

acknowledge what some judges and legal scholars have mourned as the “death” of the American jury trial, the authors do not provide a forceful argument for its resuscitation. Instead, they frame jury service as one of a number of possible ways of encouraging civic engagement (pp. 46–47). Yet to endorse citizen service in the justice system on the extrinsic grounds of further citizen participation misses the more fundamental intrinsic rationale, namely, that laypeople share power in the courtroom because it is every citizen’s responsibility to maintain a fair, moderate, and humane rule of law.

Discussions of civic engagement can hardly avoid the core normative question of why participation is important. Kidd stresses themes from social-capital theory: Participation is needed to produce the cooperative group experience that in turn builds the trust and tolerance required for collective problem solving across lines of difference. Gastil and his colleagues view participation as an educative experience and a vehicle for the legitimation of professionalized domains, such as the legal system. I would suggest another line of argument as well, and one the jury nicely exemplifies, namely, that citizen participation is needed because the public world of a democracy presents responsibilities that cannot be delegated without remainder to officials or representatives, but must be owned up to by every citizen. As no more clearly seen than in criminal justice, some problems faced by human communities are inherently public in that their delineation, range of plausible solutions, and the tools available to work on them are all rooted in the public sphere and not simply within expert, professional, or official domains.

What is an appropriate set of tools for social order? What is a crime that must be punished? What is an adequate and humane sentence? Criminal justice is a public and not merely official responsibility because the public speaks through the penal sanction, calling an offender to account in court for violating laws that he or she, as a fellow citizen, also endorses. If this way of thinking is right, then institutions that familiarize citizens with their laws and with the officials that are speaking in their name and that help citizens attune themselves to the public world they are supporting—with their taxes, their voting, and their nonvoting—have immense civic value. Participatory institutions like the jury help us sober up to our unavoidable yet often unacknowledged responsibilities for one another. At a time when America leads the world in per capita incarceration, such civic familiarity, attunement, and sobriety are no small moral matters.

These books are timely, insightful, and very useful contributions to the ongoing discussion of how to increase the quantity and quality of American civic participation. In shifting the focus to the quantity and quality of participation-friendly macro-level institutions, they chart a crucially important direction for future research.

The University and the People: Envisioning American Higher Education in an Era of Populist Protest. By Scott M. Gelber. Madison: University of Wisconsin Press, 2011. 266p. \$29.95.

The Fall of the Faculty: The Rise of the All-Administrative University and Why It Matters. By Benjamin Ginsberg. New York: Oxford University Press, 2011. 264p. \$29.95.

Between Citizens and the State: The Politics of American Higher Education in the 20th Century. By Christopher P. Loss. Princeton: Princeton University Press, 2011. 344p. \$35.00.
doi:10.1017/S1537592712003763

— Nannerl O. Keohane, *Princeton University*

These three books deal with disagreements over the appropriate purpose and governance of universities in the United States. Scott Gelber and Christopher Loss discuss conflicts between members of the university and those outside our walls who have an interest in our work, especially leaders of political movements and government officials. Their two books are historical in focus, dealing with the development of colleges and universities over the nineteenth and twentieth centuries. Benjamin Ginsberg’s topic is what he regards as a pitched battle on our campuses today between the faculty and the administration. Ginsberg is a political scientist; the other authors are scholars of higher education, with backgrounds in history and public policy.

Gelber’s *The University and the People* describes Populist involvement in US higher education from 1820 until the early twentieth century. The author’s main theme is Populist views on why higher education should create a robust democratic citizenry and various strategies for pursuing this goal. Populist leaders emphasized affordability and practicality—making higher education more easily available and serving the immediate practical needs of a developing society. Their primary targets were state universities, particularly in the South and Midwest. Gelber shows how academic populists at the height of their power were successful in taking over or heavily influencing several public universities, most notably in Kansas, Nebraska, and North Carolina.

Populists were generally suspicious or disdainful of the professors who controlled the curricula of these institutions. They argued that ordinary folks, laypersons, should have more say in what was taught on public campuses. They believed that the education provided by daily life was often as good as that available on campus. Not surprisingly, most academic leaders “regarded Populists as fearsome intruders” (p. 5).

Populist suspicion of elitist, highfalutin higher education led them to establish alternative institutions, including lyceums, library associations, and mutual improvement organizations, with a particular emphasis on practical

subjects and vocational training. Within the universities they pushed for remedial courses and extension programs. Gelber demonstrates throughout the book how the Populists were sympathetic to appeals for more higher education for women, but generally lukewarm about—or even hostile to—more openness to citizens of different racial backgrounds.

In discussing the early twentieth century, Gelber recounts the falling away of land-grant institutions from the practical, egalitarian precepts preached by Populists and toward more substantial admissions requirements, higher tuitions, and greater emphasis on scholarly research as a basis for institutional prestige. These trends were antithetical to the goals of the Populists, and yet Gelber shows how academic populists may have contributed to these developments. By emphasizing more affordable agricultural and vocational schools, they failed to pay attention to what was happening in the flagship state universities, and thus ironically helped make the finest public colleges and universities *less* rather than *more* egalitarian. The creation of a two- or three-tiered system of public higher education was one result of this diversion of attention.

Between Citizens and the State is an ambitious history of the politics of higher education in the twentieth century. Loss regards American higher education as a “para-state”: one of the most important of a set of organizations and practices serving as intermediaries between government and citizens in a country averse to large, intrusive government. In his view, higher education served as “the key institutional embodiment of the American state and the central intellectual construct that helped policymakers and the American people define the vary meanings of government, knowledge and democratic citizenship in the twentieth century” (p. 2). Loss combines this institutional analysis, drawing on American political development scholarship in political science, with a portrayal of changing psychological knowledge and beliefs and how they affected the aims and character of American higher education. Exploring the linkage between politics as it affected higher education and the development of the social sciences is one of the significant achievements of this book.

Loss shows how the normative justification of policies toward higher education shifted over time. In the earlier periods of his history, arguments for the provision of federal support were often focused on the common good. For example, in the 1930s, the US Department of Agriculture Extension Service used land-grant colleges to promote better farming practices; the National Youth Administration provided work–study funds for college students; and the Office of Education instituted a Federal Forum Project to promote discussion of democratic practices and ideals among adults. These programs were rooted in a combination of economic need and idealistic efforts to promote democratic deliberation. The G.I. Bill of Rights, in 1944, was based on reciprocity: Veterans

deserved financial aid for higher education in compensation for their service. National defense was the justification for the National Defense Education Act of 1958.

In the 1960s and 1970s, however, the justification for federal aid shifted to individual rights, as the Civil Rights movement and feminism highlighted the blatant discrimination against minorities and women that had earlier characterized federal education policies. The Pell Grant, in 1972—the “G.I. Bill for everybody”—was the culminating achievement of the state–higher education partnership that had provided so much for our country for decades (p. 215). After the shift to individual rights and claims, it was, according to Loss, only a short step to the identity politics and emphasis on institutional diversity of the 1970s that continues today. This change in direction opened universities to much more diverse student bodies, but it weakened the historic emphasis on the obligations of state-funded institutions of higher education to serve the common interest.

As the normative basis for federal aid shifted, so did ambitions for higher education. Gradually, the focus of federal action shifted from advancing the collective good to a more cynical acknowledgment that most students sought higher education for individual purposes. Changes in social science reinforced this shift. Public-opinion research in the 1950s demonstrated how little the average citizen knew, or cared, about public affairs. Greater reliance on models of politics rooted in economic analysis emphasized the role played by self-interest in democratic politics. American higher education no longer sought idealistically to create education for democracy, but instead emphasized the development of skills that would be valuable in increasingly competitive global markets.

In Loss’ phrase, citizenship was “privatized” (p. 226). The earlier ideal of citizenship had been severely biased, in racial, ethnic, and gender terms, and education had been oriented toward facilitating the personal “adjustment” of white men, with an eye to their responsibilities as citizens. As the twentieth century entered its final decades, this conception was replaced by the ideal of equality, which emphasizes individual rights and institutional diversity. From a normative democratic standpoint, the gains in access and diversity have been accompanied by diminished collective ambitions and a weaker conception of citizenship.

The message of Ginsberg’s book is neatly summarized in its title and subtitle. The author is convinced (and passionately wants to convince the rest of us) that the faculty—the rightful masters of the university—have, over the past few decades, been edged aside by ambitious, maleficent administrators who have deformed our institutions of higher education and nearly ruined them. *The Fall of the Faculty* makes no pretense to objectivity; dramatic turns of phrase and purposeful exaggeration are Ginsberg’s favorite instruments. His apparent hope is that upon hearing

the clarion call he issues, faculty members will wake up and fight back.

Ginsberg sees American higher education before the 1970s as an academic utopia in which almost all of the administration was done (and done very well) by faculty members taking time from their teaching and scholarship to manage the institution. Today, he argues, the university is run by full-time administrators who think of management as an end in itself, who have no faculty experience and no understanding of what actually takes place in the classroom. Every year there are more and more of them, as they invent new jobs, bring in new managers, and relegate the faculty to peripheral inferiority. As a result, the university has lost its way.

Most irritating, in Ginsberg's view, is that all of these assistant and associate vice presidents, "deanlets," and "deanlings" (as he labels them) believe that the traditional curricula of our universities are pointed in the wrong direction. Instead of teaching our students classics, physics, or history, they want to impart life skills that will help students succeed in the real world. Apart from this, he says, these administrators waste infinite amounts of time in repetitive, useless, strategic planning and are usually away somewhere on retreats.

Ginsberg quickly sets aside the usual justifications for more administrators—more demand for services from students and their families and from all branches of government. He posits a kind of conspiracy: Administrators encourage regulators to intervene more frequently to help them gain the upper hand. As a result, the goals of the university are "sabotaged."

Other thoughtful books have been written on the growth of administrative services and the role of the faculty in managing the university, including Donald Kennedy's *Academic Duty* (1997) and Henry Rosovsky's *The University: An Owner's Manual* (1990). The evolution of higher education in the years since these books were written makes it clear that the issues Ginsberg addresses are ripe for analysis and solution. In times of economic stringency, the disproportionate growth of administrative staff on many campuses is a problem that needs to be understood and effectively addressed. But Ginsberg's exaggerated rhetoric and thin final chapter on "What is to be done?" fail to do the job. It is surely beneficial for many reasons that some faculty members serve in academic administration. But the notion that numerous professors are blithely ready to take on the management of highly complex institutions and do it well in their spare time is comically off target. And despite Ginsberg's occasional protestations that he actually knows a few administrators who are honest and competent, his firm belief that almost all administrators are feckless scoundrels does not help sort out the problem.

Taken together, these books shed light on several salient features of contemporary higher education. The financial crisis and continuing unemployment have led to an uptick

in criticism of skyrocketing tuition and pressure for immediately useful training to help graduates find jobs. There are echoes here of the Populist emphasis on accessibility and practicality. And the Occupy Wall Street movement has indicated that populist protest is not just a thing of the past. There seems to be a "What, me worry?" mood on most campuses today as faculty members and administrators go about their business without taking seriously or dealing with issues that appear so clear and pressing to many people outside of the ivory tower.

Moreover, the growth of for-profit universities and corporate campuses makes clear that higher education is not immune to competitive pressures. Online education is a growing presence everywhere, as is it the easiest and cheapest way to learn a variety of subjects, especially immediately useful ones. This analogue to the mutual-aid societies and lyceums also calls to mind the Populist era. Some universities are seizing the opportunity to use online learning as a crucial tool for sharing knowledge both on and away from campus, but the implications of this development for traditional higher education are not yet clear.

American universities are also engaging in global competition and collaboration, with results that are very much in evolution and not discussed in any of these books. As a result of this dispersion of educational energy through online learning and new forms of competition, the role of the American university as a "para-state" is no longer as central as it was in earlier decades. Citizenship remains "privatized," and there is a debate on many campuses about exactly what role (if any) the university should play in developing citizens or forming the character of students.

In a period of so many complex and relatively novel pressures on higher education, it is crucial for faculty members, senior officers, and trustees to take time to figure out what really matters. What, and how, and whom, should we be teaching? How do we retain the best insights from the past and make them meaningful to our multitasking students while also paying appropriate attention to the knowledge that is being created every day? What are the obligations of faculty members to the university and what are the university's obligations to them?

As opportunities for entrepreneurship in everything from the development of online courses to cures for diseases become more and more attractive, we need to redefine and renew the social compact between faculty members and the institutions in which they teach and do research. In this endeavor, we should take care how we respond to pressures from any of the outside sources described in these accounts—business, government, or well-intentioned laypersons. Recognizing that we cannot exist without the patronage and support of these constituencies, and that they often have useful perspectives to share, we should listen to their needs and their advice, and, in the case of governments, deal effectively with their requirements. But, in the end, those who are ultimately responsible for the

stewardship of the university should embark *together* on defining and defending our own goals and purposes.

Out and Running: Gay and Lesbian Candidates, Elections, and Policy Representation. By Donald P. Haider-Markel. Washington, DC: Georgetown University Press, 2010. 208p. \$29.95.
doi:10.1017/S1537592712003775

— Benjamin Bishin, *University of California, Riverside*

How do marginalized minority groups gain power in a republic that is designed in large part to inhibit major political change? In his important and ambitious new book, Donald P. Haider-Markel examines the conditions under which openly lesbian, gay, bisexual, and transgender (LGBT) candidates run for office and win and whether increased descriptive representation, the election of more openly gay and lesbian candidates to office, increases their substantive representation.

Out and Running reflects the compilation of an impressive array of data, ranging from six case studies documenting how gay legislators work in a variety of states to the creation of massive data sets that identify LGBT candidates and legislators in every state legislature over roughly a 15-year period (1992–2007). Haider-Markel also marshals public opinion data in order to assess the public's receptivity to LGBT candidates. By examining public opinions, campaigns, and behavior in the state legislatures using quantitative analyses and case studies, he brings tremendous leverage to evaluate LGBT representation in each of the different aspects of the democratic process (i.e., the people, campaigns and elections, the legislature). Moreover, he also examines the extent to which policy backlash results from the increased number of gays and lesbians elected.

Theoretically, the book is grounded in the history of the gay politics movement, which provides a nexus for thinking of gay rights in the context of studies that examine how other minority groups have gained power. Specifically, Haider-Markel lays the groundwork for assessing the policy implications of descriptive representation as a theme that runs throughout the book. By illustrating how descriptive representation has led to enhanced substantive representation at the local and state levels, his work contributes not just to our understanding of the nuances concerning how and when gays get elected and pass policy but to the broader literature on descriptive representation, which speaks to the fundamental democratic value of equality and helps us to better understand how and when disadvantaged minority groups can begin to obtain power. From this perspective, each of the chapters helps us to understand how different aspects of the democratic process work to either enhance or inhibit the attitudes, candidates, and policies that directly affect gays and lesbians.

As a result, the book speaks to both elections and policymaking. With respect to elections, Haider-Markel convincingly demonstrates that LGBT candidates are no less likely to win elections and, among Democratic candidates, they actually poll a little better than do their non-LGBT peers. This finding is important because LGBT candidates face an uphill climb—roughly 25% of Americans are unwilling to vote for an openly gay candidate. Despite this success, and the roughly proportional representation of LGBT constituents in several of the states he examines, these results suggest that LGBT candidates are likely to remain underrepresented, in large part because they appear to be highly strategic in their choice of where and when they run. LGBT candidates are more likely to run in Democratic districts and are much more likely to be high-quality candidates, two factors that seem to explain much of their high levels of success. The implicit flip side is that they are less likely to run or win in Republican districts.

Also important is the large and consistent finding that the election of increased numbers of LGBT candidates leads to enhanced substantive representation, both through an increase in the number of bills proposed and in the increased likelihood that pro-gay rights legislation, especially that which bans discrimination, passes. LGBT members' influence takes more subtle forms as well, as the author's case studies document instances in which members from states where gay rights are unpopular worked behind the scenes to prevent adverse legislation from passing. In other cases, LGBT members built personal relationships that provided some of those who might have opposed gay rights a deeper understanding of the bill's implications.

These findings are especially important because while Haider-Markel shows that research on descriptive representation at the state and local level finds strong benefits accruing to minority groups that are able to elect members of their group to office (as Christian Grose shows in his 2011 study of black legislators, *Congress in Black and White: Race and Representation in Washington and at Home*), the evidence at the federal level is much more mixed. This is especially so on the question of whether enhanced descriptive representation leads to increased responsiveness on roll-call votes.

One concern is that policy success may evoke a backlash. In the case of LGBT politics, those opposed to gay rights, especially religious conservatives, may countermobilize in response to attempts to advance those rights. Backlash is especially relevant to the gay rights movement because, as the author astutely points out, the LGBT movement's rise is at least partly responsible for the rise of the Religious Right. Perhaps unsurprisingly, then, Haider-Markel's analysis suggests that the election of increased numbers of LGBT legislators coincides with a rise in the number of anti-gay bills.