Robert F. Wagner Graduate School of Public Service  
New York University  
Fall 2011

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Mondays 4:55-6:35

PADM-GP.2411.1.001 POLICY FORMATION AND POLICY ANALYSIS

Course Objectives
This is a required course in the policy specialization of the Wagner School’s MPA program in public and nonprofit management and policy. The prerequisite is successful completion of P11.1022 (Introduction to Public Policy) or its equivalent. Wagner students in other specializations and graduate students from other schools of NYU are welcome, but must have experience or coursework in the topics covered in the Wagner School’s Introduction to Public Policy.

The purpose of the course is to deepen students’ understanding of the way in which public policy and political realities interact in American government at the national, state, and local levels: how political pressures limit policy choices, how policy choices in turn reshape politics, and how policymakers can function in the interplay of competing forces. The course will focus primarily on contemporary issues, while first laying a historical predicate, which illustrates the enduring nature of the policy/politics interaction in American public life.

This theme will be explored through case studies. The first will focus on Lincoln and the issue of slavery, the second on balanced budget orthodoxy as it has played out from FDR to Obama and the 2010 election, to budget cuts and the fights over the debt ceiling. Other case studies will explore the politics of abortion and stem cell research during the governorship and presidential campaigns of Mitt Romney; the movement from Hillarycare to welfare reform to Obamacare; the aspirations and disappointments of John V. Lindsay’s time as Mayor of New York City; and, the political pressures and policy considerations that led to the war in Iraq, why presidential candidates like John Kerry and John Edwards initially supported it, why and how they shifted as the primary season developed, and how Afghanistan—for reasons of politics as much as policy—became the good war for Democrats, leading to Barack Obama’s commitment to a surge in Afghanistan, which itself has profound policy and perhaps long-term political implications.

In the final third of the course, students will be divided into teams, each of which will deal with a specific contemporary policy issue. Each team will develop recommendations in the form of a presentation to be discussed and tested by other students, the instructor, and an invited guest who is expert in both the policy and politics of the issue.
The course will seek to broaden the students’ capacity to conceptualize, strategize, and cast policy analysis in a framework that takes account of both substantive merits and political realities.

Course Requirements and Grading
Each student is required to:
1. Complete the assigned readings in advance of the class session and be prepared to contribute when called on during the discussion.
2. Participate actively in the team policy work and presentations. As in the Capstone process, team members will be expected to complete an evaluation form as part of a peer review process.
3. Complete the assigned memo and the final policy paper. Note: Late papers will only be accepted if students, for good reason, have sought an extension in advance.

The student grades will be based on:
- **Class participation** – 10%. Students are expected to participate by asking questions, or arguing their own point of view during class. Therefore pre-class preparation – specifically doing the reading – is mandatory.
- **Team policy presentation** – 30%. Students will participate in a team policy presentation on a given topic. Each team will have approximately twenty-five minutes to present and will then be questioned for twenty-five minutes by the instructor and an outside expert or political commentator. Other students in the class will also participate in the questioning. There will be two team presentations in each class that covers the topic area. Team presentations should pay close attention to a topic’s political realities as well as its policy possibilities. Teams will be assigned on the fourth week of classes (September 26). Therefore students must have submitted their top three choices by the third week of class (September 19) via email.
- **Final paper** – 35%. 10-15 pages, 1-inch margins, due December 5, except for those students involved in the California Fiscal Crisis presentation for whom the deadline will be December 12. The paper should explore the intersections between policymaking and politics on a topic of the student’s choosing. This paper is open-ended and students are encouraged to select a topic which strongly engages their interest while revealing the interplay between policymaking and politics.
- **Policy memo** – 25%. 5-7 pages double-spaced, 1 inch margins, due November 7. The memos must explore both the policy and political dimensions of the topic. Topic choices can be found on Blackboard and at the end of this syllabus

Course Readings
A course packet with all the required readings will be available at Unique Copy Center on Greene St. in late August. The following books will also be used in the course:
- Robert Shrum, *No Excuses* (Note: Professor Shrum will provide copies for the class)
- David Mixner, *Stranger Among Friends*
- Jonathan Alter, *The Promise: President Obama, Year One*
- Sam Roberts, ed., *America’s Mayor: John V. Lindsay and the Reinvention of New York*
Course Outline
(The schedule is adjusted to reflect the two classes which have been shifted from their regular scheduled times)

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Guest</th>
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<tbody>
<tr>
<td>5-Sep</td>
<td>Labor Day Holiday -- No Classes</td>
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<td>12-Sep</td>
<td>Introduction—Lincoln and Slavery: His Real View and the Limits</td>
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<td>Imposed by Political Realities</td>
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<td>19-Sep</td>
<td>“Balanced” Budgets from FDR to JFK and Nixon</td>
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<td>26-Sep</td>
<td>The 1997 Virginia Gubernatorial Election: How Politics Repealed the</td>
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<td>Car Tax Despite the Fiscal Realities</td>
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<td>3-Oct</td>
<td>No Class</td>
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<tr>
<td>10-Oct</td>
<td>Columbus Day Holiday – No Classes</td>
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<td>17-Oct</td>
<td>Civil Right or Social Wrong? Politics and Policy in the Advance of</td>
<td>David Mixner</td>
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<td>Gay Rights in America</td>
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<td>24-Oct</td>
<td>From Hillarycare to Welfare Reform to Obamacare—The Politics and</td>
<td>Jonathan Alter</td>
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<td>Policy Making of historic decisions</td>
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<td>31-Oct</td>
<td>No Class</td>
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<td>4-Nov</td>
<td>Abortion Stem Cell Research, Health Reform: The Policy</td>
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<td>Consequences of Mitt Romney’s Political Positioning, and the</td>
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<td>Political Consequences of His Policy Decisions (Makeup Class)</td>
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<td>7-Nov</td>
<td>John V. Lindsay: Liberal Dream and Urban Realities (Policy Memos Due)</td>
<td>Jay Kriegel</td>
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<td>14-Nov</td>
<td>Iraq and Afghanistan: How the 2004 and 2008 Presidential Races</td>
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<td>Reshaped Policy and Policy Outcomes Shifted Politics</td>
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<td>21-Nov</td>
<td>Bloomberg and the Third Term Jinx Presentation</td>
<td>Doug Schoen</td>
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<td>28-Nov</td>
<td>Immigration: Solution, Stalemate, and Political Fallout Presentation</td>
<td>Jefrey Pollock</td>
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<td>5-Dec</td>
<td>The Biggest State, The Biggest Fiscal Crisis Presentation (Final</td>
<td>Thomas Oliphant</td>
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<td>Papers Due)</td>
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<td>12-Dec</td>
<td>Stormy Weather: Energy Policy Beyond Cap and Trade Presentation</td>
<td>Joanne Witty</td>
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<td>14-Dec</td>
<td>The Policy and Politics of the 2012 Election Presentation</td>
<td>Mike Donilon</td>
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Course Plan
(Note: The instructor has been involved in a number of the cases that will be studied, specifically those related to Mitt Romney, the Clinton health care plan, the Clinton impeachment, the 1997 Virginia gubernatorial election, the Kerry campaign and the issue of how to handle the Iraq war.)

1. **Introduction—Lincoln and Slavery: His real view and the limits imposed by political realities (September 12)**

The interaction between policymaking and politics is as old as government itself. We will begin with an issue nearly 150 years in the past. There is substantial evidence that Lincoln always opposed slavery and wanted, as he said, to “put it on the path to extinction,” but the need for
unity in the north at the outset of the Civil War militated against any immediate action on slavery. What was the impact of Lincoln’s promise, both before he was elected and in his First Inaugural Address, not to disturb slavery where it already existed? What stratagems did Lincoln then adopt to advance the long-term purpose of abolishing slavery and to shorten the timeframe in which this could be accomplished? How did changing events—and Lincoln’s manipulation of events—lead to the Emancipation Proclamation and then the 13th amendment to the Constitution?

Required readings from the course pack:

- David Herbert Donald, Lincoln, pp. 362-376 and 395-397
- Lincoln: His Speeches and Writings, pp. 352-365
- Frederick Douglass, “Oration in Memory of Abraham Lincoln [Excerpt], April 14, 1876

2. “Balanced” Budgets from FDR to JFK and Nixon (September 19)

In 1932, in a speech in Pittsburgh, candidate Franklin Roosevelt promised to fight the Great Depression by cutting the federal budget by 25%. Instead, in the next four years his administration ran soaring deficits. As he was returning to Pittsburgh in the 1936 campaign, he asked his speechwriter, Sam Rosenman, to reconcile his record with his 1932 speech. Rosenman replied: “The only thing we can come up with is to deny you ever said it.” During this period, Roosevelt met with John Maynard Keynes, who had made the path-breaking argument for countercyclical fiscal policy; Keynes concluded that Roosevelt didn’t understand and didn’t seem interested in what he was saying. In 1937, Roosevelt, who was drawn to the prevailing wisdom of a balanced budget, proposed a budget that sharply cut the deficit and led to a steep economic downturn. He quickly returned to deficit spending without justifying the shift on any larger policy grounds.

For the generations that followed, American presidents and presidential candidates fervently professed their belief in balanced budgets and sometimes followed that belief even when it brought on or deepened recession—for example, three times under President Eisenhower. It was not until President Kennedy’s 1962 speech at Yale University rejecting “old ideas” and defending proactive fiscal stimulus that a president actually said (even if at times some had actually carried out the policy) that in downturns, deficits could be good for the economy. When Richard Nixon took office in 1969 the pressures of events prevented him from taking immediate action to balance the budget. He bounced back and forth between different fiscal policies until, in the face of a recession in 1970 and a reelection campaign in 1972, President Nixon famously and only half facetiously said: “We are all Keynesians now.”

How have presidents successfully deviated in policy terms from the rhetorical framework which continues to reinforce the notion that a balanced budget is an inherent public good? What pressures led Kennedy—and what events permitted him—to explicitly admit and argue for the desirability of countercyclical fiscal policy? Was Nixon’s economic policy—from deficit
spending to wage and price controls—purely a political response or a defensible, even essential, policy option?

President Obama entered office in the face of the largest financial crisis since the Depression. He said we could not move toward a balanced budget at that time, and instead introduced and passed the largest financial stimulus in U.S. history in February 2009. Given Obama’s politically calculated decision to violate, but not frontally challenge the balanced budget orthodoxy it is soon reasserted itself. The stimulus which averted a second Great Depression is widely seen by the public as a wasteful failure. A second stimulus - at least one explicitly labeled as such - became impossible. All this has arguably slowed the recovery and spurred demands for deep budget cuts well before economic circumstances, at least in the view of Keynesians, warrant a period of deficit reduction. Has the President pursued a politically needed—or economically misconceived—symbolic ratification of the anti-deficit orthodoxy by repeatedly endorsing cuts while attempting to moderate their depth and pace, or even counter them with the only weapon available to him after the 2012 election, the temporary extension of the Bush Tax cuts even for those at the top. This all culminated in a fateful confrontation/negotiation about raising the federal debt limit. Failing to do so could be Lehman Brothers two, sparking a financial crisis as great as or even greater than that of 2008. Did the President give up too much to avert that? What are the likely policy and political consequences of the cuts he agreed to? Did he have any other choice?

We will also consider the anti-Keynesian case - that cuts in a downturn or a time of sluggish growth actually help the economy by contributing to investor, business, and even consumer confidence. How does this answer Keynes’s central critique that the only way out of a downturn is to stimulate demand because companies don’t hire and produce because they feel good, but because there are people willing to buy their products? This debate culminated in a nearly toxic brew of policy and politics that led to the confrontation over extending the debt ceiling and then to Standard & Poor’s downgrade of US debt. Simultaneously, the deal the President and the Democrats ultimately struck with the Republicans was criticized for its potentially depressive effect on growth and for not going far enough to cut deficit and debt. Is the Keynesian era over? Given the embedded nature of popular assumptions about economics (for example, that cutting spending will create jobs), will the political process inevitably drive leaders toward austerity even in the face of possible recession? That’s what happened in the British election in 2010 – and Britain’s economy is now stalled – and it could happen here in 2012. Is there any reason to believe that the deleterious effects of such an approach, presuming it fails, will over time realign popular attitudes about the uses of deficits and economic stimulation? What implications will budget battles since 2009 have for the 2012 election and the long-term future of fiscal and economic literacy and policy making?

More generally, why did President Obama temper his rhetoric about fiscal policy instead of following the course JFK took in 1962? Why does the balanced budget have such a powerful hold on our hold on political culture (e.g., Eisenhower’s comment that the government is just like a family; it has to live within its means – a comment which Obama himself spoke almost word for word, even if he doesn’t believe it)?
Required Readings:

- John F Kennedy, *Public Papers of the Presidents 1962*, Speech at Yale University, pp. 471-472
- Lynn Turgeon, *Bastard Keynesianism*, pp. 23-26


3. **The 1997 Virginia Gubernatorial Election: How Politics Repealed the Car Tax Despite the Fiscal Realities (September 26)**

For decades, Virginia relied on an annual excise tax on the value of automobiles as major source of revenue. The campaign of the Democratic candidate, Don Beyer, first identified the building backlash against the car tax in focus groups in early 1997. But Democratic legislative leaders and policy experts strongly opposed repealing the car tax on the grounds that this was unaffordable and irresponsible. So Beyer continued to focus on what he assumed from the start would be his centerpiece issue – investment in education. But the Republicans, whose candidate appeared weak, had their own focus groups, eventually found the car tax issue, focused almost exclusively on a promise to repeal it, and handily won the election. Fiscal issues were rendered irrelevant by politics. The aftermath eventually brought fiscal crisis and tax increases under a subsequent Democratic governor, while the car tax still is not fully repealed. Now the political landscape in Virginia has been completely transformed. Mark Warner’s landslide victory over Jim Gilmore in the 2008 Virginia Senate race attests to the longstanding political ramifications of this battle.

As a policy expert, how would you weigh the substance of such an issue against the political considerations? Is there a natural temptation to discount the political risks? Was there a third way to deal with the issue – for example, to replace the car tax with a more progressive, or at least different, form of revenue? What is the role of a policymaker in such a situation – simply to make the policy arguments or to weigh them in a wider context? In a situation where policy and politics are fundamentally at odds, is it more important to be right than to be governor? Did Gilmore ultimately pay a steep political price for a promise he couldn’t keep?

**Required Readings:**

- “Gilmore Leads in Gubernatorial Race; Majority of Voters are Now Aware of His Tax Plan,” Virginia Commonwealth University, Oct. 28, 1997
In 1978, the initiative banning gay school teachers in California seemed headed for victory as part of the trend that began with a similar proposal spearheaded by former Miss America Anita Bryant in Dade County, Florida. But the initiative was soundly defeated, and one of the turning points was former Governor Ronald Reagan’s decision to oppose it. What argument persuaded Reagan to reject what many would have assumed to be his predictable position? And what does that tell policymakers about how to make their cases in apparently difficult circumstances?

In 1980, the Democratic Convention approved the first major party platform plank pledging to guarantee equality regardless of sexual orientation. In the decade that followed, the AIDS epidemic plunged the gay community into crisis. Policymakers, especially on the right, had to determine how to address this new problem. Could they support legislation funding research and prevention against a disease that disproportionately affected gay men while publicly continuing to condemn their lifestyle? For many, the simple answer was to avoid the issue entirely. Ronald Reagan, who had opposed Proposition 6 in 1978, now refused to even say the word “AIDS” in public until 1985. While the CDC studied the disease throughout the decade, widespread government action didn’t come until after 1987, when President Reagan gave his first speech about the epidemic to the Third International Conference on AIDS. How did the “moral” prejudices of legislators and their constituents affect policy towards the AIDS epidemic? What policy response would have been appropriate, and could it have been sold to the country, the Republican base, and enacted during the Reagan revolution? In light of government ambivalence, how did non-governmental organizing attempt to fight the AIDS epidemic? Is this a viable model for other types of reform?

While campaigning for president in 1992, Bill Clinton promised to reform federal policy toward gays in the military. Once in office, Clinton attempted to forge a compromise that would satisfy his campaign promise to the gay community without alienating the Joint Chiefs or social conservatives. He was determined to avoid an early loss, especially on what he considered to be a relatively insignificant issue. Thus was born “Don’t Ask Don’t Tell,” a compromise measure that angered Clinton’s liberal base while failing to assuage the ire of the right. Why did Clinton promise action on the relatively specific point of gays in the military during the campaign, instead of proposing, for instance, to end workplace discrimination? What policy should he have pursued? What was right politically? Had he acted differently, could an early loss have actually helped Clinton in this case?

In 1996 Clinton signed the Defense of Marriage Act. (In fact, there was only one Democrat running for reelection that opposed it—Massachusetts Senator John Kerry.) Was the national consensus so opposed to gay rights that it was politically impossible to oppose this bill?
By 2000, the debate over gay rights had shifted again. In April 2000, Governor Howard Dean signed a law making Vermont the first state to legalize same-sex civil unions—a symbolic compromise of nomenclature that was nevertheless the far left position at this time. How did the country react, and how did politicians attempt to position themselves in light of this new development? Is the concept of “civil unions”—still the norm among mainstream Democratic contenders—simply a form of political cover that makes their views appear more moderate? Does it make sense from a policy standpoint?

In November, 2003 the Massachusetts Supreme Court ordered the state to begin issuing marriage licenses to same-sex couples. While this was a victory for gay rights, this decision had profound consequences for the state’s junior Senator in his 2004 presidential run. As images of same-sex weddings began to appear prominently in newspapers across the country, a national debate raged over the proper definition of marriage in America. George Bush and Karl Rove exploited this development as a wedge issue to mobilize the right and turn out base voters in record numbers, one factor that allowed Bush to eke out a narrow victory in November. In this case, the policy decision of a single state had far-reaching implications for the national political debate.

While the 2008 presidential campaign largely avoided social issues, gay rights still figured prominently. California’s Proposition 8 proposed to amend the state’s constitution to reverse the recent state Supreme Court decision legalizing same-sex marriage. Arkansas considered a ballot initiative that would prohibit unmarried couples from adopting, an obvious assault on gay and lesbian couples who were unable to marry. Both initiatives ultimately passed. How were Prop 8’s opponents and supporters organized and what strategies did they employ? How is a campaign for or against a ballot initiative different than a campaign for an individual? Did the “No on Prop 8” forces make tactical mistakes that led to their defeat? How would you have organized the campaign to either promote or defeat this initiative?

What explains the relative lack of focus on social issues—especially gay marriage—in the 2008 presidential election? Is culture more powerful than politics; and despite the conventional wisdom about the 2004 election, were there culture forces then – and are there cultural forces now – that work long-term against the conservative opposition to gay rights?

While it never became a central issue, President Obama did campaign against DOMA and DADT. After he took office, the LGBT community was stunned when the Justice Department wrote a legal brief defending DOMA and comparing gay relationships to incest. Prominent LGBT activists pulled out of a Democratic Party fundraiser, and then staged an “Equality March” on Washington. In May of 2010, The Obama Administration finally decided on an attempt to push through legislation giving the President the authority to repeal DADT. The delay until then reflected a strategy to bring the military along and make it possible for members of Congress to vote for repeal because they could argue that the decision would be conditioned on the assent of the generals and the Pentagon. This was widely criticized in the gay community as too timid, too little, and too late. Gay voters who had given only 18% of their ballots to McCain in 2008, gave Republican candidates 31% of the votes in 2010. But Obama’s strategy proved out in policy if not in immediate political terms with the repeal of DADT. The bill to repeal DADT
passed in the December 2010 lame duck session of congress. Suddenly the President once again enjoyed very high levels of LGBT support.

Could the President have initially issued a “stop-loss” order under which he would cite military strength and readiness as a reason to suspend the ban—or would that have reduced the chances of ultimately changing the law? Would moving earlier on gay rights have derailed the Administration’s apparently higher priorities such as health care reform and financial reform?

Meanwhile, there have been major steps forward for proponents of same-sex marriage. In most of the polls, a majority of Americans now supports it. A federal court’s decision in California voided Proposition 8 as unconstitutional and the appellate process is now underway. The president says he is rethinking his own position on marriage -- he has favored civil unions, but not marriage itself – and the Justice Department has now announced it will not defend DOMA because it is “unconstitutional.” New York Governor Andrew Cuomo pushed through a historic measure for marriage rights in the second largest state in the union.

How have policy and politics interacted both to advance and to impede equal right for the LGBT community? What should Obama do next? How can republican candidates who want to focus on the economy deal with the demand from much of their base that give a high priority to social issues that give a high priority to “protecting” marriage? Is this a classic case where demography is both political and policy destiny since younger Americans strongly tend to favor gay rights? How will that play out in campaigns and policy making over the next decade?

Required Readings:
- David Mixner, Stranger Among Friends, pp. 144-187; 198-212; 237-241; 269-273; 283-354
- Robert Shrum, No Excuses pp. 71-3; 111-112; 229-231; 443-5
- Andrew Sullivan, “Justice Kennedy’s majority opinion and Justice Scalia’s dissent in the 2003 landmark Supreme Court decision striking down anti-sodomy laws” Same-Sex Marriage: Pro and Con, pp 106-11;
Jessica Garrison and Joanna Lin, “Mormons' Prop. 8 aid protested; Gay-rights activists criticize the church for its role in helping to pass California's ban on same-sex marriage,” *Los Angeles Times*, November 7, 2008
“DOMA Do-Over; The Justice Department gets it right this time.” *The Washington Post*, August 31, 2009

5. **From Hillarycare to Welfare Reform to Obamacare—The politics and policy making of historic decisions (October 24)**

*Guest: Jonathan Alter*

After the personal charges against Bill Clinton in the 1992 campaign, and given her own record of policy involvement and advocacy, it was no surprise that Hillary Clinton was put in charge of the health care task force to develop the Clinton Administration’s health care reform proposal. One bill already before the Senate had wide support, but it called for employer mandates requiring companies to provide health coverage for their workers. President Clinton wanted to avoid the contentious issue of employer mandates. During the campaign, he had outlined principles, but no specific plan. The policy process set up by Hillary Clinton was criticized as cumbersome and complicated and so was the bill that emerged from it. Why did candidate Clinton shy away from employer mandates? Did he lose the battle almost before it began by waiting months instead of making the existing Senate proposal an immediate priority, given that history indicates that new presidents almost always succeed in passing their first major proposal?
Did the need to cut the deficit work against such a strategy? Which should have come first, the economic plan or the health plan? What was wrong – and what was right – with the process led by Mrs. Clinton and the bill that resulted from it? What was the effect of the well-financed advertising campaign against the Clinton proposal and could the administration have more effectively countered it? (The campaign essentially led people to believe that in return for a speculative gain, they might lose what they already had – the same problem that undid the 2005 Bush Social Security proposal.)

As it became clear in the late spring and summer of 1994 that the Clinton plan could not pass in its existing form, the administration refused to compromise. Republicans like Senator Bob Dole and Senator John Chafee retreated from their own compromise offers as the president appeared increasingly bound to lose the battle. Should President Clinton have compromised – when and to what degree? When should the presumed superiority of a policy yield to political reality? When is half a loaf better than none?

After the stunning Democratic defeat in the 1994 midterm elections, national health reform was abandoned in favor of an incremental strategy to improve the availability of health care. With a new and far more conservative Congress riding high, the unintended consequence of the health care battle and its political fallout was that welfare reform emerged as a central issue. Eventually, as the 1996 election approached, at the advice of pollster Dick Morris, and after initially vetoing welfare reform, President Clinton signed a bill far more restrictive than the one he had promised during his 1992 campaign. Was it a mistake not to propose welfare reform earlier when he had a Democratic Congress? To what extent did political pressures override sound policy in Clinton’s decision to approve the welfare reform bill? What lessons can a policymaker draw from a series of events in which the proposal to create a new entitlement actually led to sharp cutbacks in an existing one?

What is the best way, in terms of timing and compromise to pass a major new initiative? Did the demands of the 1992 campaign, in which Bill Clinton did not even initially offer a health care plan, actually push him into a position that hobbled his entire first term?

Health care reemerged as a signature issue in the 2008 presidential campaign. Hillary Clinton tried to trumpet her work on health care reform as a qualification to bolster her theme of “experience.” The other campaigns shot back, implying that experience on a failed reform attempt was no qualification. To what extent did Clinton’s history in the health care debate help her 2008 campaign, and how much did memories of her failure hurt her?

As the Democratic primary moved on, Obama and Clinton incessantly debated their health care plans. In debates and public statements Clinton repeatedly highlighted the key difference between her plan and her opponent’s—the individual mandate. She said it was essential to provide true universal health care; he claimed that such a mandate eliminated real choice, arguing that most people would choose to purchase healthcare once costs were lowered, as his plan proposed to do. It is unclear whether voters ultimately cared about or even understood this difference between the two candidates’ plans, but it remained a prominent issue until the end in a primary fight in which the candidates actually agreed on most policies. In the general election, John McCain took a different approach to attacking Obama’s health care plan. He argued that it
would strip away choice, give more power to bureaucrats, and lead to socialized medicine in the United States. However, these attacks apparently lacked saliency in an electorate that was increasingly apprehensive about the economic future. Exit polls in November showed that voters who said they were worried health care voted overwhelmingly for Obama.

Did the fight over the stimulus package influence the way the president handled health care legislation? After the Clinton failure where the White House wrote the entire bill and presented it to Congress, Obama decided to give Congress the latitude to craft the legislation—which resulted in a number of competing proposals. Did he read the history correctly or was his forbearance a mistake? Should he have been more active earlier—or was it more effective for him to use his influence in the final stages of the fight? As for the Republicans, was it smart politics—or for that matter good policy—to ride the wave of town hall discontent and take up charges like “death panels” and “socialized medicine?” In the midst of the Tea Party uproar, the President’s Chief of Staff Rahm Emmanuel argued vigorously that the President should settle for a scaled-down bill; indeed, most of Obama’s advisors had wanted him to postpone health reform until later in his presidency. Feeling vindicated, they renewed the argument, and he rejected it once again. Why did he insist on moving so quickly? Was he drawing on the lessons not just of the Clinton failure, but of the Reagan success on tax cuts in 1981? After Scott Brown’s election in Massachusetts in January of 2010, the argument inside the White House was renewed. The minimalist-favored approach was nicknamed “the Titanic”—women and children first. Obama, supported and prodded by House Speaker Nancy Pelosi, insisted on moving full-speed ahead. He made a powerful political argument for Democrats to finish the job—and ultimately, against the weight of the conventional wisdom, persuaded them to do so.

How did the outcome shape the politics of 2010? Will its impact be different in 2012? Has the rise of the Tea Party, sparked by the controversy over health reform, leave Republican presidential candidates with less space for a tinge of moderation even as they all promise to repeal Obamacare? Would there have been even broader policy consequences if the President had failed to pass health reform? Are we likely to see more health legislation in the next several years—or is the battle over?

Required Readings:
- State of the Union Address, President Bill Clinton, Jan. 25, 1994, excerpts
- George Stephanopoulos, All Too Human, pp. 297-302
- Dick Morris, Behind the Oval Office, pp. 111, 37-38, 214-215, 593-595
- State of the Union Address, President Bill Clinton, Jan. 23, 1996, excerpts
- Robert J. Blendon, Mollyann Brodie, and John Benson, “What Happened to America’s Support for the Clinton Health Plan,” Health Affairs, Summer 1995

Robert Shrum, *No Excuses*, pp. 231, 236-238, 252-257


Former Massachusetts Governor Mitt Romney said he was pro-choice when he ran for Senator in 1994. He said it again in his 2002 gubernatorial campaign. But by 2006 Romney had moved to the right on abortion and stem cell research to appeal to the Republican base in the presidential primaries. Romney altered his positions completely, saying that in addition to being “personally pro-life,” he now believed in government control over abortion rights.

During his 1994 Senate race, Romney told the story of a family friend who had died during an illegal abortion, saying that it had convinced him to support abortion rights while continuing to personally oppose the procedure. But he never carved out a clear position on the issue, resorting to a nuanced characterization of himself as pro-life but essentially pro-choice that was difficult for Massachusetts voters to swallow. He continued to waffle on the issue depending on his audience, leading Ted Kennedy to charge in a debate that Romney wasn’t “pro-choice, but multiple choice.”

Returning to Massachusetts for a winning 2002 gubernatorial race, Romney continued to characterize himself as a pro-choice moderate who personally held pro-life views but as he prepared a Presidential run in 2008, Romney began to move to the right on issues of human life. He claimed that a 2004 meeting with a stem cell researcher had made him realize the perils of *Roe v. Wade*, saying that he was now publicly pro-life as well. This sparked a fierce battle in 2005, which Romney lost, in the Massachusetts legislature to drastically limit stem cell research. He then vetoed a bill to expand access to emergency contraception, citing his pro-life position. In an editorial defending his veto, Romney claimed that he had a deal with the people of Massachusetts, pledging to maintain the abortion status quo, but this did not bind him to a view. In part, this was simply political posturing with no real policy consequences: The overwhelmingly Democratic Massachusetts legislature could easily override Romney’s vetoes. Did the fact that he could only exercise a symbolic veto influence Romney’s tactics?

Romney’s changing position on abortion followed him throughout the 2008 primary campaign. His opponents cited it at every opportunity, using his policy shifts as proof of a candidate with no convictions, a man who would say or do anything for votes. In a New Hampshire debate, for instance, John McCain derisively referred to Romney as “the candidate of change.” Romney
struggled to define and defend his views over several debates, but his candidacy fell apart in the wake of early defeats that culminated in his Super Tuesday trouncing.

How did Romney’s political posturing affect his tenure as governor? How did it affect his presidential campaign? Could Romney have balanced his position on these issues to satisfy both his Massachusetts constituents and the Republican base? Would he have been better off just running as who he was—or had been?

In terms of the 2012 race, Romney will certainly hold to his 2008 positions. He could not otherwise hope to be nominated. Indeed, while claiming he refuses to flip-flop on health reform, he has had to come up with what many regard as a forced distinction between his plan and Obamacare. Initially, he saw the universal health coverage bill passed Massachusetts in cooperation with Senator Ted Kennedy and a Democratic legislature as powerful proof of his leadership capacity. He defended it as a national model during the 2008 debate with John McCain. But when Romneycare became the model for Obamacare – the White House delights in making the comparison – Romney once again had to move to placate the Republican base. Apparently deciding he could not afford another apparent flip-flop, he drew a distinction where many don’t see as much of a difference. He defended the bill he passed in Massachusetts, but specifically disclaimed it as a national model. The issue should be left to the states, he said, and on his first day as president he would grant waivers to all 50 states exempting them from the requirements of the Obama health reform. It’s not clear that this will suffice – Republican primary voters seem hostile to the mandate in principle, not because its federal rather than state – but in the first Republican candidates debate Romney easily survived a potential challenge on the health issue when another candidate, former Minnesota Governor Tim Pawlenty, refused to repeat a criticism he offered the day before calling the health reform “Obamneycare.” If he is elected, the political litmus tests he has had to pass will profoundly reshape policy ranging from reproductive services to future scientific research to health coverage for Americans.

**Required Readings:**

- Robert Shrum, *No Excuses*, pp. 244-250


Dan Balz and Haynes Johnson, *The Battle For America 2008*, pp. 238-9, 244-5, 250-3, 274-7, 280-5.


7. John V. Lindsay: Liberal Dream and Urban Realities (November 7)

Guest: Jay Kriegel

In November of 1965, the young, charismatic John V. Lindsay, a liberal Republican Congressman from Manhattan’s Upper East Side, was elected Mayor of New York City. It was seen, and heralded, as a revolt against an old and exhausted political order. Indeed the campaign’s unofficial slogan, lifted from a column by Murray Kempton, was: “He’s fresh and everyone else is tired.” Lindsay’s run, his victory, and his Kennedy-esque persona raised expectations that the city’s seemingly intractable decline could be reversed, and a “new” New York could be born.

The day he took office he was hit squarely by political reality—a massive transit strike that paralyzed the city. He stood his ground for days, but ultimately had to concede most of the union’s demands. A generation later, Michael Bloomberg was better able to stand up to the unions. Did he hold a stronger hand in terms of the perceptions of his power? Was Lindsay the WASP less well situated to confront a primarily ethnic union than if he had been named Kennedy, and not just resembled one?

This question applies with even greater force to what became a dominant issue during his mayoralty—the rising, at times potentially explosive demands for racial equality and greater minority political power, participation, and city employment. As a policy matter, Lindsay’s efforts to integrate the police and fire departments were pioneering and launched a process that spanned the next decades. In his first year, he experienced a major political setback when voters, in a racially riven outcome, overturned his proposal for a Civilian Review Board to crack down on police brutality. Later on, his commitment to give minority parents a say in local schools
sparked a confrontation with teachers and much of the Jewish community and triggered a long school strike that lasted through the fall of 1968.

An undeniable achievement was that during the urban riots that swept America in 1967 and 1968, peaking after the assassination of Martin Luther King, Jr., New York was spared because Lindsay was able to walk the streets of predominantly African American areas and turn the tide against violence. Was this the unintended payoff of his progressive policies on race? Whatever the political price, was Lindsay right on the merits of his policies—and successful in a way he did not anticipate in advance? At the same time, could he have done a better job of selling the policies—or did his charisma and star power spark resentment and resistance rather than assent?

After the city was spared the riots, Lindsay’s popularity was on the rise just as Robert F. Kennedy was assassinated. Lindsay almost certainly could have had the Senate appointment if he had asked New York Governor Nelson Rockefeller for it. Why didn’t he? What role was played by his concern for what he believed was an unfinished job in the city—and did his staff have a disincentive for his taking the appointment? Ironically, if Robert Kennedy had lived and been nominated by the Democrats, Richard Nixon who toyed with this idea, might have felt compelled to turn to Lindsay as his running mate. But with Kennedy gone, Nixon who was turning to a “southern strategy,” feared that choosing Lindsay would alienate white voters in the south.

That fall came the strike which pitted African Americans against teachers, who were predominantly Jewish. The winter brought a massive snowstorm leaving paralyzing drifts that the city was unable to clear for days in the outer boroughs. Lindsay’s political prospects looked bleak.

As he prepared to run for reelection in 1969, circumstances—and probably principled conviction too—pushed him into more overt opposition to the Nixon administration and an unbridled advocacy of progressive policies. He lost the Republican nomination and had to compete as a third-party candidate. But to compete at all he had to engage in a preemptive campaign of apology, explaining the “mistake” of not foreseeing the snowstorm—it was a carefully couched admission—and the “mistakes we all made” during the school strike. After that attempt to tamp down popular anger he had an opening and could get a hearing on issues.

One issue Lindsay would not compromise on was race. He had been an early advocate of civil rights as a Congressman and as Vice Chairman of the Kerner Commission, appointed by President Johnson to assess the riots and had insisted on its landmark verdict—that America was “moving toward two societies, one white, one black, separate but unequal.” The liberal without a party thus had solid minority backing against a conservative Democratic nominee and an even more conservative Republican. He also had the support of most of the public sector unions. How did this happen after his confrontations with transit workers, sanitation workers, and teachers?

The most powerful issue he advanced to attract progressive Democrats was his all-out opposition to the Vietnam War. How did he turn this into a municipal concern even as his outspokenness increasingly made him a national liberal leader? After his reelection in the three-man field with just over 40 percent of the vote, Lindsay also became one of the first officeholders to call for amnesty for those who had resisted the draft during Vietnam. When he proclaimed a day of
mourning for students shot by National Guard units during protests at Kent State and Jackson State Universities, waves of largely Catholic and ethnic hardhats marched in protest on City Hall. Lindsay was now a vivid presence in America’s two great national struggles—over the war and civil rights.

At the same time, with the economy turning down and threatening the municipal budget, he looked beyond a purely municipal solution and became the spearhead of both a state coalition of mayors and a national urban coalition demanding more help for cities from the state and federal governments. Here too he became mayor as leader—not just for cities but for a larger cause. Did this hurt his capacity to gain more state and federal resources for the city even as he advocated for them? Facing an increasing budget challenge, was it the right politics—or the right policy—to function as “America’s Mayor”—a title he held long before Rudolph Giuliani.

Lindsay gradually moved toward a final break with the Republican Party. He refused to endorse Nelson Rockefeller for reelection in 1970. In a speech just before that midterm election, he denounced the Nixon-Agnew tactics of “fear and smear.” Nonetheless he still clung to the GOP. If he had switched parties then, would he have been a more credible Presidential candidate a year later. Why didn’t he? Was it a matter of policy and principle—or simply a result of political miscalculation?

In 1971, he was criticized as opportunistic when he finally switched parties and shortly afterwards entered the Democratic presidential primaries. Did this national run have real consequences in terms of municipal budget policy? (Not long after he left office, New York City would have to go into virtual receivership.) Did his presidential run make it harder to cut back spending and more tempting to paper over the city’s budgetary difficulties?

Lindsay’s mastery of television and his successful efforts to strengthen the Broadway theater and bring more filmmaking to the city were heralded at the time. But could they also have contributed to the backlash against him? Did they make it harder for him to build bridges to ethnic constituencies? On the other hand, if he hadn’t been so television savvy, would he ever have been mayor in the first place?

We will assess Lindsay’s claimed achievements on race and saving the city even amid racial tensions he never managed to end; his integration of uniformed services in the city bureaucracy; his pioneering leadership on the environment—his investment in parks and his role in the very first Earth Day; his proclamation after the Stonewall riots on non-discrimination against gays in city hiring; his hardly remembered reorganization of government and creation of municipal superagencies that are still the backbone of city government today (Why didn’t this policy help his politics?); and his experiments in deploying waves of police into high crime neighborhoods, a forerunner of community policing. But even as he established that policy, crime rates soared. What role did his insistence on accurate statistics play—and was that insistence smart? Finally, Lindsay had to deal with a massive corruption scandal in the policy department. Was he in a position to have launched a tough crackdown in the first place?

It has been suggested that as a political figure Lindsay suffered from a tragedy of timing. If he had left as mayor to go to the Senate in 1968, he would probably have been a major force in
national policy for decades to come. If he had become a Democrat in 1971, he rather than George McGovern could conceivably have been the antiwar candidate in 1972. After he left office the fiscal crisis hit—and Lindsay was blamed for it. Is that at least partially fair? Did he leave the city better or worse off than he found it? Some argue that he set in motion groundbreaking policies that endured and have gained momentum until this day. Or are neoconservatives right that he proves the inevitable failure of a liberal hope that they dismiss as hubris? Did New Yorkers benefit from Lindsay raising their vision and confronting hard choices, even as he provoked divisions and fell short of his high ambitions for the city.

Required Readings:
- Sam Roberts, America’s Mayor: John V. Lindsay and the Reinvention of New York


How did John Kerry originally decide to vote for the resolution authorizing President Bush to use force in Iraq—and despite the assumptions at that time, was it actually possible to calculate the political consequences of voting differently? Is this a place where, at least from the Kerry perspective, policy actually should have trumped politics—to the ultimate benefit of both?

Facing the Dean surge and the Iowa caucuses, Senator Kerry voted against the $87 billion supplemental budget for continued post-war operations in Iraq, arguing that the administration was too unaccountable and that the bill should be funded by repealing part of the Bush tax cuts that went to the wealthiest Americans. Policymakers in his own party who weren’t running for president disagreed with him, arguing that, whatever one thought of the war, it was essential to support the troops now that they were there. A John Kerry who was anti-war but not too anti-war won the Iowa caucuses and the Democratic nomination. Was it a political necessity to vote against the $87 billion supplemental? And if the vote was right on the merits, how can a policymaker defend a “nuanced” position, which allowed a president to go to war, but then cast at least a symbolic vote against funding its aftermath? What would you have advised John Kerry to do in this situation? What was the right politics, what was the right policy—and what would you do if they were different? Did political considerations—and miscalculations—get in the way of what he really believed, and ironically undermine the chance of winning the Presidency and forging a new foreign policy?

By the 2006 midterm elections, public opinion had shifted decisively against the war. Its unpopularity was a key component of the Democratic Congressional resurgence, and continued to influence political decisions through the 2008 election. John Edwards apologized for his vote authorizing the war, while Hillary Clinton refused to do so. Who made the right decision? Barack Obama, meanwhile, was the only major Democratic contender who had opposed the war from the start, a credential that may have been crucial to his ultimate victory. The debate over the surge also influenced the 2008 election, as it led to John McCain’s early demise and resurgence. On the Democratic side, none of the candidates could support the tactic for fear of alienating a party that was unwilling to accept any further escalation of the war.
How did the Democratic candidates attempt to frame (or reframe) their positions on the war? Did this affect the ultimate outcome of the primary process? Can politicians who voted for a war ever really position themselves as anti-war candidates? How did the surge shift the debate over the war? Did the politics of the primary process influence the war policies that candidates advocated? How did this change the political debate in the general election?

In the spring of 2009, President Obama reaffirmed the conventional Democratic view that Afghanistan was “the right war.” By the fall, he was facing new decisions and competing pressures from inside and outside the White House—whether to escalate the troop commitment, whether to shift emphasis to counter insurgency and technological warfare like drones instead of nation building. He also faced nearly unprecedented public lobbying from the military to escalate. Was he trapped by the Democratic rhetoric from 2004 and his own rhetoric in 2008? Should he simply have changed his mind? Did the process of apparently agonizing reappraisal strengthen or weaken his authority? Has the firing of one commander in Afghanistan and the return of General Petraeus made it more difficult for Obama to hold to his promised deadline to begin troop withdrawals? Does he have the political capital to modify his hold to the deadline even as the departing Secretary Gates, and generals in the field, press for delay? (Has he used a policy position to deal partially with this potential political problem by naming General Petraeus to head the CIA thus keeping someone who could be a powerful critic inside the tent?)

In the summer of 2011, Obama had to decide again how long to prolong the war in Afghanistan. He will return to the issue at the end of the year just as the presidential campaign is heating up. And with the death of Osama Bin Laden and war-weariness at home, the president, is even hearing calls from potential Republican rivals to end the conflict as soon as possible.

Required Readings:

- Robert Shrum, No Excuses, 386-9, 451-2, 462-475
- Hally Bailey, “McCain's Ground War; The senator is calling for more boots on the ground in Iraq. Is this any way to wage a presidential campaign?” Newsweek, December 11, 2006
- Michael D. Shear, “McCain to Stake Bid On Need to Win in Iraq” Washington Post, April 7, 2007
• Barack Obama, “Speech on Afghanistan War at West Point” December 1, 2009

**Policy Memo Topic Choices:**

1) In a memo to President Obama discuss how and when to cut the federal deficit. As the economy recovers the danger may be that the federal spending would be constrained too quickly—as happened with FDR in 1937-38—resulting in a second downturn. Is it now time to move toward deficit reduction given the increasing public concern about the deficit and the increasing pressure coming from political opponents? Was the freeze that Obama proposed in the 2010 State of the Union just a token placeholder or does it provide a basis for future policy? How has he balanced the economics and the politics? Can the Administration make do with a longer-term plan for deficit reduction or does the President have to act convincingly starting with next January’s State of the Union message? Which would have hurt Democrats more in the 2012 elections—Obama moving too soon and slowing the recovery further, or the course he attempted to continue—priming the pump? When Obama does act to achieve deficit reduction, are there political costs to letting the bulk of the Bush tax cuts, which he claims benefit the wealthy, sunset as they were scheduled to in the original bill that President Bush signed? Should he agree/have agreed to a temporary one-year extension of all the Bush tax cuts? Should and can he propose other additional taxes? Politically, can the President afford to break his campaign promise and raise taxes on those who make under $250,000 a year?

2) As an advisor to Governor Chris Christie of New Jersey recommend policy choices and a political strategy designed to advance the following objectives – his reelection in 2013 and his possible candidacy of the rep president nomination in 2016. Alternatively, consider the possibility that these objectives are incompatible – that what Christie needs to do to secure his reelection could hurt him in Republican presidential primaries nationally and that what he has to do to compete there could jeopardize his reelection as governor. Thus he could choose to follow the path of Mitt Romney, who declined to seek reelection as Governor of Massachusetts as he moved steadily to the right to accommodate his presidential ambitions.
Take account of Christie’s opposition to tax increases and his actions on the property tax, and their impact on NJ’s budget and policy outcomes. How can he use his pugnacious style to advance either his policy goals or his political future statewide and nationally? Is it an asset or liability? Finally, how are Christie’s apparent national ambitions reshaping the state’s economic and educational future?

3) In a memo to Governor Andrew Cuomo of New York discuss how he can build on the successes of his first year to set out a second phase of policy initiatives while attending to his reelection prospects and the possibility of running for president in 2016. Cuomo achieved an unprecedented budget deal while extracting concession from the unions and refusing to extend the surtax on high end taxpayers. He has also become the first governor in recent state history to actually do something about property tax rights. He passed landmark ethics reform. Then, at the end of the legislative session, he pushed through a breakthrough measure on same-sex marriage. Are these simply a set of separate initiatives or are they part of a coherent strategic attempt to craft a position both in the state and nationally. How effective is that positioning? How has it affected critical policy choices? For example, can Cuomo, the quintessential New Yorker, make himself more acceptable nationally by sculpting an image of fiscal prudence, economic centrism, and independence from special interests and the old politics. How has he used political levers to advance policy – and how are his political aspirations influencing critical policy choices for better or for worse? And explain how his vocal advocacy of same-sex marriage is consistent with his desire to cast a centrist image. How might he maximize his possible strengths in a 2016 presidential primary contest while also looking ahead to a general election? Recommend signature initiatives for the next two years and put them in the context of a longer term strategy. If you wish, assess the odds of Cuomo running successfully against Hillary Clinton in 2016. Are there policy choices like gay rights that could strengthen his hand in Democratic primaries? In terms of political strategy, would there be a generational contrast between Cuomo and Clinton – even though he’s been at the high levels of national and state politics since at least the early 1990.

4) Write a memo to President Obama analyzing current relations with Israel and recommending a future course of action that reflects both policy and political imperatives. Why did Obama make explicit what has been the implied but clear policy of American presidents since Bill Clinton or even the first Bush – a final settlement has to be based on the pre-1967 borders moderated by land swaps. This is a settlement that Ehud Barak, now Netanyahu’s defense minister, but previously prime minister himself and Netanyahu’s polar opposite in Israeli politics, proposed jointly with Bill Clinton and which Palestinian leader Yasser Arafat rejected. How can Obama handle the personal dynamic with Netanyahu? Is it possible for the administration to accommodate Netanyahu’s political needs since he relies on a coalition, many of whose members are at best resistant to the peace process? Looking to 2012, should the President simply pay lip service to peace negotiations without pushing Netanyahu, perhaps most likely to no avail and conceivably to Obama’s own detriment? If he took this course, what would be the policy impact in the region, especially in light of the Arab Spring? How would this affect the US position in Iraq, Afghanistan, and Pakistan? Is there any realistic hope of moving the peace process forward – and what political risks should the President be prepared to take?
5) After a period in which the President stumbled over the attempt to hold the trial Khalid Sheikh Mohammed in lower Manhattan, became embroiled in a controversy of a mosque there, and found no acceptable path to the closing of Guantanamo there came a potentially defining moment with the killing of Osama Bin Laden. Discuss how the President can handle the fallout from the killing of Bin Laden and war-weariness here at home, which increasingly seems to narrow the options and the time limits for the US military mission in Afghanistan and continuing US present in Iraq. How can he deal with the political pressures – within his own party and even from Republicans like Romney – to withdraw more troops faster? On the merits and politically, can he afford to rebuff the military’s apparent determination to finish the job – or at least to continue it? Can he make the case that the job is finished – or at least as finished as it will ever be? What are the policy implications of a relatively speedier withdrawal? And how does all this play into the politics of 2012.

6) Discuss a 2012 reelection strategy for Senator Orin Hatch (R-UT) and how it impacts the viability of senate action on a number of critical issues. Hatch, a conservative but previously a model of bipartisan cooperation, worked closely with Senator Edward Kennedy to pass the Children’s Health Insurance Program (CHIPS) and to advance immigration reform. In the early 1990’s, during the debate over Hillarycare, he was also a leading advocate of the individual mandate to purchase health insurance. Hatch has now transformed himself, in light of the stunning defeat of his conservative colleague Bob Bennett in the Republican nominating process in Utah. Hatch is assiduously transforming himself into a true-believing, Tea Party Republican. Hatch now faces a primary challenge from Republican Representative Jason Chaffetz. Can he defeat the challenge by moving even further to the right? Outline how he can convincingly reassure the movement conservatives who dominate the Utah nominating process. Does his past support for measures like TARP and the DREAM Act make it unlikely that he can ever gain their full backing? Using Hatch as a prime example, analyze the impact of establishment apprehension about the Tea Party and the possibility of any major bipartisan progress of the kind Hatch used to champion. Finally, how if at all, should Hatch weigh his political reelection against the historical judgments made about his own career and legacy?

Team Presentation Topics Choices

1. Bloomberg and the Third Term Jinx (November 21)
   Guest: Doug Schoen

With just two years left, Mayor Bloomberg seems to have fallen into the third term jinx that stalked figures like Mayor Ed Koch and Governors Mario Cuomo and George Pataki. Their third terms were largely devoid of significant achievement, seemed to lack energy and ideas, and resulted in either defeat or a decision not to run for reelection. Bloomberg of course can’t run for a fourth term because there is no way he can change the law again. So as a lamer-than-he-ever-expected lame duck, the mayor faces a range of challenges from budget shortfalls to a generalized disaffection reflected in his pear-shaped polling numbers. He has perceived to have failed in his response to the snowstorm and he stumbled with his ill-fated choice of Cathleen Black as the chancellor of New York City Schools. The team should recommend to a pressured Mayor Bloomberg how to revitalize his final term in office.
How can he succeed as an activist mayor and preserve the legacies of his previous terms? For example, do his teacher layoffs imperil or reinforce his ambitions for education reform? Has he done enough to reduce poverty in the city? Set out the right policy choices and political strategy to redeem the rest of his third term. With candidates to succeed him already lining up and using the offices they now hold to articulate their own appeals, how will the interplay between his choices and their support or opposition affect the city economically, socially, and politically? Can Bloomberg use their ambitions to advance his priorities?

2. **Immigration: Solution, Stalemate, and Political Fallout (November 28)**
   
   **Guest: Jefrey Pollock**

   The immigration debate under the Bush administration ended in stalemate, with the unlikely trio of President Bush, Senator Kennedy and Senator McCain—which should have been a very powerful combination--failing to achieve the objective of comprehensive immigration reform. In one sense, Kennedy and the Democrats won, and McCain lost, as Hispanic voters gravitated to the Democrats in the 2008 election in response to the apparently anti-immigrant policy positions of most congressional Republicans, reinforced by their often-heated rhetoric.

   Candidate Obama promised to make immigration reform a priority, but the issue was put on the back burner as he dealt with the economic crisis and health reform. Then came Wall Street reform. At that point, Senator Harry Reid, facing a stiff challenge for reelection in Nevada, briefly revived the possibility of a comprehensive immigration bill. Meanwhile John McCain, facing the wrath of the Tea Partiers, joined the anti-immigration reform chorus, famously demanding instead that the government build “that danged fence.” His friend, South Carolina Senator Lindsay Graham, in retaliation thereupon abandoned his co-sponsorship of the energy and climate bill. Assess the impact of the subsequent heated rhetoric on immigration, especially in the wake of the controversial Arizona law, on Hispanic voters in the 2012 elections.

   In the wake of all this, make the case that President Obama should or should not move on immigration reform. Even if he can’t craft and pass a bill in this congress, should he try anyway? He knows that Republicans can’t hope to defeat him in 2012 without the support of at least 40% of Hispanics, who are likely to be increasingly alienated by what they may regard as the anti-Hispanic nature and appeals of the GOP opposition to reform. Or will GOP leaders have no choice but to keep responding to their base even if it exacts a high price among Hispanic voters?

   The team’s recommended proposal should analyze how to balance competing objectives and pressures, set out a strategy for passing legislation, or make the case for legislation even if it can’t be passed. The team should consider whether Obama can win even by losing. Finally, assess the viability of any comprehensive reform not just next year, but in succeeding years. Is there a point at which Republican opposition will fade, especially if Hispanic voters punish the party at the polls in 2012—or will legislative leaders simply have to respond to their base?

3. **The Biggest State, The Biggest Fiscal Crisis (December 5)**
   
   **Guest: Thomas Oliphant**
In the face of a gathering and ultimately historically large fiscal gap, California Governor Schwarzenegger failed to pass a hard-line conservative budget with no tax increases. Former Governor Jerry Brown and Republican nominee and former e-Bay CEO Meg Whitman battled it out to succeed Schwarzenegger. They faced pressures to be more specific on fiscal policy, but both focused primarily on winning the office rather than what they would do with it. Whitman not only opposed any tax increase, but campaigned for tax cuts. Brown was typically Delphic before Election Day, successfully avoiding the attack that he would add to the tax burden. He did promise no tax increase without a voter referendum.

Facing a deficit of $26 billion – later reduced by $6 billion as the economy and tax collections picked up – Brown proposed to fill half of the gap by cutting spending and the other by extending a number of taxes due to expire in the summer of 2011. He negotiated concessions from public employee unions, although Republicans in the legislature complained that they did not go nearly far enough. The Republican’s stated position is that the entire budget gap should be met by slashing state programs. Brown negotiated with the “Gang of Five” - a group of Republican legislators – in an attempt to get a referendum on his proposed tax extensions; he had to do this because in a legislature where both houses are overwhelming Democratic because they are not quite overwhelming enough to give him the 2/3 vote that he need.

Some progressive critics suggested that Brown abandon his pledge to put tax extensions to a popular vote and simply try and push a budget through the legislature. Was this even possible? Simultaneously Republicans suddenly insisted that the taxes be allowed to expire in the summer before being voted on in that Fall presumably so they could position Browns proposal as a tax increase and not tax extensions.

From this tangled web first emerged a Democratic budget that could pass with a simple majority vote – as a result of a constitutional amendment passed by referendum in 2010. That budget was vetoed by Brown on the grounds that it was based on false assumptions, accounting maneuvers, and fiscal gimmicks. Under another constitutional provision passed in the same 2010 referendum, the State Controller, himself a Democrat, cut off the pay and expenses of state legislators as the Governor prepared a new budget based solely on cuts without tax increases – which the legislature soon approved. California’s long-term fiscal future remains in doubt as the Governor continues to move toward a popular vote in favor of tax increases.

The team should chart a path forward for Governor Brown that lays out both a set of policies and a political strategy to achieve them. In addition, for the longer term, you are free to explore the possibility of state constitutional changes, including a constitutional convention that would remove obstacles to effective governance. But if you suggest changing Proposition 13, which rigidly limits increases in property taxes, explain how voters could ever be persuaded to accept this—or a repeal of the 2/3 requirement for legislative passage for budgets and tax bills. And is there any way to secure voter approval for limits on the initiative and referendum process? Recommend whether any such efforts should even be ventured.
Guest: Joanne Witty

With climate change more urgent, more disputed, and more divisive an issue than ever – and with no realistic chance to pass any form of cap and trade, make the case for or against a renewed presidential push for an energy bill that instead relies on a combination of increases in domestic production and with a long-term emphasis on alternatives like nuclear and research and development in renewable areas like solar and wind power.

With last Spring’s spike in gas prices, now abated but perhaps not permanently, can the President afford to wait until after the 2012 election to push for a new energy bill. As the election approaches, how can he answer Republican critics who suggest that he has no energy policy at all? Is he better or worse off offering a proposal now? If he waits until after a 2012 reelection, can he assemble a bipartisan coalition for a national energy policy that no longer relies on cap and trade? How should the President negotiate with Democratic Senators from coal and energy producing states? What policy trade-offs would he have to make, and should he be willing to make, and how would such trade-offs impact the efficacy of the policy? Does the necessity to carry critical coal states in 2012 argue for delay?

Assess the viability of the President’s earlier proposal for expanded offshore drilling. Is there any hope of passing an energy bill that doesn’t include it? And is there any hope of passing a bill that does, with Democratic Senators like Florida’s Bill Nelson -- who faces a tough reelection -- threatening a filibuster? In addition, what role does nuclear energy have, if any, in the aftermath of the Japan earthquake and the Fukushima crisis? Lastly, how does this paralysis on climate change effect a series of foreign crises where Obama needs the support of other nations?

Not only is the President under constant criticism from Republicans on the issue; he now faces criticism from his own base and supporters. How can the President address climate change without ever mentioning what has now become a loaded term? Should he explicitly recognize the demise of cap and trade? Consider the possibility of a Manhattan Project-like initiative to shift toward new and renewable forms of energy. How could it be paid for? Could Obama hope to create a sense of national mission along the lines of President Kennedy’s call to put a man on the moon?

In short, recommend a way forward to the President on one of the most important issues of our time where so far the political process seems all but impotent.

5. The Policy and Politics of the 2012 Election (December 14)
Guest: Mike Donilon

Team A: What strategy should President Obama adopt—and what policies should he advance—as he deals in an election year with a Republican House and an apparently deadlocked Congress? Is there anyway the President can turn the situation to his advantage? Politically does it even matter whether some or many of his proposals pass, prior to the next presidential contest? In policy terms, what does he have to do to minimize economic setbacks and maximize his prospects for reelection? Should he turn to the Clinton post-1994 option of focusing on more
limited, incremental proposals, or should he rely more on Clinton’s 1994 option of focusing on big initiatives that appeal to his base and to independents? Regardless of the likelihood of legislative success, specify a proposal; set out an agenda for the next year. Does it make any sense to continue reaching out to Republicans or as the election approaches should Obama adopt a more explicitly partisan course?

Team B: Advise the Republican leadership in Congress on both political strategy and policy proposals. Should the GOP continue to be the “Party of No” in 2012, relying on economic disaffection, determined to turn the election into a referendum on Obama rather than a choice between candidates. Do they have to offer an alternative policy? Does it have to be a real policy, one that in fact would be effective, or is it sufficient to appeal primarily to popular preconceptions e.g., the belief that cutting spending creates jobs. If so, what is it? How can they satisfy their own energized base and at the same time reach out to the independents they need to safeguard their Congressional gains and capture the presidency? Is there a danger as the Gingrich Congress did of misreading the election and going too far—and how, given the intensity of their base, can they avoid that? For example, how hard should they push Representative Paul Ryan’s proposals to radically alter Medicare? Is that a viable electoral strategy? Advise GOP leaders on how to respond to what promises to be an improving economy which might defy expectations, improve more rapidly, and if history is any guide may, could carry Obama to a relatively easy reelection—which is what happened with Ronald Reagan in 1984. Would there be a way to make a credible case that Obama then doesn’t deserve the credit?

Both Teams: Make sure that the strategy you recommend pivots around policy making, even if it is nothing more than a cover for political maneuver.