explains the likelihood of particular kinds of collective actions according to structurally determined openings and people's perceptions of possibilities.

Chapter 3 addresses what the authors label "boundary-spanning claims," which are claims that fill a conceptual continuum between routine forms of rule-governed engagement by citizens with officials and outbursts beyond institutionalized modes of expression that encourage confrontation and violence. Boundary-spanning claims test the gray area between the permissible, tacitly acceptable and the explicitly disallowed. Researchers can gain further insight into what counts as political participation and what is labeled resistance by tracking activities that fall into this arena of boundary-spanning claims. Chapter 4 considers how forms of contention have changed in rural China, suggesting that people's willingness to engage in confrontations with local-level officials in the hopes of negotiating their demands, rather than relying on appeals to higher levels of government, represents an escalation of techniques. With a sense of how acts of rightful resistance begin and how they have been changing in contemporary China, Chapter 5 engages the conceptually challenging issue of assessing outcomes of these actions; outcomes include those for activists, onlookers, and different levels of government. Moreover, they can be either direct or indirect, the latter being harder to observe and measure. Chapter 6 concludes the study by drawing implications for how we should think about citizenship and the possibilities of political change in China; the authors see citizenship more as a claim to membership in a community than as negative freedoms with respect to the state (p. 122).

The authors identify "rightful resistance" as a particular kind of public and collective challenge to authority, one that does not need any well-organized group required for social movements because actions of rightful resistance are more episodic than sustained.

They view their actors as engaged in what Charles Tilly has called "contentious conversation" and James Scott has called "critique within hegemony" (pp. 4–5). They make comparisons with protests against apartheid in South Africa, protests in state socialist regimes, and protests in the United States, like the pay equity campaign (pp. 15–22). The vocabulary of their analysis draws on the categories that Tilly began to develop in the 1970s, in works such as *From Mobilization to Revolution* (1978). Actors consider their "opportunities," and their "mobilization" depends on their perceptions of openings of the moment and the kinds of more structured opportunities that exist more generally. Their work therefore stresses the interests of actors and their abilities to make claims that some authorities, either local or at a higher level, are likely to acknowledge in some way or another. Rightful resistance achieves its results through nonviolent coercion, undermining authorities of legitimacy and restricting their access to the resources they need to rule (p. 61); the conceptualization here draws on Kurt Schock's work, *Unarmed Insurrections: People Power Movements in Nondemocracies* (2005).

Like many authors of works on social protest, O'Brien and Li tend to select their cases according to the value of the dependent variables, that is, those outcomes of rightful resistance involving some accommodation from authorities. Indeed, this kind of focus is necessary for them to trace the transformation of boundary-spanning claims and escalating demands that give rightful resistance a visible dynamic of change. They recognize that there are issues of regional variation, as well as empirical uncertainties about the typicality of the outcomes they have selected for, irrespective of spatial variations—these unknowns suggest that we should exercise a measure of caution in generalizing from their analysis. At the same time, scholars will want to think more carefully about their finding that Chinese claims for citizenship involve more community membership than do negative freedoms from a central state, since the possible relationships among community and state in defining citizenship and democracy are basic to an understanding of the nature of polities.

In just 130 pages, O'Brien and Li lead readers through a wide array of evidence to illustrate the plausibility of their arguments about a category of political engagement that lies between the normal forms of participation typical in democracies and the more extraordinary forms of massive contention represented by social movements and large-scale protests. Their work fits within recent trends in the study of collective action, especially as developed by Tilly in collaboration with Sidney Tarrow and Doug McAdam, as exemplified in their 2001 publication, *Dynamics of Contention.* At the same time, the book makes its own more general theoretical and methodological contributions, including the important argument that we can understand "rightful" acts of political participation and resistance without expecting them to lead to democratic government in any simple or necessary way.

**Runaway State-Building: Patronage Politics and Democratic Development.** By Conor O'Dwyer. Baltimore: The Johns Hopkins University Press, 2006. 278p. $49.95.

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— Karen Dawisha, *Miami University*

This first book by Conor O'Dwyer adds to a growing and impressive collection of works on state building in post-communist countries. In it he seeks to explain the *variation* in the growth of large patronage networks in state administrations in three central European countries—Poland, the Czech Republic, and Slovakia. In doing so, he looks to the relationship between the establishment of strong party systems and the ability of states to withstand the emergence of extensive patronage networks. Specifically, he posits (p. 13) that "the magnitude and character of administrative expansion is determined by the capacity of party competition to constrain patronage." He concludes that taking all considerations into account, it is the presence or absence of a strongly competitive party system that most clearly explains the sleek state administrative structures in the Czech Republic and the bloated bureaucracy in Poland and Slovakia. The failure of these two countries, whose leaders had so keenly sought to dismantle the communist nomenklatura system, to gain control of what O'Dwyer calls "runaway state-building" is richly detailed and persuasively argued in this excellent book.

O'Dwyer takes up where Martin Shefter (*Political Parties and the State: The American Historical Experience,* 1994) and Leon Epstein (*Political Parties in Western Democracies,* 1967) left off. Both believed that if party building preceded the establishment of state building, the consolidation of a neutral civil service would be almost impossible. But O'Dwyer shows how sequencing explanations alone are insufficient for explaining the variation in state building. Rather, the form of party competition is also key to understanding whether uncontrolled patronage-led state building will emerge.

In Chapter 2, the author sets out the main argument (p. 35) that "robust and institutionalized party competition is critical if new democracies with unconsolidated states are to constrain patronage politics and avoid runaway state-building." He sees three types of party competition: dominant-party systems (Slovakia), in which one party dominates and the rest are weak; weak-governance systems (Poland), in which both government and opposition parties are weak, fragmented, and underinstitutionalized; and responsible-party systems (Czech Republic), in which both government and opposition parties are strong and well organized. He explores the differences among these three countries' party systems on the basis of several dimensions, including party dominance, using vote differentials; number of effective parties, using Markku Laakso and Rein Taagepera's index of effective parties ("Effective Number of Parties: A Measure with Application to West Europe," *Comparative Political Studies* 12 [no. 1, 1979]: 3–27); electoral volatility, using volatility measures of fluctuation of parties' vote shares from one election to another; *party* system closure, using Peter Mair's composite index (*Party System Change,* 1997); and internal party organization, using a variety of measures including centralization, leadership, program, and internal homogeneity.

In Chapter 3, O'Dwyer sets out very interesting data from interviews and other sources for these three countries. In Poland, for example, the leader of the Solidarity trade union, Marian Krzaklewski, promised during the 1997 parliamentary elections that four thousand of his supporters would receive state jobs if elected. But because of Poland's weak governance system, Solidarity was unable to dismiss four thousand of the previous government's supporters, and so simply made a net addition to the bureaucracy's size. By contrast, in Slovakia, where patronage also dominated the state bureaucracy, the HZDS (Movement for a Democratic Slovakia) was able to make sweeping personnel changes as it came to power, and in doing so minimized the bloating of the state apparatus. The growth in the size of the Czech Republic's civil service was smallest, increasing by only 16% up to 2000, as compared to 85% in Slovakia and an astonishing 137% in Poland. Concomitantly, interview responses showed that 84% of Czech administrative personnel felt secure from inappropriate pressure from political parties, compared to only 21% in Poland and 11% in Slovakia (p. 82). Admittedly, O'Dwyer's sample size for his survey was rather small, but the results are very suggestive nonetheless.

Chapters 4 to 6 provide case studies of how patronage politics emerged in regional governments, local governments, and welfare ministries. There is also a smaller case study in Chapter 3 on the respective ministries of foreign affairs. This section could well have been expanded into its own chapter (or a future article), given the microdetail that the author obviously gained in the process of collecting data. He paints a picture of life in these ministries at the beginning of the postcommunist period, with three wholly disparate groups jockeying for power inside each of the ministries—the old Soviet-era apparatchiks, the young graduates with diplomas from Western countries in foreign affairs and diplomacy, and friends of the new power elite. In the Czech republic, the apparatchiks were gradually cleared out by strict lustration rules, and by 1996 there existed a strict written code setting out the rules for entry into the ministry. Such a rule book had failed to materialize in Poland or Slovakia by 2000, where policy even in the most sensitive areas, like European Union accession, was driven by what O'Dwyer describes as "multiple, localized, and uncoordinated intervention in the state administration by the many members of the governing coalition" (p. 98). He details how, in Poland, the Solidarity-led coalition government set up parallel to the Ministry of Foreign Affairs a Department for European Integration, headed by an anti-European political appointee, and then thwarted the efforts of any experts to move EU accession forward, the result of which was that Poland failed to qualify for a significant amount of monetary assistance from the EU.

O'Dwyer's book provides an important and useful antidote to all the literature on EU accession because it shows the power of local political interests, when deeply embedded within the state, to deflect and shape external pressures. His chapter on regional politics also suggests that while EU pressures might increase efficiency over time, EU aid might just as easily provide an economic incentive for stagnation and clientalism. It also bears examining by those in comparative politics interested in the debate about whether multiparty or majoritarian systems produce better representation and better governance over time. O'Dwyer enters this debate between the proponents of Arend Lijphart (*Patterns of Democracy,* 1999) and G. Bingham Powell (*Elections as Instruments of Democracy:Majoritarian and Proportional Visions,* 2000) on the side of Powell, insofar as he sees the need to distinguish between advanced industrial democracies and emerging democracies, in which weak states in a multiparty system become captive to patronage politics, and in the process delegitimize the entire democratic project.

It will be another decade before we see the cumulative effect of these changes on state building. Will Poland and Slovakia be reined in by EU or popular pressures? It is too soon to tell, but O'Dwyer's excellent book is surely strong enough to warrant a sequel.

**Borrowing Constitutional Designs: Constitutional Law in Weimar Germany and the French Fifth Republic.** By Cindy Skach. Princeton: Princeton University Press, 2005. 151p. $29.95.

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— Peer Zumbansen, *York University*

Comparative constitutionalism reigns high on the current academic agenda. Political scientists and legal scholars alike have been displaying a heightened interest in the comparative study of political organization through an analysis of constitutional structures and principles. As such, comparative studies of constitutional law open many new doors and raise new questions. As a result, any new contribution to this fast-growing field will certainly be measured by the degree to which its author can move the analysis along and, importantly, by how much this scholarly enterprise is undertaken and carried out with the awareness of the larger context of comparative constitutionalism.

Cindy Skach's comparative study of French and German constitutional law under the Fifth Republic (since 1958) and in Weimar (1919–33), respectively, appears some 15 years after the collapse of communism. This period began in 1989 and has since been marked by a continued frenzy in conceptualizing, drafting, and imagining constitutional design, unfolding in a transnational dialogue with many voices, viewpoints, experiences, and proposals. The post–Cold War experience is, to be sure, not the only one that casts a shadow or provides inspiration for such a project. At the same time, constitutionalism takes first place in the to-do lists of contemporary policy and legal knowledge advisors in so-called "failed" states, whether as a result of internally brought-about political change (the Czech Republic) or following external military and political intervention (Iraq). Constitutionalism as an essential part of "transitional justice" (Ruti Teitel) itself has, of course, a much longer heritage.

Here, particular national and regional histories and experiences shape the legal and political imagination, where we find allusions to "*L'Année Zero*" (France, Germany 1945), "universalism vs. positivism" (the famous Radbruch Thesis of 1946), or "retroactive justice" versus reconciliation (South Africa's Truth and Reconciliation Commission and Rwanda's Gacaca Courts). Constitutionalism has at least two other important applicatory contexts today, one being the contestations around the constitutional character of the World Trade Organization and the other the ongoing European search for a constitution for the (European) Union. Taken together, these examples underline the degree to which constitutionalism has become a significantly transnationalized area of legal and political imagination. Whether we are concerned with constitutional judges' global dialogues, informally exchanging views and opinions, or courts citing other countries' courts' opinions, or, more generally and even more indirectly, foreign constitutional principles or rules inspiring and informing domestic constitutional change (e.g., the introduction of parliamentary hearings for Supreme Court candidates in Canada), one thing is becoming increasingly clear: Comparative constitutionalism has long taken a prominent place within comparative law and law and development studies, thus unfolding as an increasingly lively and influential field. The latter is particularly important as regards the claims of substate groups and peoples for self-determination and politico-legal autonomy, which themselves build on and feed back into discussions of "peoples' rights," group rights, and groups' self-determination.

Skach's book brings together findings from a research project that she carried out in the United States, France, Germany, and the UK over more than a decade. Its focus is the particular constitutional structure of semi-presidentialism, which the book analyses in particular with regard to the cases of the Weimar Constitution of 1919 and the Constitution of the Fifth French Republic, inaugurated in 1958. Semi-presidentialism is characterized by a unique combination of "elements of pure presidentialism and pure parliamentarism in one type" (p. 1). For Skach, these constitutional regimes serve, as we are about to discover, as strong reminders of "how not to do it" when it comes to devising a constitutional democracy. This, however, would only be the half-truth, as in fact she does see the French model in a comparatively more favorable light than its German, historically earlier counterpart.

Providing a comprehensive study of these two examples in detail, Skach points to the highly problematic tension