

However, it already anticipates a need to reconsider the effects of Kathy Bowrey's pertinent question ("Who's writing copyright's history?" *European Intellectual Property Review*, 18 [1996]: 322–29).

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Joanna L. Grisinger, *The Unwieldy American State: Administrative Politics Since the New Deal*, New York: Cambridge University Press, 2012. Pp. 309 + xi. \$85.00 (ISBN: 978-1-107-00432-0). doi:10.1017/S0738248013000369

For many historians of twentieth-century America, the politics of administrative law reform are like historiographical broccoli: you know you should consume it, but you are not expecting to enjoy it very much. Certainly, the source materials do not seem like the stuff of a thrilling read. Does anybody really want to spend an evening curled up with the *Report of the Second Hoover Commission*? Nonetheless, Joanna Grisinger's *The Unwieldy American State* shows that an exploration of administrative reform in the years after World War II is key to understanding how Americans came to accept the federal administrative state as a normal, unexceptional part of government. She also demonstrates that this important narrative can be told in a compelling fashion, with wit and verve.

At the core of *The Unwieldy American State* are the political battles surrounding attempts to reform the federal administrative apparatus between 1940 and 1960: the passage of the Administrative Procedure Act and the Legislative Reorganization Act in 1946; the work of the first Hoover Commission and the resulting legislation authorizing executive reorganization during the Truman Administration; and the second Hoover Commission and its stillborn recommendations for increased judicial control of the administrative process. Grisinger shows that although these efforts generated plenty of political heat, they did not result in much reform. The legislation that stemmed from them did little more than codify existing practices and authorize changes that were more symbolic than actual.

Despite this lackluster legislative record, Grisinger demonstrates that mid-century administrative reform was significant for a different reason: it legitimated administrative governance. In the late 1930s and early 1940s, critics of the administrative state accused the federal bureaucracy of an excess of zeal—administrative absolutism that bordered on totalitarianism. The solution to this problem was the proceduralization of the administrative process and increased judicial and legislative oversight of agency operations. By the end of the 1940s, the critique had changed. Agencies were not overzealous. Instead, the opposite was true. At best, they were slothful and inefficient. At worst, they were corrupt, captured by

the industries they were supposed to regulate. This changed critique of the administrative state's problems made it much easier for Americans to accept its existence. When Herbert Hoover, a conservative icon, suggested that the goal of administrative reform was not to roll back the power of Washington bureaucrats, but instead to ensure that Americans got their money's worth from those bureaucrats, the administrative state had achieved a new level of acceptance in American society. One of *The Unwieldy American State*'s most important accomplishments is to demonstrate how the Hoover Commission and its public relations apparatus, the Citizens Committee for the Hoover Report, convinced Americans that the problems of the administrative state were quotidian (inefficiency and corruption) not catastrophic (the destruction of capitalism and democracy). Having done so, the Commission and other would-be reformers were then unable to advocate for laws that would de-fang the administrative state. They could not demand the increased proceduralization of the administrative process or increased judicial oversight when their main critique of the bureaucracy was that it was slow and inefficient.

In telling this story, Grisinger fills in several gaps in the political history of the twentieth-century administrative state. She focuses attention on the decade after World War II, demonstrating how the administrative state gained the legitimacy that underlay the effervescence of state-building that occurred during the 1960s. She shows that many of the administrative reforms traditionally associated with the 1960s (calls for increased administrative rulemaking and transparency, for example, or the demand for more citizen involvement in the administrative process) had their origins in the 1950s. She also demonstrates that the contours of contemporary anti-statist ideology were shaped by the strategic choices conservatives made in the 1950s. Her singular achievement, however, is to show how the political and legal history of the administrative state must be studied together for a complete understanding of either field. In this respect, her close examination of the Citizens Committee is one of the great accomplishments of the book. Who knew that such a propaganda committee existed, let alone that it convinced the good people of Meadville, Pennsylvania to celebrate "Hoover Report Week" in January of 1950 (187)? Or that it bombarded American housewives with flyers (tea bags attached) asking that they join the Commission's "Teapot Tempest" for administrative reform? ("We've simmered long enough – Let's Come to a Boil!") (210). Whereas these episodes help make *The Unwieldy American State* an easy read, they are not merely spoons full of sugar to make the medicine go down. Instead, they illustrate one of the central lessons of this wonderful book: that even the most technical aspects of administrative reform were shaped by the contested political environment of mid-century America.

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