
REMAPPING DEBATE

Asking "Why" and "Why Not"

Senator Lugar a moderate? Not by a long shot.

Story Repair | By Heather Rogers | Media, Politics

WHAT IS STORY REPAIR?

In this feature, we select a story that appeared in one or more major news outlets and try to show how a different set of inquiries or observations could have produced a more illuminating article.

This repair was prompted by a series of stories last week about six-term Indiana Senator Richard Lugar losing in the Republican primary to Richard Mourdock. Mourdock had challenged Lugar from the right. A common theme in the articles was that Senator Lugar had been a “moderate” in the Senate.

For example, [one New York Times story](#) declared Lugar to be a “collegial moderate who personified a gentler political era,” and [another piece in The Times](#) declared as a factual matter that Lugar was “a Republican so moderate that even [Democratic] leaders admitted that plenty of Democrats liked him.”

For us, the stories raised red flags about the ongoing problem of many journalists inside the Beltway chasing the Holy Grail of “bipartisanship,” “compromise,” and a “sensible center,” and allowing anything to the right of where most Democrats stand to be given the “moderate” label. It is a practice that has allowed ever-more conservative positions to be misclassified in that way.

It turns out, as this repair shows, that the label of moderate as applied to Senator Lugar is a figment of journalistic imagination.

Because there was so much to repair in connection with this fundamental mischaracterization, this repair does not attempt to treat other elements of the stories (such as the variety of reasons for Richard Mourdock’s victory or whether there are broader implications of the result).

— Editor

May 18, 2012 — Last week, six-term Republican Senator Richard G. Lugar was defeated in the Indiana primary by Richard Mourdock, the current state treasurer. During the campaign, Mourdock, who was backed by the Tea Party faction of the GOP, challenged Lugar’s record as a conservative, [claiming in a political advertisement](#), “When Dick Lugar moved to Washington, he left behind his conservative Hoosier values.”

In the wake of Lugar’s defeat, prominent Democrats, including President Barack Obama, Vice-President Joseph Biden, and Senate Majority Leader Harry Reid (D-Nev.) mourned his loss. Senator John Kerry (D-Mass.) praised Lugar’s bipartisanship, [saying](#) that Lugar was “a class act and a gentleman.”

Over his 36-year term, there were, in fact, instances when Senator Lugar bucked his party. In the 1980s, for example, he was part of a Senate effort, opposed by most Republicans, to impose economic sanctions on apartheid South Africa. More recently, Lugar was one of only a handful of Senate Republicans who voted to confirm President Obama’s Supreme Court nominees [Elena Kagan](#) and [Sonia Sotomayor](#). He co-sponsored the DREAM Act, a measure strongly opposed by most Republicans that is designed to provide a path to permanent residency for children of illegal immigrants.

But the fondness for Lugar from top Senate Democrats notwithstanding, even a cursory examination of his record demonstrates that Lugar

stymied those Democrats time and time again, standing firmly in line with the majority of his Republican colleagues. In countless key votes — on issues ranging from fiscal policy to healthcare to women’s rights — Lugar’s stance was deeply and consistently conservative, as that term is conventionally used in the modern American political context.

Saying “no” to fiscal stimulus

In February 2009, the economy was in a precarious state, having shed 2.3 million jobs in the preceding three months. President Obama introduced the American Reinvestment and Recovery Act. The \$787 billion plan — characterized as insufficiently robust by, among others, Obama economic advisor Christina Romer and progressive economists Joseph Stiglitz, Paul Krugman and Dean Baker — combined tax cuts and government spending on public works projects, education, health care, energy and technology to try to jumpstart the economy. Obama’s bill — funded at a level midway between those on his left demanding a much larger stimulus, between [\\$1.25 trillion](#) and [\\$2 trillion](#), and those on his right rejecting stimulus altogether — passed the Senate by a vote of 61 to 37. Three Republicans joined Democrats in supporting the bill, but Lugar was among the overwhelming majority of Republicans voting “no.”

Saying “no” to extending unemployment benefits...unless Bush tax cuts extended, too

The Bush-era tax cuts were scheduled to expire automatically at the end of 2010. There was bipartisan agreement that tax cuts applicable to middle class families should be extended, but President Obama had promised that he would not let the tax cuts for the wealthy continue. Democrats proposed a tax cut extension for all except that portion of family income in excess of \$250,000.

At the same time, two other measures were, according to Democrats, desperately needed: the first, prompted by the continuing crisis of high unemployment, was an extension of long-term unemployment benefits. The second was a cut in the payroll tax. Many considered these moves as at least modest elements of additional fiscal stimulus.

The GOP position was to refuse a vote on either an extension of unemployment or a reduction in the payroll tax unless Democrats relented and renewed tax cuts for the wealthy. Lugar joined his fellow Republicans in that filibuster, and was ultimately successful when President Obama gave in to GOP pressure.

Heidi Shierholz, a labor economist with the liberal Economic Policy Institute, said, “A decision to deny unemployment benefits to Americans who have lost their jobs through no fault of their own, or to block a payroll tax cut” — the latter being a proposal that Republicans have favored for years — “all to ensure that the wealthiest Americans keep receiving a disproportionate amount of tax relief, however you may characterize it on the merits, is surely not a ‘moderate’ stand.”

Saying “no” to protecting domestic safety net programs

In the budget battles of 2011, Republicans generally sought deep cuts in domestic programs, especially safety net programs, and were opposed by most Democrats. Lugar voted uniformly with his party to cut programs dear to Democrats, including Medicare, Medicaid, children’s health insurance, and food stamps. When that year’s budget finally passed, the Democrats had given in to more than \$40 billion in spending cuts. While it’s true that the final proposal was not acceptable to several of the *most* conservative Republican Senators, the deep cuts were satisfactory to a strong majority of Senate GOP members, with Lugar joining 31 of his Republican colleagues in support.

As pointed out by his now-victorious Indiana primary opponent, over the years Lugar voted to increase the debt ceiling (an act that, until recently, was considered routine). But in 2011, the Republican leadership decided to risk a first-ever default on United States government debt obligations, refusing to agree to an increase in the debt ceiling without the imposition of additional budget cuts totaling [\\$2.5 trillion](#). At the time, Senate Majority Leader Harry Reid [said](#) that Republicans’ failure to raise the debt ceiling could result in a “full-fledged depression.” Senator Lugar, now [described](#) by Reid as, “one of the finest members of the Senate we’ve had, ever,” was part and parcel of what [some editorials](#) at the time identified as the fiscal “hostage-taking demands of Republican extremists.”

Last year, as he has done many times [before](#), Lugar joined with the full Republican [caucus](#) in co-sponsoring a balanced budget amendment, the Cut, Cap and Balance Plan.

Earlier this week, the Senate voted on its [version](#) of Paul Ryan’s House budget [plan](#), which was sponsored by Pat Toomey (R-Penn.). The bill, defeated by the Senate as a whole, but supported by Lugar, had proposed to spend \$4.5 trillion less than Obama’s budget over 10 years, based overwhelmingly on spending cuts to entitlement and low-income programs, including Medicare and Medicaid, and non-defense discretionary spending.

Saying “no” to progressive taxation

There has been a long tradition of progressive taxation in the U.S., although taxes on the wealthy are significantly lower than they have been [in the past](#). Lugar backs what he calls the [FairTax](#), a proposal to eliminate individual, corporate, capital gains, estate, and Social Security and Medicare (payroll) taxes. These forms of taxation would be replaced by a 23 percent sales tax on consumer goods and services. Lugar’s website describes FairTax as “one simple and transparent tax at the final point of sale.”

In contrast, U.C. Berkeley Economist Brad DeLong has [said](#) the FairTax is profoundly anti-progressive — “a mammoth tax cut for the crowd making more than \$200,000 a year and a substantial tax *increase* for those making between \$30,000 and \$200,000 a year” — and Majority Leader Reid has called the FairTax proposal “some of the worst legislation in the history of this country.”

Saying “no” to health care reform

Along with the full contingent of Senate Republicans, Lugar has steadfastly opposed the Patient Protection and Affordable Care Act. He voted against it in the first instance, and has repeatedly advocated for its repeal, [saying](#) that “Obamacare is wrong for America and I believe it is unconstitutional.”

In January, Lugar signed on as a co-sponsor to the Repealing the Job-Killing Health Care Law Act, and in February, joined other Republican Senators in filing a series of “friend of the court” (amicus) briefs to the Supreme Court arguing that the law is unconstitutional.

Senator Lugar also favors undoing Obama’s health care initiative through budget mechanisms. The budget plan he supports (the Toomey bill) would, among other changes, repeal the Obama health care law, partially privatize Medicare, and turn Medicaid into a state-run block grant program. Five Republicans broke with their party to vote against the conservative Toomey budget, but Lugar voted in favor.

Saying “no” to effective unions

Lugar has consistently voted to constrain union power, including his opposition, along with all other GOP Senators, to the [Employee Free Choice Act](#) in 2009. That bill would have amended the National Labor Relations Act to give workers the option of forming unions by signing cards, commonly known as the “card-check” method, a procedure that pro-labor forces view as easing the process of unionizing by making workers less susceptible to employer intimidation.

All forty Republicans in the Senate opposed the measure. And, given the threat of a Republican filibuster and that several in their own party opposed it, Democrats decided to drop the bill.

Lugar has also consistently resisted increases to the minimum wage. In one notable exception, in 1999, senate Republicans drafted a minimum wage bill, incorporating almost \$19 billion in tax cuts. The senate GOP voted unanimously for the measure, which passed. That same day Democrats introduced their own version — with fewer tax cuts and faster implementation — which came just one vote shy of passage. Four Republicans, but not Lugar, supported that Democratic alternative.

In 2006, however, Lugar did break ranks and voted for a Democrat-sponsored minimum wage increase, the first increase in nine years.

Saying “no” to women’s rights

Throughout his career Lugar has consistently voted against women’s access to reproductive health in lockstep with his fellow Republicans, tightening and in some cases banning access to abortion and birth

control. And Lugar voted for last spring's controversial "Blunt Amendment," [which would have allowed employers](#) to opt out of the Affordable Care Act's coverage requirements if they had a "moral objection" to birth control.

He has also blocked efforts to close the gender gap in workers' pay. In 2007, the Supreme Court sharply limited the ability of women to seek redress for longstanding discrimination in pay, holding that a lawsuit must be brought promptly after the initial discriminatory decision. The court protected employers who, not challenged on their initial discriminatory decision, continued to pay women less than equal wages in the years and decades of employment that followed the original act of bias.

In 2009, the Lilly Ledbetter Fair Pay Act legislatively overruled the Supreme Court decision, and made continuing instances of unequal pay matters for which victims could get redress. When it came up for consideration in the Senate, Lugar, along with [all but four](#) of his Republican colleagues voted against the measure, which nevertheless won passage.

A companion bill to the Fair Pay Act was the Paycheck Fairness Act, which quickly cleared the House but stalled in the Senate. "The act had enforcement of equal pay, and training programs that would help women break into jobs that have better pay and benefits," Terry O'Neill, president of the National Organization for Women, explained. Solid Republican opposition, including from Senator Lugar, defeated two Democratic attempts to bring the measure to a vote.

In an earlier episode, Lugar opposed the 1993 Family and Medical Leave Act. It required employers with 50 or more employees to offer limited periods of paid leave for new mothers and fathers, and for parents of ill children. The bill passed on a bipartisan basis, [with 16 Republican votes](#), but Senator Lugar voted against the measure.

Saying "no" to limits on executive power in foreign relations

In the area of foreign policy, Senator Lugar has broken with his party on some matters, forging, for example, bipartisan legislation to dismantle nuclear weapons in the former Soviet states in the 1990s.

But Lugar was one of President Reagan's staunchest foreign policy supporters, most notably in connection with the former president's Central America policies. As head of the Senate Foreign Relations Committee, Lugar played a key role in enabling U.S. aid to the military in El Salvador and the Nicaraguan Contras.

In the early 1980s, Lugar resisted congressional demands for certification that the government of El Salvador was respecting the human rights of its own citizens (and investigating deaths of Americans on its soil) as a requisite to receiving aid. "Certification as a condition of military aid to El Salvador was a mild, mild condition," explained Cynthia Arnson, director of the Latin American Program at the Woodrow

Wilson International Center. “Lugar opposed it on the grounds that it tied the hands of the president.”

Regarding Nicaragua, Lugar worked to hold together a core of Republicans and conservative Democrats to maintain a congressional majority to support Reagan’s efforts to undermine the Sandinista government. When direct U.S. involvement in Nicaragua came to light — after the CIA mined the country’s harbors against the Sandinistas without congressional approval — then-Senator Daniel Patrick Moynihan (D-N.Y.) threatened to quit the Intelligence Committee. According to William LeoGrande, Dean of the School of Public Affairs at American University, and a specialist in Latin American politics, had that happened, the coalition Reagan needed would have splintered. Lugar was able to contain the disaster by convincing Moynihan to stay.

A few years later, Lugar intervened yet again to shield President Reagan and his Central America agenda. John Kerry, then newly elected to the Senate, had proposed Foreign Relations Committee hearings to investigate CIA involvement with the Contras in drug trafficking. As Professor LeoGrande explained, Lugar successfully squelched the effort (although he didn’t block Kerry’s independent report).

“I think Lugar’s policy positions aren’t dramatically different today than they were in the past,” Professor LeoGrande said. “There’s no doubt that he’s a conservative, he’s always been a conservative.”

Not only the most conservative Senator is properly called a “conservative”

The National Journal, which creates an annual index of the most conservative lawmakers based on their voting records each year, [gave Lugar](#) a “Conservative score” of 67.5 (out of 100) for 2011. While lower than most Republicans, Lugar scored higher than ten Republican Senators, and much higher than any Senate Democrat. The average score for Democrats, in fact, was 26.2.

In its lifetime score for Lugar, the American Conservative Union, a political lobbying organization, gives him a 77.02 rating. That ranks him closer to South Carolina Republican Jim DeMint, whose score is 98.77, than Maine Republican Olympia Snowe, whose rating is 48.59.

Barney Keller, communications director at the Club for Growth, said he is dissatisfied with Lugar’s performance because, in his organization’s view, Lugar did not take a conservative position all or nearly all of the time. Nevertheless, Keller acknowledged that Lugar, “Votes with conservatives all the time.” In Keller’s mind the problem isn’t that many of Lugar’s votes weren’t conservative, just that they are routinely conservative and ought to be taken for granted. “Voting to repeal Obamacare and in favor of the Keystone pipeline, every conservative votes for those things.”

Geoffrey Kabaservice is a historian and author of *Rule and Ruin: The Downfall of Moderation and the Destruction of the Republican Party*, from Eisenhower to the Tea Party. “Lugar may have known the importance of politicians being reasonable with each other, but he wasn’t going to waste any of his po-

litical capital on shrinking from the party line,” Kabaservice said. “He was going to be a foot soldier for the Republican Party. I don’t think any real moderates saw him as a moderate.”

“You wouldn’t look to Lugar as a champion of moderate Republicanism,” Kabaservice added, “because he would disappoint you most of the time.”

This article was modified on May 21, 2012 to replace the phrase “pure conservative position 100 percent of the time” (in the paragraph third from the end) with “conservative position all or nearly all of the time.”

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