

POLITICS & GOVERNMENT

George Bush and the Rain God

THE SOURCE: "The Republicans Should Pray for Rain: Weather, Turnout, and Voting in U.S. Presidential Elections" by Brad T. Gomez, Thomas G. Hansford, and George A. Krause, in *The Journal of Politics*, Aug. 2007.

SOME POLITICAL BROMIDES ARE actually true. Rain really does help Republicans. Snow does too. A survey of the weather in 3,000 counties on every presidential election day from 1948 to 2000 showed a strong correlation between unusual precipitation and the performance of the Republican presidential candidate. For each inch of rain above the norm, the GOP's nominee got an extra 2.5 percentage points of the vote; for each corresponding inch of snow, 0.6.

The Republicans, explain Brad T. Gomez, Thomas G. Hansford, and George A. Krause, political scientists at the University of Georgia, University of California, Merced, and the University of Pittsburgh, respectively, have more "core" voters, who tend to turn out like postmen, despite rain, snow, sleet, and hail. According to conventional theories, Democrats draw greater numbers of "peripheral" voters, who are more likely to stay home when it snows or pours.

The weather may have altered Electoral College totals, the authors write, but in most contests

between 1948 and 2000, the outcome was so lopsided that it wouldn't have made any difference. In 1960 and 2000, however, sunshine and raindrops may have dictated the outcome. The 1960 election, in which John F. Kennedy defeated Richard M. Nixon by a narrow margin, might have gone the other way if the weather hadn't cooperated. Had parts of the country had rain and snow that November 8, Kennedy could well have been the loser in close contests in Delaware, Illinois, Minnesota, Missouri, New Jersey, New Mexico, and Pennsylvania, and lost the election. Instead, it was clear in New England, the South, and the West Coast, with only light rain and snowflakes in between.

In 2000, unseasonable rain sprinkled some Florida counties on election day, even as the Al Gore campaign struggled with a butterfly ballot and other snafus that cut into their totals. With only 537 votes determining the

A little rain or snow on Election Day in 1960 probably would have cost John F. Kennedy the presidency.

winner, even the small amounts of rain that fell on crucial precincts may have dampened the political fervor of enough peripheral voters to turn the tide.

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Janus of Jurisprudence

THE SOURCE: "The Myth of the Balanced Court" by Cass R. Sunstein, in *The American Prospect*, Sept. 2007.

THE OLDEST AND LONGEST-SERVING justice on the U.S. Supreme Court, John Paul Stevens, is considered its most liberal member. In 1980, he was the institution's middle-of-the-roader, squarely in the ideological center of the nine justices. In the intervening decades, "Stevens hasn't much changed," writes Cass R. Sunstein, a law professor at the University of Chicago. What has changed is the left wing of the court. It has vanished.

Justices Antonin Scalia and Clarence Thomas are the visionaries of today, Sunstein says. Justices William Brennan and Thurgood Marshall once looked ahead and believed that the Constitution banned the death penalty in all circumstances and created a right to education, as well as abortion. Today, Scalia and Thomas envision a nation where affirmative action laws have been wiped off the books, campaign finance restrictions have been lifted, and abortions are rare.

Justice Anthony Kennedy, nominated to the Court by President Ronald Reagan, now casts

the “swing” vote in decisions that split left from right. Considering Kennedy to be the moderate, rather than Stevens, has important consequences both for constitutional law and public debate. “People’s sense of constitutional possibilities, and of what counts as sensible or, instead, extreme and unthinkable, shifts dramatically,” according to Sunstein.

Marshall’s and Brennan’s

“clear, bold” writings against restricting the ability of citizens to bring suit in federal courts, or in favor of restrictions on campaign contributions, “pressed the Court toward moderation on those subjects.” These liberals, in their “bold” writings on controversial legal issues, were not necessarily correct, Sunstein writes. The Supreme Court is at its best when it proceeds cautiously and incrementally, with respect for the

elected branches of government. “Marshall and Brennan, no less than Scalia and Thomas, tried to use the Constitution to impose a contestable political vision on the nation.”

The preferable route is to work within established categories and to move only with great reluctance to strike down acts of elected officials, above all congressional legislation. From 1984 to 2000, the Court overruled a surprisingly

EXCERPT

Wild Detroit

This continent has not seen a transformation like Detroit’s since the last days of the Maya. The city, once the fourth largest in the country, is now so

depopulated that some stretches resemble the outlying farmland and others are altogether wild. . . . Just about a third of Detroit, some 40 square miles, has evolved past decrepitude into vacancy and prairie—an urban void nearly the size of San Francisco.

—**REBECCA SOLNIT**, author of *Storming the Gates of Paradise* and other books, in *Harper’s Magazine* (July 2007)



large number of precedents, more than 40, rejecting the law as it was understood in 1980.

What may be most remarkable about the judicial revolution, in addition to how “stunningly suc-

cessful” it has been, Sunstein says, is “that most people have not even noticed it.”

ECONOMICS, LABOR & BUSINESS

The End of Music?

THE SOURCE: “Rockonomics: The Economics of Popular Music” by Marie Connolly and Alan B. Krueger, in *The Milken Institute Review*, Third Quarter 2007.

RECORDING INDUSTRY OFFICIALS have tried legal, legislative, and technical methods to stop teenagers from downloading free music. Nothing has worked. Now performers are responding with their own economic strategies: They are taking their music on the road and boosting ticket prices. The results suggest that the music industry may be facing a deeper crisis than many imagined.

The top 35 pop artists worldwide now earn most of their money from concerts, not recordings. Paul Mc-

Cartney grossed \$64.9 million from concerts in 2002, and \$2.2 million from recordings. For Céline Dion, the figures were \$22.4 million and \$3.1 million; for Britney Spears, \$5.5 million and \$1.8 million.

“Income from touring exceeded income from record sales by a ratio of 7.5 to 1 in 2002,” write Marie Connolly, a Ph.D. candidate, and Alan B. Krueger, an economist, both of Princeton. “The top 10 percent of artists make [some] money selling records,” manager Scott Welch told the economists. “The rest go on tour.”

Since 1996, the authors write, concert ticket prices have risen 8.9 percent a year, nearly four times the over-

all inflation rate. Prices for prime seats have gone up at a notably faster rate than those for less desirable seats. But as prices have escalated, the number of concerts has dwindled. Pop stars sold some 30 million concert tickets in 2000, but only 22 million in 2003, when a quarter of all seats went unsold.

Connolly and Krueger see in the trend a deeper explanation of declining sales of recorded music: a “shift in leisure activities” away from music listening, whether the music is live or recorded. The portion of teenagers who said they had attended a rock concert in the previous year fell from 40 percent in 1976 to 31 percent in 2000. By contrast, the portion of teens who said they attended a professional sports event rose from 43 to 63 percent during the same period.

It’s not just sports that lure the young away. The Internet offers an ever-growing cornucopia of alternatives to musical entertainment. Like print media, the music industry may be feeling the effects of a change more profound than it had reckoned.



The Rolling Stones' concert performances produced 91 percent of their \$44 million gross in 2002.

ECONOMICS, LABOR & BUSINESS

Meet and Spend

THE SOURCE: “Meetings: The Biggest Money Pit of Them All” by John Buchanan, in *The Conference Board Review*, Sept.-Oct. 2007.

THE 2002 SARBANES-OXLEY accounting reform act isn’t winning any popularity contests in America’s executive suites, but it might prompt