American Divorce (Berkeley, 1999). Only minimally theoretical, The Great Catastrophe lacks the perspective that a comparison with other states’ divorce laws and procedures, ranging from South Carolina’s absolute prohibition of divorce to Indiana’s wide-open permissiveness, would have given it. Yet, Buckley’s analysis, sensitive as it is to gender-determined differences shaping the grounds for, and success of, divorce petitions, implicitly challenges Basch’s argument that the shift from legislative to judicial proceedings and the enactment of specific grounds for divorce—most commonly adultery or desertion—provided women a more sympathetic forum than the lobbying and political processes that had previously made divorce largely a male prerogative. In Virginia, however, Buckley finds that more women than men petitioned the legislature for divorce and that the success rate for each sex was an identical 33 percent.

Although he refers to several sociological and psychological theories that might explain the roots of antebellum marital violence, Buckley makes no convincing case for any of them. Rather, as he does with the statistics that establish the boundaries of his subject, he subordinates theory to the mining of official documents and, to a lesser degree, private letters to elucidate the experience of individual petitioners and the rationales that their supporters and opponents used. The narrative of Sally McDowell Thomas’ marriage, divorce, and second marriage illustrates the cogency of this method. The daughter of a Virginia governor, Sally married a governor of Maryland whose tawdry, perhaps insane, attacks on her alleged behavior roused popular indignation and propelled the legislature to speed the divorce on which her father insisted to shield family honor. Even so, the social stigma of being a divorced woman so burdened her that she almost rejected a deeply affectionate marriage to an eminently respectable Presbyterian cleric. Buckley uses that tale to condemn the “‘ladies,’ who were the guardians of antebellum propriety . . . [upholding] the social conservatism embedded in the foundations of southern culture” (263). But the ladies were not the ones who denied divorce to 67 percent of those who petitioned the legislature for relief.

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The field of congressional studies draws in equal measure from analytical theory, quantitative practices, methods of participant observation, and historical approaches. The fifteen essays of the present volume, by many of the most prominent scholars in this field, concentrate especially on the theory–history interface. Part I focuses on the most provocative debate in this neck of the political science woods—the role of party and
committee in the organization of legislatures. Part II examines selected congressional practices and institutions and details their emergence and evolution. Part III looks in historical perspective at the origins and development of legislative policy, in effect revisiting many of the institutional issues raised in essays from the first two parts.

The early postwar literature on the Congress, especially on the House of Representatives, focused on the prominence of congressional committees. The period from the Legislative Reorganization Act of 1946 to the election of Jim Wright, a democrat from Texas, as speaker of the house during Ronald Reagan’s presidency is one in which committees and committee chairs left their marks on congressional politics, while parties and their leaders were holding companies and shadowy figures, respectively. Beginning with the Wright speakership, and continuing to the present day, party structures have had more prominence. Party voting, party policy agendas, and party discipline all appear elevated in comparison to the earlier period, perhaps not so elevated as in the late nineteenth century when congressional giants like Speaker Thomas Brackett Reed walked the corridors, but elevated nonetheless.

This waxing and waning of parties has led some scholars—Aldrich and Rohde most prominently—to articulate a theory of “conditional party government,” an argument isolating the circumstances most propitious for the emergence of powerful party leaders and party discipline.¹ A thoughtful essay presenting this argument is found in Part I of this volume. Two responses to their perspective suggest that parties are always consequential (a view articulated in the present volume in a pair of essays by Gary Cox and McCubbins, and Andrea Campbell, Cox, and McCubbins) or that they are never consequential—the chief proponent of which is Krehbiel, not represented here but whose views are characterized in a fine overview essay by Joseph Cooper and Gary Young.²

Krehbiel’s challenge to the “conditionalists” and the “party always” faction is to note that parties are most effective, and historically most empowered, when their members share a common political vision—exactly the moment when they are least needed. His provocation is to claim that the effect of a strong party cannot be distinguished from that of the homogeneous and coherent preferences of fellow partisans. The essays of Part I take up this challenge and enrich it by embedding it in historical patterns. Party would seem to come through loud and clear in these developments (loud at least; clarity is questioned by Cooper and Young). Yet, the Krehbiel critique is hardly dismissable, and it is a pity Krehbiel himself is not a participant in these pages.

Part II contains four wonderfully rich essays on the nineteenth-century development of practices that we now take as commonplace:

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the evolution of standing committees (Jeffrey Jenkins and Charles Stewart), the emergence of party leaders in the House (Randall Strahan) and Senate (Gerald Gamm and Steven Smith), and the creation of business practices (Timothy Nokken and Brian Sala). They represent a kind of social science history that could not exist without the prior development of rigorous analytical theory. These scholars are like natural scientists looking at the world around them through the lenses of theory—a practice that directs both where they shine their spotlights and how they interpret what they see.

Part III looks at particular events, taking on board the role of parties and committees on the one hand, and other powerful agenda agents on the other. Aldrich, with Calvin Jillson and Rick Wilson, examines the ways in which the institutional features of the federal Congress mitigated some of the chaos associated with the dysfunctional features of the Article of Confederation Congress. Sean Theriault and Barry Weingast examine the famous Compromise of 1850 in terms of agenda manipulation and strategic behavior. Nolan McCarty and collaborators look at the admission of new states as a mechanism by which institutions change. Brian Humes and his colleagues present a fascinating analysis of the impact of the three-fifths clause on congressional policy and politics. All of these essays constitute high-powered marriages between sophisticated quantitative methods and powerful analytical theory.

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A Community Built on Words: The Constitution in History and Politics. By H. Jefferson Powell (Chicago, University of Chicago Press, 2002) 251 pp. $35.00

Powell offers a series of historical vignettes to support his argument that “[c]onstitutional law is an historically extended tradition of argument, a means (indeed, a central means) by which this political society has debated an ever-shifting set of political issues” (5–6). Powell is less concerned with the content of constitutional law at any particular time than he is with the ways in which those supporting diverse results presented their arguments. His argument provides historical grounding for Bobbitt’s justification of constitutional law in what Bobbitt calls the modalities of constitutional argumentation.1

Powell draws his vignettes from constitutional practice in Congress and the executive branch, as well as from the courts. The earlier sections focus more on Congress and the presidency than on the courts; the later ones reverse the priority. His service in the Clinton administration helps Powell in insisting on the importance of constitutional argument in

1 Philip Bobbitt, Constitutional Fate: Theory of the Constitution (New York, 1982).