

party loyalists if they voted their party's line 70 or 80 percent of the time.

In those good old days, a group of elite staffers known as the Democratic Study Group provided authoritative memos before each important vote listing the pros and cons of the bill. The quality of these reports was so high that even some Republicans subscribed.

Members from both sides of the aisle would often interact socially outside work. They brought their families to live with them in Washington, D.C. Few representatives were members of what O'Neill called the "Tuesday-Thursday Club"—those who went to their districts over the weekend to see their families and constituents.

All this changed in the 1990s under the leadership of Newt Gingrich (R-Ga.), Cooper says. Gingrich centralized power in the office of the Speaker and politicized the position. Committee chairs, powerful under O'Neill, were "emasculated, their authority redirected to the Speaker." Gingrich told incoming Republican members not to move their families to town; he wanted everyone home campaigning on weekends. "Soon everyone belonged to the Tuesday-Thursday Club. Members became strangers, the easier for them to fight." The Democratic Study Group ceased to exist.

When Democrats recaptured the House in 2006, they "quietly adopted" the changes. Freshman Democrats knew no other way. "The truth is that the [Gingrich] model works . . . if you are only interested in partisan control of Congress."

Cooper agrees that two pet causes of reformers—limiting gerrymandering and restricting corporate political spending—would help, but deeper reform is needed. He calls for changing how members of Congress are paid—tying their compensation to performance. He recommends paying members a commission for cutting spending or repealing obsolete laws. The details of such a proposal would be contentious, but "surely there's a way to measure and reward high-quality legislative work."

Congress has gone through other periods of decline and has always bounced back. But this time is different because, as the world's only superpower, the United States has less room for error, Cooper says.

POLITICS & GOVERNMENT

No Small Wonder

THE SOURCE: "Making Our Democracy Work: The Yale Lectures" by Stephen Breyer, in *The Yale Law Journal*, June 2011.

JUDICIAL REVIEW—THE DOCTRINE that gives the Supreme Court the power to invalidate unconstitutional laws and actions—may seem like a natural, common feature of a system of divided government. It's anything but, writes Justice Stephen Breyer. Despite widespread distrust of government, Americans accept and respect the dicta of the Supreme Court. Breyer calls this attitude "a treasure."

Perhaps the most remarkable example of the Court's standing is Americans' reaction to the 2000 decision in *Bush v. Gore*, which stopped a recount of votes that had been ordered in Florida by the state's su-

preme court. That decision in effect gave George W. Bush the presidency. Breyer writes, "Despite the strong opposition to the decision, and despite the fact that it might well have been wrong, Americans did not riot in the streets, they did not resort to violence, they reacted peacefully and then followed the Court." Breyer acknowledges that many may wish that people had protested more, perhaps even violently. To them he responds, "I would ask you to turn on the television and look at what happens in countries that solve their problems through violence. Three hundred million Americans have decided to resolve their differences under law instead—even though courts can decide in ways that are unpopular and even though courts may be wrong when they do so."

Breyer says that judges from around the world ask him, "What is the secret?" Unfortunately, there isn't one. What lie behind the authority of the Supreme Court are 200 years of battles over race, slavery, Native Americans, taxation, and other issues. Judicial review was not finally solidified in America through flawless legal reasoning or eloquent judicial opinions, but because in the middle of the 20th century, President Dwight D. Eisenhower was willing to send troops to Little Rock, Arkansas, to enforce the Court's 1955 order to desegregate the schools, knowing that if he didn't, "rule of law itself was at stake."

Just because judicial review today seems enduring, judges should not take it for granted, Breyer warns. In order to preserve this power, judges should follow a judicial philosophy that will "build confidence in the

courts” by “bring[ing] about decisions that work better for Americans.” He recommends judicial prag-

matism, which is premised on a notion of common values and seeks to make legal interpretations that are

purpose based, taking into account how government actually works, not just the words that are on the books.

ECONOMICS, LABOR & BUSINESS

Comparing the Tippy Tops

THE SOURCE: “Top Incomes in the Long Run of History” by Anthony B. Atkinson, Thomas Piketty, and Emmanuel Saez, in *Journal of Economic Literature*, March 2011.

THE EBB AND FLOW OF INCOME inequality over the last century is a well-examined feature of the U.S. economy. How the American experience fits in with the global picture is another matter. New research by economists Anthony B. Atkinson of Oxford University, Thomas Piketty of the Paris School of Economics, and Emmanuel Saez of the University of California, Berkeley, pulls together data on income inequality in more than 20 countries, in some cases as far back as World War I. The authors find that for the first half of the 20th century, countries generally followed similar paths, but in more recent years their trajectories have diverged.

Before mid-century, most countries experienced a general

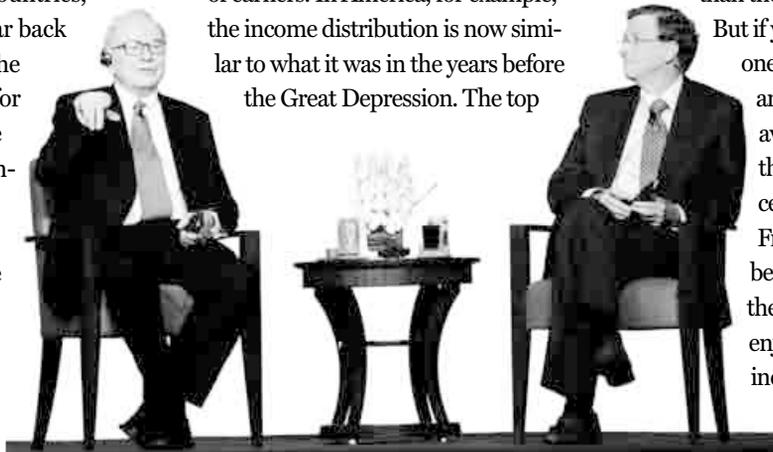
reduction in income disparities, with the super-rich claiming a shrinking percentage of total income. The cause? The two world wars and the Great Depression. Wars in particular are powerful levelers, as capital—both physical and financial—is destroyed, wages and employment drop, and some countries lose territory. But even countries that did not fight in the wars experienced a decline in the concentration of income.

In recent decades, however, the English-speaking world has seen a dramatic increase in the share of income going to the top one percent of earners. In America, for example, the income distribution is now similar to what it was in the years before the Great Depression. The top

one percent of earners more than doubled their share of income between 1976 and 2007, from nine to 24 percent. (To be in the top one percent in 2007, a family had to bring in more than \$398,900.) For the top 0.1 percent of earners, the concentration was even more extreme: They quadrupled their share, from three to 12 percent. Southern European and Nordic countries have seen a small uptick in the share of income going to the top earners, but nothing like what has occurred in English-speaking countries. France, Germany, the Netherlands, and Japan have seen very little, if any, increase in top income shares.

Atkinson and his coauthors say that examining income distribution across countries can change our picture of which countries are prospering most. For example, between 1975 and 2006, average incomes grew markedly faster in the United States than they did in France.

But if you exclude the top one percent of earners and calculate the average using “only” the bottom 99 percent in each country, France has a much better record. There, the non-super-rich enjoyed a 26 percent increase in income, while in the United States they gained only 18 percent.



Warren Buffett and Bill Gates are two well-loved members of the burgeoning billionaire class. Much of America's economic growth since World War II has been concentrated among the very rich.