

draws from the debate at Oxford Student Union to map the breadth and depth of his thinking.

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The Contested Removal Power, 1789–2010 by J. David Alvis, Jeremy D. Bailey, and F. Flagg Taylor IV. Lawrence, University Press of Kansas, 2013. 264 pp. \$34.95.

The removal power has loomed large in every expansion of national administrative capacity since the First Congress. Written in 1923 amidst a burgeoning administrative state, Charles Thach's seminal work, *The Creation of the Presidency*, thus concluded with an incisive analysis of the "decision of 1789," treating presidential control of administration as the consummation of the Framers' new constitutional order. Ninety years later, the robust congressional debate with which Thach concluded is the point of departure for J. David Alvis, Jeremy D. Bailey, and F. Flagg Taylor's *The Contested Removal Power*, a penetrating account of the developmental pathway from the First Congress to the John Roberts Court.

The debate in the First Congress on the removal of cabinet officers famously culminated in a victory for proponents of executive power, who construed the Article II vesting clause as a general grant of discretion to the president and emphasized the responsibility that inhered in a unitary republican executive. By contrast, congressional delegation theorists construed the Article I necessary and proper clause as a conferral of legislative discretion to structure executive offices, including duration and means of removal. Occupying a sort of midpoint between executive independence and legislative supremacy, advise-and-consent theorists argued that the Senate's involvement in removals was implied by its involvement in appointments, and followed Alexander Hamilton in stressing the need for steady administration.

Only executive power and congressional delegation now remain tenable, but neither has come down unaltered. Presidents Thomas Jefferson and Andrew Jackson tightened the nexus between administration and electoral accountability, moving from "responsible" to "representative" administration. Jackson went further, embracing a textually grounded account of implied powers and provoking an emphatic response from the Whig opposition. Advise-and-consent, with its Hamiltonian moorings, fell by the wayside in preference for congressional delegation, which conferred a patronage benefit on the House and Senate alike. Thus, at the height of the Jacksonian era, the question was not whether administration ought to be politically

accountable, but whether the presidency or Congress would serve as the electoral conduit.

In theory, the advent of independent regulatory bodies represented another shift—an attempt to put congressional delegation in the service of Hamiltonian steady administration. But in practice, independent commissions were a means of expanding federal legislative capacity without augmenting executive discretion. Congress sought not so much to secure administrative expertise as to obstruct presidential control. The remainder of the twentieth century has seen a corresponding defense of executive removal manifested in the growing jurisprudential influence of unitary executive theory.

In a laudable effort to remain above the fray, the authors disclaim any effort to settle the removal controversy, even concluding that no coherent middle ground exists between the unitary executive and congressional delegation positions. Yet their narrative suggests otherwise. Congressional delegation has lost its teeth; the legislative supremacy that Whigs pined for is a dead letter. At the same time, the Roberts Court majority that embraced unitary executive theory in the *PCAOB* case evinced no intention of dismantling administrative independence, even going so far as to reaffirm *Humphrey's Executor*. The controversy has shifted decisively away from the validity of presidential removal and toward the narrower factual question of how to identify principal executive officers.

But this is quibbling. *The Contested Removal Power* deserves high praise. Alvis, Bailey, and Taylor successfully marry constitutional analysis and historical institutionalism, a model worthy of emulation. Implicit in such an interdisciplinary analysis is the assumption that constitutional decisions are at once contingent upon a host of contextual factors and yet guided by durable commitments to constitutional forms and principles. The result is a study that will prove useful, if not indispensable, to historians, lawyers, and political scientists alike.

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Coming of Political Age: American Schools and the Civic Development of Immigrant Youth by Rebecca M. Callahan and Chandra Muller. New York, Russell Sage Foundation, 2013. 186 pp. \$27.50.

In this insightful study, Rebecca M. Callahan and Chandra Muller show the importance of the national educational system of the United States in the social and civic integration of children of immigrants—one of the fastest-

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