

about the ways in which these differing frames impeded a recent attempt to form a national coalition, it is relatively light as to detailed information about the way in which these frames clashed. Ernst, who was a participant observer at the annual meeting of this fledgling coalition, says that she is “only able to provide a general picture of the dynamics of this meeting out of respect for those involved” (p. 147). While this is understandable, it makes the chapter a little anticlimactic in terms of its ability to illustrate the way in which the diverging frames that she has explicated in the preceding chapters “embody and reproduce conflict between organizations attempting to maintain a national movement.” Further development of this connection between the “micro” (frames employed by individual women activists) and the “macro” (movement dynamics) is an important area for future research.

Scandalous Politics: Child Welfare Policy in the States. By Juliet F. Gainsborough. Washington, DC: Georgetown University Press, 2010. 216p. \$26.95.
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— Rose Ernst, *Seattle University*

Shocking reports of child abuse at the hands of the state, parents, or foster parents appear to be a periodic but permanent feature of modern American life. Do these scandals prompt changes in child welfare policy? What types of change do they provoke? These are the central questions of Juliet F. Gainsborough’s thorough exploration of an understudied, but theoretically and substantively important, area of state and federal policy.

Child welfare policy provides a theoretically significant area of study for scholars of policy processes and agenda setting because it represents shifting target populations among children, foster parents, biological parents, social workers, and administrative heads of agencies. Gainsborough argues that the target population is often determined by the causal stories produced by the initial focusing event. These stories range from blaming the child’s family, to blaming individual case-workers, to identification of a systemic problem in the administrative apparatus (p. 13). While she finds that scandals do provoke legislative responses and administrative changes, these responses are often limited to a set of ready-made solutions designed to address problems in the short term, with little focus on long-term policy consequences; this means that longer-term plans for policy change are rarely politically attractive to high-profile policymakers (p. 160).

Substantively, beyond the normative importance of child welfare, this policy area is of interest as it represents the intersection of “deserving” and “undeserving” discourses in antipoverty policy. Over the past 40 years, antipoverty policy has been driven by perceptions of the poor as

undeserving, and so this examination of one of the most deserving target populations of all is a much-needed policy process intervention. Gainsborough selects the media, policy entrepreneurs, courts, and the administrative structure of the state-level child welfare system as possible key factors in shaping the “nature and scope of these responses . . . that vary from state to state and crisis to crisis” (p. 20). More broadly, she seeks to understand whether the conventional analogy of child welfare policy as a reactive “pendulum” is apt (Chapter 2). She finds that the analogy accurately describes both shifts in federal policy from “family preservation to an emphasis on child removal and termination of parental rights” (p. 160) and the ways in which the federal government periodically cedes authority over this policy area to the states.

Gainsborough’s approach belongs to a growing body of literature devoted to integrating quantitative and qualitative case study approaches to particular policy process problems. The greatest contribution of the book is the way she deftly weaves her quantitative analysis with her qualitative case studies so that it is complementary rather than competitive. She uses enactment of legislation and changes in funding levels to measure policy response to scandal through a 50-state-level regression analysis from 1999 to 2003. She finds that scandals do have a significant impact on enactment of legislation, but not on spending. She also discovers that litigation and federalism have complicated effects on spending and legislation. One of the most notable findings is that the percentage of African Americans in a state has a significant and consistent relationship with legislative and spending changes; this result deserves more attention, as I discuss later.

The qualitative case study portion of the book asks two questions unanswerable by a quantitative analysis: “Are there particular characteristics of a scandal that make it more or less likely to spark major, as opposed to minor, reform? . . . Second, although spending and legislation are clearly important policy outcomes,” could scandals “change the operation of the child welfare system in other important ways not captured by these two variables” (p. 20)? Gainsborough selects Colorado, Florida, and New Jersey as states with varying levels of professionalization in their legislatures, different types of child welfare bureaucracies, and varied governor strength. Using an engaging narrative approach, she traces the “phases” of high-profile child abuse scandals in each state to illustrate the contours of a complex policy reaction, all the while paying close attention to the role of the media, policy entrepreneurs, courts, legislatures, governors, and administrative systems.

The attention to the ways that policy environment and institutional actors are intertwined in this book is impressive. Gainsborough does not try to oversimplify the messy politics of child welfare, from the stage of

public scandal to the devilish details of implementation by administrative bureaucracies. Despite this attention to complexity, however, the analysis avoids the central lurking question of child welfare politics, and welfare politics in general—the question of the role of race and racism. Initially, the author hypothesizes that welfare politics will not be significantly connected to child welfare politics. In her quantitative analysis chapter (Chapter 3), however, she is surprised to find that “[t]he racial make-up of a state is found to be significantly and negatively related to spending levels” (p. 68). She finds this result counterintuitive, “because political discourse about the two policy areas tends to be different: The need to require adults to support themselves and their families rather than relying on government assistance is contrasted with the need to protect vulnerable children from abuse and help them find loving homes” (p. 68). Gainsborough does engage Dorothy Roberts’s book, *Shattered Bonds: The Color of Child Welfare* (2003), about racism endemic in child welfare systems, but does not include any sustained analysis of race politics in any of the case study chapters. This is troubling because, as she herself notes in the conclusion, “in both Florida and New Jersey the children at the heart of the scandals were African American, as were the biological and foster/adoptive parents accused of harming them, and their pictures appeared regularly in newspaper coverage of the scandals” (p. 149).

One incident that gained national attention in Chicago in 1994, described by Gainsborough in the section on federal shifts in child welfare policy (p. 47), exemplifies both the importance of race politics at the heart of child welfare policy and the way it is interconnected with the politics of Aid to Families with Dependent Children/Temporary Assistance for Needy Families at a discursive and concrete level. Lucy A. Williams describes this same scandal in her article on the debate over welfare in the early 1990s (“Race, Rat Bites and Unfit Mothers: How Media Discourse Informs Welfare Legislation Debate,” *Fordham Urban Law Journal* 22 [1994]: 1159–96). Unlike Gainsborough, however, Williams notes how this scandal, among others, was central to the national debate over welfare. Furthermore, the assumed class and race of the players in this scandal drove the rhetorical discussion of welfare. The race, gender, and class intersectionality of welfare politics (e.g., see Ange-Marie Hancock, *The Politics of Disgust: The Public Identity of the Welfare Queen*, 2004) and child welfare politics, particularly at the state level, seems hard to ignore. If racism was a central line of inquiry of this book, then the questions asked about the relationship among the media, scandal, and policy response become quite different. Indeed, the question of *why* particular scandals are reported and *how* they are covered becomes of central importance. Although Gainsborough notes that child welfare may become an area for policy

solutions in search of problems, as in the case of the privatization of social services in Florida (p. 163), the political nature of the selection of these scandals is hard to ignore in the context of an intersectional politics of race, class, and gender.

Overall, *Scandalous Politics* succeeds in laying the groundwork for further inquiry into this important agenda-setting topic. The fact that the book provokes these questions is a sign that it is an area ripe for further investigation. Scholars of public administration, policy processes, and social welfare policy will find it of substantive interest. It also provides an engaging case study for graduate or advanced undergraduate policy processes courses.

The Nature of Supreme Court Power. By Matthew E. K. Hall. New York: Cambridge University Press, 2010. 262p. \$90.00. doi:10.1017/S1537592711003641

— Gregg Ivers, *American University*

Rare is the scholarly book in political science that continues, after 20 years, to drive a near-continuous debate not only among professional academics working in the field but also among the professional class about whom the book was written. In my professional lifetime, I cannot recall another book in the subfield of law and politics that has generated as much controversy as Gerald Rosenberg’s *The Hollow Hope*. Published in 1991, Rosenberg’s book has polarized political scientists and lawyers who work at the nexus of law and politics to such an extent that even devotees of the New York Yankees–Boston Red Sox rivalry might shake their heads in admiration, bewilderment, or a combination of both at the fervor with which Rosenberg’s supporters and detractors stake their claims. In 2008, Rosenberg published a second edition of his book in which he addressed his critics in a fair and scholarly manner, yet gave no ground in defense of his original thesis—that the Supreme Court is far more constrained, bordering on impotent, to affect social and political change through its rulings. Up until the publication of the first edition of *The Hollow Hope*, the conventional wisdom in the literature on the relationship of the Court, interest groups, and litigation designed to remedy a perceived constitutional violation did not really question the Court’s power to, as Rosenberg put it, “prod[uce] significant social reform” (Rosenberg 2008, 422).

Political scientist Matthew E. K. Hall, in *The Nature of Supreme Court Power*, has offered the first book-length argument to address head-on Rosenberg’s thesis about the limited nature of Supreme Court power. Concise, systematic, rigorous, and fair, Hall’s book stakes out two major goals: 1) to revisit, like many scholars before him, the core arguments of *The Hollow Hope* and 2) to advance, unlike many scholars before him, a more comprehensive, empirically centered argument that offers a more nuanced view