

Book Reviews

Richard L. Engstrom, Editor

Branwell DuBose Kapeluck, Laurence W. Moreland, and Robert P. Steed, eds. *A Paler Shade of Red: The 2008 Presidential Election in the South*. Fayetteville: University of Arkansas Press, 2009. xxi, 289 pp. (\$75 cloth, \$29.95 paper).

Since 1984, Laurence W. Moreland (Larry), the late Tod A. Baker, and Robert P. Steed (Bob) spearheaded efforts to understand the changing nature of presidential elections in the South. *A Paler Shade of Red* is the 2008 edition of this important endeavor. This edition, however, represents a significant milestone for reasons unrelated to the election of Barack Obama as the nation's 42nd president. This is the last volume that will include Bob and Larry as co-editors. Both retired from the Citadel at the end of the Spring 2010 semester, bringing to a close a very successful academic partnership. Along with Tod, this partnership produced a biennial conference, The Citadel Symposium on Southern Politics, numerous co-authored papers, and 14 edited volumes analyzing various facets of political change in the American South. How fitting that their last book focuses on the election of the first African American president in the United States.

The volume's organization follows V.O. Key's approach of single chapters devoted to each of the eleven former confederate states. Each of the eleven state chapters shares the same basic format; beginning with a discussion of the primary election season, followed by an analysis of the presidential election results. All chapters use exit poll data and some also use county results to describe presidential voting patterns. Finally, each chapter concludes with a section focused on the congressional election outcomes. Because of the parallel structures for each chapter, the findings for each state can be easily compared, which makes the volume ideal for state politics, presidential politics, or southern politics courses at the undergraduate or graduate level. The disciplined and coherent structure of each chapter also makes *A Paler Shade of Red* an easy read for students, political junkies and professors alike.

As the book's title implies, *A Paler Shade of Red* shows the incremental but important changes that characterize the election results in these eleven states. Even though all the chapters have their own appeal, four of the state chapters are particularly fascinating because they highlight contrasting trends. Arkansas and Tennessee trended heavily toward the GOP column in 2008, despite being states that the Democrats had won in the 1990s and

suffered only single digit losses in 2000 and 2004. Jay Barth, Janine Parry, and Todd Shields show that rural, largely homogenous white counties in Arkansas led the dramatic shift to the GOP column. They speculate that voters in these rural counties rejected the “social diversity” of the Democratic ticket (p. 136); or as they state in the title of their chapter, that Obama was “not one of (most of) us.” Noting a similar pattern among white homogeneous rural counties in Tennessee, Ronald Keith Gaddie sarcastically titles his chapter “Cracker Barrel Realignment,” double *entendre* notwithstanding. His weighted least squares analysis shows that counties with the higher percentages of white evangelicals had the highest rates of change toward the GOP.

The Virginia and North Carolina chapters are compelling because they document a trend in the opposite direction, toward a more blue hue at almost all levels of office holding. For example, Virginia exhibits many of the same trends noted throughout the South, clear majorities of evangelicals, conservatives, and whites supported McCain. On the other hand, urban voters were joined by suburban voters in counties like Fairfax to lift Obama to a convincing five point victory in Virginia. As opposed to Tennessee and Arkansas, where the rural white vote moved heavily against Obama, the rural white vote in Virginia remained consistent with previous elections. In North Carolina, a similar story emerged except that the trend toward Democratic blue was more intense. Obama won and North Carolina Democrats swept the gubernatorial and senatorial levels as well. As Charles Prysby notes, “few pundits would have predicted” that the Democrats in North Carolina would have the level of control the party enjoys after the 2008 election, especially given that the top of the ticket was led by an African American.

My only complaint about this volume is that at times each chapter cried out for multivariate models to help to provide explanation as well as description. More multivariate analysis of county level results, similar to Gaddie’s, would have also provided additional information regarding demographic changes in voting patterns. Nonetheless, this volume provides plenty of insights for any scholar looking to understand the nature of the historic election in the South in 2008. The book is a fitting capstone for two Citadel scholars who have done so much to enhance and advance our knowledge of Southern politics. Prost my friends and colleagues to Larry and Bob, for all of their outstanding contributions, including this one, to the study of Southern politics.

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Michael Maniates and John M. Meyer, eds. *The Environmental Politics of Sacrifice*. Cambridge, MA: The MIT Press, 2010. viii, 343 pp. (\$50 cloth, \$25.00 paper).

Conventional wisdom tells us that Americans are unwilling to sacrifice current consumption for future environmental gains. Anyone urging Americans to drive less, turn thermostats down, or their air conditioning off to address problems such as global warming is widely regarded as advocating something un-American. Increasing consumption is so widely embedded in American notions of progress that calls to reduce consumption voluntarily are regarded as heretical. Even some environmentalists have suggested that the environmental movement needs a message that is not predicated on gloomy calls for reductions in consumption that they believe are destined to fail. Far better, they claim, is action designed to foster technological and market-based solutions to environmental problems. Putting faith in technology and the market place reduces the need to make hard choices about patterns of consumption, and largely negates the need for meaningful sacrifices.

The essays in *The Environmental Politics of Sacrifice* challenge this conventional wisdom. First, they show that voluntary sacrifice is commonplace rather than rare in the United States. To give a common example of voluntary sacrifice: large numbers of parents, particularly mothers, make constant sacrifices for their children every day. The important point here is not simply that such sacrifice is ordinary and commonplace, but that it does not necessarily involve self-abnegation. Voluntary sacrifice means giving up something for the sake of something regarded as more important and can lead to self-fulfillment. That Americans are willing to do this so frequently suggests that offering sacrifice as a way to tackle environmental problems may not be as foolhardy as supposed. Second, they note that disguised sacrifice is ubiquitous in the United States. Millions of car drivers, for example, sacrifice health, money, and the lives of other people killed in accidents for the sake of personal transport. A challenge for environmentalists is to make Americans aware of these sacrifices and ask them whether it is worth it. Third, they show that structural obstacles may prevent environmental sacrifice. It is possible that Americans may wish to drive less but be prevented from doing so by the design of cities and the absence of viable alternative transport systems. Environmentalists need to identify these structural obstacles and campaign to have them removed.

Overall the essays in *The Environmental Politics of Sacrifice* provide an important examination of an under-studied topic. They successfully challenge conventional wisdom and show that environmental sacrifice may not be the dead-end that many imagine. However, some improvements to the volume could have been made. The number of essays that examine the

concept of sacrifice could have been cut dramatically as they all say essentially the same thing. This would enable more space to be devoted to case studies and practical examples of environmental sacrifice. There is also a sense in some of the essays that a discussion of sacrifice has been added as an afterthought to other preoccupations. Finally, the sacrifice of capital letters on the cover of the book is probably a sacrifice too far. But these are largely niggardly points. *The Environmental Politics of Sacrifice* makes an important contribution to the literature and should be read by anyone interested in environmental politics.

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Kenski, Kate, Bruce W. Hardy, and Kathleen Hall Jamieson. *The Obama Victory: How Media, Money, and Message Shaped the 2008 Election*. New York: Oxford University Press, 2010. 392 pp. (\$76.90 hardcover, \$21.95 paperback).

The Obama Victory takes a retrospective look at the outcome of the historic 2008 presidential election. The authors cover many topics in this comprehensive book, but their primary goal is to determine the extent to which media coverage, candidate rhetoric, and campaign funding explain how a biracial first-term Illinois Senator became not only the 44th President of the United States but also the first POTUS of color.

The authors divide *The Obama Victory* into four parts. The first four chapters explore the various “forces and messages” that set the stage for the 2008 presidential campaign. These contextual forces include, but are not limited to: a declining economy and unpopular lame-duck president (Chapter 1); an information environment dominated by characterizations of McCain as “McSame” and Obama as a “tax-and-spend liberal” (Chapter 2); attempts by the McCain campaign and its surrogates to brand Obama as self-promoting, politically inexperienced, and anti-American (Chapter 3); and efforts by Democrats to discredit McCain because of his age and unpredictability (Chapter 4).

In Part 2 of *The Obama Victory*, the authors break up the major events of the campaign into five distinct “periods”. The first and longest period (June 7 through August 22) is characterized by McCain gaining political momentum in large part, according to the authors, because of widespread favorability among voters for the Arizona Senator’s stance on the issues of energy independence and foreign oil (see Chapter 5). The sixth and seventh chapters discuss August 23 through September 9, a three-week period that

culminated in national party conventions in which the Republican and Democratic nominees confirmed former Alaskan Governor Sarah Palin and Delaware Senator Joe Biden as their respective running mates. The Palin pick brought much-needed enthusiasm to the McCain campaign, but the meltdown on Wall Street—a major focus of the third period (September 10 through October 14)—and Obama’s perceived advantage on economic issues overwhelmed the GOP. Intriguingly, the race began to tighten in the fourth period (from October 15 to October 28) because of a conversation about small-business tax policy that Obama had with an Ohio resident named Samuel Joseph Wurzelbacher. The McCain-Palin campaign politicized Wurzelbacher’s reservations about Obama’s plan to redistribute wealth, making “Joe the Plumber” an overnight celebrity and his anti-tax viewpoints a rallying cry among blue-collar conservatives. This late October surge was short-lived, however, and Obama’s lead widened in the fifth and final period (October 29 through November 4) as the financial crisis, combined with questions about Palin’s qualifications, the appeal of Obama’s “hope and change” rhetoric, and perceived similarities between McCain and President George W. Bush, ultimately swayed voters.

The third part of the book explores how the 2008 election altered the “landscape” of campaign politics. Specifically, the authors examine the role of absentee and early voting in Chapter 11, they chronicle differences in the candidates’ spending patterns while recognizing the increasing importance of “micro-targeting” (the practice of mobilizing voters using marketing data-mining techniques) in Chapter 12, and the authors conclude with some remarks about the vital role of campaign messaging in Chapter 13. The final two chapters include some of the most sophisticated analyses of the book: multivariate analysis of the determinants of Obama voting, reveal that, other things being equal, Obama’s ability to out-fundraise and outspend his opponents gave him a distinct advantage in the war over ad space (Table 12.1) and media exposure (see Table 12.2). Not surprisingly, Figure 13.1 confirms not only that partisanship, ideology, Bush approval, and perceptions of the national economy played major roles but also that Obama enjoyed strong support among higher-income and African-American voters. Furthermore, Figure 13.1 shows that campaign messages (particularly, those that linked McCain to Bush or made light of McCain’s expertise on economic matters) improved Obama’s electoral chances.

What have we learned from this presidential race? In the books’ Afterword, the authors conclude that Obama won with a nearly boundless bankroll, disciplined campaign messages, and relatively favorable press coverage. Of course, Obama benefited from a political context that was ripe for the change his campaign promised. The 2008 presidential race offers many lessons to the pundits and scholars, and the authors conclude with some

recommendations (and warnings) about the potential uses and abuses of campaign funding, targeted messaging, and digital technology in future presidential elections.

The Obama Victory is an ambitious and well-executed book. The authors tell their story with elite interviews, anecdotes, and a wealth of political advertising and polling data. The sheer scope and even-handed tone of this book distinguishes it from other works of its type, and the readability and high quality of the research is what one would expect from the analysts at the Annenberg Public Policy Center. The insights of this book will appeal to students of U.S. electoral politics, public opinion, and political communication. Those who study social identity will find Chapter 4 (which discusses, among other things, the impact of Obama's race on voter support) particularly fascinating, and, considering the media's obsession with the racial significance of Obama's success, such readers would most likely want more from the authors. Moreover, I hope that others will follow Kate Kenski, Bruce Hardy, and Kathleen Hall Jamieson's example and create an analogously comprehensive treatise on the 2008 presidential primaries, for scholars concerned with gender politics will be just as fascinated with Hillary Clinton's challenges and triumphs as they are with the introduction of Sarah Palin to the national political stage. These, of course, are small criticisms to an otherwise excellent study, and I look forward to reading more from Jamieson and her colleagues.

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Sean Cunningham. *Cowboy Conservatism: Texas and the Rise of the Modern Right*. Lexington: University Press of Kentucky, 2010. 293 pp. (\$40 cloth).

Once a stalwart of the Democratic Solid South, Texas has transformed into a major Republican stronghold not only in the South, but for the entire nation as well. In *Cowboy Conservatism*, Sean Cunningham explains the process of the party shift that Texas experienced when the Republican Party became dominant in a state that had been controlled by Democrats for more than a century.

Cunningham analyzes the political changes that took place in Texas in the years between the assassination of JFK and the election of Ronald Reagan. Examining the state's geography, history, economy and social outlook, he details how Texas was transformed by a series of political events during these tumultuous years. He points to how the social upheaval from

that time period, in the form of anti-war protests, the federal government's push for civil rights, the breakdown of social order in several American cities, an economy hobbled by inflation and excessive regulation, an anxiety over America's military strength, and the distress over moral laxity in the country, resulted in Texans fundamentally questioning the Democratic Party's new found liberal philosophy and the party's ability to handle the formidable crises the country faced. Public perception that the conservative ideology embodied by the Republican Party could address their concerns eventually paved the way for Texas to become a Republican stronghold.

The first part of the book lays out that conservative tradition. Cunningham demonstrates how the state's history of rebellion, independence, annexation, secession, and reconstruction created hostility to all sources of control and dominance based outside the state. For over a century, Texans were convinced that the Democratic Party was the party that represented their conservative values of independence, patriotism, and loyalty.

While federal intervention under Democratic administrations did increase during in the 1940s and 1950s, Cunningham points out that the shift to the Republican Party was delayed by fears that Republicans were extremists. Right wing hostility to the Kennedy administration put Republicans on the defensive after the young president was assassinated in Dallas. Conservative Democrats were successful in labeling Republicans as radicals and Texans were fearful of being perceived as extremists. When you add in Lyndon Johnson's presidential bid in 1964, Texas continued to remain faithful to the Democratic Party.

However, factionalism in the state's Democratic Party between the liberal and conservative wings led to a split in the party. More importantly, events began to overtake Texans' view of the two parties and their respective governing philosophies. The state's resistance to the Democratically-controlled federal government's push for civil rights, the perception by Texans that the nation seemed to be spinning out of control during the 1960s, the liberal George McGovern as the Democrat's presidential nominee in 1972, and the failed presidency of Jimmy Carter, all undermined Democratic loyalties and opened the door for Texas Republicans to attract Democratic conservatives.

We are introduced to the individuals who helped push that door wide open and persuade Texans to cross the partisan threshold into the Republican Party. The seminal start of the conversion begins with staunchly anti-communist Republican Bruce Alger's election to Congress in 1954. Alger, Cunningham argues, never introduced or passed a single piece of important legislation, but was a key figure in the rise of modern conservatism in Texas. John Tower's surprise election to the Senate seven years later legitimized the idea of Republicans being electorally viable, and certainly at least as

conservative as a Democrat. The partisan makeover gained momentum when the most popular and influential Texas Democrat in the state, Governor John Connally, defected to the Republican Party.

The real hero in this southwestern saga, however, is Ronald Reagan. Cunningham highlights the rise and influence of Reagan over several chapters illustrating how the former actor's conservative philosophy, combined with his sunny optimism, made him the state's most popular advocate for conservatism and a crucial contributor to the states' partisan conversion. It was Reagan who made Republicans respectable and who convinced native Texans in the state's conservative political climate they were at home in the Republican Party. By 1980, Texas was Reagan country. His efforts were a critical element in the seismic shift in Texas from a solidly Democratic state to a staunchly Republican state. A remarkable transformation had taken place. Texas was now a Republican powerhouse on the national stage.

One interesting point the author brings to light was how Texans, who, as Cunningham emphasizes, were averse to extremism in the 1960s, came to support Ronald Reagan in the 1970s, a candidate who many considered an extremist. In the 1976 presidential election, Texas' favorite son, John Connally, labeled Reagan as an extremist (p. 221), and conservative Texans began distancing themselves from moderate Republicans like John Tower. Even moderates like George Bush moved rightward and adopted a more conservative tone. Something that was long perceived as risky had come to be embraced by Texans.

From a summary perspective, there is much to like in this effort. It is a fine piece of scholarly work that is readable enough for use in an undergraduate classroom and might make a nice addition to a first year graduate seminar. Cunningham's extensive research is presented in an easy-to-read and easy-to-follow format that describes how multiple factors played an important role in shifting Texas from a solidly Democratic state into a Republican stronghold.

Many political experts are aware of the events and facts from the period between 1963 and 1980. That said, while Texas is a big state and deserves some consideration because of its size, this book doesn't really offer anything new or unique to the literature on partisan realignment in the south. The forces that fueled the partisan conversion in Texas are the same ones found throughout the once all-Democratic south. Ideological conservatism and opposition to federal mandates helped realign many voters in other southern states into the Republican Party. Conservative Democrats throughout the south joined Texans in their negative reaction to the Democratic Party's shift from a racially conservative party to a racially liberal one. The resistance to federal enforcement of integration policies was also apparent throughout the region. Ronald Reagan's influence on the region's partisan

shift is almost legendary. Beyond that, however, the historical richness of Cowboy Conservative makes it a worthwhile read when considering the rise of modern conservatism.

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James Thomas Tucker. *The Battle Over Bilingual Ballots: Language Minorities and Political Access Under the Voting Rights Act.* Burlington, VT: Ashgate Publishing Company, 2009. xvi, 413 pp. (\$99.95 cloth).

When one thinks of the history of the struggle for voting rights in the United States, the Tu-pik speaking people of Bethel, Alaska or antebellum Connecticut (which in 1855 became the first state to adopt the literacy test) are not likely to come readily to mind. Rather, as C. Vann Woodward taught us to do in his most famous work, we tend to think of the “strange career of Jim Crow” and voting discrimination as a southern phenomenon. The great contribution of James Thomas Tucker’s *The Ballot for Bilingual Ballots* is to make us aware of the plight of language minority groups in the drive for a more democratic and just America. This valuable book will find a wide audience among those who are interested in voting rights, ethnic politics, or civil rights more generally.

The essence of the book is a detailed legislative history of the various incarnations of the provisions of the Voting Rights Act that apply to American citizens whose first language is not English. The author brings the insider’s enthusiasm and expertise to this narrative. Indeed, the reader will find a picture of the author and other leaders of the National Association of Latino Elected and Appointed Officials (NALEO) on page 172 of the book. As the author rightly contends, the study of language minority groups and their voting rights is an underappreciated topic and likely to grow in importance as waves of new immigrants continue to reach American shores.

The book has six parts. The first four parts describe the development of federal laws dedicated to the protection of the rights of language minorities. The fifth section presents a case study of remedies for voting discrimination against Alaska native-Americans who are not fluent in English. The final section consists of very brief contributions from five other authors on topics like the protection of Asian American voters. Collectively, the volume is a spirited defense of the principle of guaranteeing the right of all U.S. citizens to participate in U.S. elections.

A central question that is featured in all of the legislative debates is whether protecting the voting rights of language minorities through various iterations of the Voting Rights is truly necessary. Legislators also disagree about what jurisdictions and language groups should be protected and how. For example, Section 4(e) of the 1975 amendments to the Voting Rights Act applies only to residents of Puerto Rico. Section 4(f)(4) was applied to political subdivisions “where significant concentrations of minorities with native languages other than English reside.” Disagreement has revolved around how and where these provisions of the Voting Rights Act should be applied. For example, as Tucker notes, “Complete census data was [sic] only available for 50 of the 90 Alaska Native reservations under the 2002 Determinations” (p. 122).

Critics of these provisions of the Voting Rights Act, generally Republicans, argued that the law was unnecessary, too costly to implement, or too punitive. Republican Steve King of Iowa, for example, contended that the Voting Rights Reauthorization Act (VRARA) of 2006 was “a serious affront to generations of immigrants” that had to learn English and that it would create language enclaves destructive of American unity (p. 178). Republican Senator Jeff Sessions of Alabama claimed that providing election materials in languages other than English would tear the country apart and “destroy national unity (p. 182).” Although defenders of the law dismissed these objections as misleading or even mendacious, 33 (out of 423) members of the U.S. House voted against final passage of the 2006 VRARA. Twelve of these Republican dissidents were from Georgia and Texas. This is understandable when one recalls that Texas has had at least 105 Section 5 objections since 1982. Nevertheless, Republican leaders of the House like Speaker Dennis Hastert, Judiciary Committee Chair James Sensenbrenner, and Subcommittee on the Constitution Chair Steve Chabot all supported the renewal of the law. The 8th chapter of the book is devoted to debunking myths about language assistance like the mistaken belief held by writers like George Will that knowledge of English is a requirement for U.S. citizenship.

The book has just a few very minor errors. For example, on page 135 the author mistakenly writes that the General Accounting Office was renamed the General Accountability Office (instead of the Government Accountability Office). More significantly, one might question the author’s decision to depart from the academic convention of including a final chapter that synthesizes the author’s principal contribution to existing research on a topic or question. A successful conclusion gives the reader a clear sense of a book’s place in the scholarly literature and how our understanding of a topic might be altered or enhanced by the research the author presents. It is surprising, for example, that Tucker did not include a discussion of the existing research tradition on voting rights represented by writers like Chandler

Davidson and Morgan Kousser. Instead, the volume concludes with four very short essays by other authors and several very lengthy appendices (pp. 293-370) that list some of the covered jurisdictions and samples of bilingual ballots. Although the author shares original survey data on how the law is implemented that his team collected, we might like to know more about how significantly the voting rights law has contributed to the goal of creating a more just and inclusive political system in the United States.

Despite possible questions one might raise, *The Battle Over Bilingual Ballots* provides invaluable insights into the challenge of integrating Americans who may lack English proficiency into our political system. It is an irony of American history that the United States, the ne plus ultra of immigrant nations, has long been home to fierce nativism. In an era of political leaders like Tom Tancredo, it is clear that defending the voting rights of Native Americans, Asian Americans, Spanish-speaking citizens, and others who struggle with English fluency, is as vital as ever. James Tucker reminds us of this important reality.

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Justin Vaïsse. *Neoconservatism: The Biography of a Movement*. Cambridge, MA: The Belknap Press of Harvard University Press, 2010. 366 pp. (\$35.00 hard cover).

In February 2003, President George W. Bush proclaimed to the world, in a speech at the American Enterprise Institute, that “a liberated Iraq can sow the power of freedom to transform that vital region, by bringing hope and progress into the lives of millions.” This bold foreign policy directive represented a signature achievement of the American neoconservative cause but was worlds removed from the movement born forty years prior among liberal domestic policy critics. How, exactly, did we get here from there? Justin Vaïsse provides illumination in a rich historical rendering of neoconservatism in contemporary American politics. He skillfully traces the impact of the movement and its ideas through a meandering odyssey of influential individuals, organizations, and events across three historical ages from the 1960s to present day.

The first age of neoconservatism, according to Vaïsse, was born out of backlash against the leftward drift of American domestic policy under Lyndon Johnson’s Great Society programs. Vaïsse contends that original proponents of neoconservatism were disgruntled New York intellectuals who were mostly un-interested in foreign affairs, instead advocating for

restrained use of state power both at home and abroad. Neoconservative ideas, including a hardened Cold War focused foreign policy, soon found a home within the pages of Irving Kristol and Daniel Bell's *The Public Interest* and Norman Podhoretz's *Commentary*, and voice from a growing body of respected advocates such as Daniel Patrick Moynihan and Seymour Martin Lipset.

The second age, Vaïsse recounts, emerged as a "silent majority" conservative alternative to the left's embrace of the counterculture, chiefly represented by "new politics" and the McGovern wing of the Democratic Party. During this era, we saw the emergence of outspoken foreign policy hawks, led by Scoop Jackson, who dissented from their party's tepid Cold War posture, and the creation of such bedrock neoconservative organizations as the Coalition for a Democratic Majority and the Committee on the Present Danger. Their political mission reflected a broader effort among conservative intellectuals and opinion leaders to persuade, or wedge off, discontented Democrats on the basis of a need for more muscular foreign policy objectives. Over time, the vaunted "Vital Center" had shifted from Schlesinger's Truman to Podhoretz's Reagan.

The third age of neoconservatism took hold during the Reagan presidency and may have seemed to find difficult footing as a right-wing opposition to Bill Clinton's foreign policy. However, as Vaïsse notes, the Democratic Leadership Council served as an effective counter-balance. More importantly, a new generation of neoconservative leaders would come of age and achieve access to the foreign policy-making apparatus during the George W. Bush administration. This doctrinal shift was particularly remarkable given that Bush the candidate derided the Clinton administration for its internationalist focus on nation building and human rights. Nonetheless, neoconservatism thrives today as the dominant ideological perspective of the Republican Party, as the cross-party migration of neoconservative principles and proponents has become virtually complete. As Irving Kristol (1995) trumpeted in 1995, "the Democratic party of today is not the Democratic Party of yesteryear" (p. 370).

Vaïsse describes how the seeds for neoconservative renewal were planted right around the time when some observers, including some of the movement's "godfathers," had eulogized its demise. In particular, the Project for a New American Century, and the *Weekly Standard*, would become the central driving force of the new neoconservative energy. PNAC, and its members, gained strong prominence within the "establishment" during the W. Bush Presidency and effectively leveraged their influence in the foreign policy and national security debates in the wake of the September 11 attacks.

Vaïsse's well-researched historical narrative confirms conventional understanding regarding the ideas promoted by those who would found and promote the neoconservative cause. Others, such as Ehrman (1995), have chronicled how leftist intellectuals who initially promoted a socialist worldview transferred their idealist concept of internationalism toward neoconservatism. Vaïsse's book, however, looks through a much wider lens, providing novel insight into domestic political fallout of this ideological strain. Particularly welcome is his depiction of how discontent within quintessentially liberal organizations such as the Americans for Democratic Action reflected broader schisms in the party's New Deal coalition. Union-backing traditionalists found resonance in the neoconservative's unashamedly anti-communist message.

Neoconservative opposition to the New Left, McGovern, and Carter is also well documented and receives fair treatment in this book. Vaïsse's account excels in chronicling intra-party fractures during Republican Party administrations which were equally as critical in the development of the movement. For example, he meticulously details neoconservative challenges and eventual triumphs over the Nixon-Kissinger's détente agenda and the rather harsh public expressions of discontent over George H.W. Bush's "realist" conclusion to the first Gulf War. Finally, the author presents one of the clearest depictions of foreign policy debate within the ranks of the George W. Bush administration.

In *Neoconservatism*, Vaïsse cautions against ascribing the sort of "artificial coherence" (p. 5) to neoconservatism as others have proffered, stating that the term has "always been close to meaningless (p. 271). It is true that "multiple and contradictory interpretations have been proposed" (p. 271), but Vaïsse also steers clear of any attempt at a lexical statement on the matter, instead conceding that "connections are tenuous, and the filiation is complex and indirect" (p. 4).

I expect some readers will grow frustrated with the author's broad brush historical portrayal of the movement and its key players while avoiding clear-cut lines of conceptual demarcation. For example, he argues that no neoconservatives reached the level of President Bush's "inner circle," a characterization Max Boot, a neoconservative, would agree with. "A cabal of neoconservatives has hijacked the Bush administration's foreign policy. . . . If only it were true!" (Boot 2004, 20). Ultimately, Vaïsse claims that Dick Cheney and Donald Rumsfeld were "assertive nationalists" while Paul Wolfowitz and Douglas Feith were neoconservatives. Such a distinction appears to be without practical difference, especially since neoconservatives and their "allies" share and promote common policy objectives.

In the end, however, Vaïsse effectively employs neoconservatism, the concept, as a practical historical device, demonstrating how American

political history may be illuminated when seen through the prism of a series of remarkable intellectual debates and the networks of people, organizations, and institutions that represent them. Vaïsse thereby fulfills his book's overarching goal of highlighting the bridge between normative ideals and practical policy—how “ideas, represented by people and their networks, take hold and direct public policy” (p. 20). One might even carry this discussion forward. Only two years after President Obama's landmark victory and the proclamation of a “new liberal order” (Beinart 2008), there seems to be growing public discontent over economic (rather than national) security, domestic policy priorities, and clarion calls for conservative purity in the Republican Party ranks. Whether this means we have thereby entered into yet another, fourth, age of neoconservatism remains to be seen.

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Stanley A. Renshon. *Noncitizen Voting and American Democracy*. Lanham, MD: Rowman & Littlefield Publishers, 2009. xii, 134 (\$60.00 cloth).

Stanley Renshon places the context of noncitizen voting in Western, multiethnic and multi-racial democratic states. He examines specifically the challenges of integrating diverse groups into an already established national community with suffrage rights without formal status of American citizenship. Voting is seen as an essential marker of full community membership. Non-citizens had suffrage rights in almost one-half of the American states during the latter half of the 19th and early 20th centuries; yet almost every state rescinded those provisions by the 1920s, resulting in the “intertwining” of citizenship status with voting rights. Renshon examines the “current debate” about extending suffrage to non-citizens and applies the criterion of emotional attachment to the United States, the existing requirements for naturalization, and the relationship of voting to the civic and community incorporation of new immigrants. This “. . . requires of citizens a degree of cosmopolitan thinking, being able to transcend, even if only episodically, less inclusive identities than one's national identity as an American” (p. 13).

Renshon identifies “feelings of warmth and affection for, an appreciation of, a pride in, a commitment and responsibility toward and support for the [American] community” (p. 13) in which being an American is the core attachment, so claims of fairness are not sufficient to justify alien suffrage [in a short time]. Renshon examines political theories and psychological issues to support or deny non-citizen suffrage, and he pushes for evidence that demonstrates “the development of deliberative capacities and democratic commitments among immigrants and potential citizens” (p. 53). Many of the “talking points” by non-citizen suffrage advocates are criticized as devoid of empirical evidence. If there is some evidence, then adding additional conditions (i.e., size of the community, time lapse to grant suffrage, transnationalism, etc.) serve to undermine non-citizen suffrage.

This reviewer places emphasis upon the breadth and complexity of examining non-citizen voting. Unfortunately, Prof. Renshon embellishes the notion of emotional attachment and the “interwoven” character of the vote and citizenship as his *primary* basis to determine the benefits of non-citizen voting. Discussion that incorporates the legal foundation of alien standing, rights, and obligations needs to include the underlying principles associated with a representative democracy—*citizenship, residency, community, rights*, and the *legal and political contexts*. A discussion of community citizenship incorporates the idea of universal rights guaranteeing fundamental civil and political rights to all residents (Alienikoff 2001). In addition, formal national citizenship (either by *jurus soli*, or *jus sanguinis*, or by naturalization) accords individuals with rights and privileges that are distinct and broader than those who do not possess this citizenship status (Schuck 2000). Thus, there are legal, political, and value premises that accompany the practice and meaning of citizenship in the U.S. The notions of community membership, civic identity, allegiance to the polity, and attachment fall within the scope of this discussion. Citizenship entails an individual becoming engaged in local, state, and national matters, active in political parties, voluntary associations, religious institutions, and many other aspects of civil society (Gerstle and Mollenkopf 2001). This political incorporation process notes membership in a political community that combines being an inhabitant, political learning and experiences, status and rights, and civic engagement as the basis for full and active membership.

Part of the debate about suffrage access is that immigrants are viewed as not having American interests at heart. Individuals with dual citizenship are criticized because dual status allegedly undermines their integration and loyalty (Renshon 2001). Additionally, there are concerns about voter fraud (Minitte and Callahan 2003), and immigrant bloc voting influencing election outcomes in contentious elections (Sontag 1992). Yet, the over-riding basis for immigration is the desire for a better life, which extends beyond eco-

conomic opportunities and gains. Belief in fundamental freedoms, establishing equity in the “host society”, and integrating and adapting to American life are both inevitable (via assimilation and acculturation) and desired by most immigrants. The extent of incorporation is not the sole responsibility of the immigrant or their respective community. Studies of naturalization and other forms of political incorporation indicate pro-active and supportive programs by governmental agencies affect significantly higher naturalization rates. Thus, discussions about community membership must factor in structural and societal processes and “climate” that will influence immigrant incorporation.

With dual citizenship becoming more prevalent, there are issues for which national citizenship has primacy; possible foreign influences on domestic issues or requirements to relinquish the other citizenship, matters of allegiance, primacy of attention and engagement, and loyalty come into play. Yet, globalization, multiple identities and affiliations, and transnationalism are redefining what citizenship means in the 21st century. Research findings on dual citizens and transnational participants are uncovering relationships with the U.S. (i.e., in terms of loyalty, and civic and political engagement) that are complementary for political incorporation in the U.S. Also, it has been suggested that maintaining citizenship of one’s original nationality is integral to reduce the disadvantages that can follow by acquiring a new nationality such as inheritance, property ownership, and other entitlements (Martin 1999, 30).

Non-citizens are seen as lacking sufficient knowledge to make well-versed decisions about public policies and candidates. Greater political knowledge is argued to be a prerequisite to exercise the voting franchise. Despite the democratic principle that every vote counts, in the case of non-citizens, their voice would be discordant with citizens’ interests and act as a voting monolith. Claims of increased voter fraud (Minittie and Callahan 2003) have also been posited, although there is little evidence. Again, if we seek out evidence to support or refute these claims, there is more evidence that globalization, and historical patterns of migration indicate immigrants are knowledgeable about American society, its institutions, and policies. Historically, literacy tests, ideally, were premised on an informed electorate, but, in practice were exclusionary. Interestingly, Renshon places the standard that non-citizens, in order to exercise a vote, must base it upon the public interest as opposed to self-interests. One could suggest that self-interest is a bulwark of voter participation, motivation, and basis for vote choices in America.

A possible parallel to a discussion of non-citizen voting is the case law for dual domestic residence and voting rights. Dual domestic residents are subject to local taxes, ordinances, and other public policies in their “second

home” community. Issues have arisen about the voice of dual residents in local elections; with over ten percent of the households now owning more than one residence (Ostrow 2002, 1995) and 45 percent of these households have their second residence as their primary home.

Many Western states¹ offer non-residents some voting rights in specific special districts (Harden 2000; Tennessee Code). Such inclusions have raised concerns about voter dilution for permanent residents; yet, *any* expansion of the electoral base does “dilute” the current base, much like the case when African Americans and women were extended suffrage. The “rational relation standard” (Ostrow 2002, 1966) supports the idea that substantial interest in the subject(s) of the election and being affected by the election outcome warrants inclusion.

New York City allowed resident aliens to vote in local elections (Ostrow 2002, 1986). Rather than restrict their voting, the city had colored forms, separate lists of these voters, and adjacent to the voting machines, provisions to accept votes from these voters (Ostrow 2002, 1986). Similarly, in Mountain Village, Colorado, the county sent absentee ballots to dual residents. In essence, the courts have been “open” to less restrictive alternatives (other than denying the vote) to conduct elections in which dual residents and non-citizens can exercise the right to vote and prevent voter fraud at the same time.

The remaining points are presented in summary fashion. 1) The concept of *political community*, the rights of the governed and self-determination would require the voice of *all residents* to be able to participate on matters of representation and the policy-making process. 2) Legally and constitutionally, non-citizens have many of the same rights and obligations as citizens (i.e., military service, taxes, etc.); therefore, they are significant segments of the community. Involvement in the electoral affairs serves to educate future citizens in civic responsibilities and preparations for more involved citizenship. 3) Immigrants are seen as persons of questionable loyalty to the U.S., who, at best, have divided loyalties (Neuman 1995, 279-80.). Yet empirical questions arise from any assumptions of uninformed voting among immigrants and/or their subject to manipulation by outside forces. There are *not* any tests of knowledge and attachments requirements to exercise one’s vote. When everyone has stakes in their local communities and policies, enabling non-citizens to participate and compete in the process can strengthen local democratic values and, potentially, widen the collective benefits (Raskin 1993, 31). 4) If non-citizens are granted suffrage, then it should apply to only permanent resident aliens who, implicitly, have demonstrated a commitment to reside in the U.S. (*declarant voter*).

¹The states of Arizona, Colorado, Iowa, Montana, New Mexico, North Dakota, and Wyoming offer non-residents some voting rights in specific special districts (Harden 2000; Tennessee Code).

5) The lack of “informed judgment” was an argument used to oppose suffrage rights for women and African Americans. Level and kinds of “political knowledge” can be directed toward all long-term citizen residents as well (Harper-Ho 2000, 304). 6) Assuming the presence of policy preferences and not having direct electoral access, the non-citizen segment is disadvantaged in the policy-making process and could experience “regular” policy biases. 7) Non-citizens affect the creation and composition of legislative districts, which does not differentiate the legal or citizen status of residents. At the same time, they are unable to participate in the nomination and selection of their representatives.

8) There is a distinction between state and national “citizenship.” State legislatures can pass enabling legislation to allow alien suffrage, or require localities to do so, or enable specific local jurisdictions to pass local enfranchisement, or amend the state constitution to allow alien suffrage (Arnold 1993; Kaiman and Varner 1992). These approaches combine the legal provisions for alien suffrage, with the political will and use of organization from segments of the current electorate to pursue such changes.

The overall examination of alien suffrage encompasses the constitutional issues of citizenship rights and status plus the political/legislative dimensions of whom and what constitutes citizenship in a global society. The scope of alien suffrage far exceeds the characterization found in this work; and a fuller understanding of the precepts underlying community, membership, and standing in a global world are part of the dynamics in the discussion of non-citizen voting in America. These complexities and breadth of examination are undermined by an over-reliance of “emotional attachment” in which direct evidence is even more challenging to corroborate this criterion.

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Jennifer L. Lawless and Richard L. Fox. *It Still Takes a Candidate: Why Women Don't Run for Office*. Cambridge: Cambridge University Press, rev. ed., 2010. 239 pp. (\$87.00 cloth; \$28.99 paper).

For some time now it has been evident that women who run for elective office tend to be as successful as similarly situated men, and accordingly, research attention has turned to the matter of the relative paucity of female candidates. In *It Still Takes a Candidate: Why Women Don't Run for Office*, Jennifer Lawless and Richard Fox argue that understanding the problem requires focus on the decision processes that occur substantially prior to entry into the political fray.

They accomplish this by studying *potential* candidates, defined as successful individuals in professions that are likely to yield political office-seekers. Almost 3800 women and men in the fields of law, business, education and politics were surveyed in 2001, with 75 percent of the original respondents re-surveyed in a second wave in 2008. Lawless and Fox posit a two-step process of candidate emergence whereby citizens first consider the possibility of ever pursuing elective office, and only later decide whether to make the first run. As important as opportunity structure is, it is mediated by attitudes and experiences that may be quite distant from the decision process regarding whether to enter a particular race.

Women and men in the candidate eligibility pool were quite similar in their level of political engagement and their degree of interaction with elected officials, yet women were not only less likely to pursue elected office, they were less likely to ever have considered the possibility of doing

so. The authors describe this difference in ambition as the critical finding of the book, but the real story lies with the effort to determine why. Indeed, their most compelling findings illustrate the differences between women and men in the way they evaluate their qualifications for political office—evidence of what Lawless and Fox call the gendered psyche. Although on objective indicators men and women were equally qualified for office, women were much less likely to rate themselves as qualified. Women also were less likely to believe that they had the specific skills needed for a successful candidacy—issue familiarity, public speaking competence, and the ability to fundraise and promote one's candidacy—and less likely to believe they possessed the necessary personality traits such as a thick skin and ability to make deals. Their in-depth supplemental interviews pointed to another difference: men and women did not use the same yardsticks to gauge their qualifications. While men tended to evaluate themselves relative to current office-holders (*"Have you seen what's out there? I must be qualified."* 132), women compared themselves to an idealized standard (*"How could I ever get to the point where I could represent everyone's interests?"* 133).

Belief that one is qualified to hold office is the strongest predictor of political ambition, but the effect is much stronger for women. Once a woman believes she is well qualified, she has almost the same probability of considering a candidacy as a similarly situated man, while a woman who believes she is not qualified is about half as likely to consider a candidacy as a man with a similar background.

Gender effects are also in evidence in recruitment to candidacy, which was assessed by asking respondents whether, and how frequently, party leaders, elected officials, or political activists had suggested that they consider pursuing political office. By a variety of measures, recruitment patterns tended to favor men, and despite the limited role of political gatekeepers in the American system of self-nominating candidates, being asked to run increased the probability of considering a candidacy, as well as the probability of taking concrete steps toward a run for office, for both men and women. The gender gap in recruitment was less pronounced among Democratic women because of the role played by women's organizations such as EMILY's List. Contact with such organizations compensated for the other recruitment disadvantages faced by women. In fact, the gender gap in recruitment between the two waves of the survey increased among Republicans while diminishing among Democrats.

Traditional family role orientations also affected political ambition, although not always in expected ways. For instance, women were less likely to have grown up in a home where political discussions regularly occurred and to have received encouragement to seek office by parents, other family members and friends. In the candidate eligibility pool, women were less

likely to be married and to have children, but among those who were living in family situations, women were considerably more likely to have primary responsibility for household and childcare responsibilities. Thus, women and men who were similarly situated professionally were dissimilar in their home responsibilities. While this would seem to depress women's political ambition, current family structures and responsibilities were not a significant predictor of ambition.

Are attitudes and dispositions changing with younger generations? Individuals in the under-40 cohort were more likely than older respondents to have come from egalitarian families, and the gender gap in parental encouragement to run for office completely disappeared among younger respondents. Despite this, the gap between men and women in political ambition was larger for the under-40 cohort than for older respondents and among younger respondent the gap in ambition actually grew between the two waves of the study. Thus speculation about the rise of a new generation of confident women should be tempered by Lawless and Fox's findings. Gender socialization may be changing, but it still shapes political ambition in politically relevant ways.

In addition to their contribution to our understanding of political ambition, the authors have compiled a useful and comprehensive review of the research. They write in a clear style, sprinkled with anecdotes, which will engage specialists and non-specialists alike. More important, theirs is a clearly articulated argument for the importance of gender to the understanding of politics.

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Kevin R. Anderson. *Agitations: Ideologies and Strategies in African-American Politics*. Fayetteville: University of Arkansas Press, 2010. xi, 202 pp. (\$34.95 cloth).

In the words of the Rev. Dr. Martin Luther King, "Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals." Dr. King fostered a socio-political agenda during the Civil Rights Movement that propelled "collective action" to address the "collective problems" of African-Americans. Kevin Anderson, in this well-timed and thought-provoking manuscript, examines past civil rights groups that have strategically responded to the quest for economic, social, and political equality for African-Americans.

Anderson contends that the National Association for the Advancement of Colored People (NAACP), Southern Christian Leadership Conference (SCLC), and the Student Nonviolent Coordinating Committee (SNCC) were three of the most influential civil rights groups in the 50s and 60s. They fought diligently to challenge the visceral forms of overt discrimination and racism, which subjected African-Americans to a separate but (un)equal way of life. He argues, "Each group sought to address the problems of racism in America by confronting the political system, but the different modes they chose are illustrative of the ideological backgrounds from which each group emerged" (p. 4).

Chapter Two provides a historical analysis of the ideological histories and strategic choices of the three civil rights groups. The theoretical centerpiece of this chapter asks a fundamental question; *what role did racism play in the American political system?* He approaches this question by first operationalizing a definition for ideology to build a bridge of understanding to show how ideology influences political strategies and how this leads to strategic actions.

Chapters One and Two are filled with a plethora of quasi-research questions and propositions that are provocative, but sometimes overstated. At times, Anderson's desire to expand the discussion of these civil rights groups is diluted with many questions that only serve to fill space rather than to be answered. After a series of questions have been asked, he does regain the central theoretical framework of the manuscript by laying out a core question in chapter Two. He states, "Did the different ideological frames through which African-Americans perceive American racism produce different strategies for achieving political inclusion?" (p. 29). From this question, he hypothesizes that groups who perceive the racial system to be "stable" will employ racial mobilization strategies for change, whereas those who perceive the system as "ambivalent" will use reform strategies (p. 29).

In the subsequent chapters Anderson does an excellent job of outlining a historical and descriptive account of each civil rights group's inception, organization, and ideological premise to be an agent of social change. The chapters contain illustrative case studies. In chapter Three, he summarizes the mission and goal of the NAACP. The author posits that in the beginning stages of the formulation of the group, organizers were entrenched in the ideology of American liberalism. Mary White Ovington, one of the founders of the NAACP, believed that this ideological premise would best suit their mission. American liberalism has two core ideals: (1) access to education would drive the civilizing of African-American people, and (2) the attainment of civil equality was the birthright of every citizen (p. 54). It was important to make possible these ideals for the inclusion of African-Americans into mainstream society. This led to the NAACP filing lawsuits

and challenging national and state government to enact legislation to serve the needs and concerns of the black community. The cornerstone case of the NAACP was the school desegregation case *Brown v. Board of Education* (1954). The *Brown* decision later led to the monumental enactment of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

In chapter Four, Anderson suggests that the ministers that founded the SCLC along with the Rev. Dr. Martin Luther King practiced an “integrated” ideology that was “a complex set of ideas attacking all the causes of African-American subjugation” (p. 104). The SCLC was most noted for their mass protest model that was influential during the Montgomery bus boycotts. Chapter Five paints a similar picture of how the SNCC engaged in community outreach and empowerment. While the NAACP and SCLC operated on a reactive approach to address the racial oppression plaguing the black community, the SNCC formed an ideological identity based on “confrontations” (p. 125). Their community-based political actions were significant in the “sit-ins” and “freedom rides.”

A nice addition to this manuscript could have been the inclusion of interviews from current political leaderships of these organizations and past and current members. This would have been a conscious attempt by the author to clearly set this study apart from previous research on civil rights groups. For example, interview the president of the NAACP, Benjamin Todd Jealous, SCLC National Chairman, Dr. Sylvia Tucker, and former members of the SSCN (or even the now late Dr. Ronald Walters, Dockum Drug Store sit-in, July 1958). Understandably, this would have been a huge undertaking but the accumulation of this qualitative research would have given the manuscript an added dimension.

In conclusion, Anderson’s work differs greatly from the volume of manuscripts that have provided a historical account of the influence of civil rights groups. The correlation between political ideology and the collective actions of these groups speaks to a new dimension of African-American politics research that goes outside of the norm of the traditional political discourse. The question of whether ideology influences specific strategic types of economic, social, political, and legal actions obviously needs more academic exploration. But the work of Anderson greatly contributes to past and current literature of the struggle of civil rights groups to advance the economic, social, and political agenda of the black community.

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Anna O. Law. *The Immigration Battle in American Courts.* New York: Cambridge University Press, 2010. 280 pp. (\$39.99 hardback).

Immigration is one of the most salient topics on American political life. For example, recently the Arizona Legislature enacted a set of statutes and statutory amendments known as Senate Bill 1070, the “Support Our Law Enforcement and Safe Neighborhoods Act.” Among other things, S.B. 1070 requires officers to check a person’s immigration status under certain circumstances and authorizes officers to make a warrantless arrest of a person where there is probable cause to believe that the person committed a public offense that makes the person removable from the United States. S.B. 1070 also creates or amends crimes for the failure of an alien to apply for or carry registration papers, the smuggling of human beings, the performance of work by unauthorized aliens, and the transport or harboring of unlawfully present aliens. Supporters of the Bill argue, among other things, that the United States government has failed to act on immigration and that it is now a national emergency that demands states take a role.

The United States filed a Complaint challenging the constitutionality of S.B. 1070, and it also filed a Motion requesting that the court issue a preliminary injunction. The United States argues principally that the power to regulate immigration is vested exclusively in the federal government, and that the provisions of S.B. 1070 are therefore preempted by federal law. Judge Susan Bolton granted the request for a preliminary injunction on the most controversial parts of the bill. The initial ruling is now before the circuit court of appeals.

Into this volatile public debate on immigration, one in which federal courts will play a crucial and potentially deciding role, Professor Anna O. Law’s book is timely and welcome. It fills a gap in the literature on immigration and American courts. The book begins on a deeply personal note. The author informs the reader that her great grandfather was a merchant who, although exempt from the Chinese Exclusion Act, nonetheless was subject to harsh interrogations on his trips to Hawaii. The author and her parents are immigrants themselves. The argument and findings thus take on a power and persuasiveness rooted in this individual experience.

While the book does not offer any insight into how the appeals court and ultimately the Supreme Court might rule on S.B. 1070, it does offer an intriguing perspective on how these courts differ in function and gives valuable historical insight into the development of immigration law. A major purpose of the book is to demonstrate how the Courts of Appeals and the United States Supreme Court treat immigration cases differently due to the changing roles in the appellate process over the time period of 1991 through the present day. Using immigration cases as the unit of analysis, the author

argues that the Supreme Court changed from an appellate court to a policy making institution, while the U.S. Courts of Appeals evolved into courts that were insulated from the Supreme Court to become independent policy makers through an error correction function. In addition the author argues for various methods of analyses beyond examination of case outcomes and also presents evidence for the constraint of law and legal doctrine on judicial policy preference. Thus the book also enters a methodological debate about the proper methods to analyze law and judicial decisions.

The book is divided into seven chapters. After the Introduction where the author lays out her thesis and analytical framework, Chapter Two is the critical chapter for understanding the rest of the book and the methodological argument. First, the author reviews the appeals procedure for an alien, including the initial contact with the appropriate agency, usually the Department of Homeland Security (previously the Immigration and Naturalization Service), and then a hearing before one of the nation's 226 Immigration Judges staffing 54 immigration courts around the United States. The workload is enormous, averaging about 1,200 removal cases per judge per year in 2008. From there an alien can appeal an adverse decision to the Board of Immigration Appeals and then on to the federal courts. The Second and Ninth Circuit courts deal with far more appeals than other circuits, the Ninth Circuit, in particular, which because of its location has had a special role in the history of immigration appeals and rulings.

The second part of the chapter focuses on the method of inquiry. Professor Law relies less on dispositional outcomes—whether the alien won or lost the case which is an often used dependent variable in many behavioral analyses—and instead uses a variety of methodologies, including longitudinal cross tabulated data, interviews with Ninth Circuit judges and court personnel, and doctrinal analysis to ascertain the importance of precedent and legal doctrine. The database includes 2,218 legal opinions, 200 from the Supreme Court, over 2,000 opinions from the Ninth, Fifth and Third Circuits, and even 13 opinions from the circuit courts which existed prior to 1891. Part of the argument is to demonstrate the constraining power of law—that law matters and defines the acceptable modes of outcomes.

Chapters Three through Six flesh out the author's argument through a combination of the methodological techniques described in Chapter Two. Chapter Three uses data and doctrinal analysis to examine the historical background relating to the development of the Courts of Appeals and the Supreme Court and the consequences of these differing judicial structures and functions for immigration policy. Chapter Four examines circuit court policy making within the limitations of institutional structure and design and demonstrating, by the sheer number of immigration cases reviewed by the

Courts of Appeals as compared to the Supreme Court, how often these Courts of Appeals judges have the final say in immigration appeals.

Chapter Five is a case study of the Ninth Circuit which along with the Second Circuit experienced a sharp increase in immigration cases in the first decade of the 21st Century. The author argues that due to this development the Courts of Appeals cannot be analyzed as a monolithic unvarying institution because now the Ninth Circuit approaches immigration cases very differently from other circuits. The enormous caseload has led to institutional changes within the circuit. Chapter Six shows how, despite all the institutional changes over time, courts and their commitment to procedural due process act as a binding force throughout the decades constraining attitudes and even congressional power over immigration.

Any reader wanting to know more about immigration and the courts will learn a lot from this book and it is a welcome addition to the literature. However, despite the length and breadth of the book, it still leaves a reader thinking that there is a lot more to the story of immigration and the courts than presented here. While the data and research are impressive, the lack of more sophisticated methodological techniques means there are a lot of unanswered questions. By way of one example, Figure 4.3 compares the pro-alien rates among the Third, Fifth and Ninth Circuit Courts of Appeals from 1881-2002. The rates range from about 25 percent for the Fifth to over 40 percent for the Third circuit. It is hard to know what to make of these percentages. Without any meaningful time or spatial controls there is simply no way to understand the reasons for these differences and thus the figure fails to convey any significant information. This same problem persists for many of the figures and tables throughout the book. Longitudinal data without additional information or control does not offer a lot of meaningful insight.

However, this should not detract from the overall worth of the book. Anyone researching or wishing to learn about immigration law and the influence of courts on that law now has a wonderful source of information.

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Bob Pepperman Taylor. *Horace Mann's Troubling Legacy: The Education of Democratic Citizens.* Lawrence: University Press of Kansas, 2010. 192 pp. (\$34.95 cloth).

There are two things to be gained from this book. First, one can learn about Horace Mann; his vision for common schools, civic education and the

political program he mounted to enact that vision. Second, one can learn about a movement that is popping up everywhere in North America (Mitchell 2001), the push to renegotiate the relation in the public education curriculum between, on the one hand, civics, belonging and social responsibility and, on the other, individual intellectual achievement. Bob Pepperman Taylor is a partisan of the latter position and argues forcibly that we should abandon the self-conscious search for a common civic identity—at least in so far as it relies for its implementation on public education—and concentrate instead on teaching students the skills and attitudes they will need to imaginatively and tolerantly confront the tensions, contests, and differences that will probably increasingly characterize the public world. Horace Mann's legacy and its continuing influence stands in the way of this newer program.

Rather than thinking of education as a way to promote the civic virtues required to tolerate and manage political controversy, Mann ultimately hoped and aimed for a political life without significant controversy at all (p. 14).

Programs like Mann's are said to be particularly unhelpful today. They are "hopelessly pious and platitudinous" (p. 14) and threaten the intellectual qualities and moral development needed in a democratic education. Mann's civic education "is so overwhelming that it threatens to drown out both private concerns and more conventional intellectual and aesthetic values" (p. 14).

As I understand it, the push for a curriculum that deemphasizes social responsibility, civic engagement, and community cohesion in the name of discipline, accountability and achievement comes from two sorts of constituencies; first, those who either have little to gain from it or who were never really included in the community fold to begin with, and, second, those with various forms of free market or individualist political agendas. For the first group, as Mitchell (2001) points out, socially inclusive programs were always articulated in ways congenial to the self-image of Progressives and self-styled open minded people. Minority groups and new immigrants were seldom in charge of their own inclusion and know that inclusion envisions a model citizen who doesn't look like them. Many minority parents and students today see personal responsibility as their only alternative to an abysmal life of want and dysfunction. Wealthier immigrant business families often identify with extremely high levels of material success in an international setting and worry that their children's relaxed education will hurt their chances in the extremely competitive world of global business and management. The second group is opposed ideologically to any curbs on acquisitive individualism. One might worry that constituencies such as these would be uninterested in any educational curriculum that did not promise economic dividends, and, ergo, that an education in the humanities would be

associated with the lax, unaccountable social responsibility side of things. I admit, I had always thought that classical political theory and literature were quietly subversive of the American commercial ethos. Bob Pepperman Taylor, however, manages to turn all this around, to argue that the humanities will have a crucial role to play in the education of citizens in the brave new world of flexible, rather than rooted, citizenship and personal, rather than social, responsibility. This is encouraging. The drawback is that he does it by arguing that those who, like Horace Mann, believe that the curriculum ought to provide common experiences that glue us together in a national community want us, while absorbing initiative-robbing moral indoctrination, to study science, practical affairs, and, especially, refrain from reading classical literature. Rebel: read the *Iliad*!

Horace Mann, if like me you are unfamiliar with him, was a major proponent of public education in the first half of the nineteenth century who helped shepherd in a profound shift in American understandings of education. Primary education went from being a decentralized affair of towns and congregations to becoming a public priority. The strict emphasis on rote memorization of classical texts and the emphasis on rules and discipline were largely replaced, at least in theory, by a more humanistic model that emphasized practical pursuits, persuasion, and friendship between teachers and students. For a long time Mann was the secretary of the Massachusetts Board of Education, a position that had little formal power, but, through his annual reports, writings, speeches and energy Mann used the position to amass a certain amount of both political power and national moral authority (p. 38). Later he was the first president of Antioch College where he extended his ideas and influence to include higher education. Taylor has done an excellent job of sifting through a lot of material both by and about Mann and digests it efficiently enough that one can learn quite a lot about him in the space of one hundred and twenty five pages. The book is divided into five chapters, with the second and third being the most interesting from the point of view of scholarship, while the first, fourth and fifth focus attention, if mostly indirectly, on Taylor's prescriptions for a civil education today, or at least his opposition to that of the educational proponents of civic and social responsibility.

Taylor finds many things troubling about Horace Mann and his legacy, some more serious than others. Here is a partial list in no particular order. –Mann based much of his thinking on a view of human moral development that boils down simply to wishful thinking. While Taylor never actually states this, the reader gets the idea that there is something suspect about Mann's relaxing of discipline, especially when it comes to the state of education in today's minority neighborhoods. –Mann undervalued intellectual and aesthetic goods in favor of civic goods; his educational program is more

didactic than intellectual. Alternatively, Mann's curriculum and civic agenda are scientific and practical at the expense of the humanities, thereby making it difficult for an American student to see the world imaginatively and tolerantly from the point of view of another. –Mann's religious but non-denominational moral curriculum was, in reality, simply a masked religious dogmatism; liberal theology was falsely portrayed as an underlying American religious consensus and imposed on Calvinist children. Mann typically failed to respect private beliefs. –Mann based his educational conclusions on too little data; basically one trip to Prussia. His faith that good morals nurture good physique and health, and his belief that his curriculum creates engaged citizens were based on no evidence at all. –Mann was a paternalist who saw his mission as trying to save democracy from itself. In general, Taylor accuses Mann of an arbitrary socialization, or social engineering, of American children and college students and of subordinating individuality to the needs of society. In that sense, finally, Mann subordinates education to politics. Even Mann's view of society is not neutral, but is rather a particular and partisan political agenda pawning itself off as universal. All of Taylor's criticisms could be profitably discussed, but let it be said that they all depend for their impact on an unexamined premise that political liberal individualist conceptions are sufficient to address the needs of education and are what all right thinking people ascribe to, and need only be evoked in order to show what is troubling about Horace Mann.

Mann comes off here more as an activist than a deeply consistent political thinker. He seems to take bits and pieces from everywhere, and it is instructive that his opponents, then and now, seem unsure whether to reduce him to Hobbes or Rousseau. He can at times be autocratic and at other times humanistic. Sometimes he reminds one of Plato, arguing that lower faculties need to be subordinated to the higher, and he clearly thought that if America wasn't moral, it was a wasted experiment. Mann could also speak of duty in ways that remind one of Kant or of Unitarians like William Channing. Mann, as Taylor suggests, does sometimes sound like Rousseau, though less like the Rousseau of either *The Social Contract* or *The Origin of Inequality*, as Taylor thinks, than of "The Government of Poland" where Rousseau lays out a program to burn a national identity on to inhabitants of a large given territory. Mann also made use of a very Lockean natural law teleology, though he pushed it in community directions that Locke might resist. Theologically, Mann seems to be in tune with the Armenianism of Locke's essay *On the Reasonableness of Christianity* (Locke 1999). As opposed to Calvinist doctrine, which places most of its emphasis on God's omnipotence, Locke and Mann are both more interested in God's goodness and wisdom. This, I suspect, is the source of Mann's teleological sense that moral laws, like physical laws, are discoverable and rational and that, properly apprehended, will guide and further the modern quest for human well-being.

However, according to Taylor, Mann's most important influence was a phrenologist named George Combe. In Combe, Mann found a pop-scientific ratification of his theological and teleological commitments and apparently believed that Combe's work would abide through the ages. The deeper theosophical commitment seems to be that a good God would not make a world that would leave His ultimate purposes in obscurity. There must be clues and resemblances—say, skull shapes—that bridge science and spirituality. Clearly few today would defend these ideas. Taylor chides Combe for failing to convincingly explicate the relation between biological determinism and the human ability to work on and through the environment to alter human natural ways of life (p. 23). However, to my knowledge no one in modernity has a convincing account of the relation between morals, human nature and biology, and most people with a political agenda are busy not noticing very similar issues in their own programs.

Taylor situates Mann within an old issue of classical political theory, the paradox of democracy. Classically the issue of democracy was that the many are too easily misled by demagogues who pandered to their petty needs for daily bread and security to enlist their support in partisan and destructive rivalries. One might think of this as factionalism. Taylor states it a little differently. People who worry about the problem of democracy are concerned that, "people's desires are given free play, and every imaginable human want claims equal standing with every other" (p. 2). The emphasis in the two formulations is different. In the second, the difficulty is in maintaining standards or values or distinguishing one interest from another. One goes from worrying that the people, or a majority, might become fearful and herd-like and vote for a tyrannical protectorate, to worrying that the government or a platitudinous priest might arbitrarily constrain the preferences of liberal individuals. Thus, the dilemma of democracy works, in Taylor's formulation, to awaken fears of having private life interfered with. Further, Taylor's formulation presumes that there is only one democracy; the one espoused by, for instance, political liberalism. We could instead ask: which democracy, where, and in the interest of what and whom? If we did, we might decide that democracy is not all one thing and that it is not surprising that Whigs in the 1830s might be skeptical about republics (pp. 27-29), though, despite the way they sometimes wrote, what worried them was not necessarily democracy *per se*, but Jacksonian democracy. The regressive taxes, the love of office, reputation or power, the self-serving convulsions of party strife, the illusions of martial glory, and the ostentatious love of wealth and material gain that Mann decried (p. 18) were all characteristics of a particular style of democracy, one wedded, incidentally, to a particular conception of commercialism. And, Jacksonian democracy, in turn, was not simply a naturally occurring form of democracy either. It was orchestrated by political men like Martin Van Buren, if we believe his Van Buren's *Auto-*

biography. Van Buren also wanted a certain fundamental controversy kept off the public agenda, namely whether the nation should be free or slave. Maybe—just supposing—Horace Mann is not at all unique in these areas. And maybe, Bob Taylor is not altogether free of some of the same issues. Why, after all, is it so important to cast Horace Mann—who no one reads and few would really like—as the creator of a legacy that is destroying education, of creating a dangerous anti-intellectual tendency?

Taylor repeatedly uses an implied liberal individualism to trump Mann and to judge him authoritatively as, say, a paternalist. The best example of this may be the comparison in Chapter 4 between Mann and John Stuart Mill. Mill is presented as wanting a less interventionist education than Mann. Mann did not like literary fiction or classics, arguing that they created a false empathy with unreal characters and left one oblivious to the suffering of one's actual neighbors. Mill says that studying ancient Greece forces one to confront a society so radically different from one's own that one learns how to imagine the world from the point of view of another, thus making one more imaginative and tolerant. Taylor concludes from this that Mann wants to close people off from seeing the world from the point of view of another. But there is more than one way to see the world from the point of view of others. One way would be through equality. People who live together as equals or whose lives are similar might empathize with one another's life experiences far better than people from radically different income brackets. Which form of empathy you prefer—the highly educated type that Mill champions or the common experience type that Mann prefers—will likely be influenced by how you understand the political world you live in and what kind of life in common you think we should have.

Taylor presents Mill's view as politically neutral and less intrusive (ignoring Mill's proximity to phrenologists, something he decries in Mann) than it is. Liberals intervene differently than communitarians, but they do move to close off ways of life they find incompatible with their own. English liberals in Mill's day sometimes worried that individualist rights-bearing citizenship and liberal political institutions were experienced in most of the world as colonialist impositions (Kymlicka 1995, 54). To this day they are resisted all over the world, especially among indigenous peoples. Though Mann would probably be as implicated as Mill (and Booker T. Washington), the imposition of liberal individualist educational models has left behind a rather odious legacy in Indian Allotment, Indian Reorganization, Termination, and residential schools. Individualism and private property are not unmixed blessings, and even today wreak havoc in Asian sweat shops and with abused foreign nannies in Asian business hubs. I would go further and say that if the kind of education Taylor and Mill champion is more useful to (some) students today, it is not because it is less intrusive in private life—it is completely intrusive since all of private life is subordinated

to its dictates—and certainly not because there is anything natural about cultivating flexible mobile citizens who are not encumbered by thick ties of family, community, or Progressivism’s version of national community.

There is no telling from the text exactly what Taylor’s politics are, and he may not even consider himself liberal. However, in his text liberal individualism acts as both plaintiff and judge. One of the ways this is done is the one I am pointing to here, the assumption that liberal citizenship is unproblematic. This presumption makes Mann seem meddlesome, and one could reasonably ask him to butt out. But there is nothing mandatory about Taylor’s concepts of understanding. In reading this book I found myself constantly translating into frames different from his that were perhaps more generous to Mann without really letting him off the hook either. Whenever I did this I found myself asking Taylor the same sorts of questions that he was asking Mann. For instance, I could agree with Taylor that despite Mann’s best intentions, his attempts at creating a healthy inclusiveness through education were finally not about inclusiveness *per se*, but inclusiveness from the point of view of one fractional constituency, that is, on terms acceptable to Horace Mann. The evidence of this is, again as Taylor points out, that those most in favor of more aggressive school reform today tend to be exactly those constituencies Mann had hoped to bring into the national fold: minority people, newer immigrants and rural people who find themselves left behind. But it seems to me that the lesson is not that Mann led us down a flawed path or that today’s civic republicans are drowning out intellectual endeavor, but that every curriculum enacts a political program, every political program tries to speak for everyone but does so in a partisan voice, and every attempt at inclusion plays differently in different neighborhoods.

Getting back to Mann, one of his enemies of good education—an important one for Mann’s opponents today—would be individual competition, especially in disciplinary contexts. Interestingly Mann preferred the word ‘emulation’ to the word competition. In Taylor’s interpretation, Mann thinks emulation appeals to egoistic instincts (p. 55), and, of course, Taylor has no beef with egoism. Reading between the lines, Mann seems to be worried about an education that places too much emphasis on rewards external to the learning process. For emulators, it isn’t what you know, but whether you are doing better than your classmates. Expect a lot of cheating. Mann refers to emulation as a “depraver of social affections.” Taylor is uncomfortable when Mann writes this way, and seems to think this is hyperbolic and over the top. Taylor characterizes Mann’s objections to emulation this way: “Emulation, in short, works to subvert the moral content of education. By removing competitive teaching techniques and the whole universe of external rewards for learning, we make it more likely that the teacher and student will find the right reasons to study and become more receptive to the proper lessons presented by the didactic curriculum” (p. 55). Usually when Taylor says “in

short” I wonder if he is not being a little too short. Turning to the original speech being glossed in this passage, I find that Mann mentions demons and also quotes Jesus acknowledging that some of the worst kinds of human sin have a plural nature, as in: lead *us* not into temptation (Mann 1969, 47-48; Mann’s emphasis). In other of Mann’s writings cited by Taylor in this context, Mann mentions race, anger, avarice and war. Taylor believes Mann is simply being hyperbolic, but Mann seems to be harkening to a serious Biblical concern; the kind of social enmities that arise when people do not have desires of their own but rather mime the desires of others. This is a very complicated issue, but to get the idea think of Shakespeare’s bastards who connive against their legitimate brothers simply because they want their brothers’ lives and lands for their own. Mann puts it this way: “the vulture of envy . . . forking her talons into his heart” (p. 48). When people achieve their identities at one another’s expense, other people can become stumbling blocks to what one considers rightfully her own and vicious enmities arise—demonic possession, if you will; the kinds of enmity that result in racism, Indian removal, lynching, and civil war (see Richard Wilbur’s poem on Matthew VIII, 28, in Wilbur 1988, 154; Girard 1986).¹ At any rate, if Mann hears a Christian voice of healing, it puts some pressure on Taylor’s interpretation of him as simply a prudish and manipulative didact who wants to circumvent liberal egoism and doesn’t want to allow people to find themselves or know the minds of other people. People caught up in enmity *lose* their identities, don’t they?

To conclude, I really do not believe that the stumbling block to intellectual education in America is in the legacy of Horace Mann or John Dewey. True, Dewey himself opposed teaching the classics, as did Mann. But my own reply to them would be that there are important resources in classical studies that, given their own political commitments, they would find useful. There are anti-intellectual currents in America, but laying those at the feet of Horace Mann or John Dewey, for me, strains credulity. While both did say that morals were more important than intellect or knowledge, they were not drowning out intellectual activity, nor were they inducting people into a moral cult. Clearly Mann and Dewey were educated people discussing highly intellectual things. Taylor worries that an emphasis on service learning or community involvement steers people into a particular moral point of view, and that what we ought to be doing is simply giving them a very high quality education and allow them to find their own paths to citizenship. But these

¹In this light, Taylor might pay more attention than he normally does to the *second* half of *Federalist #51* where James Madison is worried about the vicious irreconcilable passions harbored by those who desire retributive justice more than freedom. It is exactly that sort of passion that could destabilize the constitution’s checks and balances.

things are not exclusive: many service learners and community activist students also take difficult courses and perform very well.

Given these thoughts, I found myself wondering why raise an alarm and call it Horace Mann? I propose we think of Horace Mann as the field of adversity for an expanding political movement. A field of adversity is a stumbling block, a scandal, which is blocking the way of something good. Every successful political movement I can think of has been as much indebted to its stumbling block as to the good it endorsed, and often more so. Where would Marx be without capitalism; where would Hayek be without the welfare state and the conspiracy of socialist lawyers who are said to undermine liberty? Taylor's stumbling block is civic education. He hopes to use it to mobilize zeal for a renegotiation of how we think of the aims of education along the lines of a more individual-centered educational model. My worry is that he reenacts many of the criticisms he levels at Horace Mann: he is unhappy with the democracy he finds, he has a moral common sense that differs from that of students who want social justice and would prefer to drown theirs out with his own, and he wants to impose the partial agendas of particular constituencies on everyone. The good I see in Taylor is that he does want to uphold high standards of education and does see an important role for the humanities in an increasingly utilitarian world that threatens to subvert them. We can all agree with Taylor that intellectual endeavor really is worth doing for its own sake and that familiarity with that activity has a good chance of tempering the onslaught of an amoral market upheaval of the most worthy things. I suspect that he and I could find many points of contact in the actual curriculum we assign, though we might diverge in the aims we had in mind in assigning it. What I hope is that in his next work he gives us a more robust account of the education he endorses rather than the one he opposes.

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Jeffrey J. Mondak. *Personality and the Foundations of Political Behavior*. New York: Cambridge University Press, 2010. xi, 227 pp. (\$80.00 cloth, \$25.99 paper).

The general notion that people have an enduring character—stable patterns of presentation, thought, and action—extends back for centuries, for millennia. As a concept, personality has a long and rich tradition in scholarship, largely to direct our understanding of political leadership. The examples begin with the Georges' psychobiography of Woodrow Wilson, but also include, among others, Walter Langer on Hitler, Erik Erikson on Luther, Vamik Volkan and Norman Itzkowitz on Kamil Attaturk, among many other examples. Recently, interest in personality has been applied to those who engage in acts of terrorism, hoping to find answers to the question, "what kind of person would do that?" But, over the years, reliance on personality to account for the actions, and inactions, of everyday citizens has been sporadic, largely centering on single traits, such as Authoritarianism.

Part of this limited exploration reflects the substantial reliance on survey research to probe what the public knows of the various candidates for leadership positions, the issues, current circumstances, and their attitudes towards each of these and more. Hence, even with the extended length uniquely available in the American National Election Series (ANES), adding personality measures has proven to be a tough sell. Once the necessary measures to ascertain where people stand on the issues of the day, what they think, and feel, about the various candidates about various institutions and groups, what they make of current conditions and more are identified, it becomes imperative to make the most economical use of what little time/space remains. But fully exploring personality often demands a broad and lengthy array of items. As Jeffrey Mondak notes, one of the more carefully developed and vetted inventories, the battery developed by Paul Costa Jr. and Robert McCrae, includes some 240 items to measure the "Big Five" Openness to Experience, Conscientiousness, Extraversion, Agreeableness, and Emotional Stability (more commonly and, more aptly, labeled Neuroticism).

Few political scientists will find attractive a project that mandates adding 240 items to their questionnaires. In so far as personality entered into research on the public, it entered largely by focusing on particular traits. The research tradition on authoritarianism, for example, has been in place for over sixty years and has produced a rich literature. More recent work in this vein has explored such traits as social dominance orientation, social conformity, trait aggressiveness, and of course, racism, both implicit and blatant.

Two developments have lead to another approach, the approach that Jeffrey Mondak takes up in his fine lucid book, *Personality and the Foundations of Political Behavior*. Over many years, following a tradition largely begun by Louis Thurstone and continued by Raymond Cattell, psychologists have attempted to develop comprehensive batteries that would identify the stable primary traits that provide an all encompassing mapping of personality. Additionally, though many versions of the “Big Five” batteries are necessarily large, resulting from the number of traits needed to be comprehensive with sufficient numbers of items so as to satisfy psychometric standards, recent work in psychology has developed shorter inventories. One such battery requires 44 items to define the five traits that make up the “Big Five.” And even more enticing for political scientists is that two ten item inventories have become available.

Jeffrey Mondak makes use of these briefer personality inventories in three different surveys to explore the role of personality on the major features of political behavior. His book contains separate chapters on political informing (such as media usage), on attitudes, values and other dispositions, and on political participation in its various guises. Some of the “Big Five” traits are shown, in multiple tests across the three studies, to account for variations in a rather broad array of political behaviors. Mondak also explores some of the possible interactions between these traits. Most notable of these findings is the robust effect of Openness to Experience across a wide array of the indices of political behavior examined, but especially attention to and discussion of politics. And the impact of Conscientiousness on ideological orientation and moral traditionalism. A full description of the many fascinating results is beyond the limits of this review. Suffice it to say that this book is essential reading for students and scholars of political behavior. It is a most welcome addition to the corpus. This book fully achieves Mondak’s ambition to bring to center stage the importance of individual differences in political behavior.

I hope Mondak’s book will encourage others to execute the research to attack some issues that lie awaiting. The Big Five are defined at a high level of abstraction. Each of the Big Five traits is thought to have six sub-facets. For example, Emotional Stability (through most of its history labeled Neuroticism, and now sometimes labeled, Natural Reactions) has the following facets: Anxiety, Angry-Hostile, Moodiness, Self-Consciousness, Self-Indulgence, and, Sensitivity to Stress. Similarly the other four traits have their specific six sub-facets. Recent work argues that research at the level of these facets is more productive than at the grander trait levels. That remains to be firmly established.

This tradition of personality is very much an “outside-in” approach. Self descriptions are used to identify how people see themselves, and others.

In neuroscience the research is more “inside-out.” That is, how do baseline differences in neural systems generate individual differences. Thus, for example, Jeffrey Gray argues that his Behavioral Inhibition System may have different baseline responsiveness across individuals. Hence, those with a high baseline responsiveness to novelty and threat will be low on Neuroticism while those with a low baseline responsiveness to such stimuli will be high. Marvin Zuckerman’s *Psychobiology of Personality* is but one example (the publications of Charles Carver offer yet another). The merging of these two approaches has but barely begin.

Lastly, what also remains is the integration of the single trait research on such traits as Social Dominance Orientation, Need for Cognition, and the aforementioned Authoritarianism with the all-inclusiveness of the Big Five (and its many sub-facets). All that lies before us. Mondak’s fine volume provides just what it claims, a foundation on which further explorations can build.

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Cristina Beltrán. *The Trouble with Unity: Latino Politics and the Creation of Identity*. New York: Oxford University Press, 2010. 240 pp. (\$25.95 paper).

In *The Trouble with Unity*, Cristina Beltrán explores the complicated and seemingly contradictory message of modern Latino politics movements: that unity is strength, but that the Latino community is not monolithic and includes a wide diversity of voices. The logical tension created by the reality of diversity combined with a desire to be unified has had important implications for the Chicano and Puerto Rican civil rights movements of the 1960s and 1970s, the 2006 immigrant rights marches, and continues to have implications for current Latino electoral politics as well. She argues that while the Leviathan-like “sleeping giant” of the Latino electorate may be a disingenuous myth, the power of the Latino community is still available to influence policymaking through temporary coalitions, as evidenced by the marches of 2006. Beltrán encourages readers to embrace Latino diversity and to recognize the value of ongoing discussions and redefinitions of what is Latino. She writes, “Approaching *Latinidad* as action—as something we *do* rather than something we *are*—this definition sees Latino politics as inherently coalitional” (p. 19).

Beltrán contextualizes her theory through discussion of the three major historical points noted above. For those familiar with the history of the

Chicano and Puerto Rican civil rights movements, Chapter 3 will generate nods of recognition. The internal dissent and particularly the pressure on Latinas to suppress their feminist agenda is well-traveled territory. But Beltrán nevertheless makes the material new by focusing on this struggle for unity in the face of clear empirical evidence to the contrary. She concludes that “the movements’ fundamental flaw was not their specific instances of sectarianism and exclusion—it was the assumption that closure was itself a goal to be achieved” (p. 73). Beltrán references Jean-Jacques’ Rousseau’s theories about the power of non-deliberative democratic encounters as a preferable alternative to debate and discussion aimed at generating an unnatural unity. In other words, inclusive festivals and other civic spectacles can bring a community together. Thus, “[t]he fiestas, *flor y cantos*, marches, rallies, sit-ins, takeovers, and other mass gatherings of the late 1960s and early 1970s can all be seen as employing a Rousseauian conception of political community” (p. 93). By coming together to read movement poetry, to speak Spanish together, and simply celebrate being part of the broader Latino community, these encounters created unity. Rather than fighting over what constituted *Latinidad*, this allowed Latinos to feel *Latinidad*.

Perhaps because the 2006 immigrant marches are still so recent and still being dissected and analyzed, I found Chapter 5 the most thought-provoking. Beltrán argues that most observers miss the true significance of the event:

[m]easuring the success of immigrant action in terms of future participation in the electoral process, xenophobic backlash, replicability . . . or immediate legislative “results” drastically limits our understanding of the demonstrations’ significance. Such circumscribed analysis misses much of what was democratically distinctive and politically consequential about noncitizens laying claim to the political realm (pp. 131-132).

The noncitizen marchers “were actualizing a power they did not yet have” (p. 131), sacrificing “their already-uncertain safety in order to demand dignity and public recognition” (p. 139). At the same time, their peaceful demonstrations were paired with a threat: that they were outraged and frustrated, and that they would take further action (“Today We March, Tomorrow We Vote”) if their voices were not heard.

Were the marches a demonstration of a feeling of inclusion, or a request for inclusion, reflecting the very strong tradition of protest in the U.S. politics (and in the Latino community)? Or were they a demonstration of a lack of inclusion and anger at being criminalized and unable to otherwise exert political power? At the same time, the marchers themselves did not agree on what immigration reform should look like; they were united by their opposition to HR4437. Negative power (i.e., the power to block pro-

posed legislation) is a far cry from positive power (the power to shape new immigration legislation). How far can one go with a coalition that exists for the former? She notes that “[T]he 2006 protests were *not* an expression of organic Latino community simply waiting to be uncovered but, rather, an example of diverse and mediated publics” (p. 148). Thus, while supporters of immigrant rights may (understandably) criticize the Obama administration and other political actors for not moving more quickly on immigration reform, that criticism does not sit so well when one is reminded that even the 2006 marchers did not agree on what should be done. Is the lack of policy movement on this issue then the result of continued Latino disempowerment, or of the need for the deliberative process to complete its course?

In another thoughtful section, Beltrán notes that many participants argued that their role as laborers made them worthy of better treatment. Yet, this equating of labor with a call for inclusion may have had counterproductive results. Manual labor performed by undocumented immigrants is of value precisely because it is so disposable and endless. Thus, the focus on their economic contributions emphasized the perception of undocumented immigrants “as subjects of little worth or individuation” (p. 152). Further, how can equal rights be due to those being valued for their willingness “to occupy a subject position?” Instead, Beltrán notes, it encourages those who benefit from their labor as well as those who feel threatened by them (because they believe undocumented workers take American jobs and drive down wages) to continue to think of them as inferior.

Returning to her original theme, Beltrán closes with a call to reconsider, in three ways, our conceptions of *Latinidad*. Building on feminist and queer theory, she encourages readers to embrace “the instability and incompleteness of the category ‘Latino’” (p. 161). She challenges us to think of Latino interests as “multiple, crosscutting, and periodically opposed to one another” (p. 163). And finally, in a section which she admits verges on the poetic and abstract, she suggests thinking of *Latinidad* as rhizomatic rather than arboreal—as a horizontal stem that puts out lateral shoots and has no center, as opposed to tree-like and rigid: “Random and proliferating, a rhizomatic reading of Latino pan-ethnicity finds value in its capacity to be decentered, opportunistic, and expansive” (p. 167).

With a strong underlying structure drawing on classic and modern political theory, *The Trouble with Unity* may prove challenging reading for those without a strong theory background. Yet, the basic message—that Latino political unity is problematic and often illusory—is clearly stated. As such, the book is thought provoking and at times alarming. Overall, Beltrán has produced a volume that is critical of artificial and silencing demands for unity by Latino political leaders while also hopeful about the ability of

Latinos to come to consensus on policy options. The degree to which these two positions are compatible is open to debate.

This book challenges scholars in many ways, and is sure to be widely read and discussed by both political theorists and Latino politics specialists. Beltrán's ideas about how to think about the 2006 marches and about *Latinidad* more generally are compelling and profound. *The Trouble with Unity* is destined to have a major impact on how Latino politics scholars think about unity.

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Donald P. Haider-Markel. *Out and Running: Gay and Lesbian Candidates, Elections, and Policy Representation.* Washington, DC: Georgetown University Press, 2010. xii, 188 pp. (\$29.95 paper).

Questions about the electoral fate and policy impact of openly lesbian, gay, bisexual, and transgender politicians speak to vital issues of democratic representation. Knowing how permeable U.S. political institutions are, and how much room there is for minorities to advance remedies to long-standing inequities, helps us measure political inclusivity.

Out and Running is important for these reasons, and particularly because it locates these questions in the substantial body of literature that examines ways of enhancing the representation and policy impact of other historically marginalized populations, especially women and ethno-racial minorities. Building on a substantial career of exploring LGBT politics, Donald Haider-Markel asks whether there are barriers to the election of sexual minority candidates for electoral office; and whether their success in gaining legislative seats has an impact on public policy. In formulating answers, he draws on an extraordinary range of descriptive information and quantitative data, including a vast storehouse of material he has gathered himself.

The book shows that open sexual minority membership in U.S. legislatures has grown substantially since the early 1990s, though it reaches fair levels of representivity in only a tiny number of jurisdictions. In assessing impediments, Haider-Markel draws on surveys of national and state-specific populations, finding that even today an important minority of around 25 percent of voters would resist supporting an openly lesbian or gay candidate. And as he points out, there are few groups in America that are the target of as much affective enmity as sexual minorities (measured by "thermometer" scores), which cannot avoid playing a role in most electoral districts, particu-

larly with a Republican Party still dominated by candidates and organizers prepared to marshall homophobic sentiment.

He supplements these findings with a quantitative analysis of data he gathered on state legislative elections in ten states from 1992 to 1996, and with qualitative interpretation of responses to questions he posed to LGBT candidates themselves in 2003-04. He finds that they fare relatively well in those districts they run in, with no discernible disadvantage accruing to their sexual orientation, and sometimes a real leg up in access to supportive LGBT networks. However, they have to choose their districts carefully, and typically do so armed with an unusually strong résumé. The fact that they do well leads Haider-Markel, at times, to conclude that they face no unusual hurdles, though most of the time he acknowledges that the need for very particular strategic calculation reveals a playing field that is (with only a handful of exceptions) far from level. He adds to this general picture some useful specifics, pointing out disturbing indications of persistent voter fears that LGBT candidates will be focused only on one issue area, and that voters may still prefer that gay/lesbian candidates remain “private” about their sexual orientation rather than making it clear from the outset. These are not particularly solid conclusions, but they reinforce for me the still-widespread sentiment that discussing sexual diversity is tantamount to talking publicly about private life, and that anyone committed to change on this front is not likely to be serious about issues of real importance.

Do sexual minority legislators make a difference? Here too, the book artfully draws on rich interpretative detail as well as quantitative data. Echoing an approach adopted in some of his earlier work, Haider-Markel sets out detailed case studies of legislative action by openly-lesbian/gay politicians in six well-chosen states. Chronicling the inside maneuvering entailed in securing policy gains or preventing anti-gay setbacks risks overstating the role of legislators and understating the influence of movement activists outside. Still, in the complex institutional settings that are such a hallmark of American politics, knowledgeable strategizing by those operating within legislative environments is essential, and Haider-Markel serves us well by recounting these stories.

The overall message here, reinforced by an analysis of impressive data sets that include LGBT-related legislative bills introduced and passed between 1992 and 2007 across all states, is that having seats at the table makes an important difference. This is congruent with findings for women and African-American legislators, though the impact of “descriptive representation” is stronger for sexual minorities. As Haider-Markel suggests, this may be due in part to the widespread agreement on formal policy priorities within the broader LGBT movement (despite evidence to the contrary in many academic debates), major shifts in public opinion, and the especially

important educative role that sexual minority politicians play in giving visibility to the issues at stake. I would also add to this the fact that so many policy struggles over LGBT issues have entailed formal and explicit discrimination, and have not raised the prospect of significant public expenditures.

The only significant area in which this book's analysis is less compelling is in exploring whether an increase in direct LGBT representation produces a legislative backlash. There is no doubt that gains in visibility and policy have produced concerted responses from opponents inside and beyond legislative environments, and Haider-Markel eventually points to that. However, rather too much ink is spilt prior to that point in exploring the less plausible view that the election of openly-gay or lesbian politicians directly leads to backlash.

In other places, the clarity and nuance of the argument is a little obscured by the number of distinct surveys referred to, and the large number of explanatory variables. Haider-Markel is admirably cautious in reporting on the findings of other scholars, and in the conclusions he extracts from surveys of his own and others' making. But there are times when we might wish him to step further back from the quantitative analytical detail and offer more distilled views.

One area in which somewhat more might have been said is the extent to which "intersectional" location poses additional challenges to sexual minority politicians. Haider-Markel does compare women and men, but does not explore (systematically or anecdotally) the prospects of LGBT politicians who are also members of ethno-racial minorities. He acknowledges the need for research on this in his conclusion, though some attention to the extent to which sexual minority status in mainstream politics is still widely read as "white" in other parts of the book would have been illuminating.

I hesitate to raise a critical note about quantitative indicators, in light of Haider-Markel's herculean work in building data-sets. That said, it is unfortunate that the primary index used for conservative religiosity is affiliation to specific denominations. This is far better than nothing, and may well be the only measure available for the kind of analysis used in the book, but some additional commentary on the limitations of this approach (and specifically on the underrepresentation of U.S. religious conservatism that this measure produces) would have been helpful.

This does not detract from the great helpfulness of *Out and Running*, and the impressive work behind it. It is an admirable example of combining quantitative and qualitative analysis in addressing vitally important questions about the democratic inclusiveness of the American republic.

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Manabu Saeki. *The Other Side of Gridlock*. Albany: State University of New York Press, 2010. xiv, 145 pp. (\$80.00 cloth, \$23.95 paper).

Congressional scholars in the last few decades have spent much time and effort exploring and evaluating theories of legislative decision making and the resultant policy outcomes. This book takes up those issues, following directly in the tradition of partyless models of supermajoritarian politics posited by Keith Krehbiel and by David Brady and Craig Volden. The author is also strongly influenced by David Mayhew's analysis of the consequences of divided versus unified government. These perspectives are juxtaposed throughout against viewpoints that, in one way or another, see parties as important actors in shaping legislative behavior and outcomes.

In some instances Saeki confronts the pre-Mayhew work by Sundquist, Fiorina, and others that contended that divided government was a consistent source of policy gridlock in the national government. (He adopts the persuasive Krehbelian definition of gridlock on a policy as failure to replace the status quo.) Contrary to those views, Saeki argues that divided government is not consequential, and that gridlock is mainly due to the president's veto and the Senate filibuster. He also takes on the perspective of proponents of partisan theories, personified mainly by the work of Cox and McCubbins, concluding that parties matter little beyond the effects of the preferences of their members.

The book begins with a very brief consideration of the theoretical matters I have just mentioned, followed in the next chapter by a discussion of analysts' efforts to measure legislative productivity and whether those efforts adequately capture the issue of gridlock. Then Saeki explores the implications of the supermajoritarian theories and of Cox and McCubbins's partisan cartel theory. For each perspective he infers a "gridlock interval" in which change in policy status quos will be blocked. Then in Chapter 4, he develops empirical models to analyze the theoretical implications of the gridlock intervals. The focus is on the fate of ADA-supported and -opposed bills and the change in the aggregate of those outcomes from one Congress to another. Saeki's analysis leads him to conclude that the evidence is more consistent with the supermajoritarian perspective than the party cartel view.

The next chapter employs an alternative supermajoritarian model, depicting the preferences of pivotal veto players in a two-dimensional plane, based on the two dimensions of the Poole-Rosenthal NOMINATE procedure. Saeki uses the NOMINATE scores to measure the preferences of the veto and filibuster pivots and the House median, and the Mean Winning Coordinate (MWC, defined below) to measure the status quo on legislation for a Congress. All four veto players must support a proposal for it to pass, and the proposals that meet that condition are in the intersection of their

preferences (called the winset). The implication of this analysis is that when the winset is large, policy change will be easier to achieve. The final substantive chapter addresses the major substantive concern of cartel theory: negative agenda control, or the ability of the majority party to protect policies it favors by being able to block legislation that would successfully alter those policies from coming to the floor. Here Saeki's analysis concludes that the median of the majority party does not control what gets to the floor; rather the dominant influence is the floor median.

In evaluating Saeki's theory and analysis, I will first note that the same year that Mayhew published his divided-government analysis I was on record in support of the view that divided government was neither a necessary nor a sufficient condition for gridlock between the president and Congress. Furthermore, I think the supermajoritarian analysts, including Saeki in this work, have made a convincing case that the veto and the filibuster have a powerful impact on the amount of policy stability. However, I would note that it is not necessary to accept the assumption that parties are inconsequential in the legislative process to support these conclusions, and the acceptance of those conclusions is not, therefore, evidence of the correctness of the assumption. Thus my concerns regarding this analysis mostly involve matters of measurement and of interpretation of evidence, rather than the claims about the theoretical consequences of supermajoritarian institutions or divided government.

The issues of measurement mostly revolve around the ways in which the author employs the various Poole-Rosenthal measures. Saeki correctly recognizes that decisions on specific legislation depend not only on the preferences of the floor or party medians, but also on the position of the status quo. However, when doing the empirical analysis of agenda control in Chapter 6 he assumes that a single status quo point can be attributed to an entire Congress, and, as noted above, he measures that location by the Mean Winning Coordinate (i.e., the "mean value of the DW-NOMINATE scores of winning outcomes on roll calls"; p. 109) for the previous Congress.

I view this as seriously problematic. First, many proposals in a Congress seek to change policies that were adopted further in the past than the immediately preceding Congress. Thus for those cases a measure of the status quo from that previous Congress, even if that measure were valid, would be irrelevant. Furthermore, the use of the scores in this way imposes the most powerful possible interpretation of unidimensionality on the NOMINATE measure. That is, it assumes, in effect, a single "Downsian" type policy dimension in which the ordering of members is identical on every issue, and that these positions are measured by the NOMINATE scores. I think that there is a great deal of research now available that demonstrates that this interpretation of NOMINATE scores is not support-

able. The extant work shows, among other things, that when the roll-call agenda is divided into different issues, and separate NOMINATE scores are computed within each issue area, there is *substantial* variation in the ordering of the members from one issue to another. This problem affects most of the empirical analyses in the book, and thus leaves the reader uncertain about the validity of the empirical conclusions.

However, even where this issue is not relevant, there are problems with evaluation of evidence. Also in Chapter 6, Saeki presents data on final passage votes on bills from 23 congresses on which party majorities were opposed, in order to assess partisan agenda control. The data show that 92.5 percent of the bills were favored by the majority party and only 7.5 percent were favored by the minority. While Saeki is correct in noting that the minority-favored percent is not zero as the most pristine interpretation of cartel theory would predict, the percentage is a lot closer to that than the 50-50 split that the partyless theories would seem to anticipate. Indeed, Saeki says: "The findings in this chapter mainly support a disproportionate, if not unconditional, majority party's negative agenda power *ex ante* on the floor" (p. 116). Yet in the final chapter he refers to party government as a "phantom" and "heightened partisanship" as a "façade" (p. 118), and contends that the answer to the question of whether parties influence policy output is "'no' or at the very least 'not that much.'" (p. 122). This view seems to be at variance with what the limited amount of dependable evidence offered in the book shows. So, in conclusion, I recommend this book for the useful and illuminating presentation of a variety of theoretical issues, but cannot endorse the validity of most of the analysis or the conclusions regarding the competing theories.

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Bruce Ackerman. *The Decline and Fall of the American Republic: The Tanner Lectures on Human Values.* Cambridge, MA: The Belknap Press of Harvard University Press, 2010. 280 pp. (\$25.95 cloth).

Bruce Ackerman has legitimate claim to membership in the dwindling group of Public Intellectuals. In *The Decline and Fall of the American Republic* he expresses his concerns systematically, identifies dangers to continued constitutionalism, and sets forth proposals for remedies.

Throughout "most of our history, constitutional thought exhibited a healthy skepticism about the Philadelphia achievement," but triumphalism now prevails. Discarding his own triumphalism, he identifies flaws in

America's inherited system, and questions whether we can "afford another generation of triumphalism" (pp. 2-3). He sees, in a classically tragic sense, that the very same features that enabled such presidents as Lincoln and FDR to become "credible tribunes of the People," now conspire to make the presidency "into a vehicle for demagogic populism and lawlessness" (p. 4).

Congress gets no free pass, but he views the executive as more threatening. Nor will he single out individuals, asking whether "John Yoo deserves criminal punishment for writing the justly notorious 'torture memos.'" Instead, he will "be exploring the institutional conditions that made these memos possible. How was an untested young academic, with notoriously extreme views, selected to occupy such an important position?" Did his post "create perverse incentives to tell the president precisely what he wanted to hear?" (p. 6).

Traditional "gate keepers" have withered with the decline of the press, the rise first of radio, then of television, and most recently and significantly of the Internet. The result welcomes outsider, insurgent, candidates with consultants manipulatively shaping campaigns.

Although Obama is moderate, "stealth candidates" have become possible (p. 21). He names no names, but later does note that "George W. Bush was elected as a mainstream moderate," not as "a proud representative of the Republican right wing" (p. 32). Instead of conforming to the polls, Bush adopted a "*manipulative* strategy," that encourages demagoguery and "extremism" (p. 25). Regardless, he believes that "both Bush and Obama have continued the centralizing path blazed during the Clinton years" (p. 38). Not personalities, but institutions have brought "Extremism. Irrationality. Unilateralism" [sic] (p. 40). "The next insurgent president may not possess the same sense of constitutional restraint," that he ascribes to Obama (p. 41).

Certainly, open manipulation is demagoguery, but Ackerman seems almost to be denying the obligation of a republican leader to *educate* the public as well as to *reflect* its views. Does reflecting the public will, whatever that may be at any given time, bind conscientious leaders to carry out the worst, and least-informed, of the public's impulses?

Many factors, in addition to signing statements, have brought today's troubles. Primaries have "displaced the Electoral College, allowing extremist candidates to mobilize true believers; presidents rely on consultants to manipulate public opinion; the separation of powers concentrates power in the White House and politicizes the operation of a massive bureaucracy" (p. 43). The military has become a political power through the chairman of the Joint Chiefs, who now speaks for the services, rather than acting to coordinate them (p. 46-56). The national security adviser may now be a military officer, and "civilian control is losing its base in sociological

reality" (p. 59). "Wars" once had finite endings. The new "pseudo wars," such as the "War on Terror," can never end, and the extra executive power they bring will never be relinquished, creating perpetual "government by emergency" (pp. 72-73). The role of presidential lawyers in the Office of Legal Counsel in the Department of Justice (OLC) and White House Counsel (WHC) has become pernicious. Their opinions pre-empt some of the Court's role. Moreover, during the recent Bush administration, "a single White House lawyer, David Addington, came to dominate the process," without even being counsel to the president" (p. 92).

He suggests open primaries (p. 123); compacts among states to give their electoral votes to the popular-vote winner (pp. 136-140); senatorial up-or-down confirmation of all leading staffers (pp. 152-155); a "Supreme Executive Tribunal" (pp. 143-145) to review OLC and WHC opinions (a nine-member body, staggered twelve-year terms requiring Senate confirmation, with each president nominating three members after each inauguration); restrictions on the military and on emergency powers (pp. 159-168); "Internet News Vouchers" and a "National Endowment for Journalism" to energize critical and objective reporting (pp. 132-135); and, in a paean to deliberative polling, a national "Deliberation Day" (pp. 127-132). Ackerman recognizes that this is too formidable to be an agenda. Discussion is his goal.

Space limits us to consideration only of Deliberation Day. Following television debate among candidates, voters would volunteer, and be selected, to participate in small discussion groups. The results, reported nationwide, would "operate as a powerful check on a presidential politics of unreason" (p. 129). Would that it were so. Ackerman and a colleague are committed to deliberative polling (Ackerman and Fishkin 2004; Fishkin 2009), but its techniques have inherent flaws, beginning with the volunteering and the selection. It may be useful, as Ackerman contends, but cannot be reliable as a true reflection of public opinion (see Page and Jacobs, forthcoming).

It is too easy to design sessions to shape, rather than assess, public opinion. I reported as a participant on one such exercise, purportedly objective but funded by the Peterson Foundation, a billion-dollar enterprise designed openly to create deficit hysteria and undermine Social Security and Medicare (Skidmore 2010).

Ackerman's book is valuable, and serious. His concerns are legitimate, yet even he seems to be ambivalent. He cautions against "hacking away at presidential power indiscriminately." The presidency, he says, may have become a serious threat to the republic, but "the president also remains an indispensable tribune of the American people" (pp. 11-12). "Great presidencies have been forces for democratic renewal" (p. 119). One author, with good reason, titled his work on presidents, *The Ferocious Engine of Democracy* (Riccards 1997).

An old admonition says, “be careful what you wish for.” Unquestionably, an energetic executive presents dangers, but it also presents the only possibility of democratic renewal. Periods of reform in America—however necessary to adapt to corporate industrialism, technological advances, globalism, and the like—are rarely possible and have happened infrequently. They require the right mix of conditions, plus a vigorous president. When either is absent, there is stagnation, or worse, regression.

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Sean Farhang. *The Litigation State: Public Regulation and Private Lawsuits in the U.S.* Princeton and Oxford: Princeton University Press, 2010. xi, 302 pp. (\$27.95 paper).

Most scholars who have examined the size and reach of national governments in the United States and Europe have concluded that the American separation of powers, which encourages conflict between the President and Congress, has resulted in a weak state. Not so, argues Sean Farhang. On the contrary, he asserts, the interbranch competition for control of national policy that has led Congress to favor private actors over federal bureaucrats has generated a potent army of informal bureaucrats. Congress, wary of bureaucracies responsive to presidential influence, has deliberately placed the implementation of numerous laws in the hands of private litigants. The result, according to Farhang, is creation of “private enforcement regimes,” or a “litigation state” (p. 10) that is anything but weak.

The litigation state is typified by congressional authorization of “radically decentralized intervention [in policy implementation] by an army of litigants and lawyers licensed by the state and paid bounty by defendants at the state’s command” (p. 214). It reflects “a different form of state-building” (p. 214) in which private lawsuits are substituted for administrative power.

Private litigants and their attorneys, in concert with the judiciary, in effect become instruments of federal policy-making.

Farhang demonstrates his thesis by detailing the process involved in the passage of Title VII of the Civil Rights Act of 1964 (CRA). That part of the statute prohibits employment discrimination based on race, color, religion, sex, or national origin. As background for his discussion, Farhang notes that suits alleging job discrimination constitute the second largest category of federal court cases (prisoners' suits hold pride of place), averaging 20,000 a year. The huge rise in the number of such suits since the 1960s has outpaced by far the overall rise in tort litigation, and Farhang attributes the rise in large part to the CRA's establishment of a private enforcement regime. Only two percent of all job discrimination cases are brought by the government; the other 98 percent are taken to court by private petitioners. Farhang views CRA as encouraging such litigation by providing that defendants must pay successful plaintiffs' attorneys' fees and entitling the plaintiffs to monetary damages in excess of the actual harm they have suffered.

The CRA's fees and damages provisions were born of a compromise between congressional Democrats and their more business-oriented Republican counterparts. The civil-rights minded Democrats, eager to emulate a number of states' equal employment laws, hoped to empower the newly-created Equal Employment Opportunity Commission to investigate and prosecute cases of alleged employment discrimination. The resultant "administrative enforcement framework" (p. 99) would have provided no private right of prosecution. The mid-1960s were, of course, the era of the Johnson presidency, and conservative Republicans worried that a highly politicized EEOC would be excessively tough on employers. Led by Senate minority leader Everett Dirksen, they opted instead for enforcement through private lawsuits. Pro-civil rights congressional leaders such as Hubert Humphrey agreed, on the condition that the bill contained provisions for attorneys' fees and fee-shifting from successful plaintiffs to employers. What happened, in short, was that "conservative Republicans, whose support for civil rights legislation could not be expected unconditionally, exercised their pivotal legislative powers to derail liberal efforts at bureaucratic state-building, imposing private litigation as an alternative instrument of regulation" (p. 118).

It was a compromise that liberals recognized as inescapable but which left them unhappy. To their surprise, and presumably to the equal surprise of Republicans, the private enforcement regime proved to be a powerful tool. Federal courts in the second half of the 1960s and the 1970s were friendly to civil rights claims, and by the early 1970s lawyers' fees from civil rights litigation were a major source of funding for the Lawyers' Committee for Civil Rights Under Law as well as newer groups such as the Native American

Rights Fund and the Women's Law Fund. Farhang quotes Mary Derfner of the Lawyers' Committee as commenting, "Fee awards made civil rights law a financially viable practice" (p. 150). That phenomenon, coupled with the disinterest of the Nixon administration in forwarding civil rights, led congressional liberals to embrace the concept of the fee-shifting mechanism and include it in laws designed to facilitate school desegregation and voting rights litigation (the 1976 Civil Rights Attorney's Fees Awards Act and the 1972 Emergency School Aid Act).

A series of Supreme Court decisions in 1989 made it harder for workers to prove job discrimination. The years preceding had been notable for the Reagan administration's unwillingness to pursue job discrimination claims. The response of the Democrat-controlled Congress to both phenomena was the Civil Rights Act of 1991, which reversed most of the Court's rulings and added the kinds of additional monetary damages and jury trial provisions in job discrimination suits that made litigation more attractive. Plaintiffs and their attorneys could now envision a greater likelihood of success and higher monetary awards. In the six years after passage of the 1991 Act, private job discrimination suits increased by 211 percent. Farhang notes that some of those suits were brought under the 1990 Americans with Disabilities Act (ADA) and the 1967 Age Discrimination in Employment Act (ADEA), but the great bulk clearly were CRA litigation.

Farhang provides a careful detailing of the dynamics that led to the final version of the 1964 and 1991 CRAs. He also looks briefly at the private enforcement regimes established by the Taft-Hartley Act and the 1970 and 1990 amendments to the Clean Air Act, and mentions in passing similar provisions in the ADA, the ADEA, and the 1973 Rehabilitation Act. The contribution of his volume, then, is to provide strong evidence for his assertion that creation of personal enforcement regimes is "a different form of state-building" (p. 214). The substitution of private lawsuits for administrative enforcement has resulted in "a potent strengthening of the American state's capacity to address job discrimination" (p. 215) and what it views as ills in other aspects of life. Scholars will no doubt have different opinions about whether private litigation, however enabled by the state, deserves to be called state-building. Farhang's work is a valuable and intriguing contribution to the discussion.

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Bevir, Mark. *Democratic Governance*. Princeton, NJ: Princeton University Press, 2010. xv, 301 pp. (\$65.00 cloth, \$29.95 paper).

There are two important parts to this book. The first, taking up the bulk of the analysis, is a criticism of the (primarily Anglo-American) social science of the past generation or so. The second grows from the first, and is a plea for a more participatory democratic practice than that promoted by the politics and political science under consideration. Both projects are important, well conceived, and intelligently pursued.

Bevir identifies two strands of what he calls modernist social science. The first is neoliberal, and it grew from economic and rational choice theory and was most influential in the Thatcher/Reagan years. The second is socio-logically and institutionally informed, communitarian in contrast to the individualism of neoliberalism, and informs the left-liberalism of New Labour in Great Britain (and, presumably to some degree, although it is not the focus of his analysis, of Clinton style liberalism in the United States). Bevir's contribution in this book is less his identification of these schools of political science than in the way he locates them in both a particular intellectual history and a political practice, and then positions himself to criticize them from the perspective of participatory democracy.

For all their differences, the left and right versions of modernist social science share, in Bevir's view, four fundamental qualities. First, they both identify the need to understand contemporary politics as a more decentralized process of governance than can be explained with a simple and unified conception of government. That is, they both understand that political power is much more diffused, fragmented, and dispersed than any theory of a unified state can possibly convey. Second, and as a result of this first discovery, they recognize that fragmented, dispersed power makes it impossible to explain more than a modest amount of the governing process by appealing to centralized institutions of representative democracy. Third, both schools of modernist social science develop "formal and ahistorical models, correlations, mechanisms, and processes" (p. 3) to explain how governance works. And finally, both positions privilege the power of expertise over the self-governance of citizens.

Bevir agrees that political power is fragmented and dispersed among large numbers of governmental and non-governmental individuals, institutions and networks. He also agrees that this demonstrates the degree to which representative governmental institutions fail to actually control a significant bulk of political life. It is the last two qualities of modernist social science to which he objects. To challenge the formal and ahistorical quality of modernist social science, he offers a "genealogy" of its development. Genealogies, he writes, "denaturalize beliefs and actions that others

think are natural" (p. 10). In the Nineteenth Century, historical and even teleological understandings of the liberal state provided the conventional social science wisdom, through which the centralized institutions of representative democracy were viewed as the source of political power, authority and legitimacy. Bevir's genealogy places modernist theories both in the intellectual context challenging the conventional wisdom of this older political science, and in the needs and political values of actual political movements (e.g., Thatcherism and New Labour). His purpose is to dispel the illusion of scientific universalism and historical transcendence common to both strands of modernism.

Readers may not find Bevir's historical critique of modernist social science entirely unique, but they are likely to find it as thorough and careful and well developed as anything they can think to compare it with. It is two other sets of claims, however, that set his analysis apart. The first is his claim that modernist social science not only studies and describes contemporary politics, but that it significantly shapes this politics as well. Bevir convincingly traces the modernist intellectual sources of both Thatcherism and New Labour, and the ways this scholarship influenced and even to an important degree created these political movements. Bevir clearly demonstrates how social science has itself become a significant political actor. The second claim is that both forms of modernist theory have actively discouraged the growth of democratic participation. Center-left liberals and New Labour sympathizers will not be surprised by Bevir's democratic critique of neoliberalism, but they may be taken aback by the degree to which he accuses them of suffering from the same pathology as the neoliberals, that is, an attempt to replace the diminished authority of representative democratic institutions with the authority of expert opinion. Bevir is relentless in arguing that even left-liberal strategies aimed at consultation with broad constituencies and social networks are more about successful management than they are about helping citizens be more self-governing: ". . . the institutionalist discourse of networks and community is less a turn to participatory democracy than the imposition of a new form of expertise" (p. 177). Bevir's advice to the left is that it should be less focused on the elite remediation of social injustice, and more focused on expanding opportunities for genuine democratic participation.

Thus, Bevir's study of both the intellectual structure and political influence of modernist social science (a study much richer and more detailed than this brief review can fully convey) aims, ultimately, to promote a political vision of participatory democracy. He suggests that we need to replace the illusory ahistorical formalism of modernist social science with what he calls an "interpretative" social science that would "encourage a more participatory and dialogic response to the dilemmas facing representative democracy"

(p. 252). His first project, historicizing and criticizing modernist social science, leads to his second project of promoting a more pragmatic and historicized (and less presumptuous) social science, all for the purpose of nurturing a more participatory democratic practice.

Although this second project receives less attention than the first in this book, there is enough for the reader to see the logic of Bevir's position: that modernist social science copes with the reduced power and authority of representative democracy by appealing to various forms of expertise; and that instead, social science would do much better to think of ways of rescuing a diminished democratic practice. This is a powerful position, thoughtfully and carefully developed through Bevir's broad and impressive scholarship. There are, of course, objections that can be raised. For example, there is probably a great deal more that needs to be said about Bevir's too blanket condemnation of what he calls the "fallacy of expertise"; there is also a fairly deep literature both promoting and criticizing participatory democracy that Bevir will do well to confront more directly in future work. But issues such as these mustn't distract us from recognizing the power of both Bevir's scholarship and his argument. This is a challenging and instructive book for both political scientists and democratic theorists.

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Pamela Corley. *Concurring Opinion Writing on the U.S. Supreme Court.* Albany: State University of New York Press, 2010. xi, 146 pp. (\$23.95 paper).

Decisions of the Supreme Court are regularly accompanied by the publication of a concurring opinion. At first, such opinions may appear puzzling. Unlike a justice who authors a dissent because she disagrees with the majority's resolution of a case, a justice who writes a concurrence agrees with the resolution, and usually with much of the rationale for the resolution. She merely offers additional commentary. Why would a justice who agrees with the majority's resolution of a case choose to expand time and effort to write a concurrence? What is the status of these opinions, and what effect, if any, do they have on the development of law? To the extent that concurrences reveal something of the attitudes of their authors (who may be in a position to affect future decisions), surely those who must come before the Supreme Court (including lower court judges and litigants) ought to take some account of their content, if only for prudential reasons. Such anticipation, in turn, may undermine the authority and staying power of the majority

opinion—one reason for Chief Justice Marshall’s desire to replace seriatim opinions with a single Opinion of the Court. In short, understanding the impact of the Supreme Court in the American polity requires an understanding of concurring opinions.

Pamela Corley’s *Concurring Opinion Writing on the Supreme Court* is an important contribution in developing such an understanding. The book combines quantitative analysis with well-executed, qualitative case studies, and offers significant new insights into the decision to author a concurrence, as well as the impact that concurrences have on lower court compliance with decisions, and the Supreme Court’s treatment of its own precedents. This is a book that deserves to be widely read by those interested in understanding how justices of the Supreme Court are able to shape the legal landscape, and the extent to which they can do so in ways that go beyond casting votes and writing majority opinions.

The book is short, and consists of five chapters. The opening chapter provides an overview of current understandings of concurring opinions, and then quickly moves to outline the central analytical framework that underpins the remainder of the book. This framework revolves around a six-fold classification of concurrences into different types. The typology, which Corley derives from the literature, corresponds largely to the different purposes that justices may be attempting to serve in writing a concurrence. For example, an “expansive” concurrence seeks to broaden the holding or rationale of the majority opinion while a “doctrinal” concurrence disagrees with the majority’s rationale and substitutes an alternative justification for the result. As Corley argues persuasively, understanding concurrences requires sensitivity to these different purposes, because the circumstances that give rise to different types of concurrences vary, and the impact that concurrences have on the development of law may also depend on the type of concurrence issued.

With this classification scheme laid out, Chapter 2 turns to the question of why justices choose to write concurrences. The centerpiece of this chapter is an empirical analysis of cases decided during the 1986-89 terms. Consistent with the argument laid out in the previous chapter, Corley does not merely investigate which factors predict whether justices write concurrences (thus treating the decision to write a concurrence as a binary decision), but rather concentrates on establishing factors that predict which *type* of concurrence a justice is likely to write. The results demonstrate the importance of being sensitive to the type of concurrence a justice authors. For example, doctrinal concurrences are less likely if the majority coalition comprises a bare majority—perhaps an indication that justices are more reluctant to undermine a fragile opinion. In contrast, expansive concurrences (which, in a sense, reinforce an opinion) are unaffected by coalition size.

Chapter 3 moves beyond quantitative analysis to rich qualitative case studies based on the papers of justices Blackmun and Marshall. The purpose of this chapter is to illustrate how negotiations over the content of majority opinions play out among the justices, and how the potential for concurring opinions (and the desire to avoid them) affect this bargaining process. This chapter supplements the statistical analysis well. It demonstrates that opinion authors believe that the ultimate impact of their opinions depends in part on the presence (and absence) of concurrences. It also illustrates what opinions authors are willing (and not willing) to do to preempt them. Finally, the chapter allows readers to see some of the factors that drive the decision to publish a concurrence in the quantitative analysis in Chapter 2 in the context of specific cases.

While the first part of the book considers the decision to write a concurrence, the last substantive chapter turns to the downstream effects of concurrences. The first part of the analysis focuses on lower courts, and investigates whether the presence of concurring opinions affects lower court “compliance” with Supreme Court opinions. Once again, the results confirm the importance of differentiating among different types of concurrences: While expansive concurrences are associated with *higher* levels of lower court compliance, doctrinal concurrences are associated with *lower* levels of compliance. In the second part of the chapter, Corley examines whether the presence of concurrences affects subsequent treatment of a decision by the Supreme Court itself. The results mirror those for lower court treatment of opinions. The book ends with a short concluding chapter.

There is much to like about this book. What is particularly significant (and not surprising, given the author’s previous work) is that the book makes a serious effort to move beyond traditional political science focus on the “direction” of Supreme Court decisions to a more nuanced understanding that pays attention to the actual *content* of opinions. Undoubtedly, legal scholars who engage in close textual analysis will still find the approach reductionist, but Corley’s work takes opinion content seriously and moves it to the center of rigorous, quantitative analysis of a large number of cases. In so doing, Corley demonstrates that quantitative approaches do not necessarily demand a binary approach in dealing with decisions. It is possible to employ richer measures of opinion content. More importantly, the results make clear that doing so can lead to significant new insights.

Naturally, as with any book, this book does not offer the final word on concurring opinions. In prioritizing a rich empirical approach to studying concurring opinions, the theoretical underpinnings of the book are often not fully developed. For example, while Corley demonstrates clearly that different kinds of concurring opinions are associated with different treatment of Supreme Court opinions by lower courts and even the Supreme Court itself,

the causal mechanisms that explain these patterns are not obvious. Do concurring opinions themselves affect subsequent legal discourse and expectations, and thus shape the law? Or are concurrences merely a by-product of a complex legal environment that also induces subsequent legal challenges and revision? Importantly, Corley is aware of these limitations, and is careful not to draw overly strong conclusions. In short, this book makes significant headway in understanding the origins and consequences of concurring opinions, while pointing the way for further theoretical and empirical development.

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Scott A. Bonn. *Mass Deception: Moral Panic and the U.S. War on Iraq.* New Brunswick, NJ: Rutgers University Press, 2010. 210 pp. (24.95 cloth).

Scott A. Bonn, in 178 pages, takes on a Herculean set of tasks: to integrate concepts from sociological theory and media studies to utilize in an integrated, interdisciplinary approach he calls “critical communications theory” to analyze both the manner in which the Bush administration sought to generate support for the 2003 war with Iraq and to assess the extent to which the administration engaged in immoral activity and state crimes as it set the stage, and then prosecuted the war. The two specific propositions being investigated are that: 1) the administration successfully engineered “moral panic” about Iraq; and 2) the Bush administration “perpetrated elite deviance or ‘wrongdoing’ . . . as well as state crimes and war crimes in their actions concerning Iraq.”

The author pursues his tasks eclectically, exposing the reader to relevant sociological and communications theory literature, woven together for a new framework with which to view the behavior of U.S. policy makers. He also seeks to forward empirical evidence that links the observation of others (commentators, practitioners, and academics), with content analysis of news coverage, and with public opinion polls. The work is rigorous, and there is much to read here.

There is also much to be frustrated about here. Particularly given the enormous literature in the field of international relations and in the political science discipline regarding the decision to go to war, and/or the domestic politics involved with going to war, those who read this effort from those vantage points should be greatly puzzled about the absence of input from those perspectives. This is not the just the vanity of the neglected: both

political science and the field of international politics offer substantial competing theoretical explanations for what the Bush Administration did and why. Ignoring those perspectives makes this scholarship epistemologically vulnerable, and nowhere more vulnerable than when (as in Chapter 7) the author begins to outline the “real” reasons why the Bush administration pursued the 2003 War.

As a political scientist and an international relations scholar (and one who vehemently opposed our decision to go to war), I could generate an alternative set of explanations to account for the Bush Administration’s actions, and ask the author to show compelling evidence that his are better than mine. I will forgo that exercise since the author has done substantial service in melding other perspectives, and should be judged on that aspect of the work. However, even then, troubling questions remain.

The foremost one is the evidence about how *successful* the Bush Administration was in engineering the “moral panic” that gave it the legitimacy to invade Iraq. Stubbornly clinging to the reader is the public opinion evidence cited by the author through the use of Gallup polls: before 9/11, before the attempt to engineer the moral panic, 52.5 percent of the public supported an invasion of Iraq; and immediately following 9/11, 73.9 percent did *before* the administration had the opportunity to engineer such panic. If the baseline is taken as 52.5 percent, Gallup shows that support for the war hovered around 58 percent (or only 6 points higher than before 9/11) one month before the invasion, a change that is virtually the same as sampling error. Could we call this successful engineering if it resulted in such minimal net gain? More important, these data do not suggest, especially given the baseline, that the so-called moral panic about Iraq was *elite* engineered. Certainly 9/11—which killed more U.S. civilians inside our own borders than the attack on Pearl Harbor—could account for the net gain in public opinion polls.

The arguments about the immorality and commission of state crimes ring far more true; yet, for those of us who have followed this sorry story, there doesn’t appear to be anything new here. The Administration lied about weapons of mass destruction and it concealed facts from the American public as it engaged in a “preemptive” war. We know all of this and probably don’t need new theory to uncover it.

What would be useful however is to provide strong explanation about whether or not these are actions unique to this administration, and if not, the general conditions under which they are repeated or avoided under similar circumstances in American politics. Iraq has not been the U.S.’s only preemptive war, neither is it the first time that a U.S. administration has lied or fabricated information to the American public (and the media gave it extensive coverage). Yet, neither can it be said that these are constants in

American politics: such behaviors have varied, and good theory should uncover the causal mechanisms of such variation. That's what a political scientist may want here, more so than what is here.

That's not to say that the book is not valuable and in many ways it is. Clearly, its documentation of the attempted "engineering" of public perspective on Iraq, whether or not it was successful, is fascinating and reveals very powerfully once more the extent to which the media and the public through the media are susceptible to the framing of stories by key political actors, and particularly when Administration voices drown out the minority that may question the evidence. Of course there is no substitute for direct experience and failure...two dynamics that are then personally witnessed by the media in Iraq and indirectly by an American public whose sons and daughters and wives and husbands bring the stories back from the war . . . that additional manipulation and media framing cannot overcome. This we learned in Vietnam and once more in Iraq, and may learn again in Afghanistan.

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