

representative systems and practices. John Ferejohn and Frances Rosenbluth range widely around “electoral representation and the aristocratic thesis,” finding little evidence to support a strong version of that thesis. John Roemer asks, “why does the Republican party win half the votes?” and finds a tentative answer in “policy bundling.” Sendhil Mullainathan, Ebonya Washington, and Julia R. Azari look at the impact on voter opinions of televised debates and find that they make less impact than the voters concerned sometimes *think* they do. Gary W. Cox offers grounds for parties keen to maximize their successes to look after their core voters, and in legislatures their core members.

The editors’ hand is no doubt present in the consistently high quality of the chapters in themselves. But it has exercised the barest of light touches when it comes to fostering cross-pollination between chapters. Given the richness and complexity of the topic and its treatments here, this is a missed opportunity. A few chapters into the book, I wanted to know (for example) how Mamdani’s account of Native American “tribal sovereignty” might respond to Jung’s argument that it is not the cultural identity but the structural location of disadvantaged groups that gives rise to distinctive claims for representation, and not just “recognition.” In turn, Jung’s emphasis on historical injustice as a basis for distinct representative claims based on membership rights presents a sympathetic contrast to Hayward’s placing of the challenge of historical injustice in the hands of representative institutions themselves: According to Hayward, the latter ought not to “simply track the interests of all, but rather change political interests in ways that promote democratic inclusiveness and political equality” (p. 132). And Pettit’s recognition of a constructivist view of interests—in the form of an “interpretive responsiveness”—leads him to the solution that representatives’ interpretations of constituent interests can be correct if they accord with Rawlsian public reasons. Here, both Jung’s and Hayward’s more radical normative takes on the actions that strongly constructivist accounts of the interests of the represented might prompt could open a debate with Pettit’s less agonistic response. And to move full circle, what would it take—what can it take—for the persistent “colonial paternalism” to be addressed in a regime of liberal public reason?

In a similar vein, Bryan Garston’s defense of the view that “a chief purpose of representative government is to multiply and challenge government views to represent the people” (p. 91), built on compelling interpretations of Rousseau, Constant, and Madison, lays down a challenge to other contributors’ assumption that faithful representation of the interests of (all of) “the people”—however difficult and sporadic that may be—is the core goal of (democratic) representation.

It advances in specific and (within its covers, at least) disconnected areas that recommend this volume—in that

respect, it is a book that is equal to the sum of its considerable parts. However, critical questions that are central in the current revival of debates on political and democratic representation figure little or not at all. How representation is claimed or functions at a supranational or global level, how nonelective forms of representation might be considered (or rendered) democratic, and how nonhuman entities such as species or indeed ecosystems might be thought of as represented (or representable) in politics are key examples. The book’s strong slant toward cases and examples from just one country, the United States, belies the universal title and presumptions of most theoretical chapters, although I concede that this is common in comparable publications (the contribution of Shireen Hassim, in particular, is a welcome exception, taking us into detailed and pressing issues of women’s representation in a number of African states). In all, many contributions will quite rightly be discussed and cited widely in continuing and pressing debates on this crucial topic.

Prudes, Perverts and Tyrants: Plato’s *Gorgias* and the Politics of Shame. By Christina H. Tarnopolsky. Princeton:

Princeton University Press, 2010. 240p. \$35.00.

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— Mark Blitz, *Claremont McKenna College*

Christina Tarnopolsky’s book has two parts, one on the *Gorgias* and “Athenian Politics of Shame,” the other on “Contemporary Politics of Shame.” The first part focuses on “the *Gorgias* and the three different politics of shame that are articulated therein: flattering, Socratic, and Platonic respectful shame” (p. 143). The second part tries to show how these three “offer us helpful models for thinking about the contemporary politics of shame and civility” (p. 143).

Tarnopolsky’s main argument concerning the *Gorgias* is that it exemplifies these three types of shame, that shame is central in it and in Socrates’ refutations generally, that it supplements Socrates’ understanding with a new Platonic view, and that Plato is friendlier to democratic politics than is usually thought, seeking to rescue imperialistic Athens from tyrannical indulgence in pleasure and fantasies of omnipotence.

The difference between Socratic and Platonic shame is that while Socrates’ refutations are negative and seem to leave no way out, Plato’s offer attractive models for emulation, employ pleasure and not merely the pain of refutation, and use alluring myths, not merely dialectical perplexities. (The third type of shame, flattering shame, is avoiding the pain of shame by telling an audience what it enjoys hearing.)

Tarnopolsky’s main argument concerning shame itself is that it and other “negative emotions” can be useful and should not be altogether avoided. In making her arguments, she addresses contemporary authors with different

views, and uses her analysis as the entrée into debates about the proper subjects of democratic deliberation and the boundaries between the public and private. She hopes to show the good sense of permitting emotion to permeate what some believe should be the arid rational space of acceptable deliberation, and to permit respectful shame to overturn blind allegiance to “fantastical” views of what is normal.

Tarnopolsky’s arguments depend on her view of what shame is, and much of the book discusses this. Shame involves “occurrent” experiences, “the moment in which a person or group experiences the discomfiting and perplexing cognitive-affective recognition of the gaze of an other that reveals a certain inadequacy in the self” (p. 153). One may “react” to this recognition in several ways, depending on content, character, context, and so on. These experiences speak to a “disposition or sense of shame,” the “habitual inclinations” that are “developed in reaction to past occurrent experiences of shame” (p. 154). At various times, Tarnopolsky distinguishes shame from guilt and humiliation, ties it not just to specific experiences but to conversion to a new way of life, and relates it to believing oneself to be omnipotent but seeing instead that one is needy.

Tarnopolsky’s book has many virtues. It pays serious attention to the *Gorgias*’s dramatic movement, not only to its content. It looks at Plato as if he has something to show us about phenomena, not as if he is a historical curiosity. It examines tellingly the effect of Socratic refutation. It conducts serious discussions with other scholars. It examines shame with care, and with much more detail than can be captured in a short review. It deals with work in many areas—neuroscience, for example—and not merely political philosophy. It is certainly a book that merits being read and thought about.

I do have several questions and concerns. At various times, Tarnopolsky comes close to engaging in her own “flattering” shame, using her analyses to pander to the typical center-left views of academics about Iraq, “unilateralism,” and several other matters. Readers who dispute these opinions should not let the irritating certitude with which they are pronounced prevent them from benefiting from her more considered reflections.

Tarnopolsky links her differentiating of Platonic from Socratic shame to the chronology she uses to organize the dialogues. She wants Plato to be criticizing and, as it were, shaming Socrates. Some dialogues are early, some transitional, some middle, and some late. The *Gorgias* is not only transitional; it transitions from a Socratic to a Platonic view while it is going on. The difficulty with this procedure is its arbitrariness: She examines the views of scholars who place the *Gorgias* both earlier and later than she does, with evidence no worse or better than her own. Important elements of Platonic shame that Tarnopolsky wishes to deny in Socratic shame and politics in fact appear

in what for her are early dialogues, the *Charmides* and *Protagoras*, and in the *Theages* and *Alcibiades I* too. In the *Protagoras* in particular, Socrates identifies the good with the pleasant, something one would think impossible, given her view of Socratic refutation. If he is being ironic, her discussion of Platonic irony would need to be adjusted. Tarnopolsky is correct to point out the different methods and effects of Plato’s ways of teaching. But the differences are not as great as she suggests. Fortunately, in my judgment, her substantive argument about shame and refutation in the dialogues does not depend on her questionable periodization.

I should also raise two other questions about Tarnopolsky’s approach to Plato. One is the fact that her welcome emphasis on the effect a dialogue’s conversation is having on its characters leads her to pay insufficient attention to the discussion’s substance. What the *Gorgias* actually says and suggests about rhetoric, the virtues, the soul and its order, philosophy, and justice receives surprisingly little attention for a book about the *Gorgias*. The second issue is insufficient attention to other dialogues. When democratic politics in Plato is a theme, one needs to attend carefully to his argument in the *Statesman* and *Republic*. Distinctions among early, transitional, middle, and late dialogues get in the way of simply looking at Plato’s view of the phenomenon one is examining.

The chief difficulty with Tarnopolsky’s discussion of shame is its distance from sufficient substantive exploration of what is shameful. Occasional political statements do not make up for this analytic lack. She treats shame largely as if it could be occasioned by any conventional standard and has nothing natural about it. The fact that what is natural will always be expressed or distorted within conventions, however, does not change the fact that it should be central in the discussion. Can we in fact understand shame without seeing that cowardice is ugly and courage beautiful, licentiousness shameful and moderation admirable, stinginess embarrassing and generosity welcome, injustice contemptible and justice noble, and the attempt to know praiseworthy and complacent ignorance unworthy? To discuss, as Tarnopolsky does, good uses of shame that let us see our imperfections and bad uses that hide them depends on some view of the proper expressions of human possibilities, necessities, and integrity. Without examining the accuracy of such views, one cannot sufficiently grasp the discomfort in shame, or its cause. In this regard, a still more expansive discussion than the one Tarnopolsky offers of Plato’s view of spiritedness (and of eros) would be helpful.

Shame is primarily the experience of vice, but it may also involve a general claim of worthlessness. We today wish to protect others and ourselves from such injustice. But how can we defend the propriety of equal dignity without at the same time treating the substance of each choice as equally worthwhile? The liberal democratic

answer is equality of rights, equality under the law, and the formal distance that allows to each his or her independence and self-direction. Despite Tarnopolsky's concern with elements of this issue and her emphasis on democracy, however, she does not say enough about this liberal understanding. But on what other ground can we

reasonably defend a community that both limits the effects of shame and allows us to be equally worthy of it? This and other questions notwithstanding, Tarnopolsky's admirably thoughtful, carefully argued, and energetically written book contains much on Plato, his *Gorgias*, and on shame that is well worth considering.

AMERICAN POLITICS

Law, Politics, and Perception: How Policy Preferences Influence Legal Reasoning.

By Eileen Braman. Charlottesville: University of Virginia Press, 2009. 256p. \$45.00.

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— Matthew E. K. Hall, *Saint Louis University*

For decades, lawyers and political scientists have been irreconcilably divided between “legal” models of judicial decision making, which take seriously the constraints of legal norms, principles, and precedents, and “attitudinal” models, which dismiss these concepts as rationalizations of ideological preferences. Eileen Braman's *Law, Politics, and Perception* attempts to bridge the gap between these literatures by employing a model of “motivated reasoning,” in which decision makers “sincerely utilize and cite appropriate legal authority in reaching their decisions,” and yet are unconsciously influenced by their policy preferences when choosing “determinative evidence, interpretations, and authority” (p. 30). Braman persuasively argues that this model enables “scholars to consider doctrinal accounts without having to take decision makers at their word *or* accuse them of being disingenuous” (p. 22). In this manner, policy preferences may influence decision making, but only within the constraints of legal authority (p. 31).

Braman suggests two mechanisms through which motivated reasoning might influence decision making: analogical perception and separable preferences. After demonstrating the plausibility and potential significance of these mechanisms in Supreme Court rulings, she tests her model in three experiments involving undergraduate and law students. This methodological choice is a critical component of her contribution to the field; in addition to her substantive thesis, she presents a convincing case for the use of laboratory experiments to advance the understanding of legal decision making.

The author's first experiment tests the role of analogical perception in motivated reasoning; specifically, she suggests that the “role of policy preferences should influence perceptions of similarity” in “a ‘middle range’ of cases where there is ambiguity in deciding whether to accept a precedent as authoritative” (p. 86). In other words, judges sincerely perceive precedent as more closely related to the case before them when doing so supports

their policy preferences. To test this theory, she asked subjects to rate the similarity between a pending legal dispute and a prior judicial decision as described in a journalistic account. Subjects were randomly assigned to read accounts in which the facts in the prior case were designed to be objectively “close,” “medium distance,” or “far” from the facts in the legal dispute. Additionally, the outcome of the legal precedent was randomly assigned: half of the subjects were told that the plaintiff won the prior case, and half were told that the plaintiff lost the prior case. In a pure legal model, subjects would make similarity judgments based solely on the objective closeness of the prior decision; in a pure attitudinal model, subjects would make similarity judgments consistent with their policy preferences (as measured in a questionnaire before the experiment). Consistent with her expectations, Braman finds that the objective closeness tends to constrain decision making in the close and far cases, but policy preferences strongly influence similarity judgments in the medium distance cases (pp. 98–9).

In her second experiment, Braman conducts a similar test on both undergraduate and law students and finds similar results for law students. However, in the second experiment, the undergraduates' preferences influenced their decisions in far cases instead of medium distance cases (p. 109).

Braman's third experiment tests the mechanism of separable preferences, that is, “How decision makers view one legal issue may influence their reasoning with respect to another” (p. 113). Law students were asked to decide a standing issue that was part of a larger free-speech controversy. The participants were randomly assigned to read briefs in which the plaintiff was expressing pro-life or pro-choice views and the case occurred in a jurisdiction with or without direct controlling precedent (p. 118). She finds that participants tended to decide the standing issue consistently with their views on abortion (i.e., in favor of the pro-choice plaintiff if the participant was pro-choice, etc.), but only in the jurisdiction without direct controlling precedent (p. 127).

Law, Politics, and Perception advances important substantive and methodological arguments: Motivated reasoning presents a promising avenue for resolving the divide between the legal and attitudinal models, and laboratory experiments offer a uniquely advantageous route for exploring legal decision making. Unfortunately, many of