

opinions, and of being able to avoid political information altogether and thereby avoid incidental learning by having a plethora of cable channels available via remote control, remain to be carefully studied.

Certainly the arguments of Thomas E. Mann in "Polarizing the House of Representatives: How Much Does Gerrymandering Matter?" (not much) and related comments by Gary C. Jacobson and Thomas B. Edsall (although Edsall does make a case that gerrymandering can matter at the margins) proved prescient in light of the aftermath of the 2006 congressional elections which ushered in a return to divided government.

This reviewer looks forward to the second volume of *Red and Blue Nation?* It will be interesting to see how it incorporates the results and after-effects of the 2006 elections.

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Jason L. Pierce. *Inside the Mason Court Revolution: The High Court of Australia Transformed.* Durham, NC: Carolina Academic Press, 2006. x, 334 pp. (\$50 cloth.)

Judicial review is a growth area in comparative politics. Courts around the world are looking into the arena of judicial activism to see if there is a mode of activism that suits local circumstances. As Jason Pierce shows in *Inside the Mason Court Revolution*, Australia is no exception. The industry devoted to "democratization" has no agreed position on how best to treat the politics of the judiciary. One understandable approach is to leave it to the lawyers who can often take the political heat out of the judicial review of law and policy by treating it as a technical issue of "getting the law right." While this legalist approach makes good sense in many cases of contentious litigation, it does not take us far into identifying the appropriate roles of the courts in democratic politics and government.

Enter this book, which is an ambitious attempt to draw from recent Australian experience larger international lessons relating to the political roles of superior courts in democratic systems of government. We know in a general sense that democracy values the separation of powers, so we can welcome democratic constitutions, like that of the Commonwealth of Australia dating from 1901, with formally separated powers. But we also know that formal constitutional provisions are a little like empty vessels which can contain, or be forced to contain, a wide variety (and levels) of contents. While a democratic constitution can protect the existence of a judicial branch, many interesting questions arise about how the office holders in

judicial branches approach the proper exercise of their distinctive judicial powers.

Of course, similar questions arise in relation to executive and legislative office-holders and their exercise of their own distinctive powers. But in both of these cases we are dealing with "the political branches" where the political use and abuse of their respective powers can be assessed in the context of explicitly political debates over appropriate democratic powers. Against what sorts of political standards do we assess claims of the use and abuse of judicial powers? The relevance of Pierce's fascinating book is that it provides a fresh answer to this quite fundamental question. Pierce's answer is not generated through the high road of political theory (and many comparativists will agree that we can be thankful for that), but the low but reliable road of empirical investigation: particularly, through extensive interviews with the judges themselves, complete with their remarkably astute and forceful debate over what constitutes political use and abuse of judicial powers.

The book's title refers to the fate of the Australian High Court under Chief Justice Mason (1987-1995), which provides the remarkable case of a democratic court transformed from its traditional reactive legalism into a vigorous pro-activism, all caused by internal rather than external "drivers." Whereas the introduction of bills or charters of rights have provided the cause (or is it simply the condition?) for judicial activism in many other democratic systems, such as Great Britain, Canada and New Zealand, the Australian case illustrates just how far judicial institutions can be reshaped under their own leadership, given the right chief justice. Pierce's book is very much about the judicial revolution effected by Chief Justice Mason, who is the pivotal person in the storm center that Pierce's interviewees describe. This is a book about controversial policy leadership as much as disputed judicial philosophies, in large part because of the remarkably sustained attention that the powerful legal community interviewed by Pierce grant to this singular chief justice.

Pierce's eight chapters move far beyond the interview material. The book is a model of rigorous institutional analysis of a constitutional branch of democratic government. The fact that the case study is Australian is less important than that the case deals with democratic debates over appropriate roles for superior courts. The Australian case material suits Pierce's purpose well, which is to mine a rich vein of democratic experience to highlight confusions and uncertainties held by legal and political elites over the appropriate modes of managing judicial power. Readers not familiar with Australia are provided with two fine chapters setting the Mason Court in historical context, and a later chapter nicely documenting the recent turn of the tide under the conservative Howard government to a return to judicial

restraint, which elected governments like to think is the Australian default position. Pierce quietly points to evidence that the Mason Court was not altogether out of step with Australian judicial conventions, and that democratic judges worldwide seem to have seized on the opportunities that traditional methods of judicial scrutiny provide for creative policymaking when the official policymakers are not looking.

Pierce notes that Australian political scientists have largely left the politics of the judiciary to their legal colleagues. The two exceptions he notes, Brian Galligan and Haig Patapan, are both graduates of the University of Toronto and were taught by Canadian Peter Russell and either taught or influenced by one-time Toronto faculty member, U.S. scholar Walter Berns. Pierce does what neither Galligan or Patapan have done, which is combine an impressive array of statistical information on court workload with the depth perception of extensive interviews with those on the "inside" of this legal and political revolution, as the book title puts it. The result could have been a towering mass of dry data interleaved with spicy gossip. I am impressed with Pierce's ability to tell a simple but powerful story from this assembly of quite disparate evidence.

Sometimes the clarity comes at a price. Pierce works with convenient binary sets that will not appeal to all readers: for instance, that this Australian story shows how the "orthodox judicial role" can be challenged by "a new politicized judicial role," and that the former mode is primarily about "certainty" whereas the latter is primarily about "fairness." But when he gets down to details, Pierce provides rich complexity on the many dimensions of the two role types under investigation. Information in the Appendix confirms the broad subject base used for interviews and the research logic behind this fresh study of Australia's legal elite. Only a youthful outsider would have the courage even to try to elicit elite Australian opinion about such elusive subjects as judicial power and powerful but impersonal judges. Pierce deserves many non-Australian readers.

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Mark Haugaard and Howard H. Lentner, eds. *Hegemony and Power: Consensus and Coercion in Contemporary Politics*. Lanham, MD: Lexington Books, 2006. 262 pp. (\$75.00 cloth; \$25.95 paper.)

Writers such as Noam Chomsky have recently used hegemony and empire interchangeably to note some form of dominance in relations among polities. The exploration of the origins of the concept of hegemony in Greek

thought corrects the confusion by showing how hegemony differs from empire in that it relies on consent rather than coercion for the preservation of the power of the hegemon. In fact, hegemony was taken to be a legitimate form of political dominance precisely because it serves common interests, while the corrupt alternative of empire serves only the interests of the dominating party. The larger thesis of this necessary book is that the concept of hegemony offers an expanded understanding of power in that it accounts for the generation and maintenance of dominant and subordinate positions in political relationships without reference to the forms of power—both "hard" and "soft"—that function by the explicit application of incentives and disincentives by one actor upon another.

However, the authors in this volume follow Gramsci in breaking the connection between consent and the service of collective interests. For them, as for Gramsci, it is taken for granted that a hegemon—such as the bourgeoisie—may rule subordinate groups—such as the proletariat—by consent rather than coercion while objectively failing to serve the interests of the consenting subordinates. Benedetto Fonatan's development of Gramsci's thought makes it clear that he offered hegemony as an explanation for the failure of the proletariat to engage in a program of radical political transformation on behalf of its own interests given that the application of traditional forms of coercion—violence and material deprivation—were evidently inadequate to keep the proletariat repressed and docile. Hegemony—the moral, intellectual, and cultural leadership of a political actor over others—explains the subordinate groups' consent and active participation in a system of political relationships that disadvantages them and fails to serve their best interests.

To account for this phenomenon, Gramsci extends the concept of ideology to include the educational activities of the modern state and the general ways in which language structures reality. Thus, a subordinate group may support their own domination because they believe it to be natural and/or legitimate. This linguistic turn makes Gramsci's concept of hegemony particularly amenable to those in this compilation who draw on insights from Wittgenstein, Derrida, Foucault and other poststructuralist philosophers.

However, as Philip G. Cerny makes clear, the concept hegemony in the literature on international relations, building on Mancur Olson's work, describes the hegemon as that actor that finds itself willing and able to assume the cost of providing public goods in a system in which no other actors are so willing and able. This, it would seem, is an adequate explanation for the general consent to a system that generates relational disparities in power and autonomy because, while it may advantage the hegemon to a greater extent than it does the subordinates, it also creates enough absolute advantage for all members that they are all better off in a hegemonic system