

The work taken as a whole is an entertaining tour through the political thickets surrounding American federalism. It does hang together as a book despite being a collection of separate articles. It is not an easy read for many undergraduates, but will work very well for upper-division students of political science. Those interested in constitutional law, in communitarian political thought, and in American political development will especially be profited from a careful reading. This book has not a single table, chart, equation or algorithm, logit model, or Monte Carlo simulation. It does have a provocative and consistent argument, that bears careful thought, about the true nature of the peculiarly American theory and practice of federalism.

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Huber, John D., and Charles R. Shipan. *Deliberate Discretion? The Institutional Foundations of Bureaucratic Autonomy*. New York, NY: Cambridge University Press, 2002. Pp. xv, 284. \$65.00 hardbound, \$24.00 softbound.

If you want to read just one book on bureaucratic oversight, read *Deliberate Discretion*. Synthesizing the most important insights of a vast literature on delegation, this book also breaks new ground, both theoretically and methodologically. Its scope is extraordinary. It draws upon game theory and the "New Economics of Organization" (NEO), just as it presents case studies and statistical analyses of original data collected both cross-nationally and across state governments. John Huber and Charles Shipan's meticulous efforts set new standards for research on delegation and agency policy making.

Huber and Shipan intend to construct and test a general theory of delegation. As they put it, "the comparative nature of the argument and evidence—in this specific sense of the word—is the most significant distinguishing feature of this book" (212). To this end, Huber and Shipan highlight the structural features of advanced parliamentary democracies and presidential systems that encourage legislators to delegate lawmaking authority to the administrative state. As with other scholars who have investigated the politics of delegation, preference divergence, informational asymmetries, and institutional "capacity" constitute the mainstays of Huber and Shipan's analysis.

From the beginning, though, it is worth recognizing that Huber and Shipan have in mind a particular definition of discretion—namely, the specificity with which laws are written. Discretion, they argue, depends less upon formally delegated powers complemented by procedural safeguards (as prior literatures have emphasized) and more upon the level of policy detail written into authorizing statutes. Laws that posit vague goals and broad mandates permit bureaucrats to redirect the doings of government; just as carefully constructed statutes leave little room for interpretation, effectively transforming policy-minded bureaucrats into clerks. The trouble, of course, is that writing detailed legislation is costly—sufficiently so, in fact, that less professional legislatures often have no choice but to leave important policy decisions to the discretion of bureaucrats. Legislatures

with resources, meanwhile, must weigh the costs of writing detailed legislation against the dangers of policy drift that may result when bureaucrats are left to their own devices.

When will legislators choose to craft comprehensive policy blueprints? A formal model of discretion represents the book's theoretical core and motivates all of its empirical tests. The model's main predictions, for the most part, are perfectly straightforward. Discretion is highest when partisan conflict between legislators and bureaucrats ebbs, when the legislative majority has the necessary resources to write detailed policy, and when non-statutory factors (legislative vetoes, courts, corporatism) do not protect against bureaucratic noncompliance.

Though its central propositions may appear familiar, the model is actually quite innovative. Several of its features deserve highlighting. While the NEO has argued for years that legislative processes are fraught with uncertainties and transaction costs, few political scientists have formally modeled the costs associated with overcoming them. Huber and Shipan do so, and then go one step further. Rather than assigning a fixed price to all laws—as though legislators passed through the same tollbooth every time they engaged the legislative process—Huber and Shipan appropriately allow costs to vary in accordance with the resources available to the legislature and the specificity of the law enacted.

In addition, the model takes seriously the fact that agents occasionally disregard their principals' commands. Having been delegated a residuum of authority to change public policy, bureaucrats confront a choice. They can set policy within the bounds permitted and accept that policy may not perfectly reflect their interests; or they can ignore the legislature and implement policy as they see fit. When selecting the latter alternative, however, bureaucrats face possible sanction from various "non-legislative factors." By assigning probabilities to sanctions, Huber and Shipan relax the common assumption that courts automatically bind bureaucrats to specified mandates.

Finally, and most obviously, this model achieves a high level of generality. By adjusting the number of legislators involved in the game, executive powers, and the formal relationship between politicians and bureaucrats, Huber and Shipan approximate the most salient features of parliamentary and presidential systems of government.

Of course, aspects of the model are not without limitations. The probability that noncompliance is sanctioned, for instance, is exogenously determined. Surely, though, the willingness of courts to overturn administrative orders partially depends upon the extent to which bureaucratic actions deviate from authorizing legislation. This concern, in turn, is followed by another. "Non-statutory factors" refers to a broad class of institutions outside of the legislative process that monitor the bureaucracy. Unfortunately, without some intuition into the independent motives of those politicians who inhabit these institutions, it is difficult to discern the precise conditions under which they will punish bureaucratic noncompliance.

Presentation issues also arise. While the chapter devoted to the formal model is quite accessible—all proofs have been relegated to an appendix—the figures are not especially illuminating. Also, the discussion of some of the most interest-

ing features of the model (e.g. how tensions between chambers of a bicameral legislature encourage delegation) appear rushed.

These issues aside, most of *Deliberate Discretion* is devoted to theory testing. To actually measure discretion, Huber and Shipan count the number of words (or pages) in regulatory laws. Obviously, the length of a statute depends not only upon the level of discretion legislators are willing to grant bureaucrats, but also upon the technicality of policy issues involved. Further, when making cross-national comparisons, adjustments need to be made for the efficiency of different languages and the size of fonts used to print legislation. Huber and Shipan are aware of all these issues, offer reasonable corrections (my favorite being the "verbosity multiplier"), and work hard to identify a set of cases that can be meaningfully compared to one another.

One of the sobering (and unavoidable) realities of this work is that having corrected for the many measurement issues involved, analysts typically are left with highly constricted databases to analyze. While Huber and Shipan intend to test a general theory of delegation that applies across different institutional contexts and different periods in time, their primary dependent variables consist of the number of words in Medicaid legislation enacted between 1995 and 1996 in 38 nonsouthern states; or, in the case of the country-level analysis, the standardized page lengths of 4,105 labor laws in 19 parliamentary democracies.

Still, Huber and Shipan's central claims hold up. Among states, levels of discretion critically depend upon the policy divergence of legislators and governors (conditional upon the capacity of legislatures) and the presence of a legislative veto. Among parliamentary democracies, cabinet turnover, minority and coalition governments, noncorporatist regimes, common law judiciaries, and federalist systems all encourage legislators to write detailed statutes.

Deliberate Discretion is a first-rate piece of scholarship. Topically, it advances our understanding of the structural determinants of delegation. Methodologically, it provides a model for scholars interested in exploiting cross-national and interstate institutional differences to explain lawmaking processes. Clearly written and carefully constructed, this book is a joy to read. I suspect it will be assigned in graduate seminars for some time to come.

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Laracey, Mel. *Presidents and the People: The Partisan Story of Going Public*. College Station, TX: Texas A&M Press, 2002. Pp. x, 267. \$42.95 hardbound.

Presidents and the People makes an important contribution to the growing literature on relations between the president and the public. Commonly referred to as the study of the "Public Presidency" or "Rhetorical Presidency," this body of scholarship focuses on presidential communications ultimately intended to shore up the president's political support and/or to put pressure on Congress to act in ways favored by the president. This literature commonly views "going public" almost exclusively as a twentieth-century phenomenon. Nineteenth-century pres-

