and the Federal Sentencing Commission's aim of imposing a greater uniformity and standardization of criminal sentences.

Common Law Judging is short: The table of authorities, notes, references, and index comprise more than half the book, and it is even shorter if one considers its many, admittedly helpful, redundancies. At the same time, it is dense, subtle, and rich in pregnant distinctions and resonant formulations. The book carefully engages with the relevant philosophical and jurisprudential literature concerning objectivity and subjectivity, both generally and within law. Notably, however, it neglects significant recent work by prominent legal scholars like Kunal Parker, David A. Strauss, Adrian Vermeule, and Philip Hamburger that either explicitly addresses or implicitly raises questions about the relationship between the common law reasoning and constitutional adjudication.

The nature and degree of that relationship is not at all obvious, and, here, Edlin simply assumes it rather than argues for it. One question that both Hamburger's *Law and Judicial Duty* (2008) and Edlin's book raise is the appropriateness of simply importing our understandings of (traditional, English) common law judging into the United States, where the common law inheritance functions as part of a broader constitutional order structured by a written Constitution premised upon a different set of problems, structures, and logics. Many of the critiques of subjective judging that Edlin is writing against arise out of that other institutional paradigm. That paradigm, moreover—including the concept of the neutral judge—is underwritten by an extensive tradition of (modern) liberal political and constitutional thought, extending from Locke to Madison to John Rawls.

In that context, it is not surprising that Justice Sotomayor's comments triggered concerns that have long been prominent in American politics. To be sure, the common law ideals that Edlin celebrates were once more widely known and appreciated than they are today, especially in the nineteenth-century glory days of the nation's (elite) bench and bar. But from the Founding forward, from Thomas Paine, to "The Jeffersonian Crisis," to the Codification Movement, to the rise of the "statutory" or "policy" state, there have been major movements to rid the nation entirely of its common law inheritance and traditions, or to mitigate their sway. In another rub, in the United States (and unlike in Great Britain), many of the state and local judges most closely engaged with the common law are democratically elected. The problem is further complicated by the ties of the nation's appointed, life-tenured federal judges, via the appointment process, to its often boisterous and contested partisan politics. Judges are most likely to be charged with "legislating from the bench" when their interpretation of the Constitution tracks partisan cleavages on major public (and, these days, highly personal) issues that might reasonably be understood—and were once historically understood—to be the legitimate province of legislatures, or of state, rather than federal, courts.

Common Law Judges is most convincing when focused on its core task: explaining why demands for strict objectivity in judging are epistemologically misguided, and why, in recognizing this, common law institutions not only permit some degree of subjectivity in judging but also invite and structure it. The American Constitution, however, not only permits but invites and structures a sometimes robust democratic politics. That some rulings by judges draw spirited attention to the inflection point where one system abrades against the other is a necessary, inevitable, and, perhaps even, at times, worthwhile part of the process.

Revolving Door Lobbying: Public Service, Private Influence, and the Unequal Representation of Interests. By Timothy M. LaPira and Herschel F. Thomas. Lawrence: University Press of Kansas, 2017. 272p. $39.95 cloth.
doi:10.1017/S1537592718001780

— Clare R. Brock, *Texas Woman's University*

Scholars of interest group politics have frequently puzzled over the question: Who influences public policymaking, and how? While this is a nuanced question, the short answer provided by *Revolving Door Lobbying* is that "special interests are not in the business of buying policy outcomes. They are in the market to cover their political backsides" (p. 3). With these opening words, Timothy LaPira and Herschel Thomas succinctly begin to build a case for lobbying understood as political insurance, rather than bribery.

The book's most important contribution, however, is the theoretical and empirical distinction that LaPira and Thomas make between conventional lobbyists and revolving door lobbyists. Rather than treating lobbyists as a monolithic set of interchangeable professionals, as most previous research has done, they assert that "different kinds of lobbyists provide different kinds of political insurance coverage" (p. 5). The authors set up two lobbyist prototypes: the "Librarian," and the "K Street Kingpin." The Librarian is a substantive expert; she has worked in the field and provides the quintessential lobbying service of offering an informational subsidy to legislators. In contrast, the K Street Kingpin often provides lobbying services to a variety of interest groups, across a surprising breadth of issue areas, and his main contribution is process expertise.

In order to distinguish between these two archetypes, and the associated benefits that companies may get from employing them, LaPira and Thomas rely on two sources of data. The primary data source for the book comes from Lobbying Disclosure Act (LDA) Reports, and specifically, those reports made during the year 2008. LDA data are unwieldy at best and suffer from a myriad of inherent

limitations, which I will mention. However, it is also the only systematically available information we have on lobbying behavior at the federal level. In order to supplement this data, the authors conducted original semi-structured interviews with experts and lobbyists in Washington.

LaPira and Thomas's treatment of the LDA data is methodologically sophisticated and offers considerable leverage toward answering their primary research question regarding the differences between revolving door lobbyists and their more common counterparts. They demonstrate that there is a strong market demand for revolving door lobbyists, that these lobbyists have more clients and are more likely to work at major firms, and that they work on a greater diversity of issues than their non-revolving-door peers. Yet, given these facts, these revolving door lobbyists also appear to lack the deep substantive issue expertise that has been the foundational assumption for explaining the interactions between lobbyists and legislators.

LaPira and Thomas take an alternate approach by asking why it is that interest groups hire lobbyists. In order to explain this, they develop a transactional model of lobbying. They conceive interested organizations as hiring lobbyists for the following reasons: 1) purchasing politically specific human assets; 2) solving fundamental problems, such as political uncertainty and policy ambiguity; 3) optimizing agency costs (process knowledge and substantive expertise); and 4) minimizing asset transaction costs (p. 69). Given those possible reasons for hiring lobbyists, the authors ask: What does the political environment demand? They show that as government increasingly relies on expertise from interest groups, the "librarian" has proliferated, but the "kingpin" has become far more valuable. Why? Because the number of meaningful access points in government has declined considerably under the condition of strong party control. This model explains why the K Street Kingpin can demand such a high price, without assuming that he is any more "effective" at producing policy outcomes than any other lobbyist. Interest groups are not buying efficacy so much as opportunity. The Kingpin may "win" at the same rate as a conventional lobbyist; but because of the Kingpin's relationships and process knowledge, his clients will simply have better access to leadership (important in an environment of increasingly centralized party control) and more opportunities to influence legislation, since Kingpins are more likely to gain a seat at the proverbial legislative "table." They do not win because they are bribing legislators; rather, they are simply in the right place at the right time (p. 160).

Throughout the book, LaPira and Thomas compare the self-reported work of conventional and revolving door lobbyists and find systematic and significant differences. Chapter 7, in particular, shows that revolving door lobbyists earn more revenue; represent bigger, more corporate, and more economically diverse clienteles; and engage in a wider variety of issues (p. 178).

The major challenge with the LDA data that this research relies on is its frequent omission, messiness, and general lack of specificity, a fact about which the authors are quite frank. While *Revolving Door Lobbying* provides us with new methodological approaches to organizing and using what LDA data is available, it also leaves several questions unanswered: Do Kingpins and Librarians actually behave differently in their interpersonal interactions with political actors? Once they gain a seat at the table, do they take different strategic approaches to gaining their respective policy preferences? Questions such as these require interviews to flesh out the general outline that quantitative data provides. LaPira and Thomas conducted interviews but placed very little of the content from those interviews into the book itself. I hope this indicates that there will be a follow-up book to come, one that will flesh out some of the more interpersonal differences between Kingpins and Librarians that impact their success rates and their value on Capitol Hill.

LaPira and Thomas move the literature on lobbying in a productive and important direction with this book; they highlight the "other side" of the influence market: not what lobbyists provide to legislators but what lobbyists provide to their clients. They find that, in the face of declining congressional capacity and the rise of strong political parties in government, there is an increased demand for process-oriented lobbyists who serve as insurance for corporate America against a political process that has become increasingly "unorthodox and chaotic" (p. 11). Their research also represents a cautionary tale for interest groups wishing to gain representation in Congress. Like health insurance or car insurance, consumers of political insurance are susceptible to buying far more political coverage than they actually need. The picture painted by LaPira and Thomas should encourage interest groups to be somewhat conservative in hiring lobbyists; otherwise they may be getting comprehensive coverage when they really needed collision only.

Unusually Cruel: Prisons, Punishment, and the Real American Exceptionalism. By Marc Morjé Howard. New York: Oxford University Press, 2017. 296p. $99.00 cloth, $27.95 paper.
doi:10.1017/S1537592718001238

— Daniel S. Moak, *Ohio University*

With 2.2 million Americans incarcerated and nearly 7 million under some form of correctional supervision, the problem of mass incarceration has gained increasing visibility with policymakers and the public over the past decade. Scholarship on this issue has tended to be constrained by national boundaries, largely examining the phenomenon through the lens of American politics and history. The potential pitfalls of such an approach