

also coincided with their loss of control over the White House. As the out-party, attacking the government for reckless spending suddenly became more advantageous than it was when Republicans controlled the White House and the levers of congressional power. Indeed, a party's majority/minority status may have wide-ranging implications for the ways in which lawmakers seek credit for federal spending decisions. It may be that while Democrats from left-leaning districts always prefer more federal spending and more pork, Republicans' willingness to claim credit for federal spending decisions may vary on the basis of their party's position in Washington. After all, earmarking reached its height during the unified Republican control of Washington from 2003 to 2006, despite the Republican Party's self-professed reputation as the party of fiscal conservatism.

One final critique regards the language that Grimmer, Westwood, and Messing use to describe lawmakers' attempts to claim credit for bureaucratic decisions about federal spending in their districts. Throughout the book, these actions are presented as deceitful or described as lies. I find this language a bit harsh. While, indeed, lawmakers have a more direct claim to influence over some spending decisions than others, and while examining a competitive grant program provides a clever way to understand how far lawmakers can go with their credit claiming, it is unclear how frequently lawmakers make claims regarding grant program decisions completely insulated from their direct influence. Consequently, it is difficult to truly evaluate how concerned we should be, if indeed we should be concerned at all, about these actions. After all, it is not clear that Congress and its members should not be able to claim credit for any and all federal spending since they ultimately hold the power of the purse. To their credit, the authors provide a relatively balanced discussion of the normative implications of the leeway with which lawmakers can claim credit. Nonetheless, explicitly labeling congressional representatives as deceptive and liars strikes me as unnecessarily harsh.

Relative to the important contributions of *Impression of Influence*, however, these are minor concerns. Ultimately, Grimmer, Westwood, and Messing have provided an updated, impressive, and in-depth look at how lawmakers are able to claim credit for, and benefit from, federal spending decisions. I expect that this book will be read by students of Congress for many years.

Plutocrats United: Campaign Money, the Supreme Court, and the Distortion of American Elections. By Richard L. Hasen. New Haven: Yale University Press. 241p. \$32.50 cloth, \$22.00 paper.
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— Travis N. Ridout, *Washington State University*

This is the problem, according to Richard L. Hasen: The United States is becoming a plutocracy, a country

governed by the wealthy. His central concern is the “disproportionate influence of wealthy donors on elections and policy” (p. 7). Yet attempts to rein in the influence of the wealthy have been stymied by a Supreme Court that not only has been skeptical of new campaign finance regulations but has also rolled back many regulations that were on the books.

Plutocrats United is in many ways a roadmap for steering the United States away from plutocracy by strengthening campaign finance regulations—and by doing so in a way that a (slightly different) Supreme Court might find constitutional. Hasen's proposal is twofold. First, he would give a \$100 voucher to every adult citizen in each election cycle that could be passed along to a political candidate or party, a measure designed to “level up” the system. The author suggests that courts should find no constitutional problems with this measure because it does not infringe upon anyone's right to free speech. The second part of his proposal is to limit every individual and entity (such as a corporation or labor union) to \$25,000 in independent expenditures and \$500,000 in campaign contributions overall in each election cycle. Yet these “level down” measures clearly would have been rejected by the Supreme Court at the time Hasen wrote, which was just before the death of Justice Antonin Scalia.

Much of the book consists of developing a legal argument for these limits on freedom of speech as expressed through political contributions. Instead of viewing freedom of speech as superseding almost everything else (preventing quid pro quo corruption or bribery is the only argument in favor of campaign finance regulation that recent Supreme Courts have accepted), Hasen argues that free speech must be balanced against other considerations, the most important of which is political equality. He believes that his plan would help to create political equality—in which all are able to affect political outcomes, regardless of wealth—while avoiding several alleged pitfalls of more campaign finance regulation.

The second half of the book addresses many potential concerns with Hasen's proposal. With regard to the idea that his plan is nothing more than censorship, he suggests that restrictions on First Amendment rights are reasonable as long as the system “respects robust political debate, gives everyone the right to speak and to support or oppose a candidate and does not prevent the opportunity for meaningful campaigning” (p. 119). Other countries, such as the United Kingdom and Canada, have far more stringent campaign finance laws and yet see vigorous political debate. Moreover, Albuquerque, New Mexico, which had spending limits on the books from 1974 to the mid-1990s (no one ever challenged them in spite of the *Buckley v. Valeo* decision of 1976), continued to have robust political campaigns.

Another objection to his plan is that its exemption for the news media, so as to preserve press freedom, might give media corporations much more power than other

types of corporations or unions. Hasen points out that news media endorsements have been found to be relatively ineffective, and that fears of an all-powerful corporate media are less founded in today's era of media fragmentation. And practical problems, such as how to define a media organization, can be dealt with, Hasen argues. A third potential objection to his plan is that it only serves to help those already in power. But the author points to empirical evidence on Arizona's public financing of campaigns, which increased political competition.

Hasen is aware that enacting his plan into law would not be easy, but he argues that passing a constitutional amendment to overturn *Citizens United* is not the path forward. Not only do amendments leave considerable room for court interpretation, but they are almost impossible to add to the U.S. Constitution. What is really required, says Hasen, is a different Supreme Court. But even if Justice Scalia is replaced by a progressive under a President Hillary Clinton and the Court ends its run of striking down existing campaign finance laws, that does not mean that Congress and the president could agree on new campaign finance restrictions. This latter hurdle is perhaps underestimated by the author, who otherwise presents himself as a political realist. In the meantime, he suggests that reformers should focus on defending the laws on the books, including bans on foreign contributions and increased disclosure, both of which should pass constitutional muster. States might also try some policy innovation, such as launching their own voucher programs.

I found Hasen's overall argument to be quite convincing, in part because he often provides scholarly evidence to support his claims. The book is more than just a creative but esoteric legal argument. Rather, his argument is grounded in the real world of contemporary American politics, underscoring that who sits on the Supreme Court matters for the operation of America's political system. The replacement of Justice Sandra Day O'Connor by Justice Samuel Alito resulted in the Court's curtailing or eliminating of almost every campaign finance regulation that it has taken up, many with 5–4 votes. But this also illustrates that the installation of one more justice who buys into the idea of political equality could just as easily change the direction of the Court's jurisprudence on campaign finance.

One highlight of the book is that it provides a digestible history of jurisprudence in the area of campaign finance, which should be a useful introduction to those new to the topic and a helpful refresher for those with more background on campaign finance. Many readers, however, might be skeptical of Hasen's voucher plan for the very simple reason that it would inject \$25 billion in new spending into campaigns in the United States, assuming that all citizens decide to use their vouchers. This amount is more than three times the sum spent on campaigns in the 2011–12 election cycle, according to the Federal Election Commission. While more spending is not

necessarily a bad thing—this money from citizens could drown out contributions from corporate, labor, and other sources—I suspect that it would be politically difficult to convince voters, who already recoil at the expense of political campaigns, that even more money should be spent on 30-second ads. That said, I suspect that Hasen would be open to negotiation over that \$100 amount.

Plutocrats United provides a roadmap for what Hasen admits is a long-term project. But if the country does end up with a progressive majority on its Supreme Court in the near term, which seems possible, then changing the Court's willingness to accept new campaign finance legislation may be more of a medium-term task. Still, finding the political will to enact new legislation for the Court to consider will remain a daunting challenge.

Reclaiming Accountability: Transparency, Executive Power, and the U.S. Constitution. By Heidi Kitrosser. Chicago:

University of Chicago Press, 2015. 272p. \$45 cloth.
doi:10.1017/S1537592716003686

— Jeffrey Crouch, *American University*

In her new book, *Reclaiming Accountability*, Professor Heidi Kitrosser analyzes a vital topic that has become even more important in recent years: the potential for “unchecked secrecy” available to the American president (p. 2). Kitrosser's concern for this topic is intensified by the facts that, today, the executive branch is better able to act unilaterally than in the past, and also has more means available to effect change without anyone noticing (p. 3). She warns against the potential danger resulting from how “laws can be implemented largely in the dark” (p. 3).

Not everyone views executive secrecy as a major problem. On one side of the debate are “presidentialists,” who are more interested in allowing the president maximum flexibility than in making the office truly accountable to the American public. To Kitrosser, these scholars are putting forth contentions that “can undermine accountability by facilitating largely unchecked information control” (p. 4). Perhaps even more threatening, presidentialists are not interested in debating, but in cutting off discussion altogether (p. 5).

Opposing the presidentialists are Kitrosser and others (sometimes referred to as “congressionalists”) sympathetic to her perspective, “who champion robust roles for Congress and the courts in setting and enforcing statutory checks—checks both internal and external to the executive branch—on presidential power, in overseeing executive behavior, and in carefully scrutinizing executive refusals to provide requested information” (pp. 14–15).

Presidentialists seem to be winning the battle in recent years. Kitrosser describes a political environment in which the president is often aided in his quest for secrecy by—among others—the Office of Legal Counsel in the Department of Justice, and sometimes even members of