

**Deliberative Choices: Debating Public Policy in Congress.** By Gary Mucciaroni and Paul J. Quirk. Chicago: University of Chicago Press, 2006. 296p. \$50.00 cloth, \$20.00 paper.  
DOI: 10.1017/S1537592707070399

— Paul S. Martin, *University of Virginia*

Gary Mucciaroni and Paul Quirk have done the field a service by reminding us that Congress is a deliberative body, even if it is not always a *good* deliberative body. The authors foreshadow their findings, stating: “Congressional debate is only moderately realistic and informed. Listeners encounter a considerable volume of distortions, omissions, and even falsehoods, with apparent potential to mislead” (p. x). They base this conclusion on a study of effects claims made during three significant policy debates: Welfare Reform in 1995 and 1996, the Estate Tax Repeal in 1999 and 2000, and the Telecommunication Deregulation Act of 1996. Effects claims are claims made during debate about the likely effects of the legislation or amendment under consideration: Reforming welfare will reduce illegitimate births; current tax rates depress incentives to invest; deregulation will help the telecommunications industry grow. The heavy lifting in the book comes from the authors’ assessments of the validity of these effects claims (and rebuttals) based on contemporary knowledge of the issues that would have been available to members of Congress.

I found the empirical chapters on Welfare Reform, Estate Tax Repeal, and Telecommunications Deregulation well written and persuasive about both the types of claims that are routinely made and the degree to which they were supportable at the time. Serious readers will quibble here and there with some of the choices the authors make, but to their credit, Mucciaroni and Quirk make their own decision making transparent and encourage readers to weigh the evidence for themselves. The evidence and arguments are sophisticated enough to be used in graduate seminars on Congress or lawmaking, but the prose is easily understood by advanced undergraduate students, making this book useful across the board.

In addition to providing a compelling framework for us to evaluate congressional debates, the authors offer a theory using the reasoning that representatives must choose between the force of an appeal (given acceptance) and the likelihood that an appeal will be accepted, and then generate a number of testable hypotheses about when and where we will find a higher quality of discourse in Congress. There are too many specific findings to detail in a short review, but they find better debate when bipartisan coalitions form, when debate is in the Senate rather than in the House, when interest groups are mobilized on either side of the debate, and with lengthier debates. These conclusions are based, however, on debates during a relatively short range of time during the 1990s and over three major issues. My guess is that the authors would welcome fur-

ther case studies both across time and issue space to further test these findings.

While I believe that readers will benefit from *Deliberative Choices*, there are two major points that I found problematic. At the top of the list is the nagging question of how the quality of congressional deliberation translates into good public policy. The authors examine debate to see how intelligent the decision making on congressional policy is, but the skeptical reader may be uncomfortable accepting that floor debates in the House and Senate accurately reflect congressional decision making on policy. In other words, we do not know how closely related front-stage performances are to back-stage decisions.

The second question that sat on my shoulder while reading this book was for whom does Congress debate? One of the normatively disappointing findings of the book is that debate was of a higher quality during floor proceedings on the Telecommunications Act than it was on Welfare Reform or the Estate Tax repeal. As the authors point out, the mass public was not engaged in telecommunications reform, but interest groups were out in spades. And one of the more startling findings is that debate over welfare reform pitted dubious claim against dubious claim, much of which was not rebutted (few seemed willing to defend the morals of welfare recipients). With the quality of debate seeming to decline with citizen interest, I expected greater consideration of how misinformation in congressional debates filters down to confusion in the mass public, but the authors have left that rock unturned for an ambitious graduate student.

Because these points are not fully developed, we do not get a full accounting about how and when congressional deliberation matters. While the primary audience of this book will be Congress scholars, the findings should be equally important to students of the mass public. If you combine this book with research on mass misinformation (such as James H. Kuklinski et al., “Misinformation and the Currency of Citizenship,” *Journal of Politics*, 62 [May 2000]: 791–816), you will be forced to wrestle with the following question: If only about a quarter of congressional debate is reasoned and informed, how can we expect the citizenry to do much better?

**The Constitution as Social Design: Gender and Civic Membership in the American Constitutional Order.**

By Gretchen Ritter. Stanford: Stanford University Press, 2006. 400p.  
\$70.00 cloth, \$29.95 paper.  
DOI: 10.1017/S1537592707070405

— Beau Breslin, *Skidmore College*

Gretchen Ritter takes the American Constitution seriously. Like few others, she views the country’s fundamental charter as announcing far more than a design for government institutions and a series of individual rights guarantees. The importance of the Constitution, she insists,