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Policy Revolution without a Political Transformation

THE PRESIDENCY OF BARACK OBAMA

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When the contributors to this book gathered in a seminar room at Princeton University just three days after the 2016 presidential election, almost everyone in the room seemed to be in a state of shock. “Historians Assess Obama’s Legacy under Trump’s Shadow” read the headline of a *New York Times* article covering the conference.¹ Donald Trump’s stunning victory over Hillary Clinton loomed over our discussions. Certainly, few participants had predicted that one of the most inexperienced and unconventional candidates in the history of modern presidential campaigns would defeat someone with one of the most impressive résumés imaginable. Whereas many of the historians had submitted draft essays focusing on the accomplishments and limitations of President Barack Obama with the expectation that the next president would probably preserve much of his legacy, the discussion turned to how quickly his programs might be dismantled now that Republicans controlled the White House as well as Congress. Trump’s election appeared to symbolize a direct rejection of the basic meaning of 2008, when the country elected its first African American president.

Obama seemed to demonstrate—simply through his victory—that the possibility of genuine change in American politics was real. When he took office in January 2009, his ambitions were grand. Even in the middle of a severe financial crisis and turbulence overseas, the new president sought to remake the social contract within the bounds of what was politically possible. Not only was his election widely perceived as a mandate for a new era of governance—and a repudiation of Republican economic and foreign policy, given President George W. Bush’s miserable approval ratings—but Obama also enjoyed Democratic control of the House and the Senate. With Nancy Pelosi, a liberal Democrat, as Speaker of the House, he had strong allies on the Hill. Conditions seemed ripe for the president to move forward with a bold agenda.

This was an unusual situation. Although Americans often yearn for earlier eras when governing was easy, there were not many moments in the twentieth century when liberal Democrats who believed in activist government could make much progress on their goals. The only true exceptions to the rule of congressional gridlock and conservative legislative power had come in the 1930s, when the crisis of the Great Depression led to a disavowal of small-government ideology, and the mid-1960s, when a vibrant civil rights movement and a landslide Democratic election in 1964 created enormously favorable conditions for enacting new federal policies. With 295 Democrats in the House and 68 in the Senate, Lyndon Johnson could realize much of his vision of the Great Society.

The opportunities for massive liberal government expansion had vastly diminished in the succeeding decades, which is why so many progressives were excited about Obama. There had been a sharp rightward turn in national politics as a lively conservative movement took hold throughout the United States. Since Ronald Reagan’s election in 1980, the conservative revolution had seemed to be entrenched. Although Reagan was not able to reverse as many policies as he hoped, the regressive tax cuts that he put in place in 1981 took a big bite out of the federal government’s fiscal muscle. He weakened a number of key federal agencies by cutting their budgets and staffing them with appointees who were unsympathetic to the policies they were supposed to implement. The anti-environmentalist James Watt served as secretary of the interior. Clarence Thomas, who openly opposed affirmative action, headed the Equal Employment Opportunity Commission.

When the electorate finally voted for another Democratic president in 1992, they chose someone, the Arkansas governor Bill Clinton, who tended to stay within the framework established by conservatism. To be sure, Clin-

ton made a major push for a bold national health care program that would have cut costs, reduced premiums, and expanded access to health insurance. But many of his policies during the rest of his tenure—the North American Free Trade Agreement, welfare reform, budget cuts—were softened versions of what the increasingly conservative Republicans on Capitol Hill were trying to achieve. Clinton, one of the founders of the centrist Democratic Leadership Council, believed that jettisoning some party traditions was the only way that Democrats could survive. Because of his failed efforts on health care, the Republican takeover of Congress in 1994, and his own political inclination to move toward the center, Clinton’s presidency did not offer Democrats anything nearly as robust as the policy initiatives of Franklin D. Roosevelt and Johnson. Democrats stood by Clinton when the House Republicans moved to impeach him for perjury about an affair with an intern. But their fervor for Clinton was more a response to the zealous partisanship of Republicans than an expression of enthusiasm for the president.

Though he came of age in the Reagan era, Barack Obama remained committed to the liberal political tradition that had shaped his party for so many decades, updated to fit the realities and experiences of the late twentieth century. Obama’s background in community organizing and the time he spent studying at the nation’s elite universities had exposed him to the animating ideas that shaped the presidencies from these earlier periods. Although Obama was an intellectual pragmatist who understood that some of his predecessors had overstated the potential of government, a person who was also very calculating about how he positioned himself in public,² there was little question among those who knew him that he embraced many of the fundamental liberal traditions of his party.³

Obama is part of a generation of liberals who have been lost in the historiographical focus on the “rise of the right” after the 1960s. He is one of many liberal leaders who remained alive and well—and politically active at all levels of government—in the conservative era that followed Ronald Reagan’s victory in 1980. Whereas some attention has been paid to the grassroots activists who challenged the nation’s rightward drift, we know much less about the politicians who took up this challenge.⁴ The contributors to this book look at Obama as one of the most influential figures of this cohort. As president, he attempted to remake liberalism by finding a new role for government in postmanufacturing society and by crafting programs that would be viable within a polity that had shifted far to the right since Johnson’s tenure.

Throughout his presidency, Obama proved to be a skilled policymaker, much more than most people realized at the time. Although critics complained that he didn't have enough Johnson in him, his policy output in 2009 and 2010 was remarkable. Unlike Johnson, he didn't love the wheeling and dealing that took place on Capitol Hill, but Obama did have a keen sense of how the institutions of government work and the ways that his team could design policy proposals so that they could survive the political vicissitudes of the period. Faced with the intransigent conservative opposition that I document in my opening essay (chapter 2), Obama was forced to build policies that made an end run around his opponents and created incentives to win over the support of powerful stakeholders, either through the strategic design of legislative programs or the blunt exercise of executive power.

The results were sometimes breathtaking, as journalists Mike Grunwald, Peter Baker, and Jonathan Chait, as well as the political scientists Theda Skocpol and Lawrence Jacobs, have argued in their books.⁵ In the first two years of his presidency, Obama obtained support for the Affordable Care Act (ACA), the Dodd-Frank financial regulation, and an economic stimulus bill, a burst of domestic legislation unlike anything the nation had seen in years. Although not all the authors in this volume agree on how much change occurred, some believe it was much more significant than many people realize. As Paul Starr writes, the cumulative effect of Obama's policies was to make great progress in diminishing the inequality that was so rampant in the modern economy. The economic stimulus program, as Eric Rauchway recounts, was very successful at ending the economic crisis conditions under which Obama took office. It may not have been a new New Deal, but it moved the nation out of a deep recession.

Several of the other authors demonstrate how Obama was able to move policy forward, in ways that often were stifled in previous administrations, by using the power of the executive branch. When Congress proved resistant to any further change after Republicans took control in 2010, the president found other means of making an impact. Meg Jacobs, for example, analyzes the notable progress on climate change through executive action. Jeremi Suri reveals the profound changes in foreign policy that occurred under Obama's leadership with the advance of a liberal internationalist agenda that resisted the use of military power, offering an important turn away from the policies of President George W. Bush. Executive power enabled Obama to move the nation away from using military force so readily

and to enter into treaties, such as the Iran nuclear deal, that diminished the threat of international conflict.

Besides Obama himself, robust social movements also checked the Supreme Court justices who wanted to undo the New Deal settlement that greatly expanded federal power. Risa Goluboff and Richard Schragger document that the limits to how far conservative justices could rule against policies such as same-sex marriage reflected the dramatic evolution that had taken place in many core social and cultural values since the 1960s. On gay rights, ethnic pluralism, and even racial tolerance, there is much deeper support in the electorate than the success of the conservative revolution would indicate. A vibrant grassroots movement checked reactionary elements seeking to block progress on legislative and judicial changes, as Timothy Stewart-Winter recounts in his essay. The election and the reelection of an African American to the presidency by large portions of the population, Gary Gerstle reminds us, were both historic moments, despite the victory of a reactionary candidate as his successor. It is significant that the candidate running as a defender of Obama's legacy, Hillary Clinton, won more than two million more popular votes than Trump in 2016; Democrats improved their standing in red states like Georgia and Texas. The Obama years likewise helped inspire new groups of progressive social activists—such as Black Lives Matter, Occupy Wall Street, and the Bernie Sanders primary campaign—even if, as Michael Kazin explains, they were often born out of frustration that Obama did not fulfill many of his promises.

The Obama presidency offered a powerful counterweight to the political legacy of Reagan and the conservative movement. The president offered—with a rhetorical vigor we have not seen since the 1960s—a renewed commitment within the Democratic Party to using the federal government as a tool to alleviate social and economic problems. In addition, many of the actual policies he put in place will be hard for the Republicans to undo. A united Republican government has already encountered strong resistance to revoking the Medicaid coverage that twelve million Americans enjoyed under the ACA when Obama left office.

To be sure, there were many ways in which the policy revolution that Obama's supporters envisioned fell short of expectations. In several areas, authors in this volume point out, there was great continuity, either by choice or by political necessity, between the administrations of Obama and President George W. Bush. With regard to education policy, Jonathan Zimmerman recounts, Obama stood behind the federal standards-based

approach to reform adopted by Bush, which generated bipartisan opposition. In the realms of counterterrorism, policy in Africa, and urban programs, as Kathryn Olmsted and Jacob Dlamini show, Obama stuck to the path set by his predecessor or other leaders who came before. In other areas, such as immigration, criminal justice reform, and institutional racism, Tom Sugrue, Sarah Coleman, Peniel Joseph, and Matthew Lassiter argue, Obama failed to find ways to advance significant policy change. Nowhere was this more frustrating and disappointing than in race relations. Although many observers celebrated the idea that his election in 2008 was the culmination of the civil rights struggle, the frustration Obama felt, over the succeeding years, with ongoing racial conflict and continued evidence of racial inequality, often deeply inscribed in national institutions, belied that optimism.

A number of policy failures hurt Democrats politically. During Obama's presidency, Democrats did not make much headway in the fight against middle-class insecurity. Some liberals criticized the president's decision to put these economic issues on the back burner as he prioritized health care in his first year. The structural problems inherent in the postmanufacturing economy continued to worsen even as the administration made substantial progress in reducing the divide between the very rich and the poor. In foreign policy, there were certain areas of the world, such as Syria, where the crises that unfolded between 2009 and 2017 seemed to be in part a result of Obama's detached and restrained style. His critics argued that the president was unwilling to spend enough of the nation's international capital on crucial challenges that did not immediately threaten the national interest.

The defining paradox of Obama's presidency, a theme that shapes many of the essays in this volume, is that he turned out to be a very effective policymaker but not a tremendously successful party builder. During his presidency, even as he enjoyed reelection and strong approval ratings toward the end of his term, the Democratic Party suffered greatly. While Republicans reaped huge rewards from the investments they made in congressional and state politics, Democrats watched as their power—as measured in numbers of legislative and gubernatorial seats—dwindled.

To be sure, some of the dilemmas that Democrats faced were not a result of President Obama's strategic choices. The problems that challenged the Democratic Party at the state and local level were not new in 2009. Democrats had been struggling to rebuild the party since the 1980s, and had never fully regained the strength they enjoyed from FDR to LBJ. The reason that President Obama shone so brightly in the 2008 campaign was

that he offered such a fresh and distinctive voice for Democrats, one that seemed absent throughout much of the party apparatus. He also mounted a very effective campaign against former Massachusetts governor Mitt Romney in the 2012 election, connecting his Republican opponent to the regressive economic policies of his party at a time when millions of middle-class workers were struggling to get by. Obama was also able to rekindle the excitement of his 2008 election by reminding them that, despite all of the shortcomings of his first term, he had worked hard and made progress on a number of pertinent issues that had been ignored by his predecessor as well as the Republican Congress. And of course, when looking at Capitol Hill it is important to note that the party of the person who occupies the White House usually suffers over the course of a two-term presidency.

But some of the problems that Democrats encountered, which made possible the election of one of the most inexperienced, controversial, and unorthodox Republicans in American history, were connected to Obama's decisions. The fact that Republicans were doing so well in state government and had amassed such a sizable majority in the House was not unconnected to the president. This, too, is part of his legacy, as much as any policy he pushed through Congress.

President Obama's programs were designed in such a way that they did little to strengthen the standing of Democrats as a whole. Congressional Democrats frequently complained that his strategies and policy choices put them at risk. Seeking to expand government with a hidden hand, his policies were crafted in a way that made it hard for the party to claim credit with voters. At the same time, some, such as the ACA, were enormously controversial. In public, Obama tried to deflate his partisan opponents by downplaying the scale and scope of policies such as the economic stimulus package so that they did not attract too much public attention. Whereas most Americans could never miss a bridge or road built by FDR's Public Works Administration, they traveled past projects from Obama's stimulus program without noticing a thing. The subterranean state-building strategy came at the cost of claiming credit for big accomplishments, as Paul Starr argues in his piece. Programs like financial regulation and health care depended on complex regulatory mechanisms that dampened the ability of conservatives to brand them as "big government" and won the support of private interest groups who saw ways to benefit from government. When he couldn't win support for legislation, Obama relied on executive power to achieve his goals, a strategy that could be easily undone by future presidents.

The design of many programs also left them vulnerable. The Dodd-Frank regulations, for instance, created significant space for financial institutions to curtail the impact of the programs. The reforms did not do enough to undercut the power of the interests they were meant to regulate; they provided only a framework for governance rather than more specific rules. The flexibility built into the law gave the financial industry more than enough room to maneuver to weaken its effects. Although some risky activity has been curtailed, Wall Street investors continue to engage in speculative behavior. These frameworks created regulatory programs that could be dismantled by a president and cabinet leaders who were not interested, as is now the case, in carrying out the laws. The programs were not well designed to withstand counterattack.

As historians look back at what happened, some of the blame for the condition of the Democratic Party will have to fall on the former president's choices. The organizational strength of the Democrats at the state and local level has withered under bad leadership, as Theda Skocpol and Vanessa Williamson have argued.⁶ Shortly after the 2008 election, Obama's top advisors made a crucial decision when they shifted control of the political machine they had built, with thirteen million email addresses, eight hundred thousand registered users, and three million donors, to the Democratic National Committee. Some advisors, like Christopher Edley, wanted to build on the campaign to energize Democrats to engage in the governance process. Once in the DNC, however, much of the operation was left to languish. "Killing OFA [Obama for America] reduced the possibility of competing for the hearts, minds, and votes of the Tea Party disaffected," one political scientist concluded, and it "killed the one entity possible for institutionalizing the raw energy created by the Obama campaign in 2008."⁷ When the national Republican Party and conservative donors made a decision to invest heavily in state and local races in 2010 through Operation REDMAP (Redistricting Majority Project), with the intention of winning control of state legislatures and thus to be able to shape congressional redistricting the following year,⁸ President Obama did little to counteract this. The Democrats subsequently lost badly in redistricting battles across the nation. To the dismay of congressional Democrats, the president did not always work hard enough to help the party amass the resources that it needed to fight an aggressive GOP. His Democratic critics complained that Organizing for America, the political campaign operation that he rebuilt in 2012, had always focused on Obama over the interests of the party in the

states and localities. Unlike President Franklin Roosevelt in the 1930s and 1940s, Obama did not leave behind a coalition that, at least in the short term, has the muscle to protect what he built.

By the time Obama's presidency ended, Republicans had regained control of the House in 2010 and the Senate in 2014, as well as controlling thirty-four state legislatures. Democrats lost more than one thousand seats in state legislatures, governors' mansions, and Congress during his time in office. Democrats complained that the president pushed them to handle controversial issues without giving them adequate political support in exchange, and without being tough enough against a Republican Party that was moving sharply to the right. And in 2016, the Republican Donald J. Trump was elected president.

When the outcome of the 2016 campaign became clear, Democrats understood the precarious state they faced. Given that the party would be defending more seats than the GOP in 2018, they were even pessimistic about the potential midterm backlash they would normally hope to enjoy. Within the states, the situation was even worse.

Although the full story has yet to be understood, initial evidence indicates that President Obama's political caution may have played a role in shaping the outcome of the election that brought Donald Trump to power and gave Republicans united control of the federal government. While Democrat Hillary Clinton was being pilloried by the Republicans and the press for her email scandal, President Obama was reluctant to disclose anything in the summer of 2016 about the ongoing investigation by the FBI of Russian intervention in the election—as well as contacts between the Trump campaign and the Russians—because he feared that the administration would appear to be meddling in the campaign. When the FBI director James Comey proposed to Secretary of State John Kerry, Attorney General Loretta Lynch, Secretary of Homeland Security Jeh Johnson, and National Security Advisor Susan Rice that he publish an op-ed in the *New York Times* revealing that the FBI was investigating Trump officials for links to the Russian intervention, they shot down the idea.⁹ When the White House later revisited the idea of making public the investigation in October, Comey had changed his mind and opposed the idea.¹⁰

Following the election, Obama understood the damage that his party had suffered. The Republican Party had changed dramatically while he was in the White House. He saw how this was happening, and he was able to overcome its opposition at times, but he could not hold back its electoral

success. “We’ve seen this coming,” Obama said as he reflected on the election outcome.

Donald Trump is not an outlier; he is a culmination, a logical conclusion of the rhetoric and tactics of the Republican Party for the past ten, fifteen, twenty years. What surprised me was the degree to which those tactics and rhetoric completely jumped the rails. There were no governing principles, there was no one to say, “No, this is going too far, this isn’t what we stand for.” But we’ve seen it for eight years, even with reasonable people like John Boehner, who, when push came to shove, wouldn’t push back against these currents.¹¹

The question historians must ask is why this caught Obama by surprise. Why wasn’t he more aware? Why didn’t he do more to work with the Democratic Party and activists to fight these currents as he saw them gradually building strength? Was he even correct in attributing Trump’s victory to the new tactics and strategy of the Republican Party or did he grossly understate the responsibility of Democratic policy failures, such as not doing enough to alleviate middle- and working-class insecurity? In the following pages, some of the nation’s best historians offer a preliminary assessment of the Obama presidency.