

a significant and independent effect on American elections. Thus, scholars who are focused on trying to explain the causes and consequences of partisan polarization in U.S. politics cannot ignore these factors and focus only on national partisan politics. Scholars instead must consider the policy and valence attributes of candidates from both parties if we are to understand the current political divide between the Democratic and Republican Parties in the United States.

Child Labor in America: The Epic Legal Struggle to Protect Children. By John A. Fliter. Lawrence: University Press of Kansas, 2018. 328p. \$45.00 cloth, \$24.95 paper. doi:10.1017/S1537592718003742

— James D. Schmidt, *Northern Illinois University*

The last few decades have seen a renewed interest in the history of child labor, in the United States and beyond. Oddly, that surge in scholarship has not devoted much attention to federal regulation. John Fliter's new book addresses this gap in the literature and provides a highly valuable narrative of the long route to the Fair Labor Standards Act (FLSA) and *Darby Lumber*, the 1941 Supreme Court case that upheld the child labor sections of that historic federal action.

Fliter opens the book with an overview of the economic, legal, and social conditions that turned youthful employment into a social problem that attracted the attention of reformers. Drawing on the legal language of statutory regulation, the author is clear that he is talking about "oppressive child labor," not all work by minors. He straightforwardly defines child labor as "the commercial employment of children seventeen and under for their labor" and acknowledges that he uses *child labor* "as a pejorative term" (p. 3). Indeed, throughout the book—and like most historians and other scholars—Fliter adopts the viewpoint and tone of child labor reformers, past and present. It is a work of heroes and villains, of battles won and lost, of victory eventually achieved.

After the opening chapter, the book settles into an outstanding narrative of federal lawmaking and Supreme Court adjudicating. The first serious federal effort to regulate child labor came in the form of the 1906 Beveridge Bill, named for the crusading Republican senator from Indiana, Albert Beveridge, who almost single-handedly forced the issue into congressional consideration. Here as in later chapters, Fliter does an excellent job of detailing the relationships between congressional leaders and reform groups, such as the National Child Labor Committee and the National Consumers' League. He digs into the internal histories of those organizations, closely examining debates about policy formation and political strategy.

When Beveridge's bill failed, federal reform waned for a spell, but during the years of World War I, a new set of

congressional champions sought and eventually secured legislation that aimed to regulate child labor through the Commerce Clause and the power to tax. These bills, known popularly as the Keating-Owen Act (1916) and the Child Labor Tax Bill (1919), were declared unconstitutional by the Supreme Court in *Hammer v. Dagenhart* (1918) and *Bailey v. Drexel Furniture* (1922). Both cases spoke to constitutional limits on the federal police power, and Fliter provides an in-depth analysis of all sides of the ideological divide on that issue. He also outlines the role of David Clark and the Cotton Textile Association in fighting federal regulation. As in most accounts, the actual workers appear as pawns in a larger game, and it might have enriched the author's narrative to have spent more time explaining the social and economic context from which the cases arose.

The two Supreme Court losses redirected reform efforts toward a constitutional amendment that would give Congress unequivocal power to regulate child labor, and Fliter provides the best history we have of these efforts. His story allows a close look at the way reformers understood this project, and even better, he offers a rich account of the ratification fights in key states. Particularly useful is his story of the revived attempts to ratify the Child Labor Amendment during the later years of the Great Depression.

In addition to new attempts to ratify the amendment, the Depression era story centers on the National Industrial Recovery Act (NIRA) and the road to the FLSA. As might be expected, Fliter details the actions of Franklin Delano Roosevelt and his labor secretary, Frances Perkins, in securing the votes to pass historic pieces of legislation. The best part of the story here is a fine-grained account of how labor codes promulgated by the National Recovery Administration began to make a real dent in the incidence of child labor, which had actually risen because of the economic disaster besetting the country. When the Supreme Court declared sections of the NIRA unconstitutional, the game was on once again, and reformers looked for new ways to regulate child labor, now within the broader context of labor reform generally. The Constitutional Revolution of 1937 opened the door to expansive federal police powers, and congressional leaders quickly formulated new policies that eventually produced the FLSA. Such an outcome was not a foregone conclusion, however, and Fliter produces a supreme political history of these events, showing how seemingly minor events, such as Rep. Claude Pepper's primary election win as the Democratic candidate for the Senate in Florida, changed congressional thinking on the bill.

With the FLSA signed into law, a legal challenge seemed likely, and it came in the form of *US v. Darby Lumber*. Describing the case as "the final victory," Fliter concludes that it was "a bit anti-climactic but still of great

consequence” (p. 213) Decided in 1941, the ruling built on the emerging constitutional shift of the previous four years to explicitly overrule *Hammer* and uphold congressional power to regulate the terms of labor.

The book closes with what might be described as two postscripts. The last substantive chapter briefly outlines later issues, such as access to hazardous work and the agricultural exemptions that have allowed employment of minors in farm work. A section involves controversies from the 1980s onward regarding batboys and girls, mostly in minor league baseball settings. Fliter sees child labor law as increasingly under siege by Republican politicians who have sought to weaken federal and state regulation based on the notion that young people need to acquire a strong work ethic.

The theme of social consensus breaking down pervades the actual postscript of the book, a place where Fliter writes with passion about the rise of the Tea Party movement and its concerted attempts to overturn child labor regulation. He argues that such attacks are not motivated by “genuine concern for the welfare of teenagers” (p. 234) but, rather, by the search for cheap labor in service industries. He is particularly worried about such libertarians as Jeffrey Tucker, who published an incendiary piece in 2016 with the self-explanatory title, “Let Kids Work.” Tucker’s viewpoint “reflected a person who is completely tone-deaf on the evils of child labor exploitation and the long struggle to abolish the practice” (p. 237). As with many liberals, the 2016 presidential election raised even more cause for concern that such “libertarian screeds” could not safely be contained “within a right-wing echo chamber” (p. 238). To fight against these attacks, Fliter recommends attention to the past: “A sober understanding of the history and reasons for child labor laws should inform any subsequent debate” (p. 239).

Child Labor in America is, of course, that history for the federal level. Fliter unabashedly takes sides in “the long struggle,” but he provides an in-depth look at all of the players. The book stands as an excellent analysis of the ways in which reform legislation can make it through Congress. Unsurprisingly, it demonstrates that success is a matter of *both* social consciousness raising *and* political maneuvering. And it shows that it takes a long time. For those seeking change in the present, there just might be a lesson there.

The Whips: Building Party Coalitions in Congress. By C. Lawrence Evans. Ann Arbor: University of Michigan Press, 2018. 384p. \$85.00 cloth, \$39.95 paper.
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In the early 2000s, Republican Tom DeLay of Texas held the majority whip position in the U.S. House of Representatives. Nicknamed “the Hammer” and known

for playing hardball to get fellow Republicans to toe the party line, he was the most visible party whip in at least a generation, and helped popularize the conception of party whips as enforcers who maintain discipline in no small part through intimidation.

In his impressive new book about party whips in Congress, Lawrence Evans wants to disabuse us of that conception and replace it with a far more nuanced view of whips’ diverse jobs. More importantly, he wants his readers to understand some of the important inside politics that substantially affect congressional decision making. Along the way, he provides valuable insights into relationships among representation, lobbying, parties, and law-making.

A primary motivation for studying whips is that, as the linchpins between party leaders and other party members, their behavior can tell us not only about leaders’ and members’ goals but also about the power relationship between leaders and members. Studying whips can thus shed considerable light on debates about the distribution of power within Congress.

Evans jumps feet first into long-running debates about parties’ influence over lawmaking, arguing that the literature’s heavy reliance on spatial game-theoretic models has led scholars to miss some important aspects of leaders’ power and to overstate other aspects. He takes particular exception to spatial models’ assumptions that members of Congress have complete preferences over all choices, and that those preferences are exogenous to the lawmaking process. Arguing that preferences are incomplete, often undefined, and derive from multiple sources (including party whips), he hopes to “convince scholars . . . to rethink how they have come to conceptualize lawmaking in Congress, particularly the roles played by parties and leaders. Far more attention . . . needs to be devoted to the processes through which individual members form preferences and positions on legislative issues, and perhaps less to anecdotes about arm-twisting and the manipulation of procedure” (p. xvi).

As an alternative to assuming complete and exogenous preferences, the book offers a “behavioral” framework rooted in such classics as David Mayhew’s (1974) *Congress: The Electoral Connection* and Richard Fenno’s (1978) *Home Style*. Members have multiple goals that lead them to try to please various “audiences” (constituencies)—especially inside the district, but also some outside the district, such as lobbyists or activist organizations. A member’s preference on a particular issue or vote results from the array of preferences among these audiences, and how the member weights each.

One of Evans’s main arguments is that the array and weighting of audience preferences strongly affects the potential for party leaders to influence a member’s preferences on a given vote. He articulates four possible ideal-type arrays of preferences to make claims about how