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at a goal too “intangible” to count as a “good” (pp. 91–92). He also reiterates old arguments that seeking to estimate utility is less satisfactory than focusing on wealth maximization (pp. 98–100). So sometimes economic analysis means wealth maximization, sometimes any consequentialist reasoning. The only constant is that “economic” analysis emerges as the best way for judges to think; but that was not supposed to be this book’s thesis.

However defined, the economic reasoning here is nonempirical and sometimes sloppy. Only one chapter features any quantitative analysis, a set of regressions used to suggest that economic inequality is not politically destabilizing (pp. 116–119). What does this have to do with external analysis of judicial systems? Not much. Posner contends that “issues of economic equality” are better “addressed by other organs of government” than courts, because courts should use economic reasoning, and economics “cannot generate or validate a theory of distributive justice” (pp. 100–101). So the book’s only quantitative argument is a digression from analysis of judicial systems meant to deter legislators fond of economic equality.

When Posner does address empirical legal issues, he offers impressionistic judgments. Consider his opening assessment of the consequences of judicial review. He stresses the argument that even if the institution gives judges great discretion to say what the Constitution means, people will rarely litigate issues where the meaning is clear. Instead, they will litigate over fuzzier matters. Posner argues that this litigation “at the rind” will provide “a bulwark against infringements of the rights in the core” (p. 21). But if some matters are not litigated because everyone thinks them clear, the fact that the courts are litigating unclear cases may do nothing to affect these “core” agreements.

Posner then contends that when legislators enacted segregation laws and banned contraceptives, there was “no basis for thinking them unconstitutional” (pp. 24–25); so they are not evidence for or against judicial review. Perhaps not—but many debated the constitutionality of these laws when they were passed, and they faced periodic legal challenges from their inception to their invalidation. If the Court had not upheld segregation in *Plessy v. Ferguson* (1896), moreover, the Jim Crow system might not have proliferated. Since Posner knows these facts, this “exemplary” discussion seems a sad instance of Homer nodding.

Or, more likely, rushing. There is nothing criminal in such rapid repackaging of the fruits of one’s labors. Whether it represents maximization of the great talents of this author is a question that the judge can best judge.

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Electing Jesse Ventura: A Third-Party Success Story by Jacob Lentz.
Boulder, CO, Lynne Rienner Publishers, 2002. 164 pp. Paper, \$16.95.

Jacob Lentz was born in 1978 and did much of the interviewing for this book in 1999. Those dates—plus some exuberant acknowledgements and a foreword

by Sidney Verba—suggest that it originated as an undergraduate thesis or perhaps early graduate work at Harvard. It is, however, not only a precocious debut; it is an absolutely first-rate piece of scholarship, one that meets the highest scholarly standards. It is the best analysis of Ventura's victory I have read, and it deserves a place on any select bibliography of recent works on American third-party politics.

After a little background on Minnesota, Lentz launches into a nicely organized and vivid account of the 1998 gubernatorial campaign leading to Ventura's election with 37 percent of the vote. Lentz is especially good at conveying Ventura's momentum driven by rising poll percentages. He also avoids the temptation to dwell on the colorful or bizarre beyond their explanatory importance. The account has one shortcoming: a paucity of vote totals for the main candidates. Nonetheless, the scene is ready for the two important analytical chapters.

The first, an exploration of the reasons why Ventura won, is the capstone of the book, and a stunning piece of analysis it is. Lentz weighs the demographic explanations—support by young voters, blue-collar “dudes,” and suburbanites—as well as the Ventura charisma and the charismatic deficits of the major party candidates. He also addresses the political variables: the policy issues in the campaign and the flight of some Democrats from the party's candidate (Hubert Humphrey, Jr.) for his having beaten the party's endorsed candidate in the primary. The analyses are marked by incisiveness, healthy skepticism, and comfort with complex causation.

Ultimately, Lentz focuses on the key to Ventura's success—on the enabling cause, the cause beneath the other causes. In his words: “Thus Ventura won not because he was a celebrity, but because he was running in Minnesota” (p. 95)—because even though a third-party candidate, he was helped by the state's funding of campaigns, its registering of new voters at polling places, its putting his party automatically on the ballot, and by TV debate rules that gave him a place at the podium. In supporting this argument, Lentz makes an important analytical contribution. He uses Gary King's Ecological Inference technique to estimate that almost 70 percent of the same-day registrants (an exceptional total of almost 333,000) voted for Ventura. That subtotal of about 231,000 voters dwarfs the 60,000 vote margin by which Jesse led his closest opponent.

Finally, Lentz discusses the implications of his findings more generally for celebrity politics, voting behavior, and third parties. Once again, the observations are thoughtful and to the point; there simply are no empty paragraphs in this book. In his observations on third parties, Lentz notes that Ventura's party is a recent kind of third party, one dominated by electoral pragmatism. I would go a bit further and say that such a party is not really much more than the associational fiction created by state electoral law. The Minnesota Reform party is already the Independence party, and it has few activists, very few credible can-

didates, and few discernible policy commitments. It is little more than its larger-than-life governor.

Finally, there is a lesson by example here. The case study can be a viable scholarly genre when it is done as thoroughly and rigorously as this one. The single case can indeed speak to broader questions of analysis and theory if the scholar makes it do so. Lentz succeeds handsomely.

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Who Speaks for the Poor? by R. Allen Hays. *New York, Routledge, 2001.*
277 pp. \$75.00.

The problem of poverty and how to alleviate it is one of America's most difficult issues. Unlike other highly contested public policy areas, the poor themselves have not traditionally organized to influence the policies that affect them. In *Who Speaks for the Poor?* R. Allen Hays provides an extensive and comprehensive review of interest group theory, touching on the works of Mancur Olson, Grant McConnell, Theodore Lowi and others, and setting the stage for his central question: How do the interests of the poor gain representation in the American political process?

Interest group theory seeks to explain how interest groups fit into the policy-making process and create connections between government and citizens. On one end of the spectrum is traditional pluralist theory, where well rounded sets of competing interests, all with fairly equal access, affect policy directly. On the other end is the more closed subsystem model, where narrow special interest groups dominate the political landscape. Hays, however, suggests that a more fluid, flexible model that takes into account the proliferation of interest groups in almost every policy area, ever-changing participants, and the wide range of group attributes and resources better explain today's social policy environment. In this context Hayes takes an unflinching view at today's poverty interest groups—why they exist, what they seek to accomplish, and more importantly, how effective they are. Using congressional testimony from the last twenty-eight years and interviews and case studies of major social legislation, Hays evaluates the strategies of today's leading poverty advocates in three key areas: food, housing, and welfare.

Hays's look at the welfare reform battle in 1995 demands closest attention. The failure of poverty interests to preserve cash assistance as an entitlement can be considered one of the biggest defeats for the poor in recent history. Hays's conclusion, simply put, is that groups representing the poor are not as effective as they need to be.