

November 2006

Book Review: The Shadowlands of Conduct: Ethics and State Politics by Beth A. Rosenson

Philip H. Jos

Follow this and additional works at: <https://digitalcommons.coastal.edu/jops>



Part of the [Political Science Commons](#)

Recommended Citation

Jos, Philip H. (2006) "Book Review: The Shadowlands of Conduct: Ethics and State Politics by Beth A. Rosenson," *Journal of Political Science*: Vol. 34 : No. 1 , Article 7.

Available at: <https://digitalcommons.coastal.edu/jops/vol34/iss1/7>

This Book Review is brought to you for free and open access by the Politics at CCU Digital Commons. It has been accepted for inclusion in Journal of Political Science by an authorized editor of CCU Digital Commons. For more information, please contact commons@coastal.edu.

questions are difficult to address owing to limitations in the data or methodology.

Also, the conceptual definition of soft news could use more precision. The author includes traditional exposes like *Inside Edition* and *Sixty Minutes* with more humorous soft news outlets like *the Daily Show* and *the Tonight Show*. I would expect them to convey their information differently based on their framing – human interest and tragedy for the former, satire and humor for the latter. That said, this is perhaps more a suggestion for future research than a critique of this work.

Baum's study is an important work for both academics and practitioners of public policy. The rise of soft news is recent and its implications are just recently available for research. Also, as candidates for political office continue to appear on these outlets to humanize their image with the voters (e.g., Bill Clinton playing the saxophone on the *Arsenio Hall Show*), this venue is having a real impact on modern politics. Hence, this book elucidates an important, yet under-studied, trend in the modern media and how it can influence public opinion.

Jonathan Smith
Presbyterian College

Beth A. Rosenson, *The Shadowlands of Conduct: Ethics and State Politics* (Georgetown University Press, 2004). 256 pp.

Beth A. Rosenson has provided a clearly written analysis of the factors that influence whether or not state legislatures will enact ethics laws, how restrictive these laws will be, and the extent to which enforcement mechanisms are put into place.

Using both case studies of particular reform efforts and regression analysis to explore a wide range of explanatory variables, the author creatively, and often successfully, addresses difficult measurement issues. Detailed appendices present her data and analysis in ways that undergraduate students, or those with an aversion to quantitative techniques, can rather easily follow.

The text itself is well organized, if somewhat repetitive. While some may prefer the direct and rather Spartan style of reporting the results, the decision to confine most of the discussion of theoretical and research implications to a rather brief final chapter is unfortunate. The result is that the body of the work is a somewhat less interesting read than it might have been and the implications of the findings are not always fully developed. For example, the author finds evidence of "policy diffusion," in particular that states are more likely to enact ethics reform if neighboring states have done so, but it isn't clear why this might be the case. Rosenson suggests analogies to the diffusion of lotteries and tax policy but the underlying dynamic of mobile constituencies seeking advantages in neighboring states seems lacking in the case of ethics policy.

Nonetheless, Professor Rosenson gives us an empirical foundation for exploring a number of theoretical and practical issues. Interestingly, party competition, long thought to provide a strong political incentive to reveal wrongdoing by the political opposition and gain electoral advantage by promoting reform rarely emerges as important. The author concludes that "party competition neither facilitated nor hindered the passage of new ethics laws" (p. 145). Apparently, no one aside from Common Cause, and similar groups, want to discuss issues of corruption and conflicts of interest unless they absolutely have to.

Indeed, Rosenson consistently confirms the presence of public scandal as far and away the most important factor in explaining why legislators would regulate themselves. In addition, most of the other factors—including the impact of public interest groups—are made possible only when scandal provides an opening. Rosenson rightly documents that scandal does not always produce the resources and statutory provisions needed to ensure effective enforcement. Her thorough analysis of independent ethics commissions finds that only 22 states have commissions whose jurisdictions include the legislature and she regards only 10 of these as relatively strong commissions. Many states give the legislature itself appointment powers and limit the commission in other ways, for example, by denying the power to subpoena records and witnesses. Rosenson concludes that legislators will do only what they believe is required to reduce the risk that their electoral fortunes will be harmed by scandal. Otherwise they seek to retain their individual power, protect their ability to earn outside revenue, and control the process by which they discipline their own.

Rosenson is on solid ground in counseling vigilance, and worrying about the erosion of effective ethics law, particularly as scandals recede into a state's past. The problem, however, is potentially far worse. By the end of Rosenson's book it is clear that the key to reform action is the perception on the part of legislators that their political careers will suffer if they fail to respond to scandal. Only if they perceive a public sufficiently disgruntled to vote for another candidate will ethics reform compete with more substantive issues. There are two related problems that make this an increasingly fragile foundation for ethics reform and enforcement.

First, as Rosenson's case histories show again and again, the media's willingness to expose wrongdoing is essential, and there

seems to be broad agreement among scholars and political activists that the incentive and resources to do this are in sharp decline. As Rosenson acknowledges, all the cases of significant reform success come from areas served by newspapers (such as *The New York Times*, *The Los Angeles Times*, and *The Boston Globe*) with resources that few other media outlets possess.

Second, it isn't clear that the idea of paying the price for political scandal will continue to appear plausible to elected officials. In many ways the "shocking" revelations of corruption in earlier decades read like dispatches from another era. In an age where scandal is a marketing strategy for catapulting party-going heiresses into international celebrities and where anything less than political cynicism about government officials is widely seen as the mark of a dupe, it is worth considering whether the public will continue to pay enough attention to corruption and conflict of interest to worry legislators.

As Mark Danner has observed, the post-Watergate scandal narrative—revelation of wrongdoing, investigation, punishment—appears to have ended on September 11, 2001. "With the scandals over weapons of mass destruction and Abu Ghraib, we are stuck at step one. We have had the revelation; we know about the wrongdoing. What we don't have is any clear admission of—or adjudication of—guilt, such as a serious congressional or judicial investigation would give us, or any punishment. Those high officials responsible are still in office. Indeed, not only have they received no punishment; many have been promoted" (*New York Review of Books*, June 23, 2005, pp. 53-54).

On a more positive note, perhaps the end of this dynamic is limited to the nation's capital. As Rosenson observes, with all their many flaws and shortcomings, state ethics legislation has often preceded federal reform and often contained more

extensive and restrictive provisions. Professor Rosenson has made a solid contribution to understanding why and when they have done so.

Philip H. Jos
College of Charleston

Anne-Marie Slaughter, *A New World Order* (Princeton University Press, 2005). 368 pp. \$29.95

Arguments continue about the status of international order after the Cold War including whether some kind of post-Cold War order is emerging or whether this is a prolonged transition period in international affairs. This important book claims that there is already a new world order involving considerable global governance, and that this incipient order could be strengthened to mutual benefit by building on existing governmental networks.

The Introduction to the book argues that the contemporary state has been disaggregated but not necessarily weakened by globalization, since new networks of international collaboration have emerged with governments in the leadership position. Chapters 1-3 are case studies of different kinds of international governmental networks. Chapter 1 traces the emergence of collaborative networks for management of specific areas of the global economy, Chapter 2 examines the emergence of a global legal system, and Chapter 3 assesses national, regional and global collaboration between legislators. Subsequent chapters elaborate how existing collaboration could be strengthened to adapt to the disaggregated nature of the world order (Chapter 4) in ways that are at once effective (Chapter 5) and just (Chapter