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Book Notes: America's Constitutional Soul. by Harvey C. Mansfield, Jr.

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federal appropriations have closely tracked the preferences of the majority party in Congress (even when that party had only a slim majority). The appropriations committees have not exercised a major independent influence on the size or allocation of spending, in part because their memberships have been chosen in a way that reflects the balance of power within the party as a whole. Moreover, the executive branch has not been successful in achieving budgetary independence from Congress, as the delegation hypothesis might suggest.

Apart from the significance of its overall thesis, the book also offers some interesting vignettes. We learn, for example, that in the 1920s, the head of what is now OMB allowed employees to have only one pencil at a time; they had to turn in the old stub before receiving a replacement. Also, on a point pertinent to the current debate over methods of statutory interpretation, we learn that the Congressional Record falls behind late in the session, so that members lack access to the text of bills and must vote on the basis of the explanations given by the floor manager.

Too much discussion of the legislature, both by legal scholars and political scientists, is based on stereotypes about congressional functioning. This book is a welcome departure.

D.A.F.

AMERICA'S CONSTITUTIONAL SOUL. By Harvey C. Mansfield, Jr. The John Hopkins University Press: Baltimore. 1991. Pp. xi, 236. \$25.95.

In this collection of essays Harvey C. Mansfield seeks to provide a constitutional argument for the study of American politics as it exists today. While Mansfield's arguments are subject to dispute, *America's Constitutional Soul* offers an interesting perspective on the problems which plague American politics, government, and society today. An admitted political "conservative," Mansfield offers critiques of both "left" and "right" in this book, but at the same time espouses "conservative" values in his interpretation of constitutional form. Irrespective of this, however, the book presents "food for thought" for both "left" and "right," and in particular for the American citizens about whom this book is concerned.

Mansfield's theory for understanding American politics is based on the Constitution's form and purpose. Mansfield argues that the adoption of the Constitution was an experiment in republi-

can government different from any republican government which had existed previously. The Constitution, then, as originally conceived was based on a theory of political science, and not on a previous experience with a successful form of government. The adoption in the Constitution of a specific form of government (as exemplified by the separation of powers) was based on the perceived necessity to check the problem existing in previous republican governments: the will of a temporary majority controlling government. From the beginning of the United States, then, Americans have been a Constitutional people governed by this institutional political science. Mansfield, however, argues that America has recently departed from the form of government as outlined in the Constitution, and that government is now perceived as a means to get what one wants, rather than as a form to secure the rights of all.

Mansfield argues that in modern times the American people have been encapsulated in the view that their rights under the Constitution are entitlements. He views this change as harmful to the American people because it creates dependency on government, leading them to view government as a means to achieve self-interested goals, instead of as an institution to achieve "the cool and deliberate sense of the community."

The result is a loss of initiative and respect for government by the American people, and thus the loss of interest in political participation. Mansfield's central goal, then, is to offer an explanation for the departure of Americans from active political participation, which he believes is the result of the development of the belief of the American people in entitlements rather than as rights that correspond to public duties.

Mansfield begins his argument in support of this view by criticizing the political science profession for promoting the belief in entitlements through the concept of "realism." Realism is harmful because it looks beyond form to seek the cause of behavior, when in fact "form can be a cause of behavior, not always a mask behind which the real action takes place." In his view "realism" promotes the belief that government is no more than a vehicle to take from others in the name of entitlement, rather than an instrument of self-government in which to take pride and to secure equal rights.

In Mansfield's view government does not create rights but exists to secure them. But, in modern America guaranteeing rights means guaranteeing their exercise, not the free choice of their exercise. This change in Americans' view of rights, then, has led to the demise of government, since politicians now seek to do what is popular instead of what is "good." Mansfield thus concludes that the

dependence of rights on our form of government is forgotten today by Americans, and that the political science profession promotes rather than inhibits this unworthy development.

To demonstrate his theory of constitutional form as the "cure" for American political ills, Mansfield examines and critiques contemporary conservatism, and discusses social science, affirmative action, religion, the separation of powers, the media, and the writings of Hobbes, Spinoza, Locke, and Madison and Hamilton as contained in *The Federalist*. In developing his view of constitutional form Mansfield also provides an interesting analysis of the elections of 1980, 1982, and 1984 by examining Republican Party strategy. Members of both political parties will find Mansfield's discussion useful, whether one agrees with his conclusions or not. Readers should be warned, however, that his discussion of the foregoing topics is difficult to comprehend without an understanding of his underlying theme. Nonetheless, the examples Mansfield uses provide a point to which persons of opposing views may turn to counter Mansfield's theory and lay a framework for understanding this theory.

From his underlying theory of the Constitution, and his analysis of contemporary American politics, Mansfield concludes that "[o]nly the formalism of constitutionalism gives effect to the voluntarism of democracy." In other words, for America to again become "virtuous," the rights the government secures must be seen as entailing a duty on the part of Americans to govern themselves. Mansfield argues that the Constitution provides the form, but it is for the people to act. For Mansfield it is time for political science to return to institutionalism and respect for form in order to promote citizen participation. Whatever one thinks of *America's Constitutional Soul*, its critique of American politics will certainly encourage a reexamination of the purpose of the United States Constitution.

Bradley A. Kletscher