

## Comment

### Richard Lugar and the New Politics of “Civil” Engagement

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On its face, the recent landslide defeat of Indiana Republican Senator Richard G. Lugar by two-term state treasurer Richard Mourdock in the 2012 Indiana primary would seem to confirm the adage that no good deed goes unpunished for long. During his five decades of national political involvement, Lugar has made major contributions to agricultural and energy policy, and his annual Richard G. Lugar Symposium for Tomorrow's Leaders has influenced the lives of thousands of Indiana high school students. But he will be remembered best for his contributions to foreign affairs and his service as the ranking Republican on the Senate Foreign Relations Committee. As John T. Shaw writes in *The National Interest*: “He has been perhaps the most influential U.S. senator in the realm of foreign policy since Scoop Jackson.”<sup>1</sup>

The defining achievement of Lugar's six terms in the Senate was the passage and continuing implementation of the Nunn-Lugar Cooperative Threat Reduction Act. The Soviet Union's collapse in 1991

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<sup>1</sup>John T. Shaw, “The Legacy of Richard Lugar,” *The National Interest*, May 9, 2012, online at <http://nationalinterest.org>.

marked the first time that the government of a nuclear power had lost control of its own territory. Amid rising international fear that the USSR's huge nuclear arsenal might fall into the hands of terrorists or rogue states, Lugar joined with Democratic Sen. Sam Nunn of Georgia to create a program—passed by Congress in 1992—which drew on American money and expert personnel to safeguard nuclear weapons storage sites; decommission and destroy nuclear, chemical, and biological weapons (such as anthrax and plague) and their associated infrastructure; and find employment in peaceful pursuits for scientists formerly involved with weapons of mass destruction. The program was not an easy sell—it was costly in a time of expanding budget deficits, and many Americans expressed an unsurprising resistance to helping our long-term enemy in any way. Moreover, the new governments in Russia and Ukraine were suspicious of Western efforts to interfere in their military defenses and insulted by suggestions that they might not be capable of keeping their arsenals under control.

The Nunn-Lugar Act worked. The program has deactivated more than 7,600 nuclear warheads and destroyed about 3,700 intercontinental ballistic missiles, their silos and launchers; submarine-launched ballistic missiles and their launchers; and nuclear air-to-surface missiles.<sup>2</sup> Lugar proudly observes that the program has eliminated more nuclear weapons than the combined arsenals of France, China, and the United Kingdom. The former Soviet states of Belarus, Kazakhstan, and Ukraine are now completely nuclear-free. Kennette Benedict, executive director and publisher of the *Bulletin of the Atomic Scientists*, says of the program's impact: "It took nearly 50 years to build the most dangerous arsenals in history; it has taken less than 20 years to dismantle and store more than 75 percent of the world's nuclear weapons."<sup>3</sup>

Lugar's contributions to the nation's safety extend well beyond the containment of nuclear proliferation. He led the effort to pass congressional economic and political sanctions against South Africa and helped persuade President Ronald Reagan to oppose apartheid. He has taken on the unheralded and unglamorous tasks of serving as a presidential envoy

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<sup>2</sup>Richard G. Lugar, "The Nunn-Lugar Scorecard," May 2012, online at <http://lugar.senate.gov/nunnlugar/scorecard.html>.

<sup>3</sup>Kennette Benedict, "Nunn-Lugar: 20 years of Cooperative Threat Reduction," *Bulletin of the Atomic Scientists*, December 19, 2011, online at <http://www.thebulletin.org/web-edition/columnists/kennette-benedict/nunn-lugar-20-years-of-cooperative-threat-reduction>.

to Libya, an election observer in Ukraine and the Philippines, a congressional observer at arms-control talks, and a host to thousands of diplomats visiting the United States. During his Senate career, he has also been a major force in convincing that body to support the START treaties, the Intermediate Nuclear Forces Agreement, the Chemical Weapons Treaty, and other vital arms-control agreements. Lugar's efforts on behalf of strategic arms reduction treaties provided Presidents George H. W. Bush, Bill Clinton, and Barack Obama with signal foreign affairs accomplishments.<sup>4</sup>

Many observers were puzzled as to why Lugar continued to devote his time to international issues that offered no distinctive Indiana payback. Freedom from nuclear threat is of vital importance to Hoosiers, of course. But elected officials rarely gain support by promoting "public goods"—which, if achieved, benefit everyone—at the cost of providing benefits targeted to the constituents whose votes are most needed to keep them in office. Lugar's primary defeat suggests that, in fact, his activities as a statesman may have hurt him at the polls.

Yet there is rarely a single cause for an election result, and other signs indicated Lugar's vulnerability well before primary day. The senator had sold his Indiana home in the 1970s, when he left for Washington; a recent legal case established that he is officially a resident of Virginia. Although the residency issue did not disqualify him from representing Indiana in the U.S. Senate, it contributed to the image of Lugar as out of touch with the state. Lugar's age (he is 80) was apparent. The notion that "it's time for someone else to take a turn" is often an effective argument for challengers, and seniority in the Senate does not have the force it once did in determining legislative clout. After the primary, many political commentators criticized the campaign's strategic choices, arguing that Lugar probably could have devastated Mourdock had he run attack ads early in the race, instead of waiting until a month before the election and then adopting an inconsistent plan of attack.

Outside money, too, proved to be a major force in the election. As a result of the *Citizens United v. Federal Election Commission* and *SpeechNow.org v. FEC* court decisions, individuals, corporations, and labor unions can donate unlimited sums to political action committees (PACs) as long as the PACs limit themselves to independent spending—that is, if they agree not to donate money directly to candidates and

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<sup>4</sup>Shaw, "The Legacy of Richard Lugar."

instead fund ads that are, in theory, not coordinated with a candidate's campaign. The best-funded of these "super PACs" have become the province of a small group of wealthy, very conservative, white men. Nationally, by late March 2012, two-thirds of the \$112 million donated to super PACs by individuals (who are the main contributors to super PACs) had been contributed by just 46 people—most of them financial services, energy, and hotel industry leaders.<sup>5</sup> In the Lugar-Mourdock race, the major independent spender was the anti-tax Club for Growth which, together with the National Rifle Association and FreedomWorks, spent almost \$3 million on "independent" ads attacking Sen. Lugar—substantially more than Mourdock spent on his own campaign.<sup>6</sup>

During the campaign, Mourdock and the super PACs assailed Lugar as a moderate. Ads by the Club for Growth attacked him as "Obama's favorite Republican." More than half of all Indiana Republican county chairs, seeking a candidate they believed to be a true conservative, backed Mourdock. Lugar's defeat sent a message to many that there is no room for moderates, or even for those who associate with them, in today's Republican Party.

Judged by his voting record, however, Lugar is no moderate. In 2011, on Senate votes in which a majority of voting Republicans opposed a majority of voting Democrats, Lugar voted with his party's majority 86 percent of the time—precisely the average of Senate Republicans in that year.<sup>7</sup> And although Lugar supported President Obama's position in 61.6 percent of the roll call votes where Obama took a clear position, the average Senate Republican supported Obama 53 percent of the time, up from 41 percent in 2010.<sup>8</sup>

In fact, Lugar has been an important voice for conservative principles. *Washington Post* columnist E. J. Dionne Jr. noted his "lifetime rating of 77 percent from the American Conservative Union," adding that "if being more than three-quarters to the right puts you in the 'middle' of

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<sup>5</sup>Charles Riley, "Can 46 Rich Dudes Buy An Election?" CNNMoney, March 26, 2012, online at <http://money.cnn.com/2012/03/26/news/economy/super-pac-donors/index.htm>.

<sup>6</sup>Federal Election Commission data as of May 29, 2012, provided online by the Center for Responsive Politics: on outside group spending, calculated from <http://www.opensecrets.org/races/index.php?id=INS1&cycle=2012>; on Mourdock's fundraising, see <http://www.opensecrets.org/races/election.php?state=IN&cycle=2012>.

<sup>7</sup>Emily Ethridge, "2011 Vote Studies: Party Unity," *CQ Weekly*, January 16, 2012, pp. 111-17.

<sup>8</sup>Sam Goldfarb, "2011 Vote Studies: Presidential Support," *CQ Weekly*, January 16, 2012, pp. 98-104.

the political spectrum, it's a very skewed measure." What opponents were really saying, according to Dionne, was that Lugar was "a conservative who happens to be civil." It was his approach to lawmaking, not his beliefs on policy issues, that was, by this estimate, moderate.<sup>9</sup>

A better term, in my view, might be "effective," by which I mean "adapted to the design of the American political system." Outside of the United States, many of the world's leading democracies operate as parliamentary systems, which empower the winning party (or coalition of parties) to take full control of the legislative and the executive branches. The ruling party works to put its program into effect; voters can say "yes" or "no" to that program in the next election.

In the United States, James Madison and the other writers of the Constitution specifically rejected a parliamentary system as being too likely to lead to the tyranny of the majority. In its place, they championed a system of separated powers, the driving principle of which was not majority rule, but rather the division of governance among several branches and across several levels. U.S. representatives are elected by different constituencies, and at different times, from U.S. senators, and both have a different electorate from that of the U.S. president. Governors, state legislators, and mayors similarly have unique constituencies. With this wide array of elections, constituencies, and election cycles designed by the framers of the Constitution, there is no single "popular will" that can be expressed through the ballot box. While many people will argue that this is incorrect—that there is a discernible popular will which, curiously enough, invariably coincides with the will of the individual making the argument—a simple investigation into the variety of agendas and positions held by those who have won federal office in 2008 and 2010 should make it obvious that Americans have many different "wills" and that a separation of powers permits them to express a variety of preferences.

In a nation with such large numbers of differing interests and conflicting views, negotiation and compromise are necessary elements of governing—a view that Lugar shares with longtime Democratic U.S. Representative (1965-1999) and statesman Lee Hamilton, director of Indiana University's Center on Congress. On the day after his defeat, Lugar contended:

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<sup>9</sup>E. J. Dionne Jr., "Murdock Republicans Embracing Dangerous Austerity," *Washington Post*, May 9, 2012.

Too often bipartisanship is equated with centrism or deal cutting. Bipartisanship is not the opposite of principle. One can be very conservative or very liberal and still have a bipartisan mindset. Such a mindset acknowledges that the other party is also patriotic and may have some good ideas. It acknowledges that national unity is important, and that aggressive partisanship deepens cynicism, sharpens political vendettas, and depletes the national reserve of good will that is critical to our survival in hard times.<sup>10</sup>

It was exactly this approach Richard Mourdock took issue with in his campaign. On the same day that Lugar made his statement, the new nominee argued that “bipartisanship ought to consist of Democrats coming to the Republican point of view . . . . If we [win the House, Senate, and White House], bipartisanship means they have to come our way.”<sup>11</sup> It would be difficult to find a clearer contrast between two approaches to governance.

The legacy of Sen. Lugar’s primary defeat will not be the decline of moderation within the Republican Party. That train left the station years ago. Rather, it will be a further disincentive for political leaders to listen to the views of those who disagree with them. Cooperation and compromise have always been essential to the functioning of this democracy. The image of a leader as the “man on a white horse,” the admirable figure who stands firm for a clear set of ideals no matter whether or not they are widely held, is hardly consistent with the design of American politics. If party voters remain intent on punishing compromise, then politics will become even more of a “dialogue of the deaf,” in which civic engagement is the arena of the gladiator rather than the negotiator. The aim of a negotiation is to produce a mutually acceptable solution; the aim of a gladiatorial contest is to leave blood on the floor. It would seem apparent that negotiation is the more democratic choice.



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<sup>10</sup>Richard G. Lugar, untitled statement, released May 9, 2012.

<sup>11</sup>Richard Mourdock, appearance on “The Daily Rundown,” MSNBC, with host Chuck Todd, May 9, 2012.