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Review of *Democracy in California: Government and Politics in the Golden State: Post-recall Edition* by Brian P. Janiskee, and Ken Masugi

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Jefferson, and the Court itself in the 1963 *Sherbert* case put it, people should be free to act as their conscience dictates, as long as they do not harm others or risk public safety. The liberal community applauds this trend; the conservatives see it as favoritism for secular humanism and moral depravity.

This leads to the book's conclusion, which is that the Court's conservative (or regressive) bloc believes that the authority of the Constitution is grounded in majority rule, not natural law, and that all moral judgments are personal. The result is that this group repudiates the real intent of the framers, which is a belief in expanding rather than shrinking liberty.

The book is scholarly, yet it is written for a general adult reading audience. It is unique in its thesis and makes a contribution to the literature on freedom of conscience. It is highly controversial, but once readers agree with the book's premise, its conclusion logically follows. Outside of one glaring typo that should have been caught (should read Verner, not Vernon, on page 138), my only complaint about the book is the strident tone it takes against individual members of the Court, particularly Rehnquist. It is important to state a case. However, it is unnecessary to make one's point by belittling others who have differing points of view. Otherwise, it is a splendid book.

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Janiskee, Brian P., and Ken Masugi
Democracy in California: Government and Politics in the Golden State: Post-recall Edition
Lanham, MD: Rowman and Littlefield
176 pp., \$22.95, ISBN 0-7425-3484-7
Publication Date: March 2004

Californians periodically capture the attention of the nation with their dynamic political activities. In 2003, Californians once again managed to command the national spotlight when California became only the second state in the union to recall its governor. California's eccentric political atmosphere has widely been recognized, but few observers imagined that Californians would attempt to replace a governor midterm, and even fewer imagined that they would succeed. The events that culminated in the October 2003 recall of Gray Davis and the subsequent election of Arnold Schwarzenegger came to symbolize the seemingly unstable political climate in California. The recall election, however, represented much more. The recall election illustrated to the American public how much power citizens can actually wield in a political system in which the electorate has direct control over the electoral mechanisms of government.

Brian P. Janiskee, an assistant professor of political science at California State University, San Bernardino, and Ken Masugi, the director of the Center for Local Government at the Claremont Institute, discuss the recall election throughout the post-recall edition of *Democracy in California: Politics and Government in the Golden State*, with special attention paid to the election in the final chapter of the book. In the book, Janiskee and Masugi examine the events surrounding the recall election and place those events into a Californian context, where populist politics abounds, thereby allowing readers to gain perspective into how the recall election is a product of the Progressive legacy that has guided California politics for decades.

The book includes a thorough analysis of California politics, with foci that range from discussions of diversity to a look at the democratic institutions of the state. *Democracy in California* is an appropriate book not only for students of California politics but also for students of state politics in general, as the authors apply many of the basic concepts of American democracy to the state and local levels of California government. The concepts of American individualism, love for novelty, and equality as expounded by Alexis de Tocqueville are used by Janiskee and Masugi to introduce readers to some of the classic notions of American political culture. They then describe how these notions can be attributed to the people and culture of California. Similarly, Janiskee and Masugi incorporate the more general concept of Progressivism and its impact on the politics of California by distinguishing California's brand of Progressivism from other strands of Progressivism across the nation. Progressivism, the authors tell us, has influenced nearly every facet of California democracy, from the composition of its constitution to the actions of its citizens. Thus, Janiskee and Masugi rely heavily on Progressivism to explain much of the phenomena within California's government and politics.

Although a more detailed analysis of the 2003 recall election is provided by Larry N. Gerston and Terry Christensen in *Recall! America's Political Earthquake*, no text compares in its ability to place a discussion of the recall into the Progressive political context that exists in California. Furthermore, Janiskee and Masugi succeed in producing a work on California's politics and government that fills a relative void, as very few books on the workings of California's government have been published in recent years. As a result, *Democracy in California* is a valuable work that examines the workings and peculiarities of California government that exist in 2004.

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Wirls, Daniel, and Stephen Wirls
The Invention of the United States Senate

Baltimore: Johns Hopkins University Press
272 pp., \$18.95, ISBN 0-8018-7439-4
Publication Date: March 2004

The U.S. Senate has been simultaneously extolled as the world's greatest deliberative body and reviled as an undemocratic bastion of privilege and delay. Conservatives clung to the Senate as their best hope to resist the tides of change in the 1950s and 1960s, just as liberals do today. This exemplary new book by Daniel and Stephen Wirls brings theory and history together in a lucid and timely analysis of this pivotal institution's formation and early development in a way suitable for advanced undergraduates and graduate students. Much has been written about the Senate, but nothing has been quite like this book.

More powerful than upper houses in most nations, the Senate arose from a confluence of philosophical strands, which the authors ably disentangle in chapter 2. Chapter 3 details America's legislative experiences prior to the Federal Convention of 1787. This chapter's analysis demonstrates that the Senate of 1787 was very much a product of prior experience, a fact that somewhat undercuts their claim that this body's formulation in 1787 was the Constitutional Convention's most pathbreaking accomplishment. By comparison, the creation of the presidency was surely even more pathbreaking. Chapter 4 walks readers through the Constitutional Convention's deliberations. Here, they argue counterintuitively, the prior desire to have an upper house shaped the Great Compromise, rather than the other way around. The centerpiece of this chapter is a fascinating content analysis of the convention delegates' comments about the upper house, which the authors find to be "harmoniously interrelated" (79) in their support for a chamber small in size with a select process of appointment and relative independence.

Chapter 5 examines in more detail the Senate's key defining features, including terms of office, chamber size, the institution's distinctive powers, and connections to the executive and judicial branches. Chapter 6 confronts ratification debate objections to the body. Interestingly, Anti-Federalists for the most part did not object either to bicameralism or to equal state representation but rather to other features, including the long terms of office, unique powers not shared with the House of Representatives, and election by state legislatures. The Wirls' survey of the Senate's defense in the *Federalist Papers* offers a deeper explanation for the previous year's compromise, underscoring the founders' support for an institution that would be a bastion of republican stability rather than the aristocracy feared by the critics. It