

Campaign, and the Democratic Party. Over the course of two years, Fisher visited six offices of the People's Project and interviewed 115 canvassers. She conducted follow-up telephone interviews with two-thirds of her sample the following summer. Her research shows that the outsourcing of grassroots politics may actually serve to deaden the impulse to participate in collective action.

It comes as no surprise to learn that political canvassers are overworked and underpaid. However, the extent to which their work is programmed and disconnected from local communities is surprising. Canvassers are retained based on their ability to meet fundraising quotas; they are discouraged from questioning the nature of their enterprise or the links between what they are doing and the goals that had led them to involvement in the first place. Fisher tells of legions of young people worked to the point of burnout raising money for campaigns they only vaguely understand, under contract to distant organizations that they have no chance to influence or join.

These organizations import the techniques of door-to-door sales and steadfastly stand by those methods except in the nature of the product they sell (e.g., contributing to a good cause rather than buying a vacuum cleaner). Canvassers are required to follow a script: "people say *exactly* what's there and memorize it . . ." (p. 24). This is a far cry from the interpretive repertoire unfolding within the social movements discussed in the Reed book. Rather than participating in the project of crafting a collective agenda, political action within the People's Project is handed down from national and state-level offices (p. 29). Fisher finds a potential exception to this tendency toward routinization in the daily announcements process, which can involve "chanting, singing and dancing" (p. 22). It is a process that works unevenly across the offices she studied, but it turns out—as with all other facets of the organization she studied—even the morning announcement process is completely scripted (p. 23).

Canvassers are expected to be able and willing to move around the country as needed. This transience, combined with long hours and low pay, effectively severs any connection with the local communities into which organizers are dropped. The effect, Fisher argues, is that we are turning droves of idealistic young people away from grassroots politics. Additionally, we are limiting the entry points into progressive politics from the grassroots level, particularly as more and more national groups are outsourcing their canvassing efforts to groups like the People's Project (p. 85). For the small minority of canvassers not turned off by the process, we are severing the local connection between organizers and communities that would make the term *grass roots* have any real meaning. Even though canvassing can contribute substantial amounts of money to a political campaign, it is a far cry from the notion of meaningful participation.

Fisher's work also offers a—too brief—sketch of a different form of organization and mobilization that she attributes to the political Right. This alternative model, she argues, is able to "harness social capital" and offer true venues for "meaningful participation" (p. 107). It would be interesting to see how this form of organizing has been developed, and why it has failed to make inroads in the Left, with its rich history of populism. Additionally, it would be fascinating if Fisher were able to follow her canvassers over a longer period of time to see what effect their—often first and largely negative—introduction to direct democracy through the People's Project has had on their continuing social and political involvement.

The Supreme Court and American Political

Development. Edited by Ronald Kahn and Ken I. Kersch. Lawrence: University Press of Kansas, 2006. 400p. \$45.00 cloth, \$19.95 paper. DOI: 10.1017/S1537592707070375

— Jeffery A. Jenkins, *Northwestern University*

In this book, Ronald Kahn and Ken I. Kersch bring together an impressive group of scholars to present essays on how the theoretical tenets of the American political development (or APD) research agenda can help illuminate the behavior and institutional trajectory of the U.S. Supreme Court over time. At the same time, these authors discuss at length the role that the Supreme Court plays in the continuing development of the APD enterprise and the ways in which the American state has evolved. This volume provides a useful contribution, as the APD literature has typically focused on the presidency and bureaucracy (specifically, executive agencies), and more recently on Congress, as the key players in the development of the American state, with "parties and courts" representing the historical antecedents. By focusing specifically on the Supreme Court, Kahn and Kersch place it in a starring role in American legal development, and American political development more generally.

Kahn and Kersch provide a useful background essay on the scholarly Courts literature over the last half century, which helps to place the APD research agenda in historical context. As they discuss, the APD literature is a product of the historical institutionalism movement, which first emerged in the 1960s and 1970s (principally in the comparative literature), applied to the American case. This movement occurred in response to the perceived narrowness of behavioralism, which had come to dominate the Courts field at the time. APD scholars argued that a broader and more nuanced view of the Supreme Court was necessary in order to understand how the Court's decision-making context had evolved over time. This more macro view, which encompasses the path dependence, timing, and sequence of political decisions in a temporally fluid political environment with multiple actors, was a stark contrast to the purely preference-based tenets of the behavioral (or

attitudinal) tradition in the Supreme Courts literature. Since then, the APD community, broadly and specifically in terms of Courts scholars, has grown considerably.

The volume's essays are all case specific in nature, and are divided into subsections based on their overriding themes. The first section includes essays by Mark A. Graber and Ronald Kahn, which investigate the causal attributes of decision making on the Court by focusing on both internal factors (legal precedent and interpretation, as well as the policy preferences of the justices) and external factors (societal demands and pressures, and interest group preferences). The second section presents essays by Mark Tushnet, Howard Gillman, and Ken I. Kersch, which focus on the Court's effect on the more general political order in twentieth-century American society. The third section includes essays by Wayne D. Moore and Pamela Brandwein, which trace the emergence of authoritative constitutional interpretations at various points in the Court's history (specifically in the rulings in the *Slaughter-House* cases and the Civil Rights cases). The fourth section presents essays by Julie Novkov, Carol Nackenoff, and Thomas M. Keck, which examine how marginalized groups in society (like interracial couples, Native Americans, and racial minorities generally) gain inclusion in the American constitutional order.

Overall, *The Supreme Court and American Political Development* is an interesting and important volume. The essays are first rate and hang together well. The latter achievement is accomplished through the careful editing, comprehensive introduction, and concluding synthesis of Kahn and Kersch. Any serious students of APD or the Supreme Court will want to have this volume in their personal collection.

I do, however, want to raise one issue, which is both specific to the present volume and broader in nature. This involves the direction of political inquiry in the Courts literature and the larger political science literature. Too often, different approaches run parallel to each other in pursuit of similar answers. Here, Kahn and Kersch note that APD approaches to the Supreme Court have often been marginalized by those working within the behavioral tradition. Criticisms have been raised that such APD work is anachronistic or unscientific. Such criticisms are unfortunate, as they do not seek to engage the APD literature on its own terms. While decrying such criticisms, Kahn and Kersch at the same time pursue a similar approach. First, they claim that rational choice-based analyses of Courts (works within the "new institutionalism" paradigm) are merely supplements to the basic behavioralism approach. This is a clear mischaracterization of the new institutionalism. Second, the authors claim that historical institutionalism (which underlies APD work) provides a more useful approach to study institutional change, since the new institutionalism is static (a "snapshot model") and thus cannot account for political dynamics or trends (p. 15). This assertion that new institutionalist scholar-

ship does not focus on (and cannot account for) institutional change is patently incorrect. Finally, rather than seek to promote merit in different approaches, the authors follow the dismissive approach they ascribe to the behavioralists by claiming that "APD agendas are often more interesting and more engaged with questions that truly matter, than much of the work that is done today within the mainstream of the contemporary study of American politics" (p. 24). Such a brash claim is both disappointing and unnecessary.

In raising this issue, and critiquing Kahn and Kersch as I have done, I seek to promote a more collective scholarly enterprise. There is much that historical institutionalists (APD scholars) can learn from new institutionalists, and vice versa. Both sets of scholars are, after all, interested in *institutions*, and the effects that institutions have on political decisions and outcomes. They come at questions from different perspectives—historical institutionalists work within the sociological tradition and focus on the macro level, while new institutionalists work within the economics tradition and focus on the micro level—and in reality should *complement* each other, not endeavor to be substitutes for each other. The different levels of analysis can be integrated into a more general and comprehensive approach to political inquiry. A recent book that makes strides in this direction is *Preferences and Institutions: Points of Intersection Between Historical and Rational Choice Institutionalism* (2005), edited by Ira Katznelson (an historical institutionalist) and Barry R. Weingast (a new institutionalist). My hope is that such intersections between different theoretical camps and traditions will become more common, so that we can learn from each other and advance more expeditiously as a scholarly community.

The First Amendment in Cross-Cultural Perspective: A Comparative Legal Analysis of the Freedom of Speech. By Ronald J. Krotoszynski, Jr. New York: New York University Press, 2006. 336p. \$50.00.

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— David Yalof, *University of Connecticut*

The growing influence of modern foreign laws and legal rulings on the American model of constitutionalism is a dirty little secret no longer. In *Lawrence v. Texas* (2003), Supreme Court Justice Anthony Kennedy, writing for the majority, made no apologies about his willingness to consult with rulings from the European Court of Human Rights in holding that the Fourteenth Amendment's promise of due process of law forbids the state of Texas from prohibiting sodomy between consenting adults. Court observers should have seen this development coming: With the breakdown of the Soviet Union came the emergence of new Western-style democracies thrust into the position of building new republics from scratch. American constitutional scholars were called upon in the late 1980s and