majority or failed as a party of wholesale opposition. Reagan gave the party a new positive definition, and that new definition became the basis of a revitalized party and the eventual Republican control of the Congress and the presidency. The 1994 congressional victories would not have been possible without Reagan, anymore than the Democratic or Republican Parties could have come into being in the nineteenth century without the leadership of Andrew Jackson and Abraham Lincoln. Parties have never been created from the bottom up in American politics; they have formed around presidential candidates.

Korzi neglects this fact in part because he accepts a distorted view of the Founders’ Constitution. Korzi follows conventional scholarly opinion in arguing that the Founders’ system eschewed popular presidential leadership in favor of elevated statesmanship. But like so many other scholars, Korzi relies almost exclusively on Hamilton’s account of the presidency and the presidential selection system in *The Federalist*. Hamilton did represent one strain of thought on presidential leadership at the Constitutional Convention, but he had little influence on the debates over presidential selection and was, in fact, absent for a good deal of the convention. It was James Wilson and Gouverneur Morris, supporters of popular election, who shaped the selection system, based upon the theory that the president would represent the people of the nation as a whole. Morris even went so far as to predict that political parties would inevitably form in support of and in opposition to the president. Neither Hamilton nor Jefferson fully appreciated the possibility of a popular, independent, constitutional presidency, and that in all likelihood contributed to the transient character of the Federalist and the Jeffersonian Republican Parties. Jackson and Martin Van Buren did not so much create a new constitution as recognize the potentials of the old one.

Korzi makes a powerful case for the institutional restraints of party government, but in the spirit of healthy partisanship, it must be challenged in the name of popular, independent, and constitutional presidential leadership. Nonetheless, he has made a major contribution to this important debate.


— Craig W. Thomas, University of Massachusetts, Amherst

Richard Lazarus brings rich experience to this book. In the 1980s, he served as a litigator in the Environment and Natural Resources Division, and as an assistant to the solicitor general, in the Department of Justice. He has represented environmental groups and local, state, and federal governments in numerous cases before the Supreme Court. Given this extensive legal background, one might expect the book to be a dense treatise on environmental law. Yet it is written for a much broader audience, with an engaging narrative style that is accessible for those not trained as lawyers. It is also interdisciplinary, covering everything from ecological theory in the opening chapters to the historical, economic, and political contexts of environmental law in the United States. While this interdisciplinary effort is admirable, the strength of the book clearly lies in the author’s legal interpretations. Political scientists will be less impressed with his discussion of topics like public opinion and interest group behavior. Yet what matters more than relatively minor shortcomings with respect to any one discipline is that Lazarus has produced an engaging and articulate book that strives to reach a broad audience beyond law schools. For this reason, *The Making of Environmental Law* would make a wonderful addition to upper-division and masters level environmental policy courses. It is not sufficiently theoretical for most doctoral seminars, but it certainly deserves a central location on the shelves of environmental policy scholars.

Lazarus draws on numerous theories, but does not build his work around any one theory. Nor does he test hypotheses in a social scientific way. Rather, he brings a point of view to environmental law that is informed by theory. Part I, for example, draws heavily on ecological theory to frame the purpose and challenges of environmental law. Chapters 1 and 2 are devoted to the ecological context of environmental law, while Chapter 3 analyzes how the U.S. Constitution is inconsistent with principles from ecological theory. These opening chapters provide the theoretical structure for the book, which focuses on the challenges of developing environmental law that is consistent with scientific understandings of the environment while operating within the constitutional framework. The author’s normative view is also guided by ecological theory. Rather than argue, for example, that most human impacts on the environment should be impeded, he argues that “ecological transformation is both unavoidable and very often desirable” (p. 1). Strict preservationists in the tradition of John Muir, David Brower, and Dave Foreman would likely be discomforted, if not appalled, by this argument. But Lazarus is a pragmatist who builds his argument from a scientific understanding of dynamic ecosystems, the causal uncertainties associated with understanding ecosystems, and the potential risks to humans of transforming ecosystems in particular ways. Hence, environmental law is not merely a means to specific ends, such as preserving wilderness or biodiversity. Instead, environmental law should change with changing scientific knowledge, while leaning on the precautionary principle as scientists learn more about how ecosystems actually function. This places him in the tradition of Aldo Leopold, albeit with a contemporary understanding of dynamic—rather than static—ecosystems.

Lazarus then picks up the historical trail in Part II, with chapters devoted to each of the last four decades of the twentieth century. Given that he begins in the 1960s,
he primarily focuses on the development of pollution laws, not resource protection laws. Yet he notes at several points how pollution laws followed from preceding resource protection laws. For the most part, the four chapters in Part II are fairly standard histories of the development of environmental law since the 1960s, with each chapter underscored by the author’s faith that environmental law is becoming increasingly established, even as the anti-environmental movement has gathered steam. His positive tone might seem excessive, were it not for the book’s deep history of the anti-environmental movement. Rather than starting in the early 1980s, as is standard, Lazarus traces the anti-environmental movement back to the early 1970s, pointing not only to Richard Nixon’s mercurial policies regarding the environment but also to the nonprofit sector, where he notes the efforts of William Simon (Olin Foundation) and Richard Scaife (Mellon Foundation) to change public attitudes toward the environment. Throughout Part II, Lazarus carefully demonstrates the ways in which the anti-environmental movement has been successful, unsuccessful, and counterproductive, thereby lending credence to his positive view that environmental law has become increasingly solidified, even when confronted by individuals and organizations seeking to reverse the tide.

In Part III, the author takes stock of the current status and likely trajectory of environmental law in the United States, providing readers with some intriguing and fresh arguments. In Chapter 8, for example, he argues that environmental laws have become increasingly similar, as policymakers learn from the strengths and weaknesses of each law. Not only are pollution laws, such as the Clean Water Act and Clean Air Act, becoming increasingly similar, he argues, but resource protection laws and pollution laws are also borrowing from one another. While making a strong case that significant convergence is indeed occurring, his explanation for this occurrence is not entirely satisfying, because it is based on claims about lessons learned, rather than a research design that can actually demonstrate the causal significance of these lessons.

Overall, the book is strongest when it leans on the author’s legal talents, and weakens as it strays into other disciplines. This is one of the hazards of interdisciplinary research. Political scientists, for example, will likely be less than satisfied with his discussion of public opinion. For example, in the introduction to the historical chapters of Part II, Lazarus writes: “The sheer depth and tenacity of the public’s views, which are most often rooted in concerns about potential threats to human health and the dangers of exceeding ecological limits, explain why environmental law has been so persistent and inexorably expansive and why its repeatedly proclaimed demise has proven, on each occasion, to be premature” (p. 44). This is a strong statement, albeit one with which many might agree. The problem is that the subsequent chapters routinely repeat similar statements without supporting data or appropriate citations. Empirically, Lazarus may not be far off the mark, but methodologically, his argument about public opinion is not compelling. But this is to quibble with a book that is otherwise well argued, well written, and well researched. Readers focusing on the legal scholarship will find much to like here, particularly the breezy way he renders what might otherwise be arcane jargon into engaging narratives about the past, present, and future of environmental law.

**Government Matters: Welfare Reform in Wisconsin.**


— Laura S. Jensen, University of Massachusetts, Amherst

One of the most challenging aspects of welfare reform was that it made policy evaluation more difficult, especially after the Personal Responsibility and Work Opportunity Act of 1996 allowed states to shift from operating federal public assistance programs (or variants under waiver authority) to implementing programs of their own design. Analysts accustomed to studying a relatively stable set of nationally comparable social programs had to begin asking new, and sometimes startlingly basic, questions about the kinds of benefits that state and local governments were providing, to whom they were providing them, and on what basis. As a result, research on U.S. poverty and welfare reliance suffered a major setback at precisely the time when the need to track policy outcomes became especially critical.

Although many excellent studies now exist, relatively few have investigated policy and program development within a single state in depth—a curious gap given the devolutionary thrust of recent reforms. Lawrence Mead’s new book is thus an especially welcome addition to the literature on contemporary welfare policy. It provides a highly detailed yet very readable analysis of the transformation of public assistance in Wisconsin, concentrating on developments within the last 20 years. Importantly, it goes beyond agenda setting and legislation to stress implementation, showing how institutions figured in translating the politics and policy of welfare reform into actual street-level, operational routines. Radical reform was a triumph in Wisconsin, Mead contends, because widespread agreement on policy goals developed where vital preconditions for policy success existed: a moralistic political culture, trust in state government, a tradition of state leadership in social policy, a legislative process focused upon problem solving rather than partisan rivalry, and, perhaps above all, administrative capacity.

Mead’s chronicle begins in the 1960s and 1970s, when liberal-minded decisions about antipoverty policy in Wisconsin caused benefit levels to rise and welfare rolls to swell. The national economy could temporarily be blamed for rising client numbers, but as the recession eased, the state