

values interdependency. Crowley's book raises the possibility that we perhaps too easily give up or become mired in strategic trade-offs. Any movement must begin with hope, which may require some measure of suspended critique. This is where the lack of strategic second-guessing, which might otherwise seem naive, is refreshing and potentially necessary. Professional advocates have made headway but have failed to ignite a movement, perhaps because there is not enough of a demand on the ground (Elizabeth Palley and Corey S. Shdaimah, *In Our Hands: The Struggle for U.S. Child Care Policy*, 2014). Crowley's data provide evidence that expending further efforts among women who support and relate to each other as mothers might bear political fruit.

Critical insights offered by theorists, however, might enrich Crowley's analysis of the data by situating it within the larger, more complicated political context. One such opportunity is provided by 28-year-old MomsRising member Tiffany, who explains that her job satisfaction stemming from workplace flexibility is a valuable benefit to her employer: "She indicated that she was willing to accept a lower wage in exchange for favorable work-related options, and if her feelings were indicative of those of other mothers, employers could be gaining financially as well as providing flexibility" (p. 121). Billing this as a financial incentive makes good sense in expanding workplace-flexibility appeal to business and other potential allies. As a commentary on public policy, on the other hand, a deeper examination of the reasons this particular carrot has appeal and of the political and economic interests that reap benefits and bear burdens is warranted.

Crowley's work complements the work of scholars who have explored how and why people (do not) transform their understanding of private care troubles into public problems (see Sandra R., Levitsky, *Caring for Our Own: Why There Is No Political Demand for New American Social Welfare Rights*, 2014) and the social, political, and economic factors that impede coalescence of U.S. social movements (see Doug Imig, "Building a Social Movement for America's Children," *Journal of Children and Poverty* 12:1 [2006]: 1–37, on child-care policy). Drawing on insights about the ways in which activists and social movements contest political framing, is there a symbolic framing that would be acceptable to Crowley's politically diverse group of women? Could this group of diverse mothers' organizations and its mother-members join together to move from passive support for sharing information about workplace flexibility to political engagement? Would certain framing, such as family values, care work, or workplace responsibility, push some groups away as it draws others in? Where is the balance between retrenching existing arrangements and paving new ground? For groups that are not represented among the author's sample, such as low-income parents, how likely are they to be affected by new alliances and a focus on workplace flexibility?

Crowley discovers common ground among otherwise unlikely allies. The overwhelming majority of her 3,327 survey respondents, whether or not they are employed outside of their own homes, support a government role in (gently) encouraging workplace flexibility. This is an admittedly narrow area of agreement. It does not include, for example, even the modest UK requirement that employers *hear* (not grant) flexible workplace requests (p. 181). However, Crowley argues that this threshold contains the seeds of a mothers' movement for workplace and government policy changes to expand mothers' choices and benefit families. At a time of contentious politics where all compromise is viewed with suspicion, the prospect of solidarity to help mothers, and by extension their partners, care for children is no small source of hope. She provides evidence of national leadership in First Lady Michelle Obama's public recounting of her own personal trials and in the White House Forum on Workplace Flexibility.

Many of Crowley's respondents have begun to classify workplace struggles caused by lack of flexibility as something larger than a private trouble, which is a formative stage in the social construction of a public problem in the tradition of Herbert Blumer ("Social Problems as Collective Behavior," *Social Problems* 18 [Winter 1971]: 298–306). The author's prescriptions for movement building include more inclusive organizational membership bases, marketing workplace flexibility to rank and file members, and coalition building. The conundrum of any incipient social movement is that mobilization both require and presuppose recognition of a shared vision of goals. The additional value of *Mothers Unite!* is that it holds up a mirror to the five women's groups and to mothers and their allies across the country, which furthers what Crowley describes as the crucial external identity work of "cementing [members'] attachments to the movement overall" (p. 189) that will be necessary for the creation and sustenance of a movement for workplace flexibility.

**Take Up Your Pen: Unilateral Presidential Directives in American Politics.** By Graham G. Dodds. Philadelphia: University of Pennsylvania Press, 2013. 320p. \$69.95  
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— David Orentlicher, *Indiana University School of Law*

For people writing about presidential power, *Take Up Your Pen* provides a valuable source of information about executive orders and other presidential directives. As Graham Dodds observes, the existing literature on the subject is small, and surprisingly so given the important role of unilateral presidential action in the American political system. Dodds has done a great service to scholars and other political observers by digging into the historical record and demonstrating how presidents have employed unilateral directives to increase the power of the executive branch.

The book's strength lies in its documentation of the use of unilateral directives as tools for presidential power. It traces the issuance of executive orders and other directives from the Washington administration through the first three and a half years of the Obama administration. The book leaves less developed some of the normative questions about the expansion of presidential power. For example, Dodds recognizes that unilateral presidential governance may not be good for the country, and he criticizes Congress and the courts for not doing more to contain executive power, but the book itself does not offer much in the way of a response to the problem of excessive presidential power. Indeed, it simply concludes by reminding voters of their ability and responsibility to use their political power to protect against overly energetic executives.

Nevertheless, Dodds advances the debate in important ways by lending support to some of the leading perspectives on the presidency. For example, he reminds us that even if presidents can be stymied by a partisan Congress on their legislative initiatives, they retain impressive tools for unilateral action. Executive orders, proclamations, and other presidential directives have promoted civil rights, environmental protection, and labor relations. Prominent directives include Abraham Lincoln's Emancipation Proclamation, Franklin D. Roosevelt's wartime internment of Japanese Americans, Harry Truman's desegregation of the military, and Richard Nixon's freezing of wages and prices. As Dodds writes, "inattention to unilateral presidential directives causes us both to misunderstand and to underestimate the power of the presidency." His data also reinforce the view that the rise of the modern presidency began with Theodore Roosevelt, rather than his cousin Franklin.

As indicated, the book is rich with important data. Chapter 1 supplies a very nice overview of the more than two dozen types of unilateral presidential directives. As the author observes, executive orders, proclamations, and memoranda are the most important kinds of directives. While the three main types have been used for centuries, they lack official definitions. Still, they are largely interchangeable with each other; whether designated as an executive order, proclamation, or memorandum, the legal force of a directive is the same. Of course, proclamations are more likely to be used for ceremonial or symbolic purposes, while executive orders are more likely to be used for substantive lawmaking, but many proclamations establish new law, and executive orders at times have been used for purely symbolic purposes.

Importantly, unilateral presidential directives can establish legally binding policies for the country. And while they can be overridden by future presidents or the other two branches of government, Congress and the courts rarely overturn executive directives. Reversals by later presidents are much more common, but even so, unilateral presidential directives offer a fairly durable means for making policy.

The book pulls together a lot of what we know about presidential directives; it also identifies what we do not know. The routine numbering of executive orders did not begin until 1907, and it was not until 1935 that Congress required publication of executive orders and proclamations in the *Federal Register* (with presidents left to decide whether to publish memoranda in the *Register*). Hence, other scholars have estimated that thousands to tens of thousands of presidential directives have been lost to history.

It is interesting to note that presidents from Teddy Roosevelt through FDR issued many more executive orders than have presidents from Dwight Eisenhower to the present (with Truman falling in between the two groupings). The author considers a number of possible explanations for the decline (e.g., whether there is unified or divided control of government) and concludes that two hypotheses are most plausibly correct. First, recent presidents may rely more on memoranda and proclamations than on executive orders. In other words, presidents after Truman may have issued as many unilateral directives as their predecessors but may have substituted memoranda and proclamations for executive orders. Second, recent presidents may rely more on administrative rulemaking than on directives to implement their policy preferences, especially given the breadth of the administrative state and the fact that it is more difficult for future presidents to reverse rules than to override directives.

Half of the book's chapters and more than half of its pages are devoted to a detailed review of the use of presidential directives over time. In doing so, it gives us a good sense of the kinds of issues for which directives have been employed and the extent to which they have been used for minor administrative matters or momentous policy matters. Presidential directives have been used to address domestic unrest and rebellion, relations with foreign countries, conservation, economic regulation, and Reconstruction. Particularly in the chapter on Teddy Roosevelt, the book highlights some directives because of the controversy they provoked, rather than the importance of their substance. For example, Roosevelt's initiatives to implement phonetic spelling and a redesign of coinage take up more space than all of Herbert Hoover's presidential directives.

Thematic organization can take many forms, and this book's discussion of presidential directives in terms of the policy issues being addressed and their historical chronology makes a good deal of sense. It also would have been helpful if the author had given a better sense of the extent to which the different directives were statutorily authorized, represented an exercise of the president's constitutional powers, or entailed a usurpation of legislative power. The book does not ignore the question of authority—for example, it observes that Woodrow Wilson preferred to seek congressional authorization for

his directives rather than to rely on his constitutional powers—but it often does not indicate whether particular directives were controversial because of their subject matter only or also because they lacked a sufficient source of authority. If presidential power needs to be contained, it is important to understand the extent to which its expansion reflects legislative abdication or executive aggrandizement.

In addition to tracing the use of presidential directives over time, the book reviews the development of judicial deference toward their use, illustrating the limited extent to which the courts cabin unilateral presidential action. In part, as discussed in the chapter on the constitutional executive, judicial deference reflects an inherent ambiguity about the nature of the executive power. Drawing on the work of Harvey Mansfield and other scholars, Dodds takes the view that executive power is inevitably indeterminate and not susceptible to specific limits.

All in all, *Take Up Your Pen* provides an important contribution to our understanding of unilateral presidential directives. Scholars interested in the role of presidential power would be wise to start here before undertaking their own analyses of the growth of executive power and why we should be concerned about it.

**Electing Judges: The Surprising Effects of Campaigning on Judicial Legitimacy.** By James L. Gibson.

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— Brett Curry, *Georgia Southern University*

Social science at its best combines theoretical rigor with methodological precision to provide answers to pressing real-world questions, and that is what James Gibson delivers in this book. A combination of recent developments—including decisions by the U.S. Supreme Court, heightened competition for state supreme court seats, the increasingly pervasive involvement of interest groups in such campaigns, and dramatic growth in the cost of state judicial races—has created an environment that is rife with conjecture about the effects of judicial campaigns on the institutional legitimacy of state courts. However, as Gibson reminds us, “little rigorous evidence has been produced to document the alleged decline in the legitimacy of courts” about which many have speculated (p. 10). *Electing Judges* systematically presents readers with that rigorous evidence and, in doing so, serves as an example of our discipline at its best.

Gibson introduces his study by referencing the justices who dissented from the Supreme Court’s 2002 decision in *Republican Party of Minnesota v. White*. There, by a 5–4 vote, the Court invalidated a state regulation prohibiting judicial candidates from making policy statements in their campaigns on First Amendment grounds.

“The assumption” of the four dissenters, Gibson writes, “seems to be that what candidates for judicial offices say during their campaigns can cause fundamental disruptions in how citizens view and evaluate judicial institutions” (p. 1). He skillfully combines an experimental study from Kentucky with a representative national survey to shed considerable insight into the consequences of campaigning for judicial office on institutional legitimacy. In short, he concludes that elections generally *enhance* judicial legitimacy rather than detract from it, and that much of the conventional wisdom surrounding the potential effects of judges running for office is misguided.

In the book’s first chapter, Gibson provides readers with a review of existing research on judicial legitimacy, a discussion of his choice to focus the study on Kentucky, and an overview of the book’s design. Here, he briefly describes the three-wave panel survey that comprises the bulk of his analysis. The chapter also introduces “Expectancy Theory,” which is articulated more fully in Chapter 5 and is one of the book’s most incisive contributions.

Chapter 2 describes the experimental survey in detail, and highlights the design’s ability to yield high levels of both internal validity and generalizability. To summarize, the experimental vignette to which respondents are randomly exposed varies the institution to which the individual candidate aspires (the Kentucky Supreme Court or Kentucky State Legislature), the level of campaign contributions solicited by the candidate, the degree to which the candidate makes prejudgments about policy, and whether or not attack ads are utilized in the campaign. The dependent variable is the participant’s assessment of judicial (or legislative) impartiality and legitimacy. The author largely replicates the results from the Kentucky experiment in a representative national survey. In sum, his analyses find few differences in the consequences of these activities for legitimacy across the judicial and legislative settings. Of particular note, his data indicate that engaging in policy debates while running for judicial office does not have the deleterious effects on institutional legitimacy that many—including the dissenters in *White*—have suggested.

Chapter 3 undertakes a more fine-grained test of campaign activities in order to determine when and how some activities may “cross the line” and jeopardize institutional legitimacy. Consistent with previous research (J. L. Gibson and G. A. Caldeira, *Citizens, Courts, and Confirmations*, 2009), attack ads portraying judges as mere politicians in robes can have damaging effects on legitimacy. Campaign contributions also imperil legitimacy, though the same is true for contributions solicited by those running for the state legislature. Similarly, Gibson finds that legitimacy can suffer when judicial candidates make direct promises to take specific policy actions—but, again, this is true of legislative candidates as well. As he summarizes, “There is little that is peculiar to the judiciary on this score” (p. 69).