs in each province. John C. Courtney, in “From Gerrymanders to Independence: District Boundary Readjustments in Canada,” identifies the members of these commissions as “disinterested decision-makers” (p. 21). They consist of a judge, appointed to serve as the chairperson for the commission by the chief justice in the respective province, and two members named by the Speaker of the Commons, who in the Canadian parliamentary system is expected to be above partisan politics. Prior to the use of these commissions, revisions in boundaries, Courtney states, “were partisan and blatantly self-serving affairs.” They were adopted by the members of parliament themselves in sessions that were “invariably highly charged, partisan, and full of electoral implications for both government and opposition members” (p. 12). The switch to the IRCs is described as a major success story (pp. 21-22). Commissioners are viewed as “fairer, nonpartisan, and independent outsiders” (p. 21) and as a result, partisan gerrymandering has been “relegated to history” (p. 22). This appears to be based, consistently with the theory behind IRCs, on the nonpartisan nature of the commission, both in appointment and in behavior, rather than the outcomes of elections, which receive almost no attention from Courtney.

A similar assessment, based on the same considerations, is provided by Alan McRobie of redistricting in New Zealand in “An Independent Commission with Political Input: New Zealand’s Electoral Redistribution Practices.” New Zealand has a mixed member proportional election system in which SMDs are used to elect part of its parliament. IRCs in New Zealand commissions have a representative of the government and one for the opposition, but the majority of the members are “politically neutral public servants” (p. 26). McRobie reports that “The procedure is acknowledged to be fair and impartial, but there can be no guarantee that the ensuing election result will be fair—only that any bias will be a product of chance and not intent” (p. 39).

Another chapter, “Electoral Distortion Despite Redistricting by Independent Commissions: The British Case, 1950-2005” by Ron Johnston, Charles Pattie, and David Rossiter, does focus on outcomes of elections held in districts adopted by IRCs. They argue that the disproportionality resulting from the use of SMDs in Britain is not partisanly neutral, but instead “biased” in favor of one of the two largest parties. Their analysis relies on an assumption of uniform swing in the vote, and partisan bias is defined as the difference in the projected seat shares won by the Labour Party and the Conservative Party should they both receive an identical share of the votes. They conclude that this had favored the Conservatives but now favors Labour. Numerous election-specific factors contribute to this bias however, and most importantly for this review, the bias found is not attributed to the commissions, the work of which, the authors state, is nonpartisan (p. 211). Another chapter, “Electoral Redistricting in Australia: The Importance of One Vote, One Value” by Rod Medew, identifies the structures of these commissions and the policies followed them, but neither the politics nor outcomes of redistricting, no doubt because the process there is also widely viewed as depoliticized.

One chapter focuses on the work of IRCs in a proportional representation context. This is John Coakley’s “Electoral Redistricting in Ireland,” which to this reviewer is the most interesting chapter in the book. Coakley examines revisions in the districts for the Irish Dail, a body elected through the single transferable vote system of proportional representation (STV, now referred to as preference or choice voting by American electoral reformers). Coakley notes that Ireland was once a major exception to the generalization that “electoral redistricting in proportional representation systems is comparatively uncontroversial” (p. 156). Ireland has implemented its STV system for many years through combinations of three, four, and five-member districts, which are small district magnitudes for proportional systems. As noted above, the smaller the number of seats allocated to a district the less proportional the results are likely to be for political parties and other groups in the district. In this context, Coakley points out, when redistricting was controlled by the party in control of the Government, the process was characterized by “overt partisanship” and “bitter controversies” (pp. 160, 162).

Allegations of gerrymandering in Ireland were not limited to the manipulation of the district boundaries themselves, but also entailed complaints that the allocation of seats to constituencies favored the party in control. District magnitudes had been manipulated, it was argued, to give that party an advantage over the others in how the electoral support for parties would convert into seats. Indeed, the Irish have their own expression

for gerrymandering, which is “Tullymandering,” based on the name of a government minister once in charge of revising districts.

The initial responsibility for structuring districts for the Dail was taken from the Government and placed in the hands of a nonpartisan redistricting commission in 1979. After five rounds of redistricting under this ad hoc procedure, the commission framework was adopted by statute in 1997. Although the commission is only advisory, its proposed districts have not been altered by the Government in the seven redistrictings through 2005. (A subsequent redistricting proposal in October 2007 is not covered in this chapter.) Coakley reports that the “main complaints” of those most directly affected by changes in the districts, members of the Dail, are now “centered on the practical consequences of revision for the shape and size of their own constituencies (e.g., the loss of an area that they had cultivated energetically), and on breaches of traditional boundaries, rather than on any allegations of gerrymandering” (p. 164). Overall, Coakley reports, “there is now widespread popular acceptance of the fairness of this system” (p. 170).

IRCs are widely regarded to have removed partisan politics from the design and adoption of SMDs in other countries. Yet Americans like to insist that it is impossible to take the politics out of redistricting, at least in the United States. Why this is so widely presumed to be the case has never been adequately argued. It is certainly not the case that political parties in the U.S. have been more disciplined and adversarial than those in the other countries studied; they have been less so. Nor is it the case that more is stake in the adoption of district lines in the U.S, where district boundaries affect only legislative seats, and at the federal level only those in the U.S. House. These other countries are governed under parliamentary systems, so more is at stake than the partisan composition of the lower chamber of a parliament. That chamber in turn selects the head of government, the Prime Minister or equivalent, and in effect the Cabinet. There may be one important difference, however, and that is the history in these countries of an administration/politics dichotomy in the tradition of Whitehall. McRobie notes the “long tradition of political neutrality within New Zealand’s public service” (p. 40 n.5), which could well provide confidence in an administrative approach to districting.

Redistricting policies and practices in a number of other countries are also covered in this volume. These include France, Fiji, India, Japan, and Mexico. All of the chapters in this useful volume are capable of standing alone, so they can be read selectively depending on readers’ interests.

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**Costas Panagopoulos, ed.** *Politicking Online: The Transformation of Election Campaign Communications*. New Brunswick, NJ, and London: Rutgers University Press, 2009. 256 pp. (\$72.00 cloth, \$25.95 paper).

The Internet, and more specifically its Web 2.0 applications, have gained a strong foothold in American political campaigns over the past years; a trend that became particularly evident during the 2008 presidential campaign. What started out as a novelty during the 1992 and 1996 presidential campaigns has since grown massively in sophistication and importance, as highlighted by Howard Dean's 2004 presidential bid and the significant impact the web had on his campaign. More recently, of course, all eyes were on President Obama's use of new media that has been innovative and successful. From *Facebook* to *Twitter* and from blogs to campaign sites, the Web has become an omnipresent force in American politics. It is little surprising then to observe that scholars of political science over the past years have become increasingly interested in how this affects American democracy today. The scholarship that has since emerged is multi-faceted and has recently been enriched by a new addition.

*Politicking Online* is a new volume on the web and political campaigns, edited by Costas Panagopoulos. It provides answers to a wide spectrum of questions in digital campaigns, ranging from campaign websites to the impact of social network sites such as *Facebook*. The volume clusters research around four major areas: the use of candidate web sites, the web's impact on voter mobilization, and the impact of Web 2.0 applications like social networking sites and blogs. In addition, two contributions provide an international perspective from Germany and Spain.

The first section investigates the impact of candidate web sites on the federal and state levels. James Druckman, Martin Kifer and Michael Parkin look at the explanatory forces behind candidates' use of web innovations—what determines which features, more or less sophisticated, are being used by candidates and their teams online? Do factors like the competitiveness of the race or the amount of funds raised have a significant impact on technology use? The authors provide data from an extensive content analysis of the 2002 and 2004 congressional candidate web sites that allows them to analyze presentation and interactive features of the sites and present evidence that the circumstances of the campaign do in fact influence technology use beyond obvious factors like available funds and feasibility to include specific political considerations. In addition, Jeff Gulati and Christine Williams take a closer look at campaign web sites in the 2006 congressional campaigns, presenting evidence from multivariate models to explain differences in candidate web sites' levels of informational content, sophistication and engagement tools. They also highlight that in 2006, Web site function-

ality that fosters citizen two-way interaction with the campaign and inclusion in the content creation was not widely adopted—an interesting marker given the very nature of social web applications that have gained further prominence since 2006.

Chapman Rackaway then focuses on the use of information technology at the state level. Does campaign technology trickle down from the federal to the state level? What drives the use of campaign technology on the state level? Interestingly, in the presented multivariate model testing for the impact of methods of web campaigning, the use of blogs emerges as statistically significant, while a host of other campaign-tech variables, such as e-mail to contact voters, the use of donor databases, or online video and text messaging remain insignificant. However, as the author concludes, some questions with regard to the findings remain: the model suggests that other, unexplained factors must be causing campaign technology, as aggregate fund raising and other factors fail to explain technology use at the state level. In the concluding chapter of this first section Hun Park and James Perry use 2004 survey data from the Pew Internet and American Life Project and present evidence in favor of campaign web sites' positive effect on electoral civic engagement.

As the book's first part focuses on campaign Web sites, the second part shifts attention to technology's influence on voter mobilization. How does technology affect the mobilization efforts of campaigns trying to motivate citizens to vote, to donate money, or to volunteer? Costas Panagopoulos and Daniel Bergan focus on one of the web's most prominent features in politics of the past years—online fundraising. The authors investigate if the availability of online fundraising has changed the donor pool, i.e., if and how online and offline donors differ. They find that online and offline donors do not differ substantially in their basic demographics, but Democrats seem to have a slight advantage in the online realm as those who click to donate are more liberal than offline donors. As these findings help us better understand some of the mechanics behind online fundraising, another substantial question is answered by the authors: does the new way of giving online draw previously inactive citizens into the political game? In other words, does the convenience of giving money online with a few mouse clicks facilitate donations from individuals who otherwise would not donate? Based on the available data the authors suggest that the answer is no, but it has to be highlighted that the web tends to bring in younger donors who initially were asked to contribute by e-mail, rather than more traditional communication channels.

David Nickerson subsequently presents results from a field experiment to assess the impact of e-mail campaigns on voter mobilization, while Allison Dale and Aaron Strauss ask if text messaging can increase electoral

turnout. The results of a noteworthy experimental setup in seven areas across the country suggest that sending e-mail to supporters does not increase levels of voter registration; while the results of the latter study suggest that text messaging in fact can be a potent tool to increase turnout—within the scope of the study, turnout rates increased by three percent. This lends some support to the claim that the web can serve as a mobilizing tool, thus strengthening democracy. Finally, In the concluding chapter of the second part Michael Cornfield and Kate Kaye then turn to the issue of online advertising, debating its effectiveness for campaign strategists and examining its use and utility during the 2004 and 2008 presidential campaigns.

Before turning to the final part of the volume, which focuses on the latest developments in the field of online politics, notably blogs and social networking sites, two chapters provide for an international perspective from Germany and Spain. Steffen Albrecht, Martin Lübcke and Rasco Hartig-Perschke report on weblog campaigning in the 2005 German Bundestag election, providing readers with a good overview of technology use in German campaigns, specifically the use of weblogs. Their analysis of blogging during the 2005 campaign suggests that blogs were used by virtually all candidates and political parties, but failed to attract significant attention. Thus, the authors conclude, blogs were filling a specific niche and theoretically embed their finding in the logic of political communication. With the 2009 campaign for the German *Bundestag* under way at the time of this review, one is curious to learn if the above findings will hold four years later, while blogs are now accompanied by the increased use of applications of the social web. The second international perspective comes from Spain; Sandra L. Suárez presents a case study on text messaging and turnout in the 2004 general election in Spain. She points out that during the special circumstances before the election—in the wake of a major terrorist attack—mobile phones and text messaging seemed to have an effect on political participation. But at the same time Suárez poses a critical question—even if we can demonstrate significant connections between new technology and politics, we still have to ask if it is automatically a good thing for democracy. In a deliberative democracy, *speed*, as delivered by text messaging, is not necessarily an asset. However, the author concludes that within the framework of the particular circumstances of the election, the overall impact on the democratic process was a good one, since the diffusion of mobile phones and text messaging presented voters with an additional avenue to learn more details about the attacks.

The before mentioned final section of the book returns the reader to the United States and sheds more light on the latest development in online politics—blogs and social networking sites. Kevin Pirch discusses the impact of blogs in the 2006 Senate race in Connecticut. The two subsequent chapters

provide insights and discussions of prominent social web applications. Vassia Gueorguieva provides an overview of two social web applications, *MySpace* and *YouTube*, as political communication channels. Allison Slotnik introduces the reader to *Facebook* in the 2008 presidential election, and Christine B. Williams and Girish J. Gulati then investigate *Facebook's* impact in more detail, using data from the 2006 elections and the 2008 nomination contest. The results of their analysis suggest that *Facebook* did play a significant role both in 2006 and during the 2008 nomination process.

All of the above contributions help us better understand the many different ways the web is leaving its mark on politics. Overall, *Politicking Online* is recommended reading for scholars and students of American politics, electoral campaigns and political communication, and a valuable addition to existing scholarship on the Web and politics. Some of the findings should be thought-provoking and raise new questions as we conduct democracy during an ongoing technological revolution.

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**Michael J. Lynch, E. Britt Patterson, and Kristina K. Childs (eds.).**  
*Racial Divide: Racial and Ethnic Bias in the Criminal Justice System.*  
Monsey, NY: Criminal Justice Press, 2008. ix, 301 pp. (\$37.00 paper).

This edited volume offers a comprehensive review of what is known about race and justice, lending strong support for the ample policy and scholarly recommendations contained therein. It is the authors' collective summation and appraisal of previous academic work that collectively present a compelling argument for recognizing the ongoing impact of racism in the criminal justice system. The chapters highlight the failure of the discipline to sufficiently define and measure race by thoroughly critiquing the methods used to date.

The volume also contains original work, such as Brian N. Williams and Billy R. Close's qualitative study on African American police officers. They adhere to the book's theme by interviewing African American citizens, thereby acknowledging contextual factors otherwise not measurable by aggregate analyses. They conclude that many of the African American police officers interviewed have racially biased views of the African American community. However, both citizens and officers are equally aware of racism's denigrating effect regarding power distributions in greater society.



Also providing current research, Shaun L. Gabbidon and George E. Higgins present descriptive statistics on forty-five self-proclaimed white victims of racial profiling. Contextual variables are only alluded to, but the crux of their chapter, that racism affects all members in a society, is obvious. The authors observe that most of these victims returned to the offending establishments, suggesting that racism is, not surprisingly, less devastating for whites than nonwhites.

E. Britt Patterson offers the book's only large-scale empirical study, but does not adequately address social context, exemplifying the difficulty of capturing social complexities in quantitative research. Patterson takes a novel methodological approach in order to assess whether or not black juveniles are treated disparately. The dependent variable, formally filing a petition or informally processing the drug referral by court personnel, is significantly influenced by race. This particular measure demonstrates that the criminal justice system is comprised of a series of stages and events that need to be acknowledged for their individual impact on outcomes.

If race's central importance is the primary theme, the need for more complexity in defining, measuring, and labeling race in academia may be identified as the secondary theme. Many of the authors point out that previous work treated race issues more or less dichotomously by fixating on race as being black or white. Tom Mieczkowski's analysis of forensic science ventures outside of the discipline's traditional bounds by examining how science has played an important role in perpetuating socially constructed, thereby technically flawed, conceptions of race. He argues that race tends to be treated as a categorical variable. In reality it is a much more complicated variable in which assignments based on skin color have minimal scientific merit. Mieczkowski points out that much of what is taken for granted in social science is contestable, reflecting society's confusion regarding racial identity. If social scientists desire more honest and inclusive measures of race, better operational representations of the concept need to recognize it as a social perception and as a scientific designation.

Those who would include gender as a crucial social organizational construct may be disappointed to see that its effect on the criminal justice system is largely overlooked by many, but not all, of the authors. Amy Farrell and Donna M. Bishop's review of the literature on racial effects in sentencing included a thorough assessment of the literature accounting for gender. In fact, their comprehensive review underscores the aforementioned themes by demonstrating how sentencing reforms cannot eradicate racism due to societal forces that shape men and women differently. As many of the authors in this volume, Farrell and Bishop skillfully describe how different methodologies impact substantive findings.

Michael J. Lynch's portrayal of race in the corrections literature is similar to Farrell and Bishop's. Differential rates of imprisonment in men and women are examined and a full critique of how previous literature has measured and assessed racism in prisons is provided. In a similar vein, Judith Kavanaugh-Earl, John K. Chochran, M. Dwayne Smith, Sondra J. Fogel, and Beth Bjerregaard take on the death penalty literature and present a fascinating synthesis of what is known, which is complemented by a thorough analysis of issues faced in empirical measurement. The strength of this volume stems largely from the assortment of important criminal justice issues addressed and the detailed appraisals of the previous research and approaches to these topics.

Paul Stretesky provides the captivating final chapter on environmental crimes illustrating how meanings of crime, criminal, and victim continue to be shaped by race. Stretesky accentuates the methodological complexities faced by scholars who wish to gauge the vast racial effects of crime on communities. Though gender's role in shaping definitions of environmental crime and effects is not given explicit mention, the potential for future research is exciting and motivated by Stretesky's illuminating discussion of power and social control. Gender, as a construct, could easily be integrated in subsequent work based on insights regarding the relevance of social context offered by the authors in this volume.

In addition to their contributions to future academic research, the authors are clearly interested in spurring tangible policy changes. Though not always explicit in their many recommendations, community policing reform seems the panacea for the problem of continuing racism. Lorie A. Fridell examines studies of race and police departments and advocates a holistic approach which will include training, conscientious hiring practices, better supervision, and organizational reform. Her policy recommendations are all the more persuasive because she demonstrates expertise in the discipline as well as an ability to integrate current law enforcement issues. As Fridell points out, "sensitivity" training alone will not suffice. Community policing reform encompasses nearly every aspect of law enforcement, culturally and structurally speaking, and the greater social context. Not unlike the academic recommendations provided in the book, practical policy recommendations too must take the broad reach of racism into account.

Academic discourse in the social sciences embraces the veracity of racism in context, but has yet to tackle these broader concerns methodologically. An excellent springboard into future research is provided here via examination of what has been studied, what has been found, and what needs to be done in order to incorporate race in a framework, not just a variable.

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**Janet M. Box-Steffensmeier and Steven E. Schier, eds.** *The American Elections of 2008*. Lanham, MD: Rowman & Littlefield Publishers, 2009. xi, 194 pp. (\$44.95 cloth; \$19.95 paper).

The 2008 elections continued the Democratic electoral trend that began in 2006. In 2006 the Democrats picked up 31 House and six Senate seats to regain control of both chambers. Not only did they win eight additional Senate seats in 2008 (including Al Franken's [MN] marathon half-year recount victory) to give them a "filibuster proof majority" (with Arlen Specter's [PA] party switch in April 2009) and add 21 net House seats, they regained the presidency with the decisive victory of the first African-American major party nominee, Barack Obama.

Is this the beginning of a period of Democratic dominance, or a temporary aberration? Janet M. Box-Steffensmeier and Steven E. Schier's edited *The American Elections of 2008* contains nine articles which collectively review the national elections and take an initial cut at answering this question.

Barbara Norrander recaps the presidential nomination campaign in some detail, reminding the reader of the large number of contenders in both parties, along with their perceived strengths and weaknesses. She recounts the primary and caucus rules and dates, and the importance of early polls and fundraising. She concludes that Obama won the Democratic nomination both because he had a change theme which resonated with 2008 voters and a long campaign which allowed him to perfect his message and hone his organization. On the Republican side, John McCain triumphed because of the weaknesses of his competitors and his maverick persona.

The editors in their chapter recount the presidential general election, highlighting the generally favorable Democratic trends; Obama's strategic opt-out of public funding (allowing him access to enough money to "expand the field" beyond swing states into traditional GOP strongholds [pp. 56-57]); McCain's vice presidential pick of Sarah Palin (and her stumbles) and his abrupt behavior during the nation's financial crisis (p. 61); the debates (Obama's general success in portraying presidential leadership and the introduction of "Joe the Plumber"); and McCain's and Palin's futile, frantic travel to formerly safe and traditional Republican states at the end of the campaign. Schier and Box-Steffensmeier point out that Obama's theme of bringing the country together ironically saw the most polarized statewide results since 1948 (p. 68). They conclude that far from being a realigning election, Obama won due to the unpopularity of the Republicans and the September financial crisis.

Roger Davidson's focus is on the congressional elections. He chronicles the actions and fundraising of the congressional campaign committees,

highlighting the Democratic committees' adoption of Democratic National Committee (DNC) chair Howard Dean's "50 state strategy" (p. 82). There was a Democratic surge in the battleground states and "among voters of all ages" (p. 84), accompanied by a move towards long-standing Democratic policy positions by the public, along with massive voter registration drives. Almost all voluntary retirements of Representatives and Senators were Republican, and the party had trouble recruiting quality candidates. Nevertheless, Davidson concludes that a possible realignment is hindered by congressional incumbent advantages and gerrymandered House districts.

Four chapters analyze broader patterns in the presidential election. Diana Owen's article focuses on the media's role in the campaigns. She finds that the traditional media relied heavily on horse race, game, and conflict themes (p. 11), and tracks the amount of coverage and the positive and negative balances. However, the hallmark of the campaign was the extensive involvement of online media: user-generated media and blogs proliferated and citizen journalism appeared, adding both fresh perspectives and irresponsible reportage (p. 21). Online videos made a mark. Younger voters especially accessed these new campaign forums.

David Campbell explores public opinion issues affecting the presidential election. Overall he finds that these trends tended to favor the Democrats: the economy, the Iraq War, health care, and energy policy. On issues that may have helped McCain, terrorism decreased in importance, immigration fell off the public's radar screen, and "moral values" voters were not enthused by McCain's history of not focusing on the issue and diffused by Obama's opposition to gay marriage (although Sarah Palin did eventually energize these voters). Overall, Campbell posits that McCain lost the election not only because of the economy, but also because the Republicans are on the losing side of a number of public opinion trends.

James Guth establishes the 2004 religious divide as a baseline: religious traditionalists supporting George W. Bush, and "nominal" believers and religious "minorities" supporting John Kerry (p. 118). In 2008 there was some ebbing of public receptiveness to politicians' religious appeals while public opinion had liberalized somewhat on social issues. Additionally, the Christian right transformed to a degree, encompassing broader social issues such as poverty, hunger, and global warming, while a religious left emerged (pp. 121-22). Although John McCain worked to motivate his variously affiliated Republican opponents' supporters in the general election, he was overwhelmed by both Obama's mobilization of black churchgoers and the nascent religious left, and the sudden emergence of the international financial crisis (pp. 130-31).

Campaign finance at both election levels is explored by Robert Boatright. He observes that the presidential public financing system in the

nomination phase is dead—"all serious candidates declined matching funds"—and that John Edwards' request for funds was seen "as a sign of weakness" (p. 138). And Obama's spreading out of donation requests beyond Super Tuesday overwhelmed Hillary Clinton's frontloaded collection strategy. For Republican candidates, fund-raising was less a determinant of success. In the general election, Obama's gamble of rejecting public financing allowed him to outspend McCain 3 to 1 (p. 138) and has probably doomed spending limitations in this election phase. The other notable event was the rise of internet fund-raising at the presidential level.

At the congressional level, Boatright observes that the Democrats generally outspent the Republicans, especially with party financing. This was especially evident in competitive open House seats. An oversight here needs to be corrected: the statement that "all four of the seats gained by the Republicans were in races against first-term Democrats" (p. 153) ignores that a fifth seat was gained in a December 6th pushed-back general election with the defeat of federally indicted (and now convicted) 8-term veteran William Jefferson in Louisiana.

The work is book-ended by interesting analysis chapters. John Harris and Jonathan Martin observe that Obama melded the "Bush Politics" ("the important fault lines in American politics were not artificial": deep-seated disagreements can't be blurred but overcome with mobilizing voter turnout among supporters [p. 6]) with the "Clinton Politics" ("polarization is largely an artificial phenomenon . . . voters prefer unity to division": successful politicians need to soften the sharp edges of issues into a new politics [p. 6]). By embracing both strategies he created a "new brand of politics" (p. 8).

The book ends with Nicol Rae's observations that (1) the presidency is now more open to minorities: ethnically, racially, and gender-wise, (2) the presidential selection process has been altered with primary/caucus front-loading, internet fund-raising, the effective end of the campaign public financing, and the decisive role played by Democratic "superdelegates," and (3) although there is evidence in both presidential and congressional elections of "the erosion of 'Reaganomics', shifts in partisan balance, and the (lessening) salience of the culture war" (p. 175), a case for realignment remains "Not Proven."

*The American Elections of 2008* offers wide-ranging perspectives on the meaning and effects of the election, and is an excellent starting point for analysis of the unfolding Obama presidency and the 111<sup>th</sup> Congress as they head towards 2010 and 2012.

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**Aili Mari Tripp, Isabel Casimiro, Joy Kwesiga, and Alice Mungwa.**  
*African Women's Movements: Changing Political Landscapes.* New York: Cambridge University Press, 2009. xvi, 263 pp. (\$25.99 paper).

Over the past two decades, women have made many important and impressive political gains across the African continent. Women are more organized and better mobilized than ever before which has led to substantial changes in women's political representation. Women now hold, on average, 17 percent of legislative seats in sub-Saharan Africa (p. 149), a figure comparable to women's representation in legislatures across the globe. Additionally, some of the countries of the world with the highest percentage of women representatives can be found in Africa, including Rwanda (49 percent), Mozambique (38 percent), and South Africa (32 percent) (pp. 150-151). This is due in no small part to the spread of legislative quotas across Africa. As of 2008, 28 countries had introduced some form of quota to encourage the election of women to legislative office (p. 153). Given the improving status of women in Africa, it is of the utmost importance that the causes and effects of such momentous change be systematically examined.

Enter the most recent work by authors Aili Mari Tripp, Isabel Casimiro, Joy Kwesiga, and Alice Mungwa—four women uniquely positioned to write on this subject. Their qualifications include honored academic (Tripp); former member of parliament for Mozambique (Casimiro); founder of an Action for Development, a woman's advocacy group in Uganda (Kwesiga); and Senior Political Affairs Officer of the African Union Observer Mission to the United Nations (Mungwa). Tripp et al. provide an in-depth analysis of the factors that have led to the increased mobilization of women across Africa. They also seek to better understand the effects of women's activity in the political realm in terms of representation and policy. Using rich case study analysis from three very different countries (Cameroon, Mozambique, and Uganda) with different colonial backgrounds and different post-colonial histories, the authors are able to identify the confluence of factors that contribute, or in some cases impede, the political progress of women in Africa. Each country represents one part of the spectrum of the improvement of the status of women ranging from most improved (Mozambique) to least improved (Cameroon) with Uganda achieving moderate levels of improvement. Furthermore, each country has a unique configuration of the conditions Tripp et al. believe most heavily affect the status of women's with regards to representation and legislation.

The authors take a broad approach by examining various aspects of women's advancement including: the emergence of new women's movements beginning in the 1980s and continuing through the present; levels of women's political representation in executive and legislative capacities;

policy changes, specifically as they apply to the equality of women; and women's unique contributions to recent peace talks and settlements. The authors use their cases to examine how and why the status of women has changed—if, indeed, it has—in each of the aforementioned areas. Some countries have seen very little progress with regards to the status of women while others are making strident gains toward political equality for women. It is this question, specifically, that Tripp et al. seek to explain—what accounts for the variation in political gains made by African women.

The authors contend that the changing status of women across Africa is due to the following factors: the emergence of new and autonomous women's movements; increasing international support for women's rights by various international and regional bodies such as the United Nations, the African Union, and the Southern African Development Community; major social dislocations often caused by civil war or disorder that created political openings which facilitated women's entry into the political realm; and adequate financial resources based on either country-level wealth or donor financing. When combined, these factors enable women to lobby for representational equality and legislative equality.

What may be Tripp et al.'s most interesting and perhaps counter-intuitive finding is the democratization and/or political liberalization is not necessarily associated with women's recent political gains. They argue that it is not democratization per se but rather the broader category of social disruption that preceded democracy that affords women the opportunity for political engagement. In countries such as Rwanda, Sierra Leone, and South Africa, the conflict that each respectively went through provided women with enough maneuverability to mobilize and, subsequently, participate in post-conflict politics. Thus democracy, in and of itself, does not promote the advancement of women but rather, it is the process of breaking with the old system that is associated with the improvement of women's rights. This finding alone should motivate much future research.

With this book, Tripp et al. have demonstrated how women are now at the forefront of many of the amazing transformations taking place in Africa. This book can and should be used as a launching pad for research on women's movements and advancement not only in Africa, but across the globe.

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**Nancy L. Rosenblum.** *On the Side of Angels: An Appreciation of Parties and Partisanship.* Princeton, NJ: Princeton University Press, 2008. 600 pp. (\$29.95 cloth).

For centuries, the “furious railings” of philosophers, intellectuals, and idle political pundits have denigrated parties and partisanship (p. 1). Anti-party sentiments have taken various forms, but allegations of “the sheer indignity of partisanship”—that there is something crude, crass, and anti-intellectual about fierce loyalty to a party—have consistently been a central feature of these critiques (p. 6). While a behavioral political scientist might brush off such non-quantifiable charges, Nancy L. Rosenblum, a political theorist, takes them to heart. Rosenblum argues that the intellectual world must be made safe for partisanship, and it is this goal that animates her impressive and sweeping new treatise.

For too long partisans and partisanship have been cast as the flies in the ointment of governance. Classical political theorists and contemporary democratic theorists have pined for a pluralism in which government was left unperturbed from meddling parties and could flourish with the support of a united and integrated citizenry marching in unison towards the public good. It is partisans who have frequently thwarted such scenes of democratic nirvana. Typical of anti-party critics, President George Washington famously warned of the “spirit of revenge,” “horrid enormities,” and “frightful despotism” inherent in partisanship (p. 67). Likewise, Thomas Jefferson, though a man of complicated religious beliefs, was perfectly clear that if he “could not go to heaven but with a party, [he] would not go there at all” (p. 5). The fact that he later founded a party is, for Rosenblum, more a demonstration of pragmatism than a true embrace of partisanship. Even contemporary partisans (and party leaders, at that) routinely disparage partisanship in the United States. President Barack Obama, for instance, initially gained national prominence largely for his “post-partisan” theme and his calls to overcome the “politics of cynicism.” This view of parties is not new. Rosenblum demonstrates that while such calls to throw off the sullied and divisive features of partisanship may have sounded fresh and new in the midst of the George W. Bush presidency, Obama’s themes owed much to a long and intense tradition of antipartyism that dates back to antiquity.

Partisanship has been a convenient punching bag for most of human history. It has been the norm to denigrate, disparage, and scoff at the ill effects of parties and the artificial divisions they create. This has been true of the leading democratic philosophers (with Edmund Burke as a lone exception) as well as the most prominent democratic practitioners. For those with idealistic, utopian inclinations, parties have long provided a discouraging reality check. Amongst the more practically oriented, the overriding concern has centered on managing the unfortunate reality that parties will inevitably



arise due to the deficiencies found in human nature.

Rosenblum is at her best in elucidating and tracing the intellectual history of the three dominant strains of anti-party thought. The first two are old and comprise the “glorious traditions of antipartyism.” One views parties as “unwholesome parts” in what otherwise would be a unified political order, while the other sees them as irreconcilably divisive. By contrast, the third idea, progressive antipartyism, is relatively new. While building on the glorious tradition critiques, progressives broke new ground by establishing an earnest normative dichotomy that pitted degraded partisans and corrupt party hacks against morally and politically superior Independents (not to be confused with simple uncommitted nonpartisans). It is this self-righteous Independent strain of thought that dominates today’s brand of antipartyism in the United States.

In the face of these objections to partisanship, Rosenblum takes it as her challenge to rehabilitate parties and partisanship. And in doing so, she clearly wishes to go beyond the well known pragmatic and procedural pro-party arguments. Rosenblum is unwilling to surrender the moral high ground to Independents. While acknowledging that parties are, in fact, divisive, she finds virtue in the manner in which they are divisive. She attacks antipartyism directly by way of an “ethic of partisanship.” Rosenblum sees parties as deliberative agents and arenas that regulate rivalry and governing. Additionally, parties and party rivalry add the critical element of creativity to public life in that they organize interests and opinions and bring them into opposition in a manner conducive to debate. For parties to serve this vital function, partisans are required. But more than that, Rosenblum maintains that partisanship has intrinsic virtues too, such as inclusiveness and a disposition towards compromise.

*On the Side of the Angels* is an impressive scholarly achievement that will be of interest not only to Rosenblum’s fellow political theorists, but also to theoretically-oriented students of the American party system. The rich intellectual history and theoretical treatment will find a particularly eager audience amongst American political development scholars focusing on American political thought. This book is less about parties than it is about antipartyism. Given the long history of antiparty sentiment, it is somewhat remarkable that the United States—Rosenblum’s primary but not exclusive concern—has a party system that has endured, and arguably flourished, over time. It suggests that the many thinkers over the many centuries of political thought with whom she engages were correct that parties are an inevitability in political life. For Rosenblum, though, there is nothing to regret or lament about this state of affairs. Rather, it is to be celebrated and encouraged.

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**Brian K. Pinaire.** *The Constitution of Electoral Speech Law: The Supreme Court and Freedom of Expression in Campaigns and Elections.* Stanford, CA: Stanford University Press, 2008. xv, 349 pp. (\$60.00 cloth).

In *The Constitution of Electoral Speech Law*, Brian Pinaire provides a thorough and insightful dissection of the Supreme Court's now commonplace forays into the electoral process. Focusing on cases that implicate speech rights in the campaign context, Pinaire describes the making of "electoral speech law" as a cord woven from the twin doctrinal strands of free speech and election law. Underlying the entire enterprise is the notion that election-related speech is unique, and uniquely important. It affects the collective political decisions of the citizenry in ways that determine our very democratic forms, institutions, and practices. With modern speech rights seemingly existing apart from any aim beyond expression for its own sake, electoral speech engages the marketplace competition of ideas at the critical juncture of campaigns and elections. The constitutionalizing of our electoral process reflects both the special status of campaign speech and the fact that it occurs when the state's regulatory machinery is especially attuned to ensure the fairness and integrity of the process.

Pinaire describes electoral speech law as a complex brew steeped as much in "politics, institutional change, judicial personalities, and social context" as in formal legal reasoning and logic. To help sort it out, he constructs an analytical framework from four planks. They include the *concepts* that provide the theoretical underpinnings, the *convergence* of those concepts in election cases, the *rhetoric modes* adopted by the justices in their analysis, and the *cognitive contours* of image and perception that shape how issues are communicated to, and conceived by, the Court. The author then offers "episodic" analyses of four past decisions to illustrate how electoral speech law is constituted in practice.

Two "constitutive concepts" serve as the foundation for the jurisprudence of electoral speech law. The first—the "marketplace of ideas"—refers of course to Holmes' famous *Abrams* dissent, in which he asserted that the merits of political expression are best tested by allowing it a public airing free and unfettered from government intervention. The second—"electoral superintendence"—is the state's regulatory interest in the processes of democracy, based upon the values of *Carolene Products* note 4. What is distinctive is how these familiar doctrinal strands are enmeshed in the context of elections, and in the process, reconstituted. One must follow the two concepts past the point of intersection, as they merge and re-emerge as a single, distinct body of electoral speech law. Thus the classic marketplace conception of an unrestricted liberty of speech was seriously recast when *Baker v. Carr* and "one-person one-vote" injected notions of equality

into the constitutional calculus. The uninhibited flow of political expression was no longer sufficient to guarantee the assumed deliberative democratic benefits absent the intervention of the state. *Buckley v. Valeo* temporarily quieted the question of whether the marketplace required a leveling of the playing field between those with disparate monetary resources. But increasingly active governmental intervention in elections reflected the push and pull of these competing ideas of liberty and equality, as well as a “custodial” conception that ascribes to the state proprietary control over our electoral structures. Pinaire aptly demonstrates with specific illustrations how the cleavages in the election law cases frequently stem from reliance upon these contradictory conceptions of electoral speech.

Upon these differing views of politics, Pinaire overlays four rhetorical modes employed by the justices in couching their decisions. The *historical* mode grounds outcomes in appeals to longstanding American traditions and ideas that ostensibly serve to define us as a people. The *empirical* mode draws upon quantitative evidence and data. In this regard, the author offers the rare normative judgment in finding the justices’ use of the empirical to be inconsistent and imprecise, frequently contradictory, and prone to unwarranted extrapolations from limited data (p. 84). The *aspirational* mode is premised upon an idealized vision of American democracy, and ties electoral speech to the realization of those ideals. In contrast, the *precautionary* mode takes a skeptical view of what can be expected realistically from politics and political actors, and sees the inevitability of their failings as warranting the imposition of legal safeguards. These rhetorical modes are useful in explaining how justices arrive at their outcomes, as they opt for that rhetorical emphasis that best fits their honest perception of the case or alternatively serves their desired strategic ends.

Finally, Pinaire plumbs the “cognitive contours”—the mental constructs through which the justices examine electoral free speech cases. These images and perceptions of electoral expression—the prisms through which the justices view politics—prove crucial to how the law ultimately is constituted. The Court is susceptible to framing images—some relatively sophisticated, others rather crude—that in turn feed their conceptual and rhetorical methods and conclusions. Hence the justices’ tendency in the campaign finance cases is to treat parties as corrupt institutions wielding unhealthy influence over their candidates.

In the latter part of the book, Pinaire analyzes four “constitutional episodes” to flesh things out. They include *Burson v. Freeman*, *McIntyre v. Ohio Elections Commission*, *Buckley v. ACLF*, and *Nixon v. Shrink Missouri Government PAC*. These chapters animate what, up to this point, had been a rather abstract set of arguments. Pinaire’s account of *Burson* is fascinating for how it relates the attorney’s use of images in oral argument that in turn

shape the Court's reliance on the conceptual and rhetorical modes (custodial, historical) that prove decisive in the outcome. *Nixon v. Shrink Missouri Government PAC*, the campaign finance case that revisited *Buckley*, provides a compelling illustration of how each of the constitutive elements of electoral speech law contributes to the outcome. Each of the competing conceptions is discernible, respectively, in the majority, concurring, and dissenting opinions. The justices engage in empirical rhetorical references, albeit in a highly selective fashion. Finally, one can see how perceptions and images drive the outcome—not only in how the justices view the public's perceptions, but in the striking extent to which the justices themselves seemingly share in those perceptions. The book closes with a short, rather perfunctory, forward-looking discussion of areas of possible "extension and expansion."

This book has much to recommend it. It should be of real value to those interested in the development of constitutional law generally. At the same time, Pinaire has provided a worthy addition to our understanding of the Court's methods in the specific context of election law. Eschewing the positivist/attitudinalist dichotomy that offers little enlightenment in this area, Pinaire's multi-layered analysis does much to genuinely explain the "how" and "why" of these cases. Far more than high minded doctrinal explanation on one hand or baser behavioral explanations on the other, Pinaire's explication of conceptions, rhetoric, and images convincingly reveals the influences that are likely to shape judicial minds and the outcomes that flow from them. Toward this end, Pinaire provides a useful categorization of thirty-nine electoral speech cases dating back six decades, charting the gradual morphing of electoral speech law from the classic marketplace conception into an area informed by the emergence of equality and custodial considerations. That exercise also provides valuable insight into the individual justices as well, contrasting the consistent adherence to the classical approach by the likes of Scalia and Thomas to the more custodial posture adopted by Souter and O'Connor. The book is exhaustively researched; the notes themselves are likely to be a valuable resource for those looking to immerse themselves in the field of election law.

The book is not for the faint of heart. The first half is dense and likely to be a challenging read for those not thoroughly grounded in election law. Interspersing more of the case analysis earlier would, I think, have rendered the opening chapters less abstract and more accessible. The author also is too scrupulous for my taste in his avoidance of normative critiques or judgments, even when the analysis demands it. For example, the Court's custodial role assumes the capacity of the justices to discern what is best about the electoral system, so as to ensure its preservation. Yet the Court's track record in the election law arena gives little reason for believing it is

competent to make such judgments. Indeed the perceptions it displays often seem on a par with the superficial images one might expect from the popular press.

Quibbles aside, Pinaire has provided a rigorous and sophisticated piece of work that is a valuable addition both to our understanding of electoral speech law as well as the making of constitutional law generally.

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**Alec. C. Ewald.** *The Way We Vote: The Local Dimension of American Suffrage*. Nashville, TN: Vanderbilt University Press, 2009. vii, 231 pp. (\$69.95 hardback, \$29.95 paper).

Like many recent documents, *The Way We Vote* comments on the decentralized nature of election administration in the United States and the resulting variance in practices across local jurisdictions. Instead of treating the current system as an inherently flawed hodgepodge, however, Alec Ewald tries to give a balanced account of strengths and weaknesses. He maintains that “Thinking of our electoral localism simply as an embarrassment—a historical accident to be rectified as quickly and as totally as possible by robust legal doctrine—cheats us out of an inquiry into the meaning of American suffrage” (p. 10). Ewald has two purposes: to explain how the United States arrived at its current variation in election practices and to assess the effects of the system on popular sovereignty and equality. He shows how the present system of “layered” local, state, and federal authority evolved over time, argues that it is consistent with American political values, and concludes that “we should preserve a measure of local autonomy in election practices” (p. 155).

About half of the inquiry is devoted to a review of election law and practice from colonial times through implementation of the Help America Vote Act of 2002 (HAVA). It recounts various steps by which state and federal governments have exerted controls over locally run elections, but it makes the point that they have always done so by addressing discrete problems, rather than by replacing the whole system, presumably with one of state or national administration. The historical narrative is rich, drawing on many sources and weaving a variety of events into a common theme, illuminating, for example, the little-known and relatively short-lived Enforcement Acts of 1870 and 1871 as the greatest intrusion of federal authority into local elections. In these and other instances, federal authorities

were not unaware of local variation; they accepted it as part of the U.S. political system.

I disagree with the book's treatment of HAVA in a few details, e.g., the act's impact on North Dakota (92), and in the general characterization: "HAVA has not brought about the level of centralization and harmonization many expected" (p. 89). While many post-2000 reformers did advocate centralizing the administration of federal elections, Congress rejected that alternative in 2002. Instead, it followed the pattern of addressing discrete problems with an overlay of federal requirements, but this time it also took additional steps to strengthen state election authorities and bring about increased centralization *within* states. The result was not an accident but a choice, one that actually supports Ewald's general theme.

The second part of the book begins with a consideration of popular sovereignty. Ewald makes a distinction between instrumental and constitutive characteristics, the latter dealing with how people feel about the electoral system and their participation in it. He contends that localism has a lot to do with the constitutive element. He argues that the "immediacy, close connection, and linkage of political and social realms would be difficult to achieve under full federal or even state administration. These factors suggest that the local dimension of suffrage actually *enhances* the exercise of self-rule in the United States" (p. 95).

After arguing that localism is not unique in its differential effect on voting—institutions such as the electoral college make greater differences in the weighting of votes—the author advances four positive arguments for decentralized election administration: it enhances citizens' sense of engagement, it supports innovation; it provides a safeguard against systemic corruption; and it has the potential to increase turnout. In exchange for these benefits, Ewald is willing to accept a certain amount of discretion and error as long as it does not systematically prevent the exercise of popular will. He clearly favors the checks and balances of a layered system over either extreme of centralization or decentralization.

Finally, in Chapter Five, Ewald tackles the issues of exclusion and equality. Returning to historical examples, he admits that state and local law and practice have often been exclusionary. He argues, however, that local administration was not exclusively at fault, and that "National and state-level actors hostile to political inclusion for racial, class-based, anti-immigrant, and partisan reasons consciously used localism for exclusionary and discriminatory purposes; no doubt many county clerks acted zealously in enforcing these restrictive codes. But the crucial variable was the powerful, carefully theorized, national movement away from universal suffrage" (p. 128). Hence, he implies, a central administration might not have done better.

The last part of Chapter Five deals with criminal disenfranchisement laws. From published accounts and his own interviews with local officials, the author documents substantial variation in implementation, even within the same states. This he connects to historical examples in which local discretion and inconsistent implementation led to changes in laws, making them more inclusionary. He states, “We cannot assume that local variation is everywhere a threat to equality; differences have not always been discriminatory and are not so today” (p. 149).

This argument, like much of the book, is suggestive, rather than definitive. That seems to be the author’s purpose—to stimulate an appreciation of and inquiry into the value of local institutions in the mix of federal, state, and local authority over elections. He accomplishes that goal well, painting with a broad brush and drawing upon an impressive array of sources.

The focus on what might be called the “vertical dimension” of authority and discretion misses other factors that affect election practice. For example, the Election Assistance Commission (EAC) is viewed as an advisory body (p. 93), but its voluntary voting system standards are having real effects because the states are mandating them. Local jurisdictions react to changing local conditions as well as to external mandates; they also react to each other through the sharing of information and best practices, a process facilitated by the EAC and professional associations of election officials. Such developments should add to Professor Ewald’s portrait of a complex and dynamic system of election administration in the United States.

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**Susan A. Brewer.** *Why America Fights: Patriotism and War Propaganda from the Philippines to Iraq.* New York: Oxford University Press, 2009. x, 342 pp. (\$29.95 cloth).

*Why America Fights* does not answer the question in its title, but it does provide an absorbing history of efforts by the American president and his senior staff to gird the nation for war. Combining primary sources from presidential archives and policy memoirs with a thorough review of the secondary literature on wartime media and citizenship, historian Susan Brewer assembles a detailed indictment against overweening executive power.

For Brewer, the American presidency since the dawn of the United States’ great power status in the twentieth century is guilty in two senses. The war presidents from William McKinley to George W. Bush exploited their information and communication advantages to shape public perceptions of the threat facing the United States and overturn, at least temporarily, the

normal checks and balances with respect to the people's representatives in Congress. Secondly, presidents tended to undersell the contribution of allies even as they overestimated the U.S. military's capability to "do the job" and clear the way for peaceful, prosperous, and civilized order in world affairs.

World War II stands out among the rest as the good war, but even here, the exceptions of proper information management prove the rule. Partial reports coming out of Pearl Harbor, which underestimated damage in the attack, should have been and were enough to persuade a genuinely reluctant American people that war was necessary. In the European theater, the United States was, if anything, a little late to the fight. The government's conversion theme picked up by films such as *Casablanca* (1942), while it overstated the capacity of Americans to put things right in the world, underscored a basic truth that for millions in the Greatest Generation, problems in their private lives would not amount to a hill of beans against the government's call to stop Hitler. Franklin Roosevelt and his war information apparatus recognized and attempted to rectify mistakes from the World War I operation, opening the window wider on the horrors of war—particularly the sacrifice in American lives, conveying messages on the importance of allies, and preparing Americans for taxing international commitments once the fighting ended.

*Why America Fights*, though, is not a historical narrative that can be anchored around World War II, but a series of case studies. Each chapter covers relatively few years of war, but together they span over a century, and, World War II notwithstanding, they hammer home grave problems with American war propaganda. Even during the good war, racial stereotyping, oversimplification of international conflict for the media into democracy versus dictatorship, staging of events such as the flag-raising on Iwo Jima, and secrecy shrouding *realpolitik* compromises that would shape the next war are all too familiar from Brewer's cases.

Brewer, indeed, enhances the echo by allowing some of her characters to reappear in subsequent episodes. George Creel, the director of Woodrow Wilson's Committee on Public Information, is around to offer wary advice to Elmer Davis in Franklin Roosevelt's Office of War Information. Dean Rusk appears as a young colonel in the war department drawing boundaries in the Pacific at the end of World War II, as the assistant secretary of state for Far Eastern affairs during Korea, and of course as secretary of state for the Vietnam War. Among the media, journalist Keyes Beech as a Marine public information officer embellishes the story behind the original U.S. flag atop Mount Suribachi, as a Chicago reporter covers the armistice negotiations at Kaesong, Korea, and again as a reporter files the enthralling, tragic details of evacuation from the U.S. Embassy, Saigon.

Each war may focus on a different president and introduce different



place names, but *Why America Fights* still uses setting to reinforce a message of chronic pathology. The sunlight framing President McKinley on the back of his train and President Wilson on his stage in Tacoma, Washington is the same false halo surrounding George W. Bush on the carrier, *Abraham Lincoln*, a hundred years later. All these presidents, after all, peddle the same bitter medicine in a glorious package: America's interests and ideals may be grasped at once if only the public will send its young men and now many of its daughters through hell. What makes the initial sale possible is the confident, steady executive at the center, reassuring the crowd that though they may know loss, they will not have to see it, except in the few unpatriotic messages or disturbing images that ricochet past the media's voluntary censorship. Further, the president can and will crowd out inconvenient facts by filling the airwaves and press with professional advertising in support of the war. Whether the information officers are university professors, journalists, or public relations executives, the gap between golden patriotic light and grim killing on behalf of the state recurs. Bodies of poor insurgents in the Philippines of 1899 (p. 31) hauntingly resemble those of slain My Lai villagers in 1968 (p. 221). Brewer's prose and featured photographs compress the years between war propaganda campaigns and amplify harsh comparisons.

That said, while Brewer's case studies are focused, they are not fully structured to test theories about war propaganda. Such a self-conscious method, one imagines, would distort the history. The narrative, which despite the case format supplies the truth standard in *Why America Fights*, is presumably too complex to admit clear policy lessons. Ultimately, Brewer's study falls between traditional history and social science: claims about propaganda's causal weight crop up in each chapter, but most political scientists will want clearer hypotheses and more systematic evidence linking the commander-in-chief's powers to national security performance of American democracy. This is not a criticism of *Why America Fights*. Brewer appropriately tells an important story and raises the right questions for students of politics. Namely, since the president's power to persuade is a two-edged sword in time of war, would the Constitution's experiment in government by the people benefit if chief executives demonstrated knowing restraint in its use? Brewer's tale shows successive presidents professionalizing and ramping up war propaganda. The next step for political scientists is to examine the extent to which this over-the-top persuasion actually causes dissension at home and resistance abroad once American troops have made their sacrifice to the demons of war.

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**W.J. Rorabaugh.** *The Real Making of the President: Kennedy, Nixon, and the 1960 Election.* Lawrence: University Press of Kansas, 2009. 256 pp. (\$34.95 cloth).

John F. Kennedy and Richard Nixon remain two of the most intriguing characters in American political history. The mythology of their contest for the presidency in 1960 became one of the central parables of political life because of the shocking death of one president and the unseemly fall from power of another. However, as with all major historic events, scholars face the challenge of untangling the myths and reality of 1960 and few would disagree that Theodore White's *The Making of the President 1960* served as a first draft of the myth. For this reason, W.J. Rorabaugh has identified White's classic account of the 1960 election as his primary target in his retelling of that story in his book, *The Real Making of the President*.

As the book's title hints, Rorabaugh offers his book as a "corrective" (p. ix) to White's account. The Kennedy mythology has been facing challenges as scholars have begun taking a more critical look at the young president and *The Real Making of the President* carries that revision into the realm of his election. The Nixon campaign does receive some attention, but Rorabaugh's primary focus is on Kennedy and much of the book is focused on how the Kennedy campaign won first the nomination and then the presidency.

Rorabaugh's attention to Kennedy's early campaign provides new insights into how he clawed his way to the top of the Democratic ticket. Rorabaugh emphasizes money as an important part of the Kennedy machine, and although many readers will be wishing that he had provided more specifics of his research, the book presents important questions about the financial side of the Kennedy campaign. While he sometimes emphasizes Kennedy's easy access to family money, some of the most interesting discussion describes how effectively Kennedy organized in primary states and how ruthlessly Robert Kennedy and others worked to intimidate opponents and how well organized the Kennedy campaign was in key states.

While much of Rorabaugh's attack on the Kennedy legend involves bringing attention to the use of the Kennedy fortune and hard-knuckled approach to politics, the book also illuminates the effectiveness of the Kennedy strategy, particularly in the use of Lyndon Johnson to hold on to Southern states. Kennedy's delicate balancing act involving retaining segregationists while reaching out to African-American voters reveals that the Kennedy campaign was capable of shading issues and navigating difficult politics.

A central question is why the charismatic Kennedy wins by such a narrow margin in a nation where Democrats outnumbered Republicans by a

three to two ratio (p. 5). Talking about party identification in the South may be somewhat misleading, especially after southern voters spent eight years grappling with their fondness for Eisenhower even as *Brown v. Board of Education* and the President's intervention in integration in Little Rock stirred the issue that would eventually pull apart the Democratic Party in the South.

While Theodore White's making of the president series remains an important source, White is a bit of a straw man. White was a journalist, albeit the first campaign journalist to find major success in publishing campaign accounts. No one would expect that White's account of the election would be the definitive account almost fifty years after its publication. In fact, White acknowledged the limits of his book and left a more full account to historians. If White was caught up in the excitement of election it is one of the keys to his success, especially in years before cynicism about politics became so deeply ingrained in the American psyche. Further, White's book may have been the starting point of the mythology of the 1960 election, but he actually addressed some of the arguments that Rorabaugh focuses on. White noted in 1961 that Kennedy's campaign put aside issues in favor of style. White also discussed in some depth the Kennedy campaign's manipulation of the press and comes to a conclusion not all that different from Rorabaugh's version.

Rorabaugh's account itself becomes entangled in some aspects of the JFK mythology and the author, like many who have written about Kennedy, seems unsure about the measure of Kennedy's charisma. Kennedy's image is highlighted when it is needed to contrast with the young senator's lack of depth, but a central argument of the book is that Kennedy's narrow victory in 1960 reveals that his charm ultimately proved less effective than many thought. In some ways, the story of the book is that Kennedy was not persuasive and managed only to minimize the loss of Democratic voters.

Some of Rorabaugh's assertions are needlessly overstated. Nixon's performance in the first debate is presented as "devastating" (p. 9) and the Kennedys are portrayed as "master deceivers and manipulators" (p. 51). One of the most frustrating aspects of the book is the author's reliance on assertions that are often neither cited nor explained. For example, detailing Richard Nixon's "fierce temper" (p. 118), Johnson's drunkenness (p. 134), and Robert Kennedy's reputation as "detested," "insufferable" (p. 89) and "moralistic" (p. 90) would have helped complete the picture of the dynamics of the campaign. The evidence presented in the text will often not be enough to convince readers and there are numerous places where many readers would enjoy a more detailed account of events.

Rorabaugh presents the 1960 election as a story of "how money was used to prod, buy, or intimidate, how the media was charmed and shame-

lessly manipulated, how opponents were ruthlessly bulldozed, and how charisma, money, organization, and manipulation could be used to gain power.” (p. 10). While he casts as a decidedly sinister light on the Kennedy campaign, the real story of the 1960 election may be that it was a political contest like many others in our history.

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**Jeffrey H. Morrison.** *The Political Philosophy of George Washington*. Baltimore, MD: The Johns Hopkins University Press, 2009. xiii, 226 pp. (40.00 cloth).

Jeffrey H. Morrison’s *The Political Philosophy of George Washington* is the most recent monograph in the John Hopkins series on the Political Philosophy of the American Founders, edited by Garret Ward Sheldon. As a whole, the series provides a set of concise and lively introductions to the primary political thinkers of the Founding Era. Accessible to a broad audience, the series also offers an introduction to the aims and practices of political philosophy, making it an excellent compliment to undergraduate courses in early American history and political thought.

With few endnotes, an engaging tone, and a very readable format, Morrison’s slim volume promises to provide a “brief readable introduction to Washington’s political thought and the ideologies of his day” (p. xiii). Morrison argues that Washington held a “coherent theory of American constitutionalism” and aims to explicate that theory by examining it through three key intellectual traditions of the period: classical republicanism, British liberalism, and Protestant Christianity. The first chapter of the book provides a biographical sketch of Washington’s life that highlights some of the most pivotal political moments in his career. Each of the remaining chapters explores the influence of one of the above intellectual traditions on Washington’s thought. The narrative is accompanied by a brief introductory “Chronology” and an appendix that provides “A Selected Inventory of Washington’s Library.”

The case of Washington is a particularly challenging one when compared with other figures in the series, such as Jefferson, Madison, and Franklin, due to both the fairly widespread perception of Washington as a man of “deeds, not words” and the rather limited scholarship dedicated specifically to elucidating his political thought. While there are several moments when Morrison convincingly documents the influence of these traditions and their

impact on Washington's choices in relation to particular political problems, such a subtle analysis is not sustained over the whole of the text.

Morrison's choice to treat each of the traditions separately results in several problems of differing magnitude. First, the text is unnecessarily and frustratingly repetitious. Second, and much more importantly, this decision obfuscates the primary purpose of the text. In the introduction, Morrison asserts that "Washington's Farewell Address of 1796" provides a "brief compass" to "Washington's core political philosophy as it pertained to the American experiment" (p. 16). Later, he urges that "Washington's Circular Letter to the States of June 1783 deserves to be read alongside it" because "These two documents together provide a fuller statement of Washington's core politico-religious beliefs about the new nation than either piece does individually" (p. 148). At a minimum, it would be helpful to the reader, and instructor, if these documents were reproduced in the volume.

While each of these core documents is referenced numerous times throughout the text, the current structuring of the volume leaves the impression that the author's intention is to demonstrate that Washington relied on each of these traditions in his thinking, rather than to show how each of these traditions contributed to the resolution of specific political problems central to Washington's goals. This is not a matter of semantics, but one of significance. For example, one of the weightiest and most divisive issues to arise during Washington's administration was that over the appropriate type of political economy for a republic. With Hamilton advocating a commercial manufacturing economy and Jefferson and Madison supporting a commercial agrarian one, the average reader of an introductory text on Washington may be curious to know where he stood and why.

Morrison's treatment of Washington's agrarianism, however, leaves the reader at something of a loss. On the issues of assumption of state debts and the creation of a national bank, Morrison sides Washington with Hamilton. Yet, on the question of the appropriate type of political-economy there is only the oblique statement "In the rush to portray him as the booster of a Hamiltonian commercial republic, it has frequently been overlooked that Washington was, in his own way, racy of the American soil" (p. 75). What follows is a fairly lengthy discussion of the classical republican roots of Washington's yearning to retire from public service to Mount Vernon, the virtues of agrarianism, and his affinity for the phrase "again seated under my vine and fig tree." Yet, it is unclear to what extent Washington's appreciation for classical republican agrarianism contributed to his position on this key political issue.

Extending this example illustrates another consequence that stems from the choice to isolate these three intellectual traditions; namely, it leads to the exclusion of other key thinkers and traditions that might enhance our under-

standing of Washington's synthesis of agrarianism and a more consolidated central power. While Morrison notes that Washington had a copy of Adam Smith's *Inquiry into the Nature and Causes of the Wealth of Nations*, his decision to fold the Scots into the chapter on British liberalism and omit any discussion of their four stage theory of history or political economy weakens his analysis of Washington's stoicism and agrarianism. Likewise, the discussions of Washington's position on slavery and his perspective regarding Native Americans might be more satisfying if Morrison acknowledged, in keeping with Rogers Smith and others like Reginald Horsman, the profound role played by ascriptive hierarchies in the thinking of most American Founders.

Certainly, the volume does engage the reader with some promising lines of inquiry. Morrison's treatment of Washington's continental perspective and its relation to his political experience, extensive travels, and land holdings is one of the most interesting insights of the monograph. Unfortunately such insights are not sufficient to offset the problems raised above. While Morrison offers a compelling starting point from which to launch his analysis, this introductory volume does not successfully meet the challenge that the case of Washington presents.

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**George Michael.** *Theology of Hate: A History of the World Church of the Creator*. Gainesville: University Press of Florida, 2009. ix, 285 pp. (\$44.95 cloth).

In an era where many academics and public intellectuals would like to claim that the United States has entered a post-racial age, George Michael's *Theology of Hate* reminds us that race matters. Race matters not only to recent immigrants and to embedded citizens of color, but also to a segment of white Americans who believe that the melting pot has run amok.

In *Theology of Hate*, Michael explores the origins and development of the World Church of the Creator (WCOTC). Appropriate to his subject matter, the author utilizes interviews and historiography to trace the evolution of this relatively recent innovation in the American religious marketplace. The World Church of the Creator is not new in the sense that racial hate groups, even religious ones, have proliferated in various forms since the Founding. What is new about the WCOTC is the divestment of white racial pride from Christianity.

The World Church of the Creator is new wine in old wineskins to the extent that its founder, Ben Klassen, lionized Adolf Hitler's program of racial pride and like Hitler, regarded Jews as the most significant enemy of white racial advancement. Nietzsche's philosophy was also influential in Klassen's philosophy that nature determined the primacy of white people in the racial hierarchy. In 1973, Klassen founded The World Church of the Creator, also called Creativity, on the Durkheimian premise that religion need not be supernatural to advance a cause. This new racial religion based in nature viewed hate as integral to the survival and flourishing of the white race. Klassen despised the metaphysical dimension of religion (and omitted any such sense from Creativity), but acknowledged that a religious movement would be more efficacious than a political party in generating sustained grassroots participation. While rejecting Christianity, Klassen nevertheless claimed that WCOTC offered a comprehensive religion and as such, was not atheistic in aim and in substance.

The Creativity Creed included Sixteen Commandments, the first of which was "It is the avowed duty and the holy responsibility of each generation to assure and secure for all time the existence of the White Race upon the face of this planet" (p. 26). If the WCOTC was like Hitler's National Socialism in its penchant for white racial pride and its excoriation of Jews as the enemy, Klassen thought his religion unlike Hitler in that he sought a pan-white unity. As part of his program to extend whiteness, Klassen's religion encouraged followers to "be fruitful and multiply" in the vein of Genesis. Furthermore, the religion discouraged abortion, except where the fetus is of mixed race. Klassen was an early proponent of securing the Mexican border against migration.

If closing the border sounds more conservative than constitutive of a theology of hate, Ben Klassen did emerge from the political right. A previous member of the John Birch Society, he rejected the emphasis in the far right and among other white supremacist groups upon "... Christianity, country, flag, and the Constitution" (p. 67), preferring a focus on the endurance of the white race as opposed to the temporary and even artificial boundaries of nation. The WCOTC offered a totalizing religion that was to be the end of history—the white revolution would be embodied in the white people of the world. The group depending upon proselytizing and propaganda to extol the virtues of the religion based on whiteness. The liberties afforded by the First Amendment of the United States allowed the message to disperse throughout the country and across the world through literature like the Turner Diaries (found on Timothy McVeigh following the Oklahoma City bombing), through white power music, and eventually, through the internet.

Michael thoughtfully covers the suicide of Klassen in 1993 and the emergence of Matt Hale to the helm of the Church in 1995. Hale was re-

sponsible for expanding the presence of the WCOTC on the internet and for increasing the group's visibility by his frequent visits to talk shows. Michael took pains to remind the reader that the founder and Hale were both quite learned as Hale earned a law degree from Southern Illinois University and passed the Illinois bar. Famously, his racist views ultimately resulted in the Illinois Bar refusing to grant him a law license. And infamously, he was convicted of conspiring to assassinate a judge who had ruled in a trademark case regarding the Church of the Creator moniker.

While Michael accords the subjects of his study the utmost respect, the book is lacking on two fronts. On the first front, Michael fails to contextualize the emergence and development of the movement. For example, the emergence of the Church of the Creator in 1973 at the height of the black power movement is significant. The Black Panther Party's Ten Point Program of 1966 mingled Marxist notions of equality with black power. *Black Power* (Ture and Hamilton) was published in 1967 and called for a political movement predicated on black solidarity, albeit not predicated on white hatred. Although the Black Political Convention in Gary, Indiana (1972), ended without a consensus agenda, many elements of the draft agenda reflected the demands of the black power movement. The advancing of affirmative action by President Johnson and via the conservative Republican Nixon via the Philadelphia Plan of 1971 also provide critical contextual nuance. The isolation of the emergence of the World Church of the Creator and its theology of white pride from the previous and parallel development of black power is a glaring omission.

On the second front, the work is disconnected from a theoretical anchor. Thus, while Michael utilizes historical methodology, the work lacks analytical rigor. To his credit, Michael does highlight the tension inherent in the American commitment to an absolutist model of civil liberties where hate groups enjoy voice and equality in the public square. But to the extent that the WCOTC calls itself a religion and the activities of the group have implications for American political development, Michael might have explored one or several theoretical strands. For example, The WCOTC is fashioned after social movements. As the organization developed, local movement centers (Morris 1984) were a large part of its success. The charisma of the founder, Ben Klassen, and his putative successor Matt Hale were also central to the movement's cohesiveness and Michael admits that in the period between Klassen's death and Hale's ascension, the movement floundered. Finally, not unlike other social movements, the white power movement qua WCOTC has never had a solid base of financial support (McAdam 1982).

On a more fundamental level, the implications of the theology of hate of the WCOTC in an age of global citizenship are enormous. Michael offers



evidence that Creativity's message for white people of the world to unite has proliferated to Europe, Asia and South Africa. The Creativity movement's existence runs counter to the contention that the election of the first black President has ushered in a post-racial era—in politics or otherwise. Michael's tome reminds us that the WCOTC is not colorblind so neither can our assessment of American political development be devoid of the consideration of race.

### References

- Ture, Kwame, and Charles V. Hamilton. 1967. *Black Power: The Politics of Liberation*. New York: Vintage Press.
- McAdam, Doug. 1982. *Political Process and the Development of Black Insurgency, 1930-1970*. Chicago: University of Chicago Press.
- Morris, Alden. 1984. *The Origins of the Civil Rights Movement: Black Community Organizing for Change*. New York: The Free Press.

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**Charles W. Dunn, ed.** *The Future of Religion in American Politics*. Lexington: University of Kentucky Press, 2009. 280 pp. (\$30.00 cloth).

As the title of this volume suggests, *The Future of Religion in American Politics* concerns the changing role of religious values in the political life (defined very broadly) of the United States. This work is a collection of 13 essays describing various aspects of the relationship between the sacred and the secular in the U.S. The chapters are substantively and methodologically diverse, presenting the reader with a variety of insights and perspectives.

After an introductory essay by editor Charles Dunn, the essays in this volume can be grouped into four general categories. Four of the chapters—those written by Jean Beth Elshtain, Hadley Arkes, Hugh Helco and Marvin Olasky—can be considered general theoretical works on the nature of religion and politics in the United States. The essay by Daniel Dreisbach is an historical analysis of the role of religion in the political thought of George Washington. Chapters by D.G. Hart, Michael Barone, Michael Cromartie, and Allen D. Hertzke might be described as broad brush projections into the future of religious politics in America, and, in the case of the Hertzke chapter, international politics. Two chapters—by Corwin E. Smidt and John C. Green—are comprised of empirical analyses of survey data, respectively relating to the role of different religious styles in civic and political engagement, and the importance of religion in presidential voting.

It is difficult to summarize this volume in a single review. The authors represent an eclectic mix of journalists, pundits, and academics, and the chapters, while individually of uniformly high quality, lack a coherent theme or focus. One generalization which can be offered is that each of the chapters is written by an analyst generally sympathetic to a positive role for religion in American politics. The reader wishes in vain for a stronger editorial presence, which would bring some order to a rather eclectic collection.

Substantively, the common theme of the essays which comprise this volume can be characterized as follows: 1) Religion is generally a benevolent force in American politics. The collection lacks a separationist or explicitly secular voice. 2) Historically, religion has had an important role in American politics, and it is futile to expect or favor a genuine separation of the sacred and the secular. Legal separation of church and state is not the equivalent of a separation between religion and politics. The former may be feasible, and even desirable for those who favor an assertive religious presence in the public square. The latter, given our history and institutions, is neither possible nor desirable. 3) The specific political roles of religion in US politics are quite variable, and seem likely to change in the no-so-distant future. The “God Gap” described by Michael Cromartie (in which a religiously conservative Republican Party is pitted against a secular Democratic Party) seems likely to change in the early decades of the twenty-first century. The “culture wars” model, which has arguably defined the party system in the U.S. since the 1980s, seems poised for a transformation, in which both parties make use of religious imagery and religious values. Several of the authors note the attempts of recent Democratic presidential candidates such as Barak Obama and Hillary Clinton to incorporate religious language and religious values into their campaign rhetoric, while GOP candidates such as Rudy Giuliani, Mitt Romney, and John McCain do not fit easily into the traditionalist camp of the culture war.

As noted above, the essays are interesting, provocative, and quite well executed. Since receiving this book about six weeks ago, I have already cited two of the chapters in my own academic writing, and anticipate making substantial use of some of the others. Scholars interested in aspects of the relationship between religion and politics not captured by constitutional questions involving church-state relations will want to add this book to their personal libraries. However, the lack of a clear substantive focus, when combined with the lack of a strong editorial presence, makes it difficult to imagine this work being used in undergraduate or graduate courses. This is unfortunate, because, the chapters are written in a non-technical, colloquial style accessible to advanced undergraduates.

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**Janine A. Parry and Richard P. Wang, eds.** *Readings in Arkansas Politics and Government*. Fayetteville: University of Arkansas Press, 2009. 502 pp. (\$75.00 cloth, \$39.95 paper).

It was the *The Reader's Digest* that did it to me. That venerable icon of Middle America would arrive every month in my parent's mailbox, and I loved it. I've been a fan of selected readers ever since. My students like them too. They enjoy the variety of perspectives and styles. I think they also enjoy the increased possibility that the professor will pick and choose the best selections and leave the rest unassigned. So I was excited to receive a copy of *Readings in Arkansas Politics and Government*.

The University of Arkansas' Janine A. Perry and Arkansas State's Richard P. Wang have updated this digest of readings with a selection of twenty-one articles for the twenty-first century. Perry and Wang cite a shared obsession and an insatiable appetite for all things Arkansas as motivation for the collection. They are also hopeful that students of Arkansas' rich political landscape will take away a lesson in the power of the people from these readings. This reviewer shares that hope.

The readings are prefaced by a laudatory introduction by Senator David Pryor, then separated into four thematic parts: Foundations and Context, Policymaking Institutions, Practicing Politics, and Policy Issue and Political Patterns. Each of the four parts has a combination of new and older readings, some carried forward from the previous edition. While the older readings do well to establish historical context, it is the older-new readings that lead to one of the few frustrations with the book. Contemporary political writings, by their nature, are almost outdated upon publication and writings that are five to ten years old can seem archaic. The editors recognize the time lag problem and attempt to address it through updated lead-ins, but it is still disconcerting to read the dated material.

One of the many benefits of an edited readings approach is the ability to compare and contrast schools of thought within one text. The articles about Orville Faubus and Winthrop Rockefeller provide just such an opportunity. Roy Reed's treatment of Faubus is sympathetic, to say the least. Cathy Kunzinger Urwin's discussion of the role Rockefeller played in the Civil Rights movement was a bit less congratulatory, but both together will provide any interested student new perspectives on those icons of Arkansas politics. The irony of the perspective suggesting that Faubus might somehow have been a better friend of race relations than Rockefeller will no doubt spark some interesting discussions.

The two treatments of our recalcitrant attitude toward revising the Constitution of 1874 are also best when taken together. Gary Wekkin's and Donald Whistler's "History, Political Culture and Constitutional Reform in

Arkansas” is perhaps the strongest reading in the collection. It does a wonderful job of setting the background and historical context for why Arkansans think like they do about their Constitution. Certainly this article will prove useful for teachers of State and Local Government. Robert Meriwether’s “The Proposed Constitution of 1970” then lays out the specific travails of the second attempt at full constitutional reform. Again, the beauty of a selected readings approach is that the general reading can be assigned for foundational knowledge and the more specific technical reading can be used as an example and for discussion prompts.

The editors do an excellent job of including a balanced selection of both narrative and data driven readings. For example, Parry’s “What Women Wanted . . .” is a character filled account of the ERA ratification period in Arkansas, and will be particularly useful in interesting young women of today in their recent but important history. This reviewer has taken to asking introductory level National Government students if they are familiar with what the term ERA stands for. On average, there are 1-2 correct responses in a class of 50. The worth of such an article appears evident. At the same time, Parry is perfectly capable of authoring a data intensive, chart and table rich assessment of regional and political ideology. She and William Schreckhise give an updated qualitative answer to one of the most enduring questions in Arkansas politics: Is it who you are, or where you’re from, that makes you vote like you do? This paper could serve as an excellent example for a methods/research course.

The balance between narrative and data is also particularly well managed in Gary Ritter’s “Education Reform in Arkansas.” The data tables are easily understood and the timeline is an especially useful tool for teaching the chronology of education reform in our state. At the same time, Ritter unfolds a true story of the individuals and groups—judges, governors, special masters and legislators populate that chronology. In the conclusion to his article, Ritter remarks, “Observers of school reform in Arkansas encounter few dull days.” Neither do the observers of Arkansas’ rich political culture. It is in no way a curse to live in such interesting times or such an interesting place.

One last reading that deserves special mention is Parry and Jay Barth’s treatment of the Bush-Kerry election, “Arkansas: Still Swingin’ in 2004.” While the authors’ sadness that Arkansas did not develop into an actual swing state in ‘04 is palpable, they overcome their dismay to produce a well crafted article, full of detailed tables and an insightful analysis of other elements of election 2004, including a surprisingly strong challenge by Jim Holt for Blanche Lincoln’s senate seat, and the impact of Amendment 3 (which stated that marriage consists only of the union of one man and one woman) upon the rest of the ballot.

While *Readings in Arkansas Politics and Government* is at its core a textbook, it is considerably more. It will certainly prove useful for classroom instruction, but the appeal of this book is that it has much to offer inside or outside an academic setting. I've lived in my adopted state for 15 years now, and I teach Arkansas Government, but I lost count of the new things I learned while reading this book. Most of us who teach do so because we fell in love with the process of learning. Books like *Readings in Arkansas Politics and Government* are of particular value because they make learning accessible and allow everyone to enjoy the chance to discover. The edited readings format allows easy access to both scholarly and popular works, allowing each reader to bite off an amount that will be both nourishing and easily digested.

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**Elizabeth Theiss-Morse.** *Who Counts as an American? The Boundaries of National Identity*. Cambridge: Cambridge University Press, 2009. 224 pp. (\$80.00 cloth; \$24.99 paper).

In her innovative new book, *Who Counts as an American? The Boundaries of National Identity*, Elizabeth Theiss-Morse makes an important contribution to political science by offering her social theory of national identity. Inspired by social psychology and political theory, the author undertakes the study of national identity as one might approach other identities, emphasizing the bonds people have with other group members, or in this case, their fellow countrymen and women. By thinking about national identity in terms of group dynamics, Theiss-Morse provides building blocks for new comparative ventures, liberating scholars from the particularities of culture, geography, history and religion, and encourages academics to make use of these constructs so that we might better compare and contrast the characteristics of the American people against other national populations.

The commitment people have to other group members and the boundaries they set to evaluate authentic group membership are elemental to the social theory of national identity. Theiss-Morse spends much of the book discussing and comparing prototypical and marginalized members of the American national group, explaining how the variance of national identity has an impact on one's response to criticism and praise of the country's actions, as well as attitudes and behaviors regarding aid and the distribution of other resources. In articulating her theory, she attentively responds to the proponents of American exceptionalism by explaining how the United

States' unique traits (principles, ethnicity, civic republicanism, and patriotism) can be effectively accommodated by a more universal theory. To test her theory, she utilizes data from the nationally-sampled Public Perceptions of the American People survey, as well as experiments and focus groups using non-student adult subjects.

Her empirical chapters explore the relationships between national identity and four phenomena—commitment to the national group, the setting of national group boundaries, the desire to help the national group, and loyalty to the group in the face of criticism. In Chapter 2, she uses regression analysis to examine which subgroups are likely to be strong or weak national identifiers. Some of her claims come as no surprise; she finds that Christians are more likely to identify strongly with the American people than are non-Christians, and that whites are more likely to identify with the American group than are blacks, but no more likely than other people of color. Other statistics directly challenge findings in extant literature. Unlike Huddy and Khatib (2007), Theiss-Morse finds that ideology is related to national identity, and she argues that people who are extremely liberal have a significantly weaker national identity than do conservatives, moderates, and even moderate liberals. Her data analysis also adds a complicated dimension to what we know about the relationship between socioeconomic status, political knowledge and political participation; contrary to what we would infer from Verba, Schlozman, and Brady (1995), the more educated one is, and the more political knowledge one has, the less likely they are to have a strong identification with the national group. I would like to have read greater discussion on this matter, but perhaps the author believed this was only second in importance to her discovery that people who are high in interpersonal trust most strongly identify with American identity, a finding that underscores the social aspect of her theory.

Part of commitment to the group is subscription to group norms and group decisions. Theiss-Morse shows that national identity is positively related to values such as individualism and patriotism, but that it is negatively related to egalitarianism. The author shares an appreciated disclaimer about this last measure, admitting that the question asks not whether respondents endorse the value of equality, but instead queries how well one thinks the United States practices equality. She finally evaluates commitment to the group via confidence in the decision-making of Americans on election day and shows that national identity is the main factor driving approval of election outcomes. Of all the regressions featured in this book, this is the analysis I hope someone repeats with data from each presidential election year because I am curious whether the contexts of each election affect the role of the variables. Given that the survey data used in this book were collected in 2002, and the last big election at that time was decided by the Supreme

Court (*Gore v. Bush*, 2000), I wonder how these results would compare to a landslide year like 1984 (*Mondale v. Reagan*) or the most recent election of Barack Obama, whose candidacy was both celebrated and abhorred because of his atypical ethnoracial identity.

In Chapter 3, Theiss-Morse explores the intriguing questions of who thinks of themselves as prototypically American and who is more likely to establish hard or soft group boundaries. People who believe strongly in individualism and patriotism are more likely to view themselves as typical, and people who believe the country has more work to do to fulfill its creed of equality are more likely to think of themselves as atypical Americans. Interestingly, people with strong ideological bents, either conservative or liberal, are more likely to think of themselves as atypical. When she uses national identity as an explanatory variable, she reports strong identifiers are more likely to think of the national group as being homogenous and in agreement about most issues. She also provides evidence that strong identifiers espouse views usually associated with nativist ideals: that true Americans are native born, speak English, practice Christianity, and are white. Weak identifiers, in comparison, are not as committed to having a rigid composition of the national group. While I feel that her theoretical logic coheres well with most of her findings, I find her analysis around the black population somewhat insufficient. I am specifically referring to her claim that black Americans both see themselves as atypical group members *and* that they are more likely to establish hard group boundaries. Theiss-Morse rationalizes the boundaries set by African Americans by suggesting this rigidity reflects concern that today's immigrants are taking jobs away from their racial group. I think she is overlooking something important here. Blacks may just as likely be responding to another item included in the additive scale measuring hard boundaries which asks whether it is important to be white in order to be considered truly American. As a racial group that considers itself atypical, would it not make perfect sense that they would recognize whiteness as an authentic marker of American identity? Perhaps it is the response to this question that is driving the establishment of hard boundaries.

Highlights from Chapter 4 include her assertion that strong national identifiers are inclined to help prototypical members, and are less likely to help marginalized group members, whereas weak identifiers do not appear particularly motivated to help any members of the group. When they do, however, their support is indiscriminate. The interactive effect of identity strength and boundary setting demonstrates that when strong identifiers do not set hard boundaries on their national group, they are more likely than anyone to both support charities and government-based aid. The experiment she uses creatively illustrates the potential influence of national identity on

behavior, and demonstrates that strong national identifiers are significantly more willing to help out an Anglo American, or prototypical member, than they are an Arab American, or marginalized group member. Weak identifiers, on the other hand, treated the two people almost equally.

The last empirical chapter focuses on loyalty to the national group and response to critique. She shows that in comparison to weak national identifiers, American who identify strongly with the national group, are (1) less likely to feel ashamed of the United States, (2) are more likely to support the country whether it does right or wrong, and (3) are more likely to believe that Americans who disagree with what America stands for should not have their basic rights guaranteed. In addition to this contribution, Theiss-Morse includes a great experiment showing that the variance of one's identification with the national group has an effect on the way they respond to national criticism and praise from both prototypical and atypical Americans. Weak identifiers tend to be proud of the United States when a black person praises the country, and ashamed when the same person criticizes the nation. Inversely, when whites praise the United States, weak identifiers tend to be ashamed, and when whites criticize, they respond positively. Strong identifiers, on the other hand, respond similarly to praise and critique by whites, as well as to praise offered by blacks. However, when blacks criticize the country, the degree of pride expressed by strong identifiers rises significantly above all aforementioned levels.

The thesis and questions addressed in this book are plainly important, and her findings have something fresh to add to our conversations about what it means to live with others as citizens of any nation. I recommend picking up *Who Counts as an American?* because it will generate great discussion in both undergraduate and graduate courses. The implications of her theory are wide-reaching and the themes of the chapters are relevant to everyday politics; the importance of prototyping is visible, for example, in the birther movement, in Sarah Palin's appeal to "the real America," as well as in less sensational political phenomena. Theiss-Morse gives political science plenty to explore with this conceptualization of national identity, and I hope others develop a curiosity to test whether national identity (perhaps in interaction with other important identities) has the potential to explain support and opposition for issues such as military campaigns, economic bailouts, and same-sex marriage. For those of us who think seriously about intersectionality, this book should add another layer to our thoughts about identity, normativity, and difference. Though I find a handful of her statistical interpretations a tad ad hoc, she keeps a tight focus on national identity and its power to determine an array of attitudes and behaviors. I praise this work as an interdisciplinary innovation, and I look forward to the creative work it promises to generate in its wake.



## References

- Huddy, Leonie, and Nadia Khatic. 2007. American Patriotism, National Identity, and Political Involvement. *American Journal of Political Science* 51(1):63-77.
- Verba, Sidney, Kay Lehman Schlozman, and Henry E. Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics*. Cambridge, MA: Harvard University Press.

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**Glen S. Krutz and Jeffrey S. Peake.** *Treaty Politics and the Rise of Executive Agreements: International Commitments in a System of Shared Powers*. Ann Arbor: University of Michigan Press, 2009. xi, 252 pp. (\$75.00 cloth, \$75.00 electronic format).

In *Treaty Politics and the Rise of Executive Agreements*, Glen Krutz and Jeffrey Peake provide an extended analysis of the politics surrounding the form of U.S. international agreements. Their primary focus is the president's choice of the form that an agreement will take, either a treaty (according to the procedures of Article II of the Constitution) or an executive agreement. The authors also explore other implications of their argument regarding the politics of international agreements, such as delays in treaty consent in the Senate and the role of the House in oversight and legislation.

Krutz and Peake begin by highlighting the rapid and dramatic increase in the use of executive agreements, which in the last few decades have outnumbered treaties by almost 10:1. This development has been widely noted, since executive agreements are not mentioned in the Constitution and may provide Presidents with a source of power unchecked by Congress. In addition, executive agreements have the same legal standing as treaties; according to the authors, they are "legally interchangeable" but not "politically interchangeable" (p. 10). Krutz and Peake argue that the rise of executive agreements does not indicate the growth of an imperial presidency or an executive-branch strategy to evade congressional participation in international agreements. Instead, the use of executive agreements is simply an efficient response to the complexity of modern international politics.

The authors' argument rests on strong premises. First, they note that the Article II treaty mechanism does not allow the president to cleanly evade congressional involvement, since Congress must typically pass implementing legislation or provide funding; few treaties are fully self-executing. Second, they note that the treaty process is cumbersome and time-consuming, and that both the President and Congress have an interest in being able

to make firm international commitments in an efficient manner. Drawing on these premises, they develop a number of observable implications. Most directly, they hypothesize that as the United States must interact with a larger number of countries (operationalized by the number of United Nations members), more of its international agreements will take the form of executive agreements. They also argue that we will not observe a systematically greater use of executive agreements in the face of divided government, as this would threaten the efficiency of the system by provoking the opposition party in Congress. If anything, the authors expect to see greater use of executive agreements in periods of unified government, when the president's party is willing to allow the president the leeway to conclude agreements on his own.

Krutz and Peake submit these hypotheses, and others, to a series of empirical tests. Using both aggregate counts of the numbers of agreements of each type in a given year and a new microlevel data set allowing them to measure the characteristics of individual agreements, they find support for their hypotheses about the form that agreements will take. They also provide hazard models examining the length of time it takes to report treaties out of committee and to get consent on the floor of the Senate. These models demonstrate consistently that having a very conservative Chair of the Senate Foreign Relations Committee leads to substantial delay; this delay is more pronounced when the ideological distance between the President and the Chair grows. Thus, ideology matters for the process of treaty approval, and seems to have substantially more influence than partisanship. All of these statistical analyses build on and contribute to the quantitative literature on U.S. international commitments.

The authors also extend this analysis in new directions, by providing more extensive qualitative discussion and a more systematic analysis of the role of the House in international commitments. One implication of their efficiency model is that the president does not turn to treaties simply when there is wide-scale support for them in the Senate. Thus, the process of consenting to treaties should be politicized rather than a rubber stamp. The study of four highly contentious episodes of treaty advise and consent procedures provides ample support for the authors' proposition. Krutz and Peake also collect a new dataset on hearings in the House and Senate on international agreements. They find results that are not surprising but do lend support to their argument. The Senate holds more hearings related to treaties than does the House, but the House is quite active on all sorts of international agreements, especially those having to do with economic issues. The constitutionally-mandated role of the House in approving agreements relating to commerce leads to the observed pattern of activity.

Krutz and Peake's book is thus a welcome addition to the growing

literature on presidential-congressional relations on international agreements, and puts another stake in the heart of the “imperial presidency” argument. Their discussion of the formalized process that takes place within the State Department to determine the appropriate form of an agreement adds substantially to our understanding of the politics surrounding it. The authors’ examination of delays surrounding treaty consent is also genuinely new, as are their results about ideological distance between the President and Chair of the Senate Foreign Relations Committee and the distinction between high and low politics.

In a few ways, this book falls a bit short and opens doors to new theoretical and empirical analysis. The authors’ central argument—that the use of executive agreements is primarily a joint response to increased complexity in the international arena—seems sound. However, the connection between the hypotheses they test and the argument itself is at times tenuous. For example, the connection between the argument and tests of ideological distance is not entirely clear (and it should be noted that the statistical results are not particularly robust across alternative specifications). Krutz and Peake also do little to bring in another obviously important actor—other parties to the agreements—in any systematic way. They do refer to work that treats the presidential decision about the form of the agreement as a costly signal to other countries, and provide a few tests of the signaling model. The authors suggest that the signaling model is consistent with their efficiency framework, but the possible consistencies or inconsistencies between these two models are not explored. On the empirical side, the significance—and sometimes sign—of coefficients are not consistent across the models estimated. The authors do little to attempt to resolve these inconsistencies, or to address significant results on variables that are included without tying them to a specific hypothesis (such as variables about the topic of the agreement). These caveats aside, Krutz and Peake have provided a valuable addition to scholarship on the institutional framework of U.S. international commitments.

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**Scott M. Matheson, Jr.** *Presidential Constitutionalism in Perilous Times*. Cambridge, MA: Harvard University Press, 2009. 235 pp. (\$45.00 cloth).

The Framers of the American Constitution were ambivalent about executive power and we remain so. Is it possible to create and maintain an energetic executive that is consistent with the principles of republican government? Can an executive with powers strong enough to provide the

energy, decision, secrecy and dispatch necessary to effective government not be a threat to the people's liberties? Scott M. Matheson's *Presidential Constitutionalism in Perilous Times* provides a valuable examination of this question in the context of presidential national security powers. Matheson's objective is to assess how successful presidents have been in respecting the separation of powers, instituted by the founders as the chief means to protecting republican principles, and safeguarding the people's liberties during national security crises. His own useful remedy is what he calls "executive constitutionalism."

Matheson explains his analytical framework in the first section of his book. He begins with a discussion of different constitutional perspectives on executive power. His purposes are, first, to explain what he calls the "dynamic variables in Emergency Constitutionalism," and, second, to establish the categories of analysis he will apply as he assesses the ability of the five wartime presidents identified to calibrate properly the security-liberty balance. Matheson grants that the presidency—a single executive with expertise in diplomatic, military, intelligence and security matters—is best suited to speak for the United States with one voice and to respond swiftly to a national security crisis. The Congress, however, Matheson insists, "plays a critical role in the separation of powers scheme through its power to authorize, review, and disapprove action" (p. 11). The Courts, too, share responsibility for guarding democratic legitimacy in national security emergencies during which, Matheson argues, Presidents are most likely to sacrifice individual liberties to the immediacy of security concerns. Matheson is concerned that neither branch is fully effective in checking the exercise of executive emergency powers in time of crisis. Both, he observes, are too deferential to executive expertise and efficiency, and what efforts they do make often occur late in the day or after a crisis is resolved. Consequently, Matheson wisely concludes that presidents themselves must develop a renewed executive constitutionalism: a Lincoln-like willingness to explain emergency and wartime measures in light of the president's constitutional powers; to consult and cooperate with Congress; to respect and support judicial review and the constitutional limits on executive power (p. 161).

In his second section, Matheson investigates the actions of four presidents: Lincoln, Wilson, Franklin Roosevelt, and Truman, all of whom were compelled to exercise the president's emergency and war powers. Matheson's ultimate purpose is to compare their actions to those of the president he believes most exceeded his constitutional powers, George W. Bush. His procedure is to judge the ability of these presidents to balance liberty and security according to six constitutional perspectives: Executive Supremacy, Political Branch Partnership, Judicial Review, Retroactive Judgment, Extra-constitutionalism and, his own standard, Executive Constitutionalism. His

conclusion is that although none of these presidents called for the wartime suspension of the Constitution, all crossed the constitutional line, erring on the side of protecting national security at the expense of civil liberties. Lincoln was the strongest unilateralist but Matheson excuses him in light of the “unprecedented rebellion” that existed throughout large areas of the country (p. 155), and for his willingness to ask for retroactive ratification from Congress for the actions he took prior to convening the legislature at the beginning of the Civil War, chief among them, the suspension of the writ of habeas corpus. Wilson and especially Roosevelt were culpable of the greatest deprivations of constitutional rights during wartime, according to Matheson. Wilson did act within the separation of powers by cooperating with Congress to quell wartime dissent, by seeking prior legislation, the Espionage Act of 1917, but the result was the wrongful conviction of thousands for seditious speech. Roosevelt received retroactive legislative support for his detention program, but either way the result was the deprivation of constitutional rights for 120,000 Japanese Americans. All of these presidents were subject to some judicial review but most judicial activity came after the dangers of the wars had passed. The exception, of course, is President Truman, whose effort to seize the steel mills during the Korean War was thwarted by the Supreme Court in the *Youngstown Steel* decision.

The chief objective of Matheson’s book is, however, to sound the alarm still louder on the Bush Administration’s “extreme claims of unchecked, unilateral presidential power” (p. 154). Matheson examines and judges the legitimacy of Bush wartime activity in three areas of wartime activity: torture, surveillance and detention. He dismisses the Bush argument that he had sufficient legal authority to act under the Authorization for the Use of Military Force Resolution (AUMF) which passed the legislature with bipartisan support after September 11, and his constitutional Commander-in-Chief powers. Matheson finds “strong evidence that executive supremacy was a primary goal of the Bush administration,” in Bush’s failure to secure sufficient prior support of a friendly partisan legislature for his wartime measures (p. 154). Nevertheless, Matheson cannot say that Bush even came close to violating individual liberties as much as Presidents Wilson or FDR (p. 154). And while arguing that the Bush administration was excessively secretive, Matheson never addresses the thorny question of whether secrecy is often necessary in the conduct of war and foreign policy, especially under the circumstances produced by a conflict with stateless, mobile, secretive terrorists.

At the core of Matheson’s discussion is the debate over whether the foreign policy power is naturally an executive power. On this perennial question, Matheson seems to side with James Madison, who argued that the President only holds the powers expressly given in Article II of the Consti-

tution, over Alexander Hamilton, who insisted that the foreign policy power belonged to the executive except where the Constitution explicitly assigned powers elsewhere (p. 155). Matheson explicitly dismisses the argument that finds constitutional support for Lockean prerogative, the “power to act according to discretion, for the public good, without the prescription of law, and even sometimes against it,” as extra-constitutional (p. 28). And yet it is the arguments of Hamilton and Locke for executive control of the foreign policy power, and the often necessary use of implied prerogative power, that inform the national security actions and arguments of Abraham Lincoln and presidents dating back to George Washington, who exercised his executive prerogative and Commander-in-Chief powers when he unilaterally issued the Neutrality Proclamation in 1793. George W. Bush lacked the eloquence of Lincoln’s Executive Constitutionalism but is it strictly speaking true that he claimed more executive power than his predecessors? Or is it the case that Bush finds himself firmly in the tradition of all presidents who have exercised emergency powers to defend the United States during wartime?

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**Harold H. Bruff.** *Bad Advice: Bush’s Lawyers in the War on Terror.* Lawrence: University Press of Kansas, 2009. vii, 403 pp. (\$34.95 cloth).

Harold Bruff has written a timely and extremely useful study of the legal advice given to the Bush administration during its prosecution of the War on Terror. Bruff’s goals are twofold. First, he wishes to evaluate the quality of the legal advice given to Bush. Second, he asks: “Given the indeterminacy of law, how can we minimize the provision of bad legal advice to presidents?” (p. 1).

The book is well structured for these purposes. The first section of the book, using both literary and historical analyses, explores the appropriate role of legal advisers to the head of a government. The second and largest section of the book applies the criteria developed to the legal advice given to Bush. Separate chapters cover Bush’s decisions: to declare a war on terrorism, to approve warrantless, domestic surveillance, to use indefinite detention for enemy combatants, to opt out of the Geneva Conventions, to set up military tribunals, and to approve a regimen of aggressive interrogation. Each chapter includes a detailed history of the decision-making of the Bush administration and the role legal advisers played. These chapters also include a closely reasoned analysis of the legal arguments made during the decision process. The quality of the legal advice is also evaluated. Lastly, in

a brief concluding chapter, Bruff considers a number of reforms designed to improve presidential legal advice.

In the opening chapter, Bruff constructs an evaluatory scheme from his literary analysis of Shakespeare's *Henry V* and Robert Bolt's *A Man for All Seasons*. Both plays explore the obligations of advisers to a British monarch. The nub of Bruff's criteria for successful legal advice comes from a question Henry V posed: "May I with right and conscience make this claim?" Bruff comments, "This is the exactly correct question, posed with Shakespearean economy. It calls for an assessment of technical legal right together with the adviser's assurance that the claim can be made in good conscience" (p. 8).

His discussion of Thomas More's relationship to Henry VIII raises another important element. Personal interests and personal relationships between the adviser and the monarch will always be present and can sometimes confound the quest for right and conscience. Because More was able to preserve his "professional detachment" from both his client and his own self interest, he correctly refused to give Henry the self serving advice the monarch sought (p. 13). This detachment is essential to Bruff's concept of good legal advice.

Bruff builds on this rudimentary framework by then looking at a brief, but informative, history of legal advice given to U.S. presidents and the role of lawyers in the institutionalized presidency. This culminates in a very interesting chapter exploring the professional responsibility of presidential lawyers. Unlike attorneys with private clients, they cannot simply be "amoral gladiators" battling for their clients in an adversarial procedure before a neutral magistrate. Bruff argues they must meet a higher standard with a responsibility to protect the rule of law. Similarly, presidential lawyers must not behave merely like a president's political adviser advocating for the immediate goals of the president. Instead, citing ABA guidelines for attorneys acting as counselors, he argues that presidential lawyers must "exercise independent professional judgment and render candid advice" (p. 73).

But Bruff does not require that presidential lawyers completely absent themselves from the political process or that they behave as neutral custodians of the law. Presidential lawyers have an obligation to facilitate the work of the executive branch. Moreover, a purely legal approach would often fail as both the president and other political actors would then avoid seeking their advice. Bruff stakes out a middle path for the legal adviser—sympathetic independence rather than legal neutrality or political advocacy. He accepts Robert Jackson's conclusion that a presidential legal adviser must be sympathetic to his presidential client and should "give the president 'the benefit of a reasonable doubt as to the law'" (p. 70). But Bruff is quick to add that the core responsibility of the adviser is independent judgment; what

is necessary then is “some detachment with sympathy for the administration’s policy goals . . .” (p. 80). He emphasizes that the difficult part of sympathetic detachment will be preserving the professional detachment of the legal adviser because “the incentives and culture within the executive branch” all heavily lean toward sympathy (p. 80).

Bruff adds one further quality for an excellent legal adviser—“practical wisdom” (p. 81). Wisdom entails sensitivity to the complexities of human behavior, recognition of the importance of facts to decisions, skepticism toward abstract ideological answers, and appreciation for “pragmatic gradualism” (p. 82). This discussion of wise legal counseling is indicative of Bruff’s balanced, moderate approach to the law and the presidency.

In evaluating six legal issues during the Bush administration, Bruff finds that the legal advice only achieved the standard of legal right twice (indefinite detention and Geneva Conventions) and only partially achieved conscience once (Geneva Conventions). His criteria for these judgments are not as clearly explained as one might like. For legal right, he most frequently emphasizes the criteria of a plausible legal argument, attention to executive legal precedents, and presidential access to an array of legal opinions. The standard for conscience is more ambiguous. In the opening chapter, it seemed to involve an ethical claim extending beyond mere law. But in its application, conscience seems only to refer to appropriate legal behavior. Among the factors cited as a failure of conscience are an aggressive, advocacy style in legal opinions, a failure to cite adequately contrary legal precedents, a lack of humility and caution in addressing complex questions, and a failure to consult those with more experience. Many of these seem to relate to a lack of professional independence, candidness, and detachment. The utility of the author’s evaluation scheme would be enhanced by a more integrated and explicit discussion of the criteria that make up each standard.

Bruff’s concluding discussion of reform flows from the moderate balancing approach of the book. He rejects most formal solutions including new statutes governing both adviser appointments and executive decision processes as well as the pursuit of criminal and civil liabilities. He argues that these formal approaches could have unintended consequences, encumber executive decision processes, and excessively deter bold executive decision-making.

Instead, Bruff pleads for reliance on the professional detachment of lawyers. After arguing that our system of partly separated powers demands the rule of law be protected, he concludes, “Understanding this, a lawyer will realize that adhering to professional discipline is in his or her own self interest as well as the best interests of the president and the nation. In short, professional responsibility is the best guarantee against bad advice” (p. 298). As a political scientist who appreciates the *Federalist Papers*, I am not



convinced by this last argument. Nonetheless, this is a very valuable book well worth reading.

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**Jason Kaufman.** *The Origins of Canadian & American Political Differences.* Cambridge, MA: Harvard University Press, 2009. xii, 358 pp. (\$55.00 cloth).

It is hard to do justice to a work of this scope in the space of a brief review. In covering some 400 years of two nations' histories in 350 pages, Kaufman has written a thorough, expansive narrative of Canadian and American political development.

He explains that the book "stems from the desire to understand why politics might vary between a country and its neighbor, particularly when people, ideas, money and material readily pass between them" (p. ix). Inspired in part by the inaccuracy of Tocqueville's prediction that "political convergence would precede cultural convergence" in the two nations, Kaufman notes that, in fact, the opposite has occurred: the two nations have converged in every area *except* politics. If anything, says Kaufman, they appear to be diverging "in terms of both public opinion and public policy" (p. 3).

Kaufman says that there are "no two more culturally similar nations in the world; yet in terms of their political cultures, they are miles apart" (p. 12). He concludes that

In general, we might describe the Canadian system as one of "negotiated politics," in contrast to the agonistic American system of "contested politics." The singular competition of each and all in American politics, law, business, and civil society is quite remarkable when seen in comparative historical terms. Its antecedents were apparent as early as the 1630's (p. 295).

One can choose to focus on any number of explanations for comparing and contrasting political development. Kaufman chose an intriguing unit of analysis: the manner in which the two nations organized political and legal jurisdictions. Kaufman explains that a study of Canadian and American political and legal development demonstrates that there are "inconsistencies in the evolution and enforcement of jurisdictional law that do, in fact, tell us much about the way social relations and state power developed in northern North America" (p. 24).

Beginning with a comparison of the relatively haphazard and unsupervised development in the American colonies and the Canadian development

that took place under more imperial supervision and control by the Hudson's Bay Company, Kaufman demonstrates that one can find the seeds of American competitiveness, individualism and litigiousness and Canadian "statist paternalism, social liberalism and fiscal conservatism" (p. 12) in the manner in which the two parts of northern North America were organized in the 17th and 18th centuries.

With several different types of charters, systems of land ownership and securing of titles, and competing claims among the colonies over boundaries, the American colonies comprised a Gordian knot of jurisdictional organization and legal systems. To survive in this messy political and tenuous legal situation, the Americans seized upon and developed the notion of incorporation to protect themselves and their property from both the state and one another (p. 68). In Canada, the control over vast amounts of land by the Hudson's Bay Company essentially standardized ownership and title. The result was the early stirrings of an American distrust for government—as both a potentially oppressive force and one that, due to its absence or ineptness, could be the source of legal wrangling and uncertainty and a more deferential Canadian attitude towards government and law. Reflecting on 300 years of political and legal development, Kaufman later says that "Americans in general, treat law as an extremely malleable set of rules and principles. "Truth" is contestable. Let the best lawyer win. There is no bed-rock of American law: it is a shifting pile of stones" (p. 289).

Kaufman emphasizes two key turning points in the development of North America: the Albany Convention and the Quebec Act. The Convention and the subsequent failure of the colonies to make any progress on the implementation of Benjamin Franklin's plan for organizing defense against French aggression and establishing relations with the Iroquois demonstrated the fractiousness of politics in and among the American colonies. The Quebec Act and imperial government by conquest in the wake of the Seven Years' War brought more order and more government control to Canada than the freer development occurring on a colony by colony basis in the south. The absence of any real need for an immediate or local government (or military) presence in the south clearly fostered a sense of independence from the crown.

In subsequent chapters, Kaufman emphasizes the impact of this continued tradition of a lack of strong government, a rather "frontier" mentality, and the destructive competitiveness it bred in the American political system and contrasts it with the impact of imperial and Hudson's Bay Company rule in Canada. Whereas Canadian expansion to the west was overseen by the government or by the gradual shifting of control from the Hudson's Bay Company to the government, American expansion west was again marked by a lack of order or organization. A telling example is the difference in

railroad expansion. Whereas, Kaufman notes, the Canadian government granted virtual monopoly status to the Canadian Pacific Railroad, American railroad policy was characterized by destructive competition among many speculators. The result was a hodgepodge of conflicting land claims, corruption, economic failure and control by power of private corporate interests that could dominate the process of westward expansion.

I found Kaufman's analysis more convincing in his coverage of the 17th-19th centuries. Once his focus shifts from contrasting the domestic development of neighboring countries in these centuries to assessing the impact of their assumption of radically different world roles in the wake of two world wars, it becomes harder to see the impact of the jurisdictional differences he describes.

The jurisdictional emphasis is only somewhat useful in chapters 8 and 9 ("Nations Reborn" and "The Vagaries of National Political Development"). On the one hand, its impact on the rise of private corporate power was evident in Kaufman's discussion of the United States' suppression of war and labor protests during and after World War I. "The American system had emerged as one designed to meet dissent, especially from the Far Left, with quick and decisive force" (p. 245). However, within this same context, I think Kaufman overreaches:

Legal, or quasi-legal, violence has long been a predicate of American domestic and foreign policy, and such tendencies have a tendency to grow and mutate over time. The constitutional limits placed on the war powers of sitting presidents have been repeatedly and consistently undermined. Leftists and labor unionists are still objects of intense federal scrutiny. Guns, gunplay and civilian readiness to support nationalist militancy are mainstays of the American experience (p. 245).

I wonder how much of the 20th century differences can be attributed to the different roles the nations came to play in the world in the twentieth century. In World War I, the United States was the target of European intrigue as demonstrated by the Zimmerman proposal to Mexico. The sheer size of the American economy made it a much more powerful actor on the world stage than Canada. As an ally, the smaller (in terms of political and economic power) Canada came under the protective influence of the much larger United States. One wonders whether Canada's foreign policy and its domestic responses to international affairs might not have developed differently were it not in the luxurious position of being unthreatened due to its proximity to the United States.

In chapter nine, Kaufman addresses the nature of political campaigning, the far greater role that money and private spending plays in U.S. elections than it does in Canada and the greater impact of individualism and competi-

tion in the U.S. While one can trace his conclusions back to the jurisdictional issues on which his analysis is based, there is also no doubting that the conduct of politics differs in the two nations because Canada is a parliamentary system dominated by one legislative chamber, while the U.S. shares power between a president and a bicameral Congress.

As well, I would take issue with his assertion that “Canadian jurists have historically remained far less willing to make substantive proclamations on the law than their American counterparts.” While this may have been the case prior to the 1980s, it does not reflect the increased activism of the Supreme Court of Canada and the spirited debates about rights and the role of the judiciary that have ensued since the *Charter* was patriated. If anything, I would suggest that the two nations’ legal systems have undergone a convergence in the last quarter century.

In sum, Kaufman offers us a new lens through which to study and compare American and Canadian political development. Any attempt to construct such an explanatory latticework for two countries across three centuries is bound to seem profound in some spots and invite spirited rebuttal in others. Nonetheless, I recommend Kaufman’s work as an ambitious and informative review of American and Canadian legal development. Insofar as a 300-page book on 300 years of two nations’ histories must paint in broad strokes, I think that this statement is a good, concise summary of the thrust of Kaufman’s analysis. It is worthy of admiration and respect. However, I also confess that such a book will necessarily invite response and rebuttal (or, at least, a demand for more substantiation). While I do disagree with some of Kaufman’s conclusions, overall, there is no detracting from the importance of this work. Anyone looking for a good introduction and overview of three centuries of political development in North America could do far worse than reaching for Kaufman’s book.

Were I to offer criticisms, they would be the following. First, the discussion is heavily skewed towards the United States. This is a generalization. Nonetheless, Kaufman spends more time describing how the U.S. developed before turning to briefer discussions that state, in much less space, that Canada was different. Throughout the book, the same question kept coming to my mind: *Why* did Canadians not follow the path taken by their southern neighbors?

Kaufman does, of course, answer this with regard to his development of his thesis about different jurisdictional development in the two nations. For example, his analysis of the impact of British imperial control over Canada after the seven year’s war is especially telling. Insofar as Quebec and Upper Canada were essentially conquered by virtue of the war’s settlement, Great Britain was compelled to play a more active role in the organization of Canadian government. In contrast, the process by which the southern colo-

nies were chartered was much more haphazard, decentralized and disorganized.

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**Colleen A. Sheehan.** *James Madison and the Spirit of Republican Self-Government.* New York: Cambridge University Press, 2009. v, 204 pp. (\$80.00 cloth; \$22.99 paper).

Almost single-handedly, Leo Strauss revived the quarrel of the ancients and the moderns and mounted a spirited defense of the ancients. The American “experiment,” if understood as a product of the Enlightenment, appears quintessentially modern, and thus presumably to be rejected in favor of what Colleen Sheehan calls, in her *James Madison and the Spirit of Republican Self-Government*, “the classical project” (p. 175). Yet Strauss’s remarks on the American republic appear, on balance, more positive than negative. Thus a debate, among Straussians, about the status of the American republic: is it, or can it be made, consistent with the principles of the ancients or is it irredeemably modern?

It is this debate, not that over the relative influence of Locke and Montesquieu on the founders, in which Sheehan is principally engaged. Her move is ingenious, if perhaps not ingenuous. If the American experiment itself *advances* the classical project, support for one is tantamount to support for the other. Sheehan’s aim is to show that Madison sought to advance the classical project. And this would be quite a coup: if Madison was guided by ancient principles we presumably ought to read the Constitutional framework itself in that light.

Sheehan begins from a familiar set of oppositions. She asks of Madison: “Did he believe that mechanistic governmental arrangements that channel passions and self-interest are a substitute for the traditional methods of quelling faction, making enlightened statesmen and the formation of civic character unnecessary to achieving the ends of political life?” (p. 171). This is the classical project: an educational project aimed at producing “enlightened statesmen” and forming the “civic character” of the citizenry. This project, Sheehan argues, and not “mechanistic governmental arrangements,” lies at the heart of Madison’s republicanism. At this point resist the urge to reach for your *Federalist* #51. Sheehan recognizes that institutional arrangements to counteract ambition are (along with representation, extension of the territory, and so on) “essential parts of Madisonian republicanism, but they are leitmotifs to his grand narrative of self-government” (p. 169).

The grand narrative itself concerns public opinion. Sheehan emphasizes Madison's view of public opinion as the expression of popular sovereignty. This emphasis gives Sheehan's Madison his reputation as a democrat, and is central to the strengths of her project. Sheehan ranges widely across Madison's public and private writings, but her sustained attention to Madison's "Party Press Essays," and the Notes on which they are based, strengthen or add to one portrait of Madison. Sheehan contributes to an increasingly compelling view of Madison as holding a consistent, broadly republican, political philosophy throughout his life. The threats to the republic might change in the 1790s, but his fundamental principles, Sheehan insists, did not. Sheehan's account of these principles separate Madison from the shadow of both Hamilton and Jefferson.

Particularly effective, in this regard, is the emphasis Sheehan places on the influence of the French Enlightenment on Madison. Discussion of that influence rarely goes beyond Montesquieu and Condorcet. Sheehan greatly expands the range of potential influence, tracing similarities, between Madison and these French writers, in their deployment of the concept of public opinion. And a clear division emerges between Madison and Jefferson on how popular sovereignty is manifested in a republic. On Sheehan's account, at least, while Jefferson and Madison read many of the same books, they were influenced by different ones. Especially important to Sheehan are the frequent citations, in the "Notes on Federal Governments," to Jean Jacques Barthélemy's *Voyage of Anacharsis*, which allows Sheehan to connect Madison directly to classical sources.

Despite these strengths, it is hard to read this Madison as a democrat, and doubtful whether Sheehan intends for him to be so. The *formation* of public opinion, not its sovereignty, most interests Sheehan. "In proportion as government is influenced by opinion," Madison says, "must it be so by whatever influences opinion." Sheehan's attention is therefore on whatever influences opinion. Sheehan identifies two main forces here: "literati," who, actively participating in the "commerce of ideas" (the language is Madison's) give shape to an otherwise formless public opinion; and the Constitution and Bill of Rights themselves. But while Sheehan adopts the language of "dialogue" and "deliberation," implying active citizen participation, ordinary citizens never come into view. Public opinion is to be "formed," "modified," "shaped," "enlightened" and "fixed." But what are ordinary citizens contributing to this "dialogue"? Sheehan's voice goes oddly passive whenever she describes the process of will formation itself.

More problematic still is Sheehan's account of the Constitution as an expression of popular sovereignty. Here Sheehan's assured clarity of expression and deftness in weaving together Madison's thoughts partially escapes her as she strains to make Madison an originalist who believes the meaning

of the Constitution is determined by “*the generation that ratified*” it (p. 111, Sheehan’s emphasis). This is not the position Jack Rakove attributes to Madison, and there seems no textual basis for it. Certainly Sheehan provides none. It is one thing to hope, as Madison did, that the Bill of Rights would educate Americans in the meaning of republican freedom (and thus shape public opinion). But it’s quite another to identify the “ongoing sovereignty of public opinion” with the permanent sovereignty of the opinion of the ratifiers. Even an “unscrupulous” democrat (p. 182) might fail to recognize this as an account of *democratic* will formation.

But this leaves us with the Madison we thought we already knew: distrustful of the people, as well as of Hamilton’s pretensions, and pinning his hopes on various mechanisms to “refine” popular views. As Sheehan knows, that portrait is not inconsistent with the view that Madison “did not abandon the classical project” (p. 175). But Sheehan does need Madison to have cared about “forming the minds and characters of the citizens” and not just their opinions (p. 179). The evidence for this appears to be a single unpublished note in which Madison refers to “literati” as “censors of public manners” and the fact that Madison read Aristotle. I feel compelled to render the Scottish judgment: case not proven.

This should not detract from Sheehan’s undoubted achievement. Madison becomes, in her hands, a political thinker of some depth, with a broader vision than the *Federalist* papers reflect. Sheehan compels us to confront the formation of public opinion in a democratic republic as a problem, and we have not obviously surpassed Madison in solving it.

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**Jeffrey P. Crouch.** *The Presidential Pardon Power*. Lawrence: The University Press of Kansas, 2009. 208 pp. (\$34.95 cloth).

In the realm of presidential scholarship, it is rare that a subject can arise that has not been seriously touched upon in the past by others. However, in his book, *The Presidential Pardon Power*, Jeffrey Crouch is able to find just that. Overall, the book is able to take presidential proclamations and infuse them with history, context, specificity, and utility. A preliminary question raised in the book is why the nearly limitless constitutional power that is embodied in the presidential pardon has seen a steep and permanent decline in use in presidential administrations since Wilson. What Crouch proposes is that the presidential pardon has evolved throughout history to become less a tool of excusing masses of the American public who may have been involved in protest or opposition, and much more a volatile and politically

partisan way for presidents to pursue their own personal interests; they use it to curry favor or avoid the entanglement of their administration in judicial review of impropriety. In addition, Crouch suggests that presidents such as George H.W. Bush, Bill Clinton, and George W. Bush have abused the clemency power in ways that would not be endorsed by the founders.

In order to fully assert that today's presidential pardon is more abused than in the executive past, Crouch lays out the book with longitudinal examinations of the pardon power and specific case studies regarding its use and what these examples mean to the contemporary president. The first chapter in the book begins by providing an excellent overview of the history of clemency and pardoning power in Greek, Roman, and English society, and the constitutional and founding debate surrounding the power of the pardon. Chapter One also lays the framework for the potential abuses of the pardon by looking at the five different forms of clemency (a full pardon, a commutation of a sentence, a remission of fines, a reprieve of punishment, and amnesty) that may be used by the president. The chapter concludes by looking through the bureaucracy involved in the application for and obtaining of a pardon and the possible checks on its use. Crouch explains not only that the very existence of the Office of the Pardon Attorney provides political cover and extra security against negative fallout associated with a pardon, but also that a presidential pardon is well insulated from reversal and censure, which can realistically only come from impeachment, amending the constitution regarding the pardon power, or by providing legislative opposition or stalemate on presidential policies.

After having set the stage on the history of the pardon, Chapter Two looks at the legal framework involving and concerning the pardon and how these cases have influenced contemporary uses and abuses of the pardon. Proposing that "the clemency power, simply put, is intended to provide for a solution in cases where—for whatever reason—normal legal procedures have produced an outcome that seems unjust" (p. 29), Crouch looks at cases that mark the transition from the use of the pardon as "an act of grace" to a tool used by presidents to protect themselves and their political allies. Important illustrative cases such as *US v. Wilson*, *Ex Parte Garland*, *Carlesi v. New York*, and *Biddle v. Perovich* are all looked at for the ways in which they have helped to mold and shape the power of the presidential pardon over the past 200 years.

After having laid the foundation of the presidential pardon, the next four chapters present specific case studies from different eras that do well to show not only the paramount pardons of the past, but also the ways in which the clemency power has changed over time. In Chapter Three, clemency hearings involving such notorious individuals such as Jimmy Hoffa, Eugene Debs, and Marcus Garvey illustrate the uses of presidential pardons as "acts



of mercy” or as “in the public interest.” Chapter Four examines what Crouch considers to be an important demarcation point for the use of presidential pardons; specifically, the pardoning of former President Richard Nixon by then President Gerald Ford. This event, more than any other, claims Crouch, is responsible for indicating important variables involved in the presidential pardon process. In addition to being one of the first pardons to actively “protect partisan allies” by halting an investigation into Richard Nixon, Ford’s pardon showed subsequent presidents that public confidence in the president, media coverage, and re-election plans were all considerations to be carefully weighed when using the pardon for individual gain.

For Crouch, Watergate not only marks the transition point in the uses of presidential pardons, it establishes itself as the time when the president can begin to justify use of the pardon for protection from partisan special counsel investigations. Chapter Five examines the establishment of the independent counsel statute after Watergate in 1978, and looks at four examples throughout history where presidents appointed their own investigatory teams to look at wrongdoing. Looking at The Whiskey Ring Scandal during the Grant administration, The Oregon Land Fraud Cases during the Teddy Roosevelt administration, The Teapot Dome Scandal during the Coolidge administration, and The Income Tax Scandal during the Truman administration, Crouch finds that, apart from Grant, the public accepted a president’s investigation because they largely supported him. Beginning with Watergate, however, public trust was shaken, more people looked to the independent counsel to provide solutions, and presidents looked at pardons as a way to defend themselves against this new threat.

Chapter Six and the Conclusion are forays into the modern presidency and the culmination of the argumentation regarding presidential pardons in the examination. Crouch looks at the Iran-Contra pardons granted by George H.W. Bush, the Mark Rich pardon granted by Bill Clinton, and the I. Lewis “Scooter” Libby sentence commutation granted by George W. Bush as specific illustrations of the ways in which the presidential pardon is used in today’s times as a presidential defensive mechanism to protect allies and reward loyal compatriots. These last chapters end much as the book began; they provide a thoughtful and thorough examination of the specific uses of the presidential pardon that indicate a transitional shift in its utilization as a presidential weapon. Overall, *The Presidential Pardon Power* makes a compelling argument for a change in a constitutionally granted power with excellent depth and well-chosen case studies. This is a welcome addition to the presidential scholarship library and continues the important discussion about the tools of presidential power, their uses, and their propriety.

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**George C. Edwards, III.** *The Strategic President: Persuasion & Opportunity in Presidential Leadership*. Princeton, NJ: Princeton University Press, 2009. 270 pp. (\$29.95 cloth).

George Edwards has repeatedly prompted us to think about the nature and nuances of presidential leadership, and in *The Strategic President* he hones in on Richard Neustadt's signature claim that presidential power is the power to persuade. Edwards doesn't equivocate; he asserts that there is a distinct lack of evidence to support the view that power is based in the skills of persuasion. Instead, he suggests that the available evidence supports a different conceptualization of leadership—namely, that presidents who are accomplished leaders capitalize on the opportunities available to them. They are, in this regard, “facilitators,” rather than persuaders. This would be a provocative book if for no reason other than the challenge to Neustadt, now deceased but nonetheless still central—after all of these years—to our understanding of presidential leadership. But additionally, the book includes some real gems: a creative approach to empiricism, some interesting asides and anecdotes, citations beyond the usual suspects, and a comprehensive view of the extant scholarship. And while I am left not completely convinced that leadership is about facilitation, not persuasion, the author implicitly encourages careful thought about what Neustadt meant. This may, in fact, be the book's greatest contribution.

Edwards contends that Neustadt was a forerunner in a social-scientific approach to the study of presidential leadership, even though “he employed neither the language nor the methods of modern social science” (p. 6). So he takes it upon himself to inject the language and methods into a test of the persuasion thesis. In some ways, this follows a text-book approach, using the overt logic of comparison—the kind our comparative colleagues employ so effectively—to available data of all sorts, including both quantitative and qualitative. This approach will appeal to those who understand the unique challenges of studying the presidency and who are open to the variety of methods and data that can inform our understanding of this subject.

In the most abstract sense, Edwards purports that we need to step back and consider *whether* presidents persuade (and what else they do) before we can make sense of *how* they persuade (p. 7). With this in mind, Edwards finds that *they don't*, at least “the best test cases” didn't lead by persuasion; even those presidents reputed to be skilled personal persuaders don't succeed in moving public opinion or in influencing Congress. This is a stunning finding. Furthermore, leadership according to Edwards is much more dependent on context than on the personal approach of the president. It involves exploiting opportunities. And sometimes, it even involves standing back to let others move where they want to go—provided it is also where the presi-

dent wants to be. As such, the author dispels the notion that leadership has to be “transformational,” but reminds us that the results still may be. “[F]acilitators can make crucial contributions to transforming policy without performing transformational leadership” (p. 189).

Edwards sees Neustadt as too focused on the personal qualities of the president, disregarding other actors and the political context—in effect, ignoring the hand the president is dealt. But it is quite possible that Neustadt and Edwards are not completely at odds. Granted Neustadt’s leadership-as-persuasion does not directly address the issue of context; and admittedly Neustadt’s qualitative approach, with its deep description of the actors and the circumstances, plays up the personal. Still, there is certainly room for context—even the need for context—in Neustadt’s analysis, I believe especially in its consideration of the “bargaining advantage.” In other words, including context in an analysis of leadership might not be at odds with Neustadt, though he certainly downplays that factor. With this in mind, I wonder if Edwards offers more accurately a refinement of Neustadt, rather than a rejection of him.

That said, in the process Edwards gives a windfall of evidence: polling data, insider accounts, congressional support scores, historical analyses, asides from comparative politics. He effectively weaves a narrative about presidential politics into his test of persuasion and his development of the facilitation thesis. It is interesting and at times surprising, sprinkled occasionally with somewhat obscure snippets (e.g., Hadley Cantril’s role in FDR’s approach to the public (pp. 28-29) and commentary on the origin of concept of the first “Hundred Days” (p. 114)); these are integrated into the larger accounts of a handful of presidencies, mostly modern. As such, the book offers a solid introduction to the politics of the presidency to the newcomer and deeper insight and accounts to the more informed. Though on occasion it seems to wander, this is a small price to pay for an engaging read. The book also provides a windfall in its consideration of scholarship, well beyond that focusing on the presidency. Chapter three, for example, embeds the discussion of public opinion in the scholarship of political psychology. But at times, the abundant citations become overwhelming. In fact, chapter five offers a welcome departure, seemingly freed of the author’s tendency to provide a citation for everything—in one sense a clear strength, yet somewhat distracting in the prose.

Reading *The Strategic President* brings to mind a test of persuasion versus facilitation that is impossible, yet nonetheless intriguing to consider. To disentangle the effect of the personal qualities of the president from the hand that he is dealt, wouldn’t it be useful to hold things constant, to in effect let things play out *certeris parabus*? If only we could control the basic parameters of congressional support, the inherent institutional tension of the

time, the nature of public opinion. That would permit a strong test of whether presidents' personal leadership qualities are the factors that distinguish one who succeeds in leading from one who does not. Yet I suspect that even then, the evidence would be inconclusive. This is because the personal and contextual aspects of the presidencies, useful as analytical categories, are inexorably intertwined.

Perhaps what Edwards does best is to call attention to this and, of course, prompt a reconsideration of Neustadt. In retrospect, Neustadt's emphasis on the personal was likely as much a response to the prevailing institutional focus (and emphasis on the formal) of the day as it was a testament to the personal. Similarly, Edwards asks us to rethink what is now a conventional approach, and to entertain facilitation as a credible leadership technique. But also like Neustadt, Edwards leaves a large opening to explore facilitation further. In fact, while his analysis discusses accounts of success and failure, the lessons for presidents (and for scholars) are somewhat vague. In other words, this topic deserves further consideration. This is underscored by the difficult demands placed on the president-as-facilitator. Neustadt warned that persuasion was no easy task and that neither governmental experience nor intellect would necessarily prepare a president to lead in this manner. It would seem that this is equally as true—equally as challenging—for the president who seeks to exploit the opportunities that he or she faces.

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**Robert Faulkner and Susan M. Shell, eds.** *America at Risk: Threats to Liberal Self-Government in an Age of Uncertainty*. Ann Arbor: University of Michigan Press, 2009. 288 pp. (\$35 cloth).

The editors of this volume invited several academics to diagnose the greatest contemporary threat to America. The twelve resulting essays usefully introduce a variety of potential causes for alarm. While the essays are rarely developed enough to convince experts in their respective subjects, they present lucid, accessible, and sometimes quirky arguments that readers might not encounter in the popular press.

In a section addressing foreign policy, Niall Ferguson argues that America is a “dysfunctional” empire, mostly because “financial, human, and cultural constraints” prevent it from recognizing its imperial mission (p. 39). Pierre Manent, on the other hand, argues that American and European views about their respective histories have produced dangerously divergent outlooks on the world. He thinks Americans regard Europeans as atheistic

wimps, Europeans regard Americans as bellicose religious fanatics, and both sides will have to change their attitudes toward military intervention if they wish to effectively address contemporary foreign policy problems.

In a section addressing “creeds and parties,” William A. Galston argues that American liberal democracy is endangered by a variety of practical and theoretical threats to the private sphere. These include overzealous efforts to promote goals such as security, public economy, equal opportunity, civic unity, and plenary democracy. James W. Ceaser argues that the non-foundational method that predominates in contemporary political philosophy threatens to “create a vacuum in the public realm” (p. 90). Such a vacuum might be filled by despotic ideologies, or it might destroy the deeply-rooted patriotism that makes citizens willing to sacrifice themselves to secure and maintain liberal democracy. Alan Wolfe argues that conservatives who wish to retain political power must inevitably become populists, enacting spending increases and tax cuts that betray conservative principles and bankrupt the country. He suggests that conservatives should embrace fiscal austerity, humble foreign policy, constitutional originalism, and presidential passivity. Oddly, Wolfe does not actually endorse these positions. Instead, he seemingly longs for the days when conservatives occasionally checked liberal excesses while otherwise losing elections.

In a section addressing cultural divisions, Susan Shell argues that a Kantian conception of marriage, which seeks to morally ennoble adults’ efforts to satisfy their desires, has displaced Lockean and Rousseauian conceptions that promoted reproduction and the inculcation of civic virtues. She thinks this threatens America by producing a culture in which the affluent fail to breed and poor citizens grow up without fathers or adequate schooling. Kay Lehman Schlozman and Traci Burch argue that the wealthy, as well as organizations that reflect affluent people’s interests or concerns, have a disproportionately great voice in American political life. Schlozman and Burch think this form of inequality clashes with “one of the fundamental norms of American democracy” (p. 160). Peter Skerry suggests that both pro- and anti-immigration political elites misdirect public discourse about immigration policy. They focus on illegal immigration while ignoring or dismissing the more substantial effects that legal immigration has on wages, employment, neighborhood mores, and other potentially justified areas of concern. Rather than addressing a threat to America, James Q. Wilson argues that religion does *not* threaten America. He thinks American religiosity is a product of liberal democracy, and that it promotes political mobilization while discouraging various social pathologies, especially in poor, unruly neighborhoods.

In the concluding section, which addresses “self-government,” Peter Rodriguez argues that a lack of savings by American citizens and govern-

ment alike exceeds or encompasses all other threats to America's economy. This is because Americans probably will not adequately adjust their consumption when developing countries, such as China, become unwilling or unable to invest in American debt. Harvey Mansfield argues that modernity undermines virtue by constantly seeking supposedly rational, efficient, automatic ways to fulfill our needs. Thus, bureaucracy and technology alike relieve us from an increasingly broad range of opportunities to do (or fail to do) things ourselves, including things as minute and insignificant as flushing public toilets after we use them. Hugh Heclo concludes the volume by arguing that professionalized electoral campaigning, new media developments, and other phenomena are corrupting the processes through which citizens and their leaders refine each other's views. Such processes are needed to produce policies that reflect "the reasoned judgments of majorities" (p. 253).

Events have overtaken some of the essays' concerns. George W. Bush, the chief villain in Wolfe's essay, has failed to establish a big-government conservative hegemony. Similarly, the current recession answers Rodriguez's question, "will the good times last?" (p. 233). Fortunately, these and other essays mostly address matters that will long remain relevant.

The volume has some other weaknesses, though. For example, although the essays provide different answers to a single question, they do not obviously challenge each other. As a result, pertinent questions go unanswered. Is America's relationship with continental Europe really more important than its relationship with China? Is America's failure to save money more dangerous than globalization, protectionism, bad public schools, perverse tax-code incentives, under-regulation, or over-regulation? Is pious America really more liberal, democratic, and well behaved than secular Scandinavia? Is the early-modern family the best or safest practicable institution for crafting liberal democratic citizens? Should America become a non-empire, rather than a more effective one? Do pollution, pestilence, resource scarcity, and loose nukes pose noteworthy threats? The editors could have made the book more useful, albeit longer, if they had invited scholars to address such questions or otherwise rebut the various essays.

Moreover, as one would expect, some of the most provocative arguments tend to overreach. This is especially true of the essays by Shell, Ceaser, and Schlozman and Burch. Shell provides no evidence to support her assertion that "today's claims on behalf of untrammelled sexual choice" would have had less "legal and moral traction" without Kant (p. 130). Kant's ideas about marriage may resemble contemporary mores, and they may even help us to think about those mores, but correlation does not establish causation. Similarly, Ceaser does not convincingly explain how an active commitment to non-foundationalism could displace better forms of public discourse.

Non-foundationalism often appeals to contemporary political philosophers because they wish to say something *despite* their skepticism, not because of it. John Rawls, Jürgen Habermas, Michael Walzer, and other non-foundationalists are much more ambitious than most of their twentieth century predecessors. Moreover, even if non-foundationalism promotes skepticism, skepticism is arguably less dangerous than principled enthusiasm. Far more people have killed or died under the banners of Luther and Marx than those of Chuang-Tsu, Pyrrho, Hume, and Oakeshott. Finally, it should be noted that some non-foundationalists, such as Rawls, are not hostile to foundations as such. They simply wish to set aside contentious foundational questions in order to secure a public consensus about political principles. Rawls's non-foundationalism is utopian, and its prevalence probably impedes more adventurous efforts in political philosophy, but it does not obviously threaten to destroy the republic.

Schlozman and Burch provide convincing evidence about differences in political voice, but they fail to show why this is bad or incompatible with America's core principles. Their premise seems to be that public policy ought to give equal weight to each citizen's desires, and so, for example, poor welfare recipients who want greater benefits should have the same influence as the affluent taxpayers who would have to pay for those benefits (pp. 150-151). This conclusion would have surprised Madison and his contemporaries, who did not equate liberal republicanism with interest group pluralism. While Schlozman and Burch concede that the founders were not all fully "committed to equality" (p. 141), one might more accurately say that despite their differences, the founders agreed that at least some restrictions on the franchise were needed to protect affluent voters from poor levelers.

In all fairness, many of these essays' weaknesses likely result from the volume's space constraints and polemical spirit. The various authors seem most interested in provoking thought and starting conversations, rather than winning arguments. Readers who are interested in the essays' topics will find much to consider here.

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**Steven S. Smith and Melanie J. Springer, eds.** *Reforming the Presidential Nomination Process*. Washington, DC: Brookings Institution Press, 2009. xiv, 205 pp. (\$44.95 cloth; \$19.95 paper).

Over many decades, the presidential nominating process has been subjected to constant scrutiny and tweaking of the rules. This edited volume

carefully explains the intricacies of the modern day presidential nominating system, as well as all of the problems associated with even the most minor adjustments to rules and procedures. Changes to rules and procedures sometimes generate unforeseen consequences, which in turn, results in new demands for additional reforms. Contributors to this volume evaluate past, present and future reform proposals.

Primaries and caucuses are different civic exercises than general elections. Voters are picking a candidate who will represent their party, not a public servant who will work for all of us in public office. Part of the problem is that it is difficult to come to a consensus about what objectives we would like to achieve with this process. In Smith and Springer's first chapter, the authors sketch out the modern history of the nominating process and various reform proposals. They argue that there are competing goals of access and inclusivity on the one hand, while on the other hand a party understandably would like for the process to be structured in such a way as to facilitate the selection of a nominee that reflects the values of the party's rank and file voters.

Ever since the McGovern-Fraser reforms that preceded the election of 1972, the Democratic Party has struggled to devise a nominating system that embraces competing demands for transparency, inclusivity, respect for minority voices and a proper participatory role for party leaders. Indeed, a recurring theme in this volume is the evidence demonstrating that to a far greater degree than their Republican counterparts, the Democrats have been far more troubled by rules and procedure controversies. Another common theme that frequently appears in this volume is the matter of sequencing. Does the structure of the primary and caucus calendar affect the outcome of the nomination process? The problem of front-loading (states moving their contests further and further up in the calendar to maximize influence every four years) is also a common theme in many of the articles.

In Chapter 2, Gerald Wright examines the ideological makeup of primary and caucus voters, particularly in early states. As Wright says, "the rules do matter" to the outcomes of primaries and caucuses (Wright, p. 40). In Chapter 3, Thomas Patterson takes on the issue of the higher turnout in the 2008 primary season, and argues that we are likely to see high turnout in future elections as a consequence. Chapter 4, by Bruce Hardy and Kathleen Hall Jamieson, provides a fascinating and sophisticated study on the power of endorsements to move primary voters. In Chapter 5, William Mayer examines the origin and use of so-called superdelegates in Democratic primaries. He finds that superdelegates' influence has been minimal, even though their role became controversial during the 2008 Democratic primary season. Chapter 6 features Springer and James Gibson's national study concerning public opinion on the presidential nominating system. Pre-



viously, there was surprisingly little public opinion data on this issue, which makes their study especially welcome. Larry Sabato articulates perhaps the most comprehensive reform plan in this book in Chapter 7. Indeed, his article reflects a tinge of annoyance at the current state of affairs, such as New Hampshire and Iowa's stubborn insistence on being the first in the nation. Drawing upon the elongated Democratic nomination contest of 2008 in Chapter 8, Thomas Mann finds the current nominating system to be satisfactory, but worthy of improvement. Finally, in Chapter 9, Daniel Lowenstein explores political possibilities and legal limitations to national reforms. His findings are not especially encouraging.

The reader is left with the conclusion that the presidential nominating system is needlessly complicated, perhaps for the purposes of achieving the interminable goal of fairness and satisfying the multiple constituencies that make up both parties. We are reminded in this volume of many past controversies over nomination rules and procedures, and many of the articles provide useful reminders as to why certain past reforms were adopted. Some contributors do better than others at understanding how proposed reforms would inevitably produce unforeseen consequences and changes to candidates' behavior. In addition, devising a long-term or permanent regime to the presidential nominating system is probably both undesirable and unrealistic. The dizzying pace of advances in campaign organizing (with the 2008 Obama campaign serving as the best example of this), rapidly evolving internet technology and the growing strength of the 24 hour cable news channels suggest that political parties must always be open to reconsidering their rules and procedures for selection of presidential candidates. As methods of political communication and organization evolve quickly and sometimes unpredictably, carefully crafted primary and caucus reforms can become quickly obsolete. At a bare minimum, a new presidential nominating system will have to be sufficiently flexible to account for unforeseen changes to the *modus operandi* of American politics.

This is not a book that will leave readers with a whole lot of definitive answers about where we go from here. This volume is helpful for facilitating informed discussions about what, if any, reforms should be undertaken, but that can only happen once we make some equally important collective decisions about the objectives that we seek to achieve in the presidential nominating process.

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