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Assembly Speaker at IGS

California Assembly Speaker Fabian Núñez spoke at IGS at the end of the fall semester. For more on Núñez's visit to the Institute, see page 10.

IGS Project to Study Regulatory Policies in California, Europe

IGS is launching a new initiative to systematically compare California and European regulatory policies regarding the environment, water quality, global warming, energy conservation, food safety, and other issues.

The new project will create a task force of policymakers and scholars from both California and Europe. Over a two-year period, task force members and others will participate in workshops and conferences examining the differing regulatory approaches, and then will produce an edited volume of essays and a White Paper that will highlight important findings and recommendations.

The project is led by David Vogel, a professor at Berkeley's Haas School of Business and a member of the IGS Faculty Advisory Committee, and by Hedy Riss, director of the IGS Center on Institutions and Governance.

"The purpose of this project," Vogel said, "is to compare and describe the relationship between regulatory policies in California, historically the 'greenest' American state, and the EU, which has emerged as a global environmental leader. One of its central objectives is to explore op-

portunities for future regulatory cooperation between California and the EU."

IGS Director Jack Citrin praised the program as an important augmentation of the Institute's research agenda.

"This new initiative combines our traditional focus on California with our expanding interest in global policy issues," Citrin said. "David and Hedy have provided wonderful leadership in launching this project, and the result will be fascinating interdisciplinary scholarship important to Europe, the United States, and California."

In addition to support from IGS, the project is being generously funded by the European Commission, the German Marshall Fund, and the Catholic University of Leuven in Brussels.

For more on this important project, see page 5.

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UNIV. OF CALIFORNIA, BERKELEY
INST. OF GOVERNMENTAL STUDIES
109 Moses Hall #2370
Berkeley, California 94720-2370
510 642-1474
FAX 510-642-3020
<http://www.igs.berkeley.edu>

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The Institute of Governmental Studies' Public Affairs Report is published four times a year. The University of California's primary center for interdisciplinary research in politics and public policy, the Institute was established in 1919. Its staff includes faculty with joint IGS and departmental appointments, research specialists, visiting scholars, and graduate students. Drawing on the Institute's major reference library, they conduct research in public policy, public administration, American politics, urban problems, federalism, technology and government, and regional development.

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SCHOLAR'S CORNER

vital. Ordinary voters determine a candidate's market share, and their verdicts, based on a shifting set of cues, make and break careers.

The Lessons of History

In our view, history has shown many of the concerns about the post-1968 reforms to be overblown. Yes, the system is incredibly complex. The rules vary not only by year and by state, but even within the same jurisdiction: in 2008 independent voters in California were allowed to vote in the Democratic presidential primary, but not the Republican one. This highly complex and decentralized system is in part a consequence of federalism; 50 state governments affect the process. In addition the ability of national party organizations to impose their will is limited. When states try to get ahead of Iowa or New Hampshire they can be slapped down, but within this limit no one can prevent the game of states playing musical chairs with the schedule of primaries.

Forty years of experience have shown that there is no single key to victory. Candidates with an early lead in the polls faltered, e.g., Ed Muskie in 1972 or Joe Lieberman in 2004. Champion fundraisers have failed to win votes e.g., John Connally in 1980 and Howard Dean in 2004. Iowa victors have stalled out in later states, e.g., George H. W. Bush in 1980 or Dick Gephardt and Bob Dole in 1988. The same is true of winners in New Hampshire, e.g., John McCain in 2000, Paul Tsongas in 1992, and Gary Hart in 1984.

In fact, after the unlikely nominations of George McGovern and Jimmy Carter in the early days of the new system, the candidates preferred by elected officials, fundraisers, party-aligned interest groups, and activists have generally prevailed in both parties. These nominees, chosen more for their reliability and ability to unite the party than for their competence or ability to inspire, are surprisingly similar to those favored when the choice was made by the bosses at the old-style conventions.

Cont. on p. 14

The **Scholar's Corner** features commentaries in which faculty members affiliated with IGS apply academic research or concepts to issues relevant to the practical world of politics and policy.

Nominating the Presidential Candidates: From 1968 to 2008

David Karol and Jack Citrin



In keeping with the zeitgeist of "power to the people," 1968 killed the already decaying system for nominating presidential candidates. Both major parties changed their rules to replace the selection of their nominee by the party's elders in Congress and the states with caucuses and primaries giving rank and file voters the main say. Early predictions were that more candidates would run, they would start running earlier, fringe candidates would have a better chance, the media would become the new kingmakers, success in Iowa and New Hampshire would provide almost unbeatable momentum, and money would talk louder than ever.

How well have these surmises stood the test of time? Some things are certain. Candidates now must run aggressively in the primaries and caucuses; bypassing the voters, courting party leaders and coyly waiting for a draft at the convention are no longer viable strategies. Candidates must enter the contest earlier and earlier and test the waters by trying out their product—themselves—on would-be investors and potential consumers. Early money from the political equivalents of venture capitalists and success in branding oneself as having a chance to win are

IGS Names Two New Jacobs Fellows

Two veteran California journalists have been named as the newest John Jacobs Fellows at IGS, providing them with a research base as they work on books related to California history.

Miriam Pawel, formerly of the *Los Angeles Times*, and Seth Rosenfeld, on leave from the *San Francisco Chronicle*, have been named Jacobs Fellows for 2008.

Pawel, a former reporter and editor at both the *Times* and *Newsday*, is working on a history of the United Farm Workers union, from its inception in the 1960s to its later difficulty in retaining contracts. The book is to be published by Bloomsbury.

Rosenfeld, an experienced investigative reporter for the *Chronicle*, is working on a book describing the FBI's activities at Berkeley during the 1960s, including its surveillance of student protests, its attacks on then-University President Clark Kerr, and its attempts to influence public opinion about campus events. The book will be published by Farrar, Straus, and Giroux.

The Jacobs Fellowship, which provides winners with access to the university's research tools, is named after the late John Jacobs, who was a visiting scholar at IGS while he wrote his award-winning book *A Rage for Justice: The Passion and Politics of Philip Burton*.

The fellowship is designed to assist in the completion of a significant work of nonfiction that combines scholarly research and lyrical writing about California politics, public policy, or history. Jacobs Fellows have already published distinguished books, including Bill Boyarsky's *Big Daddy: Jesse Unruh and the Art of Power* and Jim Newton's *Justice for All: Earl Warren and the Nation He Made*.

Before leaving the *Times* in 2006, Pawel was at various times senior projects reporter, assistant managing editor, and metro editor. She came to California to join the *Times* in 2000 after 20 years at *Newsday*, on Long Island, where she had held various posts, including assistant managing editor.



Miriam Pawel

In 2006, while still with the *Times*, Pawel wrote a four-part series about the United Farm Workers union, which led to her book project.

Rosenfeld has been a member of the *Chronicle* investigative team since 2000, and before that was a reporter at the *San Francisco Examiner*. He first applied to the *Examiner* in 1984, when he was a free-lancer, at the suggestion of Jacobs.

Rosenfeld's work on the FBI and Berkeley goes all the way back to 1981, when he was attending the university and writing for *The Daily Californian*. The student paper acquired previously secret FBI files about events at Berkeley in the 1960s, and Rosenfeld was assigned to go through the papers. Finding that the files were heavily redacted, Rosenfeld began an independent, 20-year effort to get the full documents. He finally succeeded in the late 1990s, receiving more than 200,000 pages from the FBI. In 2002 the *Chronicle* published a series of articles about FBI activities at Berkeley, and Rosenfeld subsequently began work on his book-length account.

New Members Join IGS National Advisory Council

Two new members have joined the IGS National Advisory Council, bringing a new wealth of experience in business and government. David Carrillo is an attorney with a lifelong commitment to educational causes. Vivek Varma is a Microsoft executive and former congressional staff member.

"David and Vivek will provide the council with a rich perspective garnered from their long experiences in law, business, and government," said IGS Director Jack Citrin. "They have already shown an energetic commitment to the council and to IGS, and I look forward to working with them in the future."

The council, led by Chairman Darius Anderson, provides advice, guidance, and support to the Institute.



VIVEK VARMA

Vivek Varma is General Manager of Communications and Public Relations for the Platforms and Services Division of Microsoft. Varma

reports directly to Kevin Johnson, president of the Platforms and Services Division, and is responsible for public relations, executive communications, consumer outreach, and employee communication across the Windows, online services, and online advertising businesses.

Prior to joining this division of Microsoft, Varma served as Senior Director of Corporate Communications and Public Relations in Microsoft's Corporate Marketing Group. From 2003–2006, Varma was responsible for corporate communications around Microsoft's global cross-company initiatives related to image, policy, and business marketing. From 2000–2003, he was a director of corporate communications and public affairs, responsible for legal and public affairs issues management, policy communications and as a spokesperson for the company. Prior to that, he served as corporate attorney/policy and communications counsel in the Law and Corporate Affairs department at Microsoft, where he was a member of the Microsoft team defending the company in the Department of Justice antitrust case and building its global government affairs program.

Prior to joining Microsoft in April 1996, Varma was the executive director of the Campaign for America Project, a Washington, D.C.-based nonprofit organization focused on campaign finance reform. From 1994–1995, Varma served as policy counsel for the Democratic caucus of the House of Representatives. He began his career on Capitol Hill in 1988 working for the late Congressman Mike Synar, Democrat from Oklahoma. Varma served in a variety of staff and legislative roles for Congressman Synar, including serving as his chief of staff in the 103rd Congress.



DAVID A. CARRILLO

David A. Carrillo is a deputy attorney general with the California Department of Justice, where as a member of the Employment, Regulation, and Administration Section he represents state agencies on issues of statewide importance in state and federal court.

Before joining the Department of Justice, Carrillo served as a deputy city attorney in San Francisco and as a deputy district attorney in Contra Costa County, and worked as an associate in private practice. A member of the California bar since 1995, Carrillo is admitted to practice before the Supreme Court of the United States, the Ninth Circuit Court of Appeals, and the Northern, Southern, Central, and Eastern District Courts of California.

In addition to earning B.A., J.D., and LL.M. degrees from UC Berkeley, currently Carrillo is preparing a dissertation on California constitutional law in the J.S.D. program at Boalt Hall School of Law. Since 2007, Carrillo has served on the State Bar of California Commission on Judicial Nominees Evaluation, and is a member of the Hispanic National Bar Association, La Raza Lawyers Association, Alameda County Bar Association, Bar Association of San Francisco, and NITA Advocates Society. Carrillo is the founder and chief financial officer of the California Tau Foundation, and has served as vice president of the Tau of Pi Lambda Phi Alumni Association since 1999.

California-Europe Project Launches at IGS

The new IGS initiative on California and European regulation is already underway.

In late February the project staged a two-day workshop at the Berkeley Faculty Club, featuring scholars from around the world presenting their research on a wide variety of issues.

Papers presented at the conference covered topics such as the regulation of pesticides and other chemicals, climate change policy, nanotechnology, and agricultural biotechnology.

Earlier in February, IGS hosted a talk by Ambassador John Bruton, the head of delegation of the European Commission in the United States.

Bruton spoke about how a bidirectional partnership between the EU and California is evolving and discussed the chances for future regulatory cooperation, learning, and emulation.

California has been a regulatory trendsetter at the national and international levels. Recently the European Union has become a global regulatory leader, while California has become both a launching pad for American versions of European regulation and an innovator that influences Europe.

IGS also recently hosted two talks about books addressing the relationship of California and Europe.

Last November, journalist Mark Schapiro discussed his book *Exposed: The Toxic Chemistry of Everyday Products and What's at Stake for American Power*. Schapiro's book investigates how corporations intent on thwarting stricter environmental and health guidelines in the United States are forced to meet new demands by the European Union to improve their

products. The resulting global economic power shift places Brussels, not Washington, in the driver's seat.

The project is based on the general recognition that regulatory policies have consequences beyond state or national borders. A classic example of this is the way in which California policies regarding auto emissions transformed the behavior of companies seeking to enter the state's enormous market.

In January, Berkeley professors David Vogel and Chris Ansell discussed their book *What's the Beef? The Contested Governance of European Food Safety*. The book examines European food safety regulation at the national, European, and international levels as a case of "contested governance"—a syndrome of policymaking and political dispute in which not only policy outcomes but also the fundamental legitimacy of existing institutional arrangements are challenged.



Mark Schapiro



John Bruton

For more on the California-EU project, including the papers presented at the recent workshop, go to the website of the IGS Center on Institutions and Governance at igov.berkeley.edu.

Jesse Unruh—

Legendary Politico is Examined in New Book, at IGS Panel

Famed California Assembly Speaker Jesse Unruh is the subject of *Big Daddy: Jesse Unruh and the Art of Power Politics*, a new book by former IGS John Jacobs Fellow Bill Boyarsky.

Unruh—and the book—were also under the microscope at a panel discussion early this semester in the IGS Library. History professor Mark Brilliant moderated, and the panel featured Boyarsky, writer and IGS Visiting Scholar Peter Schrag, and former legislator Bill Bagley.

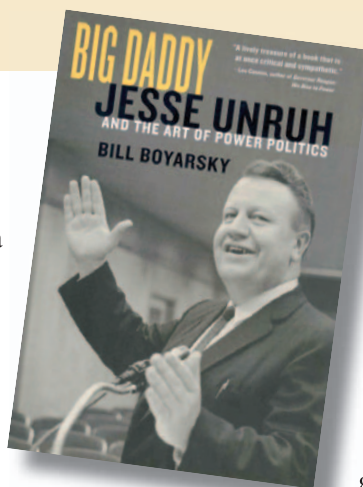
The book is the latest published by an author who had been a John Jacobs Fellow at IGS. For the appointment of new Jacobs Fellows, and more on the nature of the fellowship, see page 3.

Below is an excerpt from the epilogue of *Big Daddy*, published by the University of California Press and available at www.ucpress.edu.

On Sunday, August 9, 1987, almost 1,000 people crowded into Santa Monica United Methodist Church for Jesse Unruh's funeral. "As he walked with us, he fought for the least of us," said California Attorney General John Van de Kamp, who had been the first manager of Unruh's campaign for governor. "He used his power and trust we gave him well. He understood the higher cause." Willie Brown, the California State Assembly Speaker, and the only person to hold the job longer than Unruh, said "the rest of us who hold that title are caretakers." ...

There was much to admire about him when I was scrambling for stories in the Assembly for the Associated Press. I knew he was smart then, smarter and quicker than I was. I was impressed by his debating skill on the Assembly floor and admired the way he grabbed power. But I didn't completely understand why he craved power or what he wanted to do with it.

Now I understand Jesse Unruh better. He pursued power and seized it to assist those whose lives had been like his own. He also craved power to gratify his ambition and his need to be the boss. He did so without much pity or patience for anyone who stood in his way. He loved a fight and was contemptuous of those who lacked the will or ability to fight back. Such a relentless and open drive offended practitioners of a politer politics



and humiliated many who were not as smart and effective as he was.

His idea of the people who needed help came from the experiences of his youth—as a poor farm boy, a blue-collar worker, an enlisted man in the Navy, a GI Bill vet, and the financially struggling father of a young family.

These experiences made Unruh distrust, even despise, wealth and privilege from the beginning. In those days, the rich liberals—sipping wine and arguing for the recognition of Communist China—enraged the hard-drinking Cold Warrior Unruh. But it wasn't just their policies. It was their attitude. They were soft. They didn't know life. They didn't know the pain of poverty. They were the privileged class.

His resentment of such people was never clearer than one day in 1968 when he spoke to students at UCLA. His subject was the rebellion against the war that was sweeping through campuses. By then Unruh had turned against the war and was backing Robert Kennedy for president. His concern, as he spoke to the students, was not their cause but the way their generation—so much more affluent and with brighter prospects than his—pursued it.

"I must confess," Unruh said, "to an immediate feeling of disgust at the sight of barefoot flower children, quite apart from their philo-

sophical convictions or the form of their social criticism. What repels me, quite frankly, is the memory of my youth in Texas where four of us in the family had to share one pair of shoes—where to be barefoot in public was to be ashamed.”

He confessed also to “a momentary feeling of rage” when, watching a TV newsreel of a student protest at San Francisco State College, he saw the students smash a glass door.

“When I was a child,” he said, “a broken window was not something to be dismissed and repaired. It was something you patched and lived with until the family could afford a new pane of glass. That meant that in winter that room would be cold and drafty and all but unlivable for a matter of weeks or months.” He continued, “Our flower children of the thirties died in the hobo camps, the drafty barns, and the welfare lines, and those memories haunt and motivate us just as much as the fear of death in Vietnam obsesses you.”

Motivated by these experiences, Unruh became one of the creators of twentieth-century California. Many decades later, historians, political scientists, journalists, and old politicians looked back on the Unruh era—and the Pat Brown era—as a golden age of politics. The political climate of those days would have shocked twentieth-first-century sentimentalists. Great things were done. Government worked. But just about every mile of water project, every freeway, every new university campus, every civil rights bill, every piece of legislation protecting consumers, women, and children was won by ferocious combat, deal by deal. Nothing was given unless something was given back in return.

This was a game Unruh understood. He accumulated power so he could make those deals and win those fights.

Much of his drive came from the anger of his youth, which never left him. At his worst, he would explode at convenient targets, as he did with Virginia in the first years of their marriage, and with friends and colleagues. Drinking exacerbated his temper. But mostly he channeled his emotions into a single-minded search for power, and the plotting, planning, maneuvering, and intimidation needed to attain it. Of course, anger was not enough. Many qualities go into the making of a powerful legislative leader, and Unruh’s life story reveals them. Unlike presidents or governors, the power of whose offices is defined by law, legislative leaders rely on relationships held together by friendship, favors, and campaign con-

tributions. Powerful politicians must be respected and liked, but also feared, by their followers. Like Unruh, they need insight into their colleagues’ needs, ambitions, and fears. They need a sense of command. They must be one of the crowd but above it. And they must be smart and blessed with natural political instincts, which can’t be taught.

Also important to Unruh’s success was a quality that seems out of place in a man haunted by dark and angry memories of his youth—congeniality. He had a sociable nature, convivial in the dinners and drinking that were so important to the fabric of the legislature of his day. But he wasn’t just another drunk at the bar. What raised him above the barroom were his ideas and his vision of what California could be.

Decades after his death, injustice is still being challenged and corrected under the Unruh Civil Rights Act; his consumer protections are still California law. All through the state, clinics and hospitals serving the poor still exist because Unruh, as state treasurer, made the financial houses in New York underwrite bond issues for them.

He was a politician in the finest sense of the word, and he knew how to use that talent to help people whose lives had been like his own. In the twentieth-first century, California has changed greatly, as have the rules governing politics. Unruh certainly would have fought the term limits that hobble today’s legislators—and might well have figured out a way to beat them. But whatever the rules, Unruh would have mastered them and, no doubt, would be running the show.



Peter Schrag, Bill Bagley, Bill Boyarsky, and Mark Brilliant

Synar, Polsby Fellowships Boost Student Research Efforts



Alan Synar, Vivek Varma, and Rocio Titunik

Polsby Grant Recipients:

Natalie Adona: "The Historical Development of Felon Disenfranchisement Laws"

Tara Kotagal: "After the Storm: An Examination of Housing and Energy Policies in New Orleans after Hurricane Katrina"

Nathaniel Lipanovich: "Congressional Aggression: An Analysis of Congressional Investigations, 1993–2007"

Riva Litman: "An Analysis of Historical Restrictions on Jewish Political Rights in the United States"

Scott Lucas: "The Effects of Conditional Party Government on Agenda Setting"

Robert Nielsen: "Why Do Strong States Employ Private Military Firms?"

Nicholas Perry: "The Rise of the Private Military Industry in the United States"

Samantha Seng: "The Politics of Education Reform"

Xiao Zhang: "An Analysis of Land Use Policy in Oregon and California"

Berkeley students doing research in American politics will benefit from two new IGS fellowship programs, the Mike Synar Research Fellowships and the Nelson W. Polsby Grants for Public Affairs Research. Both programs offer grants to students, the Synar awards to graduate students and the Polsby grants to undergraduates.

Both programs were made possible by a generous donation from Bill Brandt, a member of the IGS National Advisory Council. They will be housed in the IGS Center for the Study of Representation, which is directed by political scientist Terri Bimes.

"These programs combine two goals that lie at the heart of the IGS mission: helping students and studying American politics," Brandt said last summer, when the programs were announced. "I'm honored to be able to help further those objectives."

Synar, a long-time and close friend of Brandt, represented Oklahoma in Congress before he died of a brain tumor in 1996, when he was just 45 years old. Polsby was one of Berkeley's most distinguished faculty members, a mentor to many students, and the director of IGS from 1989 to 1999.

The inaugural awards were made at IGS during a January ceremony attended by Brandt, the late congressman's brother Alan Synar, and Vivek Varma, a new member of the IGS National Advisory Council who once worked for Synar.

The students, each of whom spoke briefly about his or her research project, represented a wide variety of academic disciplines and research interests.



Terri Bimes
Natalie Adona
Nathaniel Lipanovich
Nicholas Perry
Scott Lucas
Riva Litman
Robert Nielsen

Brandt has committed to donating \$50,000 a year for the next five years, with much of the money dedicated to the Synar and Polsby awards.

“This donation will help Berkeley students engage in rigorous study of American politics and policy and gain a better understanding of the forces that govern the country,” IGS Director Jack Citrin said. “We are truly grateful to have such an extraordinarily generous supporter.”

Brandt is widely recognized as a leader in the field of workout, turnaround, and insolvency consulting. His firm, Development Specialists, specializes in the provision of management, consulting, and turnaround assistance to troubled or reorganizing enterprises.

Recently, Brandt was appointed by Illinois Gov. Rod Blagojevich as chairman of the Illinois Finance Authority, the self-financed state authority that issues bonds, makes loans, and invests capital for businesses, nonprofit corporations, agriculture, and local government units throughout Illinois, Brandt’s home state.

Brandt has been involved in matters around the country and around the world and recently has been working with public policy, law, and banking leaders in the People’s Republic of China on approaches to the reorganization and restructuring of some of China’s state-owned industries.

He has also advised Congress on matters of insolvency and bankruptcy policy and also is a frequent lecturer on topics of corporate restructuring. He appears regularly on CNN, CNBC, CBS Radio, and National Public Radio, among other media outlets.



Bill Brandt

Synar Fellowship Recipients:

Corey Brooks (History): “Building an Anti-Slavery House: Political Abolitionists and Congress, 1836–1861”

Peter Hanson (Political Science): “The Institutional Effects of Partisan Polarization in Congress”

Jennifer Randles (Sociology): “Learning and Legislating to Love: U.S. Relationship Education and the Modern Marriage Crisis”

Rocio Titunik (Agriculture and Resource Economics): “Empirical Investigations in Political Economy and Representation”

Kevin Wallsten (Political Science): “Public Opinion and the New ‘New Media’”



*Peter Hanson
Jennifer Randles
Rocio Titunik
Kevin Wallsten*

HIGHLIGHTS



IGS hosted many speakers in the last few months, including politicians, authors, and academics.

Special Events

Fabian Núñez, Speaker of the California Assembly, offered a frank assessment of California issues during a talk in the IGS Library at the close of the fall semester. Among the topics covered: healthcare, term limits, and redistricting. Núñez came to campus as part of the IGS Berkeley/Sacramento program, which seeks to bring policymakers to campus while also transmitting the policy expertise of the campus to the capital. While here for his IGS talk, Núñez also met with Berkeley Chancellor Robert Birgeneau.

Mark DiCamillo, director of the Field Poll, continued what has become an IGS tradition. On the eve of every major election, DiCamillo visits the Institute to give us a last-minute update on the polling data. This winter DiCamillo came on Monday, Feb. 4, the day before the California primary. At the IGS talk he released his estimate of voter turnout, correctly predicting the big crowds that showed up at polling places the next day.

Walter Russell Mead spoke about his new book, *God and Gold: Britain, America, and the Making of the Modern World*. Mead, the Henry A. Kissinger Senior Fellow for U.S. Foreign Policy at the Council on Foreign Relations, gave a wide-ranging talk touching on many topics, including the role that Protestant influence played in the success of Britain and America.

Tom Stanionis, the director of technology in the Yolo County Elections Office, spoke at a workshop at

the end of the fall semester entitled, “Everything You Wanted to Know About Elections But Never Knew to Ask.” Organized by the IGS Election Administration Research Center, the workshop offered the IGS community a chance to learn the nuts and bolts of elections administration, such as signature verification and absentee ballot handling.

Gianfranco Poggi of the University of Trento gave a summer seminar on “The Genesis of Max Weber’s ‘Science as a Vocation’ and ‘Politics as a Vocation.’”

Seminars

Colloquium on Race, Ethnicity, and Immigration

Taeku Lee, UC Berkeley, and **Mark Sawyer**, UCLA, “Race in the City of Angels: Preliminary Report on the 2007 Los Angeles County Social Survey.”

Ron Hayduk, Borough of Manhattan Community College, CUNY, “Immigrants and Race: Potential and Peril for Multiracial Coalitions.”

Janelle Wong, University of Southern California, “Does Faith Transcend Race? Religious and Racial Coalition Prospects among Contemporary Immigrants.”

Gregory Rodriguez, Irvine Senior Fellow and director of California Fellows Program, New America Foundation, “Mongrels, Bastards, Orphans, and Vagabonds: Mexican Immigration and the Future of Race in America.”

Naomi Murakawa, University of Washington, “The Origins of the Carceral Crisis: Racial Order as ‘Law and Order’ in Postwar American Politics.”

Rafaela Dancygier, Princeton University, “Immigration and Conflict in Great Britain, Germany, and France.”



Seminar on Law, Politics, and Business

Bert Kritzer, University of Wisconsin.

Karren Orren, UCLA, “Warnings from Runnymede: Deep Background on the Rehnquist-Roberts Court.”

Kent Greenfield, Boston College, “The Failure of Corporate Law.”

Mark Graber, University of Maryland, “Abraham Lincoln, John Brown, *Dred Scott*, and the Problem of Constitutional Evil.”

Larry Kramer, Stanford University, “Putting the Democracy Back into Deliberative Democracy.”

Colloquium in American Politics

Brent Durbin, UC Berkeley

Mike Murakami, UC Berkeley

Cindy Kam, UC Davis

Laura Stoker, UC Berkeley

Sean Gilmard, UC Berkeley

Brian Feinstein, Harvard University

Jane Green, University of Manchester

Els de Graauw, UC Berkeley

Jasjeet Sekhon, UC Berkeley

Sean Farhang, UC Berkeley

Russell Dalton, UC Irvine

Jon Krosnick, Stanford University

Amy Lerman, UC Berkeley

Rob Van Houweling, UC Berkeley, and **Mike Tomz**,

Stanford University

Paul Pierson, UC Berkeley

Jack Citrin, UC Berkeley, and **John Sides**,

George Washington University

Ann Keller, UC Berkeley

Samuel Kernell, UC San Diego

Seminar on Institutions and Positive Political Theory

Matthias Doepke, UCLA, “Women’s Liberation: What’s In It for Men?”

Andrea Matozzi, California Institute of Technology, “Personal Influence: Social Context and Political Competition.”

Ethan Kaplan, Institute for International Economic Studies, “Coups, Corporations, and Common Knowledge.”

James Fearon, Stanford University, “Fighting Rather Than Bargaining.”

James Alt, Harvard University, “Inequality, Polarization, and Corruption in United States.”

Gary Cox, UC San Diego, “The Politics of Unfair Elections.”

Ernesto Dal Bó, UC Berkeley, “A Model of Self-Discovery, Moral Capital, and Aggregate Wrongdoing.”

Eli Berman, UC San Diego, “Religion, Terrorism, and Public Goods: Testing the Club Model.”

Eric Dickson, New York University, “Leadership, Followership, and Beliefs about the World: Theory and Experiment.”

John Friedman, UC Berkeley, “Optimal Gerrymandering in a Competitive Environment.”

Berkeley Center for Globalization and Information Technology Seminar

Jeroen Dewulf, UC Berkeley, “Freedom of Speech in a Globalized World: The Netherlands after the Murders of Pim Fortuyn and Theo van Gogh.”

*From left to right:
Jeroen Dewulf
Fabian Núñez
Tom Stanionis
Gregory Rodriguez
Gary Cox
James Alt
Mark DiCamillo
Gianfranco Poggi*

Presidential Series Examines the Big Issues

The IGS examination of the 2008 election and the presidency is well under way. The Institute's series, "Choosing the President: Campaigning and Governing in War and Peace," began in the fall with a series of events examining various issues that will face the nation's next chief executive, and the programs have continued into the spring semester.

The topics covered so far include foreign policy, climate change, and, most recently, the future of the federal courts. For details, see below.

Foreign Policy: Grand Strategy and Iraq

Two experienced foreign policy thinkers spoke during the fall, talking about American strategic options and the status of the war in Iraq.

Edward Luttwak, author of *Strategy: The Logic of War and Peace*, spoke on strategic options for U.S. foreign policy. Luttwak, a senior fellow with the Center for Strategic and International Studies, gave a talk peppered with both humor and observations about the nature of strategy in global affairs.

Stephen Biddle, author of *Military Power: Explaining Victory and Defeat in Modern Battle*, spoke shortly after returning from Iraq, where he had advised American military officials, and gave an update about the status of the war. Biddle, a senior fellow for defense policy at the Council on Foreign Relations, described his belief that the situation had improved in Iraq, partly because of efforts by the U.S. military and partly because of factors outside American control.

Both foreign policy talks were cosponsored by IGS and the Institute of International Studies.

Climate Change and Energy Policy

Climate change is getting plenty of public attention these days, and a panel in the fall

brought together three leading experts to discuss the issue. In a wide-ranging exchange, panelists noted that although the environment may not play a large part in the current election for most voters, the next president is sure to face crucial challenges about addressing climate change, both here and overseas.

"In general I would have to say the environment is a relatively minor issue in most presidential elections," said Alex Farrell, an associate professor in Berkeley's Energy and Resources Group. Most polls, Farrell noted, show the environment is not the top issue for most voters.

But regardless of the campaign focus, the next president will face critical challenges in dealing with climate change, the panelists agreed.

Billy Pizer, a senior fellow at Resources for the Future in Washington, D.C., outlined three particular challenges with regard to proposals to limit American emissions: who would be covered by emission restrictions, striking the proper balance between environmental benefits and economic costs, and allocating the emission allowances that would be issued under a so-called cap-and-trade system, the most likely system to be adopted.

Max Auffhammer, an assistant professor of Agricultural and Resource Economics at Berkeley, focused on the international issues. Auffhammer discussed the negotiations to reach a new Kyoto protocol, and said the greatest obstacle to a new international agreement will be convincing the developing countries to participate.

Developing countries are crucial, Auffhammer said, because of the size of their emissions. China recently became the world's largest emit-



ter of greenhouse gases. Even if California were to achieve the aggressive emission reduction goals laid out by Gov. Arnold Schwarzenegger, Auffhammer said, the total amount of carbon kept out of the atmosphere by 2050 would be roughly equivalent to current Chinese emissions just for energy in a mere 15 months.

Yet until now China and India, another large emitter, have generally resisted regulations that might slow their economic growth, Auffhammer said.

Farrell offered some optimism over the role that technological innovation might play.

“When we begin to think about really deep reductions . . . the things that accomplish that task are extremely difficult,” and yet innovation might go some distance toward achieving major reductions, Farrell said.

The session was moderated by James Bushnell of the UC Energy Institute, which cosponsored the event with IGS.

What's Next for the Federal Courts?

The winner of the 2008 presidential election will potentially shape the future composition of the U.S. Supreme Court. This aspect of the presidential contest, infrequently discussed in media coverage of the primaries, took center stage Feb. 21 at a panel entitled “The Next President and the Courts,” cosponsored with the School of Law.

The evening featured longtime Democratic consultant and USC law professor Susan Estrich; Republican William Kelley, former deputy White House counsel for George W. Bush and now a law professor at Notre Dame; and Berkeley law professor Jesse Choper. John Yoo, Choper’s colleague, moderated.

Who appoints the federal judiciary, and who those judges are, “is critically important to our freedoms as Americans,” asserted Estrich. In the current political climate, she said, “it is necessary to appoint people of courage and determination and integrity to stand up for fundamental rights that are endangered by the war on terror.”

The high court currently consists of four justices each in the liberal and conservative camps, with Anthony Kennedy breaking the tie on controversial issues. By Choper’s reckoning, the three justices most likely to step down during the next presidency—John Paul Stevens, who is about to turn 88, Ruth Bader Ginsberg, and David Souter—are all liberals.

While that sounds like a bit of math that would energize voters of all stripes, Estrich predicted that the president’s power to select Supreme Court justices will not figure significantly in the electorate’s ruminations. A veteran of numerous election campaigns—including the 1988 Dukakis presidential campaign, which she managed—Estrich said it “never works” to try to make the president’s judicial-nominating power into a voting issue. “It’s like beating your head against a brick wall.”

In his role at the White House, Kelley helped prepare both John Roberts and Samuel Alito for their confirmation hearings. Based on that experience, he argued that for any president making a high-court nomination the “excellence of the nominee” is the best way to beat back inevitable opposition—making it “very hard for the media” or others to “take them down.”

The panelists agreed that the Senate confirmation process for judgeships at all levels of the judiciary has grown increasingly partisan, making it harder for anyone who has taken a stand on controversial issues to pass muster.

“We’d be better off,” Kelley said, “if both sides, within reason, would let people through whom they might not like.”

“If we get milquetoasts on both sides . . . that’s not what we need,” added Estrich. “I worry that we’ve made a lot of people of stature into untouchables.”

A longer version of this article appeared initially in The Berkeleyan, www.berkeley.edu/berkeleyan.



Photo above: Susan Estrich, Jesse Choper, William Kelley, and John Yoo. Photo: Peg Skorpinski.

Photos on opposite page, from top to bottom, left to right:

Stephen Biddle

Edward Luttwak

Jim Bushnell

Max Auffhammer

Alex Farrell

Billy Pizer

For webcasts of Choosing the President events, go to:
igs.berkeley.edu/events/president2008

What was interesting in 2008 was the seeming inability of the party establishments to coordinate and signal their preferred choice to the rank and file. The result was competitive and exciting contests in both parties. One reason for this was the absence of an incumbent president or vice president in the race—a first since 1928. Incumbents are almost automatically front-runners in terms of name recognition and organizational support. The closest thing to a party favorite in either race this year was Senator Hillary Clinton. The senator from New York did win more early backing from leading Democrats than any of her rivals, but support for her among prominent members of her party was far from universal.

Both parties have long been diverse coalitions, making coordination behind a single candidate acceptable to all factions but a captive of none a difficult task always. The post-1968 reforms in scheduling, changes in campaign finance laws, and developments in media technology have made top-down control even harder. Candidates' ability to raise money on online, to mobilize through political blogs, and the role of 527 Committees in empowering wealthy activists and interest groups gives underdogs more resources with which to build a campaign. Witness Barack Obama and Ron Paul's impressive fundraising this year and Howard Dean's in 2004.

Critics of Iowa and New Hampshire's prominent role in the process often observe that these states are hardly a cross-section of the nation. While the victory of Senator Obama in overwhelmingly white Iowa could mitigate this concern, the results from the GOP caucus on the same day in January may reinforce it. Although Iowa is located outside the Bible Belt, exit polls revealed that 60% of Republican caucus attendees were evangelical Christians. The overrepresentation of this group worked in favor of former Arkansas Gov. Mike Huckabee. Yet this result stemmed less from the first contest's location than the rules by which it was conducted. Even more than the primaries, the caucus system favors those with intense and easy to mobilize followers.

Yet candidates on the fringe who score an early win due to local circumstances are unlikely to be nominated in the end; the heightened scrutiny that early victories bring proves their undoing. Victory in New Hampshire did not make Pat Buchanan the Republican presidential nominee in 1996. Usually, the candidates aided most by "momentum" gained from early success have been those who fell well within their parties' mainstreams, but were not initially well-known to voters, e.g., Jimmy Carter or John Kerry.

Those frustrated by the present system often suggest replacing it with a national primary. Most parties around the world that have adopted primaries (an American invention) allow all their members to vote on the same day. Such a reform would mean that Californians would have the same choice of candidates as Iowans do. By contrast, in the current system many candidates have been eliminated before the California primaries, if indeed the nominations have not been already decided.

David Karol is an assistant professor of political science at Berkeley. Jack Citrin is a professor of political science and the director of IGS. This piece initially appeared in *California Magazine*, the university's alumni magazine.

Although polls have long shown that most Americans favor this reform, adopting a national primary would greatly reduce the incentive of candidates to engage in meeting and talking to ordinary voters and lead them to concentrate even more heavily on the fundraising required to make national ad buys. This reform would also make it even harder for underdog candidates to get noticed by most voters; rich, better-known frontrunners would have an even easier time.

What must be recognized is that for all its flaws, the American system of producing the chief executive combines the country's democratic and decentralizing impulses, involving multiple actors in many venues. In 2008, the much-maligned process is almost certain to produce either a female or African-American candidate for president, a historic first. The present system tests the stamina of candidates, as well as their ability to both win public support and withstand the slings and arrows hurled by their opponents, the media, and the blogs. The marathon run to become president in some ways is good training for the ultra-marathon of office.

IGS Council Members Lecture to Classes

IGS National Advisory Council members Darius Anderson and Bill Brandt brought their expertise to Berkeley classrooms this spring. Anderson, chairman of the council, lectured to the California politics class taught by former Assemblyman Ted Lempert, who has long been affiliated with IGS. Anderson spoke about political fundraising and the role of money in politics.

Brandt spoke to a class on the presidency taught by Terri Bimes, director of the IGS Center for the Study of Representation. Brandt, who has long been involved in national Democratic politics, engaged the students in a debate about the merits of public financing for campaigns. Both men brought firsthand political experience to the classroom.



Bill Brandt speaking to students.

IGS OBSERVER

By Gerald C. Lubenow

Humoring Hillary

Watching the press wrap Barack Obama in a warm embrace reminds me of another candidate of change, an inspirational speaker and press corps favorite. In 1980, Ronald Reagan offered hope to a nation battered by high interest rates, soaring inflation, and a hostage crisis in Iran. The Great Communicator drew large, adoring crowds wherever he went, inspiring them with grand visions of a brighter tomorrow. The reporters who covered him, of which I was one, liked him, despite the fact that his politics were not theirs.

But 2008 is not 1980. The news business has seen major changes in 28 years even though the political leanings of the mainstream media have not. Fox News notwithstanding, the vast majority of men and women reporting the campaigns for major media outlets are Democratic and liberal.

Reagan spoke eloquently to Republicans longing for change. But the change he offered was a return to a simpler, imagined past when America was a shining city on a hill. The press acknowledged his eloquence, but his message fell on deaf ears as far as they were concerned.

Obama's message is no less ephemeral, a vision of a post-partisan promised land where Republican lions lie down with Democratic lambs. But Obama's rhetoric moves the media as much as his audiences. Many reporters freely admit their feelings, and today's edgy, free-wheeling media environment gives them license to express them, usually thinly veiled but often quite openly. When a reporter on MSNBC confessed a bit of bias, Chris Matthews snapped, "Of course we like Obama. We're in the news business. He's new. Hillary is old stuff."

If it has taken the voters time to sort out their favorites, the media's choices were obvious from the start. As one reporter who has been covering the campaigns told me shortly before the January surge by Obama and McCain: "The press is dying for a McCain-Obama race, and they are scared to death they'll get Romney-Clinton."

While Romney self-destructed, the press has been a willing accomplice in Obama's rise. From the start, they swallowed Obama's change narrative whole. Any Democratic candidate would bring a vast change from Bush. But while Edwards faded, the press echoed Obama in treating Clinton as if she were an incumbent, part of the Bush/Clinton/Bush

administration. David Brooks, one of the more even handed observers, wrote "She has soldiered on bravely even though she has most of the elected Democrats, news media, and the educated class rooting against her."

The main assault has come in the free-fire zones of cable television and the op ed pages. "There's a feeling among the media," said Democratic analyst Bill Press, "that the Clintons are fair game. You have to be careful in dealing with Obama, but you can say anything you want about the Clintons." The *New York Times* op ed tag team of Frank Rich and Maureen Dowd has been more vicious and relentless in attacking Hillary than any of her political opponents.



But the most telling difference between 1980 and 2008 is in the reporting. The press liked Reagan but never went easy on him, pointing out all his factual slips and ill-conceived policy prescriptions. Obama published his personal narrative in two volumes. The press bought it and never bothered to check the facts. Observed *Time Magazine's* Joe Klein, "Nobody is talking about Obama, about his lack of experience, about his lack of expertise. He's skating because the whole focus is on Hillary and the Clintons."

Except for a modest skirmish over his present votes, no one has examined Obama's Illinois Senate record, or his U.S. Senate performance for that matter. He touts a nuclear waste bill he passed in Illinois that, in fact, never passed, even after he gutted it at the behest of a big contributor with the nuclear industry. The night of Super Tuesday he claimed in a "victory speech" that he'd won more states, more votes, and more delegates than Clinton. The first claim was true, the second two were not. No reporter challenged him when he repeated the assertion the next day in a press conference. He dismissed a real estate transaction with a major Chicago donor who is about to be indicted for fraud as a "bonehead move" and the press dropped it.

In 1980, Reagan had to overcome his showbiz background and demonstrate some policy expertise. In 2008, Obama has marginalized policy expertise and experience and focused the media spotlight on his rock star persona. The press is locked into the Obama story line. It is a dramatic and compelling story, and he might indeed be a transformative figure. But the question is not whether an African-American can be elected president. What we need the media to help us understand is, if he were to be elected, what sort of president he would be.

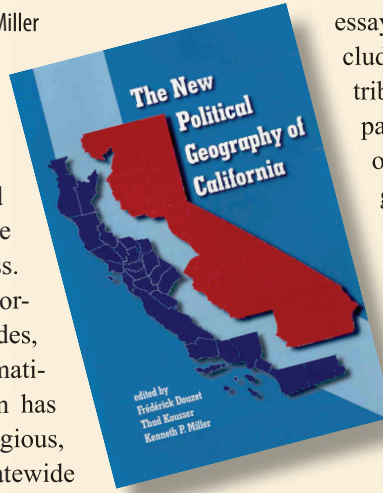
New from Berkeley Public Policy Press!

The New Political Geography of California

Edited by Frédéric Douzet, Thad Kousser, and Kenneth P. Miller

In many ways, recent developments in California politics can be understood best through geography. The formal rules of American politics—such as district-based elections and the Electoral College—make geography crucial to the political process. Where voters live is in many ways as important as how they behave. In recent decades, California's political map has changed dramatically as the state's fast-growing population has divided along racial, ethnic, economic, religious, and cultural lines. Most notably at the statewide level, these trends have caused California's traditional North-South partisan divide to be surpassed by an emerging East-West divide. In this new alignment, the state's densely populated coastal region has become increasingly Democratic, while the less-populated but fast-growing interior has become increasingly Republican. At the same time, demographic segregation within regions has also had important political consequences.

This volume, a unique collaboration by scholars from the United States and France, offers a range of perspectives on California's changing political geography. Introductory



essays discuss recent statewide trends, including the population shifts that have contributed to California's emerging East-West partisan divide. The book's second section offers portraits of the changing political geography of specific regions, including Los Angeles, San Diego, Oakland, and the San Joaquin Valley. Finally, a series of essays analyzes the interaction between geography and the state's political institutions. Topics in this section include geography's influence on the political career of Governor Arnold Schwarzenegger,

two-party competition in the state, the law and politics of redistricting, and conflicts between local and state government.

The New Political Geography of California provides fresh insights into the political dynamics of the Golden State, and potential lessons for other democratic jurisdictions adapting to rapid demographic change.

To order *The New Political Geography of California*, call 510/642-1428. The book sells for \$24.95.

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