

area is problematic in a very pragmatic sense, since non-profit and public agencies are structured to deliver services to geographic areas. The book is a critical step in filling this informational void. It provides strong, empirical evidence that the safety net is undeniably out of reach to many in need, and that the services available in poorer neighborhoods tend to be more vulnerable and less formalized. Future research should build upon this foundation, and policies and actions should be informed by it. The book ought to be read by anyone interested in poverty policy. For political scientists, practitioners, policy-makers, and frontline service providers, there is much to gain from its analysis and from its prescriptions.

Legacy and Legitimacy: Black Americans and the Supreme Court. By Rosalee A. Clawson and Eric N. Waltenburg. Philadelphia: Temple University Press, 2008. 232p. \$69.50 cloth, \$23.95 paper.

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— Barbara A. Perry, *Sweet Briar College*

The age-old question “Does the Supreme Court follow the election returns?” entails a more recent corollary, “Can the Supreme Court shape public opinion?” In *Legacy and Legitimacy*, Rosalee A. Clawson and Eric N. Waltenburg tackle this latter query with a creative research design, sound methodology, and clearly expressed findings. In so doing, they broaden and strengthen Jim Gibson and Greg Caldeira’s landmark studies of public support for the “Third Branch.”

Clawson and Waltenburg predicate their examination of African Americans’ response to the Supreme Court on legitimacy theory, positing that diffuse support for political institutions ameliorates conflict and perpetuates the governmental system: “Because the Court enjoys remarkably high and stable levels of abstract mass approval compared with the presidency and Congress” (p. 5), “it can wrap its cloak of legitimacy around its rulings” (p. 6). For blacks, this diffuse support arises from a history of beneficial Supreme Court rulings. The book argues that by accepting the high tribunal’s decisions, blacks view the American regime as legitimate and authoritative in its policies.

One of the book’s many strengths is its multidimensional approach to answering this core question: Why do African-Americans view the Court, and thus the U.S. regime, as legitimate? The authors provide a cogent, compact summary of Civil Rights history and how blacks’ innovative public-interest-law strategy brought litigation to the federal courts. From the 1857 disaster of *Dred Scott* to the 1954 victory in *Brown*, blacks experienced court decisions that initially denied them basic human rights but, finally, awarded them full citizenship. Sometimes the justices led the nation, as in education cases; sometimes the Court followed Congress and the president, as in its validation of the 1964 Civil Rights Act and the 1965 Voting Rights Act. By focusing on African Americans’

euphoric responses to *Brown*, especially in their content analysis of the black press, Clawson and Waltenburg offer a much-needed antidote to legal scholars’ diminution of *Brown*’s impact.

Gerald Rosenberg’s *The Hollow Hope* (1991) and Michael Klarman’s *From Jim Crow to Civil Rights* (2004) are skeptical about the Court’s ability to produce effective social reform. Yet this new book concludes quite convincingly that when Congress was mired in the segregationist mentality of senior southern legislators, the Supreme Court cloaked its rulings in legitimacy that catalyzed additional social policy to improve the life of African Americans. Moreover, the Court provided a litigation model that other social movements could follow in trying to capture their full measure of rights.

Particularly intriguing in light of President Barack Obama’s nomination of Sonya Sotomayor to the Supreme Court are Clawson and Waltenburg’s references to the contributions that representative justices can make toward legitimizing the Court in the eyes of previously marginalized groups. Thurgood Marshall ascended from leadership of the Civil Rights litigation movement to a seat on the high court, where he pursued African American interests. He exemplified both active and “descriptive” representativeness, the latter concerning who the representative is or what he or she is like, rather than what he or she does (see Barbara A. Perry, *A “Representative” Supreme Court?* 1991). Tension between the two types of representation occurs when a justice like Clarence Thomas meets the “descriptive” criterion but does not vote in favor of most blacks’ views toward Civil Rights. Clawson and Waltenburg performed a test of media framing and discovered that liberal blacks were even less supportive of recent anti-affirmative-action decisions when the media attacked Thomas (as the black media typically do). The book concludes on a cautionary note that Justice Thomas’s presence, combined with the Roberts Court’s propensity to dilute race-conscious remedies (as in the 2007 school-assignment cases), may reverse blacks’ long-held respect for the tribunal’s legitimacy.

Yet the book’s experimental, archival, and survey data present a more nuanced portrait of black attitudes toward the Supreme Court. The authors find that African Americans not only reflect a historically positive connection to the tribunal but also trust it more than the federal bureaucracy in interpreting public policy. These views then filter through racial group attitudes and media framing. Although the authors note that the experiments conducted on their campus at Purdue University are not generalizable, they also utilized national survey data to bolster their findings. The 2003 Blacks and the Supreme Court Survey provided panel data from a national representative sample of African Americans both before and after the Court decided two University of Michigan affirmative-action cases. This study allowed Clawson and Waltenburg

to determine causal direction of the Court's impact on public opinion: Blacks with higher levels of diffuse support for the Court demonstrated increased support for affirmative action, but the Court's pro-affirmative-action outcome did not produce higher levels of diffuse support for the institution.

Perhaps the book's overarching point on judicial legitimacy indicates that black (and white) public opinion toward the Supreme Court is more complex than most political scientists are willing to accept. Scholars are dismissive of the differences that the justices draw between themselves and the other two "political" branches. Clawson and Waltenburg write that the Court's "image as an apolitical guardian of the Constitution" is a "myth" (p. 67). The tribunal is not apolitical, to be sure, but the public recognizes the contrast between the judicial process—with its emphasis on logic, precedent, and what Henry Abraham labels "the taught tradition of the law" (*The Judicial Process*, 1998)—and broader political processes. John Hibbing and Elizabeth Theiss-Morse have observed that the Supreme Court transcends the grubby elements of democracy that Americans most dislike (endless and petty debates, mudslinging, posturing, and pandering to interest groups) and that are so obvious in Congress (*Congress as Public Enemy*, 1995). While I have focused on the macro implications of the Supreme Court's image (Barbara A. Perry, *The Priestly Tribe*, 1999), Clawson and Waltenburg carefully reveal the micro-level ramifications of the high tribunal's legitimacy for African Americans. The authors' future studies of additional judicial policies and the Supreme Court's impact on other groups—most specifically Hispanics in the wake of Sotomayor's appointments—should be eagerly awaited by scholars of civil rights and liberties, race and ethnicity, law and society, and media and politics.

The Strategic President: Persuasion and Opportunity in Presidential Leadership. By George C. Edwards, III. Princeton: Princeton University Press, 2009. 270p. \$29.95.

The Anti-Intellectual Presidency: The Decline of Presidential Rhetoric from George Washington to George W. Bush. By Elvin T. Lim. New York: Oxford University Press, 2008. 208p. \$24.95.
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— Daniel DiSalvo, *The City College of New York—CUNY*

Barack Obama is arguably one of the finest orators in American history to occupy the oval office. Many scholars, commentators, and White House advisors believe that his ability to give a persuasive speech is central to his ability to lead. By now, this conception of presidential leadership has a long pedigree. Woodrow Wilson (when he was a political scientist) was the first to make the case that the president's ability to forge a bond with the people through his rhetoric was the foundation of presidential

leadership. Richard Neustadt later reduced this idea to the slogan: "presidential power is the power to persuade" (*Presidential Power and the Modern Presidents*, rev. ed., 1991). More recently, the "rhetorical presidency" thesis claims that if the president "goes public" with arguments that are sound and well delivered, he can galvanize the nation to follow the course he has charted (Jeffrey K. Tulis, *The Rhetorical Presidency*, 1987; Samuel S. Kernel, *Going Public: New Strategies in Presidential Leadership*, 1986). Public speaking and communication skills are thus central to the modern presidency.

Two recent books call this view into question. In *The Strategic President*, George C. Edwards forcefully argues that "presidential power is *not* the power to persuade" (p. x). In *The Anti-Intellectual Presidency*, Elvin T. Lim passionately makes a case that presidents no longer make public arguments but rely on sound bites, partisan slogans, and emotional platitudes in their public pronouncements. Both authors claim that presidents have great difficulty mobilizing the public, enlisting Congress, and transforming their views into public policy. Thus, they encourage us to rethink contemporary conceptions of presidential leadership.

Edwards argues that "[p]residents, even skilled presidents, rarely are able to lead the public and thus reshape the contours of the political landscape to pave the way for change" (p. 59). To make his case, Edwards analyzes the efforts of three presidents who, he claims, were in the best position to move public opinion—Abraham Lincoln, Franklin D. Roosevelt, and Ronald Reagan—and two cases—George H. W. Bush and George W. Bush—who were in office in less favorable circumstances. None of these presidents, across a range of issues, was able to employ persuasive rhetoric to go over the head of Congress and reconfigure the political terrain in ways favorable to their policy preferences. Presidents cannot really move public opinion, according to the author, because the people's policy preferences are roughly stable over time and competing voices on the airwaves drown out the president's message. Therefore, presidents should abandon "[s]trategies for governing premised on substantially increasing public support for policy proposals [because they] are prone to failure" (p. 60).

Nor are presidents able, according to Edwards, to work behind closed doors to change the positions of many members of Congress. Tracing the tactics of Roosevelt, Lyndon B. Johnson, and Reagan in their dealings with Congress, he concludes that even in the highly productive legislative periods in which these presidents governed, they did very little to shape congressional outcomes. Congress was prepared to act and it did so largely independently. The author concludes that the best a president can do when it comes to lobbying members of Congress is "change a few votes at the end of [the] coalition building [process]" (p. 143).

On the basis of his findings, Edwards advances a far less "heroic" conception of presidential leadership than the