decision making (technocratic or participatory), the locus of authority (state or market), and the burden of responsibility when things go wrong (government or individual). In revealing the essence of these contemporary struggles, it emerges that we have become more skeptical about scientific authority, even as we become more dependent on technical expertise to assess the risks of modern life.

Divided America: The Ferocious Power Struggles in American Politics. By Earl and Merle Black. New York: Simon & Schuster, 2007. 286p. $26.00.
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— Sean M. Theriault, *University of Texas at Austin*

Earl and Merle Black have delivered another insightful book that describes contemporary politics by examining historical trends. They argue that the proper understanding of American politics—from election to policy—requires a regional analysis. In their own words: "Important geographical divisions, we believe, are at the heart of the very close national battles between Democrats and Republicans. American politics becomes much more interesting—and easier to understand—when the party battles are examined region by region" (p.xi). Their five regions are the South, Northeast, Pacific Coast, Midwest, and Mountains/Plains.

Having written three authoritative books on southern politics (*Politics and Society in the South* in 1987, *The Vital South* in 1993, and *The Rise of Southern Republicans* in 2003), the authors in this book offer us their broadest interpretation yet of contemporary American politics. Following in the fine tradition of their previous books, the Blacks have skillfully blended history and data to proffer a compelling argument about the utility of examining intraregional variations in order to understand politics today. The first half of *Divided America* describes the various regions and the second half describes how these regions have voted for and are represented by the House, the Senate, and the presidency. The conclusion nicely brings these parts together to provide the reader with a comprehensive understanding of contemporary politics in the United States.

The authors argue that America is politically divided because each party has a stranglehold on two regions. They show how Democrats have come to dominate the Northeast and Pacific Coast and how Republicans have captured the South and Mountains/Plains. According to their analysis, as goes the Midwest, so goes the nation. Republicans were able to dominate the House from 1995 to 2007 because they won a majority of seats in the Midwest. They kept control of the Senate during this period (with the brief Democratic interlude in 2001–2) and the presidency in 2000 and 2004 only because of their nearly monolithic control in the South and Mountains/Plains. The Blacks correctly predicted that if voting trends in the Midwest continued to favor the Democrats, the Republicans would find it harder to maintain control of the House.

The authors do more than focus on the regions' similarities and differences in politics. Their analysis is more complex and their argument more insightful than that. When appropriate, they examine, within each region, a variety of characteristics and demographics, including religion, gender, and race. Such an analysis offers individual-level explanations for issue positions and voting trends in categories like "new minorities," "Catholic men," and "non-evangelical Protestant women." The Blacks argue that it is the transformation of these groups politically and the concentration of these groups regionally that have brought about the current divide in America.

While this level of analysis may seem tedious at various parts in the book, the reward for sticking with it reveals itself at the end. The Democratic Party is favored by minority women (by 52%), non-Christian white women (by 45%), minority men (by 38%), and non-Christian white men (by 20%). The Republican Party, on the other hand, is favored by "three groups of white Christians" (p. 246)—white Protestant men (by 38%), white Protestant women (by 22%), and white Catholic men (by 20%). The remaining category is white Catholic women. Winning this demographic will yield control of the political system. Accordingly, Democrats and Republicans are keen to capture their support. Understanding this key fact provides insight to the parties' campaign strategies.

If there is a fault in the analysis, it is that the book can appear to be clunky at times. Balancing analysis with prose is sometimes tilted too heavily toward the former; for example, "The Democrats drew their large advantages from minority women, non-Christian white women, minority men, and non-Christian white men" (p. 71) would be better understood without the forced demarcation of men from women. In fact, throughout the book, only a few times does splitting the groups by gender yield insight (such as with Catholics)—in nearly every other case, it just gets in the way. The presentation of the analysis in tables and charts is sometimes less than user friendly. For example, connecting the dots with lines makes more sense when the *x*-axis is years, but much less sense when it is regions.

The Blacks have something important to say to both political junkies and researchers. While casual readers may, at times, become frustrated keeping track of the multitude of groups, regions, and numbers in play, they are rewarded by gaining insight not only into the current partisan divide in Washington, D.C., but also into the features and history of the House, Senate, and presidency. To scholars of American politics, the authors divide the difference between those studying the mechanics of institutions and those studying the political behavior of the American public by offering a cogent argument about the interplay of groups and regions in contemporary American politics.

In their four books, the Blacks have taken us from understanding the minutia of the southern voter to a broad analysis of party control of American political institutions. When the books are read as a set, few scholars could compete with the breadth and depth of their analyses. *Divided America* is sure to withstand the tests of time in the same fashion as have *Politics and Society in the South* and *The Vital South.* Every student of electoral or institutional politics in the United States should read, study, and heed the analysis of Merle and Earl Black.

Decision Making in the U.S. Courts of Appeals. By Frank B. Cross. Stanford: Stanford University Press, 2007. 288p. $22.95.

Political Foundations of Judicial Supremacy: The Presidency, the Supreme Court, and Constitutional Leadership in U.S. History. By Keith E. Whittington. Princeton: Princeton University Press, 2007. 320p. $35.00.
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— Christine L. Nemacheck, *The College of William & Mary*

Much research aimed at explaining decision making on the courts has often been narrowly focused on either the law or judicial preferences as the primary or even sole factor in determining outcomes on our nation's courts. Frank Cross's and Keith Whittington's new analyses of the judiciary contribute to a growing body of literature that seeks to connect these two explanations, and to add an equally important third focus: the institutional arrangement of the separation of powers system. These efforts further illuminate our understanding of the judiciary and its decisions. Although the subject matter of these two books is quite different, essential to both is the authors' consideration of the courts as they shape and are shaped by the other institutions and institutional actors in our complex political system.

In his wonderfully written and insightful analysis of constitutional review and judicial supremacy in the United States, Keith Whittington takes the reader on a historical journey from the earliest years of the nation through the present day. Through his examination, Whittington provides ample evidence in support of his thesis that it is not so much the United States Supreme Court that has laid claim to judicial supremacy in constitutional interpretation as it is the elected branches of government and the executive, in particular, that have seen it in their own interest to assert that the Court is the ultimate authority on the Constitution. Throughout his analysis, Whittington explains how the Supreme Court's use of judicial review and the president's willingness to cede to the Supreme Court the power to have the final word on constitutional interpretation occur within the context of a particular "political time." Given the politics of that time, the president and/or the legislature might well benefit from an assertion like Chief Justice John Marshall's that it is the Court's responsibility "to say what the law is."

Crucial to Whittington's analysis is his well-substantiated argument that the Court's role as the final arbiter of the Constitution was not inevitable. And though the Court has been understood to be the appropriate interpreter of the Constitution through much of our nation's history, judicial supremacy has not been constant over that time. In providing evidence to support his thesis, the author makes several important distinctions. The first is between judicial review and judicial supremacy. Although judicial review is an essential component of judicial supremacy, the mere exercise of judicial review does not necessarily imply a condition of judicial supremacy. Instead, the Court's opinion as to the Constitution's meaning might be accepted as one view on the document that could be weighed against the executive's interpretation, and perhaps that of the legislature as well. Given this understanding of judicial review as separate from judicial supremacy, Whittington utilizes Edward Corwin's juristic and departmentalist categorizations of judicial review. According to the juristic view, the special expertise of the courts is recognized as the authoritative voice on constitutional questions. However, departmentalists would not understand the courts to have any particular authority to interpret the Constitution and instead view the judiciary's interpretation as one of three possible perspectives on the question at hand. The degree to which the Court's interpretation is viewed as final is not, then, dependent only on the Court asserting its authority but also on the juristic or departmentalist leanings of the other branches.

After laying the conceptual foundations in the first two chapters, Whittington then sets about explaining why we might expect to see some presidents more or less reluctant to accept the judiciary's constitutional interpretation as authoritative. In doing so, he distinguishes between reconstructive executives who, upon taking office set out to remake the regime they have inherited and affiliated presidents who assume the basic goals and structure of their inherited framework. Although these two categories of executives have very different goals and we might reasonably expect reconstructive presidents to more often assert a departmentalist perspective, Whittington explains how under differing political circumstances it might behoove presidents from either category to defer to judicial authority. Affiliated presidents might assert the judiciary's supremacy in constitutional interpretation because it is in line with their own, as well as with the regime they inherited upon taking office. But the author explains that even reconstructive presidents might see a benefit in asserting judicial supremacy when they are faced with a legislature even more opposed to the new regime than is the judiciary. In the pages that round out *Political Foundations of Judicial Supremacy,* Whittington clearly conveys the theory from which these arguments are developed and supports them with convincing evidence.