identify new political implications flowing from those beliefs" (p. 211).

Despite the obvious differences between these two books, both authors present historiographic analyses that point us toward one conclusion: The political role(s) available to organized religion in the United States (or in any national context) are highly dependent upon the shifting sands of culture. Graziano's instrumentalist approach shows us that despite plenty of obstacles, Catholic Americans have found their way into positions of political influence, thanks to their patience in waiting for an advantageous zeitgeist, but also because changes in American culture occurred that changed the zeitgeist. Likewise, Smith's more constructivist approach illuminates the various ways in which religion politically reinvents itself —on an issue-by-issue basis—in reaction to cultural change.

As we move further into the twenty-first century, demographic projections suggest that fewer Americans will identify with organized religion (Robert P. Jones, *The End of White Christian America*, 2016). If the United States continues to become a more inclusive and diverse society, religious groups and leaders may well react by adopting Smith's first strategy of adaptation to cultural change, which is to double down on (counterculturally) conservative views. If this is the case, we should expect the religious element of political polarization not to vanish but, rather, to persist as a vocal source of opposition to changes in the status quo.

The Battle for the Court: Interest Groups, Judicial Elections, and Public Policy. By Lawrence Baum, David Klein, and Matthew J. Streb. Charlottesville: University of Virginia Press, 2017. 184p. $45.00 cloth.
doi:10.1017/S1537592718001512

— Anthony Champagne, *University of Texas at Dallas*

In 1985, Roy Schotland ("Elective Judges' Campaign Financing: Are State Judges' Robes the Emperor's Clothes of American Democracy?" *Journal of Law & Politics*, 2(1)) described how the quiet, sleepy era of state supreme court elections was coming to an end. In its place was a new era of competitive, expensive, and rambunctious judicial campaigns. That new era has not occurred in some states and not for all judicial elections in any states, but for several states, Schotland was correct: Primarily at the supreme court level, judicial campaigns have entered a new era in judicial politics and have become highly contentious. This new era in judicial politics began in California, then moved to Texas, and then onward to many other states, including Ohio.

Since Schotland's article, several books and numerous articles have discussed this new era in judicial politics. Some of this research has been supportive of this shift on the grounds that it leads to judicial accountability to the electorate. Other research has been critical of it, either because of a fundamental disagreement with judicial accountability, or because of a concern over the potentially corrupting influence of large campaign contributions and the crass nature of some of the judicial campaigns, or because judicial campaign statements sometimes prejudge questions coming before the court. Criminal justice issues are often a sideshow in many of these judicial campaigns; the main act in the new era in judicial politics invariably involves battles over the shape of tort law. In state after state, supreme court elections pit the business community aligned with professional groups, such as doctors, against lawyers who are aligned with consumer groups and organized labor. Political parties play a role because business and professional groups usually support the Republican candidates, while trial lawyers, consumer groups, and labor unions usually support the Democratic candidates.

In their slim volume, Lawrence Baum, David Klein, and Matthew Streb examine the new politics of judicial elections using the Ohio supreme court as a case study. While the selection system for Ohio justices is somewhat unusual—candidates run in partisan primaries and then in a nonpartisan general election—the book's analysis makes a number of findings that are of value to any student of judicial elections. Critics may argue that Ohio's judicial election system is so unusual that one should not use this state as an illustration of partisan judicial elections in general. However, the authors provide an extensive descriptive treatment of Ohio supreme court elections over many years, which shows that the state's partisan primary/nonpartisan election system operates like judicial elections in states where the party affiliations of judicial candidates are listed on general election ballots. Schotland, who can legitimately be considered the founder of modern judicial elections research, considered Ohio and Michigan (which has an election system similar to Ohio's) to be partisan judicial election states.

Combining in-depth description of Ohio supreme court elections over time with sophisticated statistical analysis of judges' votes, campaign contributions and contributors, and electoral votes for judicial candidates, the authors are able to make a number of conclusions about judicial elections. While not a complete discussion of the findings of their research, what follows is a brief discussion of those that are particularly intriguing, and which offer significant contributions to our understanding of judicial elections, the behavior of elected judges, and the behavior of voters in judicial elections.

Unlike the results of some previous research that examined criminal justice decisions, Baum, Klein, and Streb find that, in Ohio tort law cases, there was no clear evidence that justices changed their voting behavior in an effort to retain their seats on the court in the next election. The authors argue that the way in which tort

law changed was by changes in the composition of the court.

Ohio voters shaped tort law through the electoral process, but the authors doubt that a substantial proportion of the voters cast their ballots in an effort to affect the direction of tort law. Examining Ohio supreme court elections since 1980, only the elections of 2000 and 2002 provided substantial information to voters about candidates' views on the direction of tort law in the state. When limited survey data was examined, respondents had low awareness of tort issues in these races. There was a fairly strong relationship between voters' party affiliations and their votes in supreme court races. There was some relationship between voters' ideology and education and their votes in supreme court races. As the authors point out: "To some extent, then, voters' general political attitudes and interests helped determine the outcomes of supreme court contests and thus the court's direction in tort policy. But that is not the same thing as intending to shape judicial policy on torts in particular ways (pp. 115–16).

The business community ultimately won the battle over tort law by mobilizing to reverse the pro-plaintiff trend that had developed. The business community used campaign spending favoring the pro-defendant candidates in tort law to create a pro-business majority on the court. Candidates supported by the business community generally had an advantage in spending over pro-plaintiff candidates. That spending advantage was especially true after 2002 when the pro-business majority on the court was established and strengthened.

Judicial reformers will likely conclude that this book offers powerful evidence that judicial elections fail to achieve their underlying goal of judicial accountability. After all, business groups mobilized to use the election of Ohio supreme court justices to achieve their tort reform goals—goals of which the electorate was mostly unaware. The authors, however, offer a more balanced perspective on their findings and are unwilling to stretch their analysis far enough to reach the reformers' conclusion. They recognize that supporters of judicial elections can use their findings to show that "[j]udges who contributed to major policy changes were not able to do so with impunity; they had to face voters in elections every six years, interest groups concerned about the court's direction were sometimes able to focus considerable attention on the court and individual judges, and occasionally incumbents lost their bids for reelection" (p. 130).

Of course, the debate over the value of judicial elections has existed for decades and will continue for decades to come. Whether one supports judicial elections or not is actually a normative rather than an empirical question. It is unreasonable to expect that *The Battle for the Court* will resolve the question of whether states should elect judges. What the book does do, in a carefully considered manner that is far different from the shrill arguments made by numerous proponents and opponents of judicial elections, is to enhance our understanding of judicial elections, the parties involved in those elections, and how judicial elections have shaped tort law—the primary issue in the new era in judicial elections. In doing that, this book is an essential read for any student of state courts.

The Rights Turn in Conservative Christian Politics: How Abortion Transformed the Culture Wars. By Andrew R. Lewis. Cambridge: Cambridge University Press, 2017. 271p. $99.99 cloth, $29.99 paper.
doi:10.1017/S1537592718001536

— Deborah R. McFarlane, *University of New Mexico*

This book addresses the role of rights in recent American politics, specifically the claims emanating from white, conservative Christians. Claiming that "the American rights culture has long been the domain of liberals" (p. 3), Andrew Lewis states that it is a "paradox that conservatives, particularly religious conservatives, have come to share the mantle of rights-based advocacy with liberals" (pp. 3–4). His major argument is that abortion politics catalyzed this shift by teaching evangelicals the value of rights-based arguments.

The Rights Turn in Conservative Christian Politics is organized into eight chapters. Chapter 1 introduces the argument, theoretical constructs, and methods. Chapter 2 details the history of evangelicals and pro-life politics since the 1970s. The next five chapters address substantive rights: free speech (Chap. 3), religious liberty (Chap. 4), national health care (Chap. 5), the death penalty (Chap. 6), and gay rights (Chap. 7). Chapter 8 concludes the book with an Epilogue.

Lewis employs multiple methods for the research in this book. Each of the substantive chapters includes a history of evangelical advocacy positions, with particular attention to whether the issue framing includes abortion. In order to explain the increasing importance of rights politics, the author presents both elite and mass evangelical public opinion over time (since the 1970s). The appendix contains cross-sectional statistical models of support for various rights positions and their relationship to abortion.

Several theoretical threads run throughout this book. Explaining that anti-abortion activists are a political minority and that "minority politics are often focused on rights and legal challenges" (p. 5), Lewis introduces a "learning, claiming, extension," or LCE, framework of rights politics. This process involves rights *learning* among evangelical advocacy leaders; rights *claiming* for pro-life and religious freedom positions; and rights *extension*, which "has yielded greater support for rights to others, even disfavored groups" (p. 6). The relationship between elite activism and mass public opinion is also central.