

faced by those leaving prison, including employment barriers, loss of access to housing and welfare benefits, felon disenfranchisement laws, and an array of fines and fees. In contrast, France, Germany, and the United Kingdom have criminal justice systems oriented around the view that punishment ends after time served.

After examining the life cycle of the criminal justice system, Howard leverages the historical comparative framework to offer explanations for why the United States is so punitive. Chapter 8 examines the mid-1970s as a critical moment for understanding the rise of mass incarceration, as this was the pivotal era of comparative divergence. Howard suggests four main causal factors that explain the rise of American punitive exceptionalism: race, religion, politicization, and business. After the Civil Rights movement, the punitive developments in criminal justice became a purportedly “race-neutral” way to maintain racial segregation and oppression. During the same time frame, the rise of the Religious Right introduced a powerful coalition that supported a harsher and more punitive view of crime and punishment into the national political arena. These developments contributed to the politicization of crime and the rise of the tough-on-crime movement, which created tremendous pressure on elected officials—especially judges and prosecutors—to support increasingly strict criminal justice policies. Finally, as policymakers were building the machinery of mass incarceration, they created several openings for private business to profit from the expansion of the carceral state. Although the “prison industrial complex” followed the growth of mass incarceration, it provides tremendous support for continued expansion and a substantial barrier to reform. Howard makes the case that all of these developments are distinctly American and align with the critical moment of divergence from European countries identified by his historical comparative framework.

The book offers a compelling account of American punitive exceptionalism. However, there are moments of tension within the analysis, particularly in the focus on rehabilitation. In an effort to “rehabilitate rehabilitation,” Howard calls for U.S. policymakers to reconsider rehabilitative policies still in use in European countries and supported by recent academic literature (p. 88). This research points to the potential success in reducing recidivism of policies that target known predictors of crime and provide behavioral treatment to change “faulty cognitive beliefs,” particularly for high-risk offenders (p. 95). However, this particular framing reinforces the notion that the incarcerated individual is a deviant in need of correcting, which much of the book problematizes by pointing to a myriad of policy choices and broader systemic reasons that account for incarceration rates.

Furthermore, some scholars have argued that rehabilitation and punitiveness are not mutually exclusive. Anthony Grasso argues that rather than abandon re-

habilitation, the tough-on-crime movement exploited certain notions central to rehabilitative penology, such as the “incorrigible criminal,” in their efforts to push policy in a more punitive direction (“Broken Beyond Repair: Rehabilitative Penology and American Political Development,” *Political Research Quarterly*, 70[2], 2017). Others have noted that recent reforms in the United States that have attempted to expand rehabilitative programs have actually legitimized and expanded punitive incarceration (e.g., see Sarah Cate, “Devolution, Not Decarceration: The Limits of Juvenile Justice Reform in Texas,” *Punishment & Society*, 18[5], 2016). This scholarship cautions against placing confidence in a reform movement that centers its hope on a rehabilitative penology promising to reduce recidivism, particularly in the context of ascendant neoliberalism.

Unusually Cruel is a substantial contribution to the scholarship on the origins and extent of the American carceral crisis. The book also provides a framework for examining developments in the criminal justice system of other countries. Disturbingly, some of the similarities between the United States and the comparative case studies—particularly the United Kingdom—appear to be examples of other countries “borrowing” policies from the United States, although the degree of punitiveness for the time being remains significantly less. As scholars continue to research the carceral crisis, they would be well served to follow Howard’s lead and look beyond the boundaries of the United States for analytical leverage, as well as alternative visions of how things could be.

Campaign Finance and Political Polarization: When Purists Prevail. By Raymond J. La Raja and Brian F. Schaffner. Ann Arbor: University of Michigan Press, 2015. 208p. \$75.00 cloth, \$39.95 paper.
doi:10.1017/S1537592718001202

— Seth Masket, *University of Denver*

The subject of campaign finance is a perennially interesting and controversial one, but the interaction of money and political parties is one that has received insufficient scholarly attention in recent years. This is regrettable, as many politicians and activists have, for decades, pressed forward with a variety of political reforms to campaign finance laws in an effort to affect the behavior of political parties. Restrict the funds going to or emanating from political parties, some have reasoned, and you can reduce polarization and aid the election of more moderate officeholders. There is certainly a logic behind such claims, but they have not been held up to much empirical scrutiny.

Raymond La Raja and Brian Schaffner capably fill this lacuna with their clever book, *Campaign Finance and Political Polarization*. The authors make excellent work of many years of state-level data across the United States to

examine the behavior of elected officials and legislatures. Specifically, they look at changes in campaign finance rules in each of the states—particularly those that directly affect parties' ability to spend in elections—as well as state legislative polarization measures.

The main finding is that campaign finance reforms aimed at limiting partisanship have generally had the opposite effect. That is, states with more restrictions on party spending have actually seen more rapid polarization of their legislatures than those with few or no restrictions. To be sure, nearly all state legislatures have experienced some increase in polarization over the past few decades. However, “the increase in polarization was nearly three times as large in the 28 chambers that limited party contributions as it was in the 8 chambers that allowed for unlimited contributions” (p. 105).

This itself is a substantively important finding, and if the reader walks away with nothing else, that is a day well spent. But La Raja and Schaffner sift through the evidence to suggest a causal mechanism underpinning this conclusion. In particular, they examine the donation patterns of several different types of donors to campaigns. They group donors into five main categories: formal party committees, business groups, labor unions, issue activists, and individual donors.

The formal parties, the authors find, have relatively moderate donation patterns; they tend to support more centrist candidates. They do so because, as the authors note, “parties are the sole political organization whose primary goal is to win elections” (p. 2), and thus devote most of their efforts toward the most competitive districts and the relatively moderate candidates who compete for them. Other types of donors tend to be more motivated by extreme policy goals. They may end up giving to more ideologically polarized candidates to reward them for their past stances on issues and to encourage them to remain steadfast to their agenda.

This study cuts against some work, including my own, suggesting that networked parties can compensate for restrictions on formal parties by boosting spending from other areas. For example, a 2002 state constitutional amendment sharply restricted how much Colorado's parties could spend in elections. State Democrats, at least, developed alliances with wealthy liberal activists and were able to utilize a web of 527s and other spending organizations to channel money to the races that needed it. In theory, it is the same money going to the same places. La Raja and Schaffner's findings, however, suggest that there are ideological consequences to such a rearrangement, and that the donations would become more ideological, as would the candidates benefiting from them. (Indeed, Colorado has seen marked polarization since that time.)

The book could use somewhat greater explanation of the precise mechanism of the way in which cutting off

party money produces more ideologically extreme candidates. As the authors note, most party money, where it can be spent, goes toward the more moderate candidates in competitive districts. Yet if the formal party suddenly cannot spend that money, those districts and candidates still exist. Do other partisan sources not chip in to help those candidates? It is unclear what, in the authors' model, causes polarization in this case. Is it that the more ideological donors end up recruiting more ideologically extreme candidates for competitive districts? Is it that the moderate candidates suddenly feel greater pressure to go to the extremes to keep the extremist donors happy? There are several testable pathways here that would explain the findings the authors report, and it would be useful to examine them further.

One other aspect of campaign finance patterns that the authors note but do not reach very firm conclusions about involves difference between the parties. For example, the authors note that public opinion surveys among Republican and Democratic donors exist in which the respondents are asked to place themselves, their party, and their party's candidates for Congress on an ideological scale. As they point out, Republican donors perceive substantial ideological differences between their party and its candidates, considering the party to be much more moderate. Few such distinctions exist in the eyes of Democratic donors. This strikes me as an important difference. However, given the timing of this aspect of the study, amidst the Tea Party insurgency, it is difficult to know just how enduring this gap is, or whether it is a long-term feature of the party system.

Similarly, if there are substantial differences between the ways that the parties finance their campaigns, it is difficult to know how or whether the authors' recommendations, including channeling more campaign money through the formal parties, would affect the parties differently. The authors suggest that their reforms are not likely to advantage one party over the other. But the effect is not likely to be uniform across parties. Given evidence that the GOP has polarized further than the Democrats have in recent years, might such reforms have a greater effect in pulling Republican candidates back toward the center?

Despite these issues, I nonetheless strongly recommend *Campaign Finance and Political Polarization*. The web of campaign financing organizations only grows more complex, and the campaign financing system only grows less transparent, with each passing election cycle and in response to each new court decision. Reformers continue to advocate for driving money out of politics and for ending party polarization, but as these authors make clear, pursuing one goal often undermines the other. La Raja and Schaffner's perspective is a vitally important one for the ongoing public debate on campaign finance and other political reforms. We should be loath to undertake these

kinds of reform without such a thorough examination of their potential for futility or even perverse outcomes. While the book's analysis is sophisticated, the authors explain it well and keep it accessible for undergraduates. It is also well geared toward political activists and reformers, who could learn a great deal from it.

Choosing State Supreme Court Justices: Merit Selection and the Consequences of Institutional Reform.

By Greg Goelzhauser. Philadelphia: Temple University Press, 2016. 192p. \$85.50 cloth, \$29.95 paper. doi:10.1017/S1537592718001275

— Meghan E. Leonard, *Illinois State University*

The methods by which judges on state supreme courts are selected and retained has long been a subject for debate by policymakers and academics alike. The goal of judicial independence drives the way that judges are selected and retained in the federal courts, with the process of advice and consent and life tenure. At the state level, this goal of independence varies, or has been subsumed by a desire for judges to be accountable. The debate over how to select judges for state courts is well trodden in the literature (e.g., see Chris W. Bonneau and Melinda Gann Hall, *In Defense of Judicial Elections*, 2009). The implications of these institutional arrangements have also been the subject of significant research. This includes how the methods of selection and retention effect decision making, who sits on the courts, and court legitimacy.

In *Choosing State Supreme Court Justices*, Greg Goelzhauser adds significantly to this literature by focusing on one type of method of selection, merit selection. In this most comprehensive study, Goelzhauser asks simply, does merit selection live up to its name and intentions? Who is selected to serve on these state supreme courts? And how does this differ from states with election or appointment systems? While the book leaves readers without a definitive answer as to whether merit selection “succeeds” or not, we gain significantly in what we know about this system. Indeed, one of the most important contributions that the author makes is in simply defining the differences between terms for merit selection that many, incorrectly, use interchangeably. The “core component is the use of elites to winnow judicial candidates before elite appointment” (p. 4). This can be followed by any type of retention, including elections, reappointments, or even life tenure. Merit selection is notable, then, for its removal of the selection (if not retention) of judges from the overt political process.

Those who study state supreme courts know that Missouri was the first state to adopt a version of merit selection. Moving beyond this, Goelzhauser provides a far more in-depth and interesting history of the adoption of this system. In his well-documented historical discussion,

he addresses the political considerations that led states to adopt (or fail to adopt) merit selection. Since the enactment of the plan in Missouri, many other states have implemented their own merit selection plans, choosing them with the intention of removing political pressure from the selection process. But who gets selected with these plans? In other words, does merit selection live up to its intended effects? This is explored in the subsequent three chapters in the book.

In order to explain who gets selected in these merit states, a significant data collection effort was undertaken. Biographical and other information on more than 1,500 state supreme court justices was collected, covering the expansive time period of 1960–2014. These data overcome one of the more significant drawbacks of the early work on merit selection and state courts more generally, which suffered from limited data and were often studies of one or a few states. With new data in hand, the author seeks to first determine if judges with different types of backgrounds are nominated in merit selection. Who sits on our courts matters, but their experience is particularly important as it affects how they understand the parties before them, and even how they decide cases.

It is interesting that Goelzhauser finds few differences across the selection systems for the types of experience that justices have. With the caveat that determining who held a politically connected job is very challenging, the author does find that those who have employment ties to political office are more likely to be justices in states with appointment systems. This reminds the reader that appointment systems are often wrongly described as apolitical or less political than elections.

Its name alone, “merit selection,” suggests that this system of choosing judges should lead to better-quality justices than appointment or nonmerit election systems. The merit process was designed to take the politics out of the nomination of judges, and select judges based solely on their qualifications. Goelzhauser explores how true this is in the fourth chapter. Yet how we should judge qualification, like how we should think about experience, becomes a challenging question of measurement. What should indicate a highly qualified judge? The author uses the indices of where judges went to law school, and their previous judicial experience, to test this issue of quality. Once again, Goelzhauser does not find significant differences in the qualifications of judges across the methods of selection. But he does show that merit selection systems produce judges who performed better in law school, and that appointment systems outperform election systems on some measures of law school quality.

How one can capture the concepts of qualifications and previous experience is a significant challenge, and one about which the author is very forthcoming. However, he might have looked to other measures of qualification, such as later quality decisions after the justices have