



Special Report: Implications of the 2008 Election

By Jason F. Isaacson and Richard T. Foltin

The election of Senator Barack Obama as the nation's 44th President was historic on many levels – as a turning point in the long, painful saga of American racial conflict and reconciliation, as evidence of new political engagement by younger Americans and new political alignments in key demographic sectors, and as a dramatic reshuffling of the red-blue political deck that has dictated national election outcomes for 40 years. The Obama campaign set records for voter turnout, for political spending, for the aggregate size of its enthusiastic rallies – and, it may be argued, for expectations, here and abroad, that fundamental change across a wide swath of public policies is possible and will occur.

According to exit polls, Jewish voters overwhelmingly chose Obama over Senator John McCain, and played a significant role in the outcomes in key states. The initial polling showed 78 percent of Jewish voters supporting Obama, and 21 percent McCain. Substantial portions of the Obama margins in Florida, Ohio, Indiana, North Carolina and Pennsylvania, all battleground states, can be attributed to Jewish votes – although it must be noted that the margins were sufficiently close in Indiana and North Carolina, states with active but relatively modest Jewish populations, that almost any bloc with a strong preference could have proven decisive. Florida, however, which George W. Bush won by fewer than 2,000 votes in 2000, and by more than 400,000 in 2004, flipped this year to the Democratic candidate – by a little more than 200,000 votes; with roughly half a million Jewish voters in Florida, Obama's advantage among Jews was clearly a factor in his pick-up of the state's 27 electoral votes.

The Democrat's strength among Jewish voters wasn't obvious throughout the long campaign. It climbed after he wrapped up the nomination last spring, besting Senator Hillary Clinton, his principal rival (who had enjoyed considerable Jewish support), and grew in the run-up to, and then after, the late-summer convention; an American Jewish Committee survey taken in mid-September had him at 57 percent among Jewish respondents, to 30 percent for McCain and 13 percent undecided or unresponsive. By the following month, Gallup found the gap had widened – with 74 percent favoring Obama and 22 percent McCain. In the end, according to exit polls, the Illinois Senator tallied support from Jewish voters at levels similar to those recorded by recent history's most popular candidates in that demographic – in the same neighborhood as Bill Clinton in 1992 (80 percent), and Al Gore in 2000 (79), although short of the stratospheric heights twice achieved by Franklin Roosevelt (90 percent in 1940 and 1944) and Lyndon Johnson in 1964 (also 90 percent). Obama's support among Jews polled slightly ahead of John Kerry's; various exit polls placed the 2004 Democratic nominee's support among Jewish voters between 74 and 76 percent. It must be noted that Jews do not automatically support Democrats –

and, when they do, not always by a wide margin; Jimmy Carter, in his failed bid for re-election in 1980, won the backing of 45 percent of Jewish voters, to 39 percent for Ronald Reagan.

OUTREACH TO JEWISH VOTERS

Outreach by both major-party candidates to key constituencies was broad-reaching and aggressive. In the most expensive presidential race in history, identifying and winning over ethnically and religiously identifiable sectors of the electorate was an exercise carried out with exceptional intensity – and ample financing. Conference calls, special briefings, surrogate speakers, direct mail, automated phone calls, targeted advertising and emailings – these and other traditional and high-tech campaign tools were deployed to win the support of politically cohesive demographic segments. Jewish community outreach was an early Obama campaign priority – with paid staff and an army of Jewish Democratic officials and former officials (among them Rep. Robert Wexler of Florida, an early supporter; Amb. Stuart Eizenstat; and Amb. Alfred Moses) crisscrossing the country to speak out for the Illinois senator in Jewish community centers and temple basements. Obama’s campaign had included paid staff dedicated to Jewish outreach more than a year before the election; the McCain campaign, with fewer resources and a smaller base to work from, took longer to gear up. But by the final post-conventions stretch, both campaigns were battling for Jewish votes in surrogate debates, paid ads in Jewish newspapers, talk show appearances, and on every available playing field (including, in Obama’s case, a “viral” Internet campaign featuring comedian Sarah Silverman); they were assisted by the two support groups committed to expanding Jewish identification with their respective party: the National Jewish Democratic Council and the Republican Jewish Coalition.

It must be recalled that Obama, who started earlier, had to work harder to assure the allegiance of Democratic-inclined Jewish voters. He was dogged in the early months of his campaign by rumors that he was secretly a Muslim (prompting AJC to help organize a nonpartisan multi-agency effort to set the record straight), then questioned about his ties to a longtime pastor whose liberation theology sounded themes critical of Israel and the United States, and later kept on the defensive for suggesting a dialogue with Iranian leaders that struck some in the pro-Israel community as naïve. The campaign mobilized to respond to these and other efforts to strip Obama of Jewish support – perhaps in no forum more effectively than in his enthusiastically pro-Israel speech in June 2008 before the American Israel Public Affairs Committee, delivered the morning after he had clinched the Democratic nomination.

In addition to pointing to Obama statements, and a solid if not extensive record of Senate votes, on Israel and the threats it faces, the campaign was able to point to references made by the candidate from time to time about the debt he said he owed to Jewish friends and supporters early in his political career – and his grateful acknowledgement of the history of common struggle for civil rights by Jews and African Americans, a “legacy” he pledged to carry forward. Senator Obama strengthened his appeal to Jewish voters by condemning anti-Semitism in the black community, criticizing former President Jimmy Carter when the latter met with Hamas leaders in Ramallah last April, traveling to Israel in July, populating his foreign policy team with respected former officials generally regarded as sympathetic to and respectful of Israel (Amb. Dennis Ross among them) – and, repeatedly, referring to the U.S. bond with Israel, and America’s commitment to Israel’s security, as “sacrosanct.” (The fact that his first appointment after

the election – of White House Chief of Staff – went to Rep. Rahm Emanuel, a committed Modern Orthodox Jew whose father was born in Israel and who volunteered for civilian duty in the IDF during the First Gulf War, made clear that Obama is comfortable around Zionists – an issue noticed, and criticized, in newspapers and blogs in the Arab and Muslim world; that criticism spiked after the congressman’s father, Irgun veteran Dr. Benjamin Emanuel, was quoted as making a post-election remark disparaging of Arabs. Emanuel quickly apologized for his father.)

Reflecting the community’s diversity, Jews weren’t monolithic in their presidential choices. Polls indicated that American Jews casting absentee ballots in Israel – many from politically conservative Orthodox communities – favored Senator McCain by a substantial margin. In the United States, denominational identity was clearly associated with candidate preference; the AJC survey in September had found that among the Orthodox, who accounted for some 8 percent of those polled, support for McCain reached 78 percent, against 13 percent for Obama, while among the Conservative and Reform, and the self-identified “Just Jewish,” who together constitute the bulk of the community, the McCain-Obama split was 26-59, 27-62, and 26-61, respectively. Some have suggested that the President-elect was given an unexpected boost among Jewish voters by Senator McCain’s selection of Alaska Governor Sarah Palin, a staunch social conservative with slender national credentials, as his running mate; AJC’s mid-September poll of American Jewish opinion found that 54 percent of respondents disapproved of this selection, with only 37 percent approving, while 73 percent approved of Obama’s choice of veteran Delaware Senator Joseph Biden, with just 15 percent disapproving.

Jewish votes weren’t the only ethnic/religious prize in the 2008 campaign; there were determined efforts this year to reach out to white evangelical Protestants – a pillar of the Republican base, and a constituency in which the McCain-Palin ticket performed strongly; Catholics; Latino voters; Asian-Americans. (At the most basic level, white voters nationally favored McCain over Obama, 55-43; blacks were nearly unanimous for Obama, 95-4. But white women nationally were more open to Obama – breaking for McCain, 53-46; and in a number of states, the white vote was roughly split, or even narrowly in Obama’s favor – as in California, generally Democratic in presidential contests, where whites polled 50-48 for the Illinois senator.) Democrats significantly improved their standing among Latino voters, scoring a 67-31 percent win for Obama, after a far narrower 53-44 Kerry edge in 2004; Asian American voters polled 62-35 for Obama, after a 56-44 Democratic tilt four years ago. Also significant was that the minority vote itself was larger this year: 13 percent of total votes were cast by African Americans, up from 11 in 2004; Latino votes were up to 9 percent, from 8. Catholics in general favored Obama over McCain, 54 to 45 percent (although white Catholics polled 52-47 for McCain); four years ago, the total Catholic vote split 52-47 for President Bush over Senator Kerry.

CONGRESSIONAL RACES

This year’s congressional races yielded a higher-than-average turnover; in the House of Representatives, where incumbents generally enjoy a 90-percent-plus re-election rate, 18 members were defeated – 4 Democrats, and 14 Republicans. But defeats were only part of the picture; through retirements, resignations, primary defeats and bids for higher office, an additional 42 representatives will not be returning to the House next year. While most retiring members will be succeeded by party colleagues, the net change in House composition in the 111th Con-

gress is significant – with the Democrats picking up an estimated 19 seats, Republicans dropping 24, and 5 not yet decided.

There were notable casualties – in particular the independent-minded champion of campaign finance reform and human rights Christopher Shays, an 11-term Republican from Connecticut's Fairfield County, whose loss to Jim Himes, a Greenwich civic activist and former Goldman Sachs executive, stripped New England of its last GOP House member. Shays was a recipient of AJC's Congressional Leadership Award. Other Republican losses included seven-term lawmaker Steve Chabot of Cincinnati, an alumnus of an AJC Project Interchange seminar in Israel and a member of the Middle East and South Asia Subcommittee; eight-term Joe Knollenberg of northeastern Michigan, ranking member of the Transportation Appropriations Subcommittee; and seven-term Phil English of Erie, Pennsylvania, a senior Ways and Means Committee member.

All told, 32 Jewish candidates – 29 incumbents and three newcomers – were elected to House terms in the new Congress, one short of the record-high 33 set in 1990. (More than a dozen other Jewish candidates of both parties were unsuccessful in their bids for House seats; these included, in a demonstration of the community's diversity, a blind rabbi, an Asian American convert to Judaism, and a Latina Jew.) When the 111th Congress convenes in January, however, the "Jewish caucus" in the House – a virtual caucus, since one has never been formally organized – will number 31, with Emanuel's departure for the White House; it will mark a gain from the 30 elected in 2006, and from the 29 serving as the 110th Congress moves toward adjournment. (The current Congress was sadly diminished by the loss of 14-term Democrat Tom Lantos of California, the only Holocaust survivor on Capitol Hill, who succumbed to cancer in February 2008.) All 29 Jewish House incumbents – all but one of them Democrats – were returned to office. The additions, all Democrats, are John Adler, a state senator claiming the seat of retiring Rep. Jim Saxton in New Jersey's 3rd District; Jared Polis, a businessman and philanthropist taking the Denver-area seat vacated by Rep. Mark Udall, who leapt to the Senate; and Alan Grayson, an entrepreneur and lawyer who has exposed contractor fraud in the Iraq war, defeating four-term Rep. Ric Keller in Orlando.

The total Jewish representation in the 111th Congress, unless Rep. Emanuel is succeeded by a *landsman* in a northwestern Chicago special election, will number 44 – including 13 United States Senators, at least two of whom were re-elected Tuesday. (Three Jewish Senators sought re-election; while Frank Lautenberg of New Jersey and Carl Levin of Michigan, both Democratic veterans, won handily, Minnesota's Norm Coleman, seeking a second term against a stiff challenge from comedian and author Al Franken – who also happens to be Jewish – was in a nail-biter, at this writing ahead by a couple of hundred votes in a race not yet decided.) That number, one more than at the start of the 110th Congress, will set a record – fittingly, for the history-obsessed, just a week before the 200th anniversary of the birth of the first Jew elected to Congress, Lewis Charles Levin, a Philadelphia lawyer and publisher who served three times in the House in the 1840s. (Today's mostly liberal and centrist Jews have little in common with the nativist Levin, a founder of the American Party – the disreputable "Know-Nothings.")

With the promotion of Obama and Biden, the Senate will have at least 11 new faces in the 111th Congress – or more, depending on the outcomes in two states not yet decided: Georgia,

where a run-off Dec. 2 will decide the fate of first-term Republican Saxby Chambliss, and Minnesota. Final tallies completed two weeks after Election Day determined that one of the Senate newcomers will be Anchorage Mayor Mark Begich, who narrowly unseated the body's longest-serving Republican, Ted Stevens, after the latter's conviction on federal charges of falsifying Senate ethics disclosure reports. An additional freshman will join the body from New York – appointed to serve until 2011 – if Senator Clinton, as expected, relinquishes her seat for the post of Secretary of State. Aside from Coleman, Chambliss and Stevens, five Republican senators retired this year (with three replaced by Democrats) and three were defeated – including the moderate Oregon two-termer Gordon Smith. Chairman of the Europe Subcommittee in the Senate Foreign Relations Committee when his party was in the majority, Smith compiled a record of pragmatic internationalism and vigorous support for human rights, and was an AJC Congressional Leadership Award recipient.

MEMBERS AND LEADERS

Jewish Senators poised to serve in the 111th Congress (not counting Minnesota) are: Barbara Boxer, D-CA; Ben Cardin, D-MD; Russ Feingold, D-WI; Dianne Feinstein, D-CA; Herb Kohl, D-WI; Frank Lautenberg, D-NJ; Carl Levin, D-MI; Joe Lieberman, I-CT; Bernard Sanders, I-VT; Charles Schumer, D-NY; Arlen Specter, R-PA; and Ron Wyden, D-OR. (Lieberman, a lifelong Democrat who caucuses with his old party although he was re-elected, after a bitter primary, as an independent in 2006, riled many on his side of the aisle by vigorously campaigning for the McCain-Palin ticket. With critical support from Connecticut's senior Senator, Chris Dodd, and Majority Leader Harry Reid – not to mention the President-elect – Lieberman last week turned back a caucus move to punish him by stripping him of his chairmanship of the Homeland Security and Governmental Affairs Committee.)

Jewish Representatives elected to the 111th Congress (besides Emanuel, who will forsake his seat) are: Gary Ackerman, D-NY; John Adler, D-NJ; Shelley Berkley, D-NV; Howard Berman, D-CA; Eric Cantor, R-VA; Stephen Cohen, D-TN; Susan Davis, D-CA; Eliot Engel, D-NY; Bob Filner, D-CA; Barney Frank, D-MA; Gabrielle Giffords, D-AZ; Jane Harman, D-CA; Paul Hodes, D-NH; Steve Israel, D-NY; Steve Kagen, D-WI; Ron Klein, D-FL; Sander Levin, D-MI; Nita Lowey, D-NY; Jerrold Nadler, D-NY; Jared Polis, D-CO; Alan Grayson, D-FL; Steven Rothman, D-NJ; Jan Schakowsky, D-IL; Adam Schiff, D-CA; Allyson Schwartz, D-PA; Brad Sherman, D-CA; Debbie Wasserman Schultz, D-FL; Henry Waxman, D-CA; Anthony Weiner, D-NY; Robert Wexler, D-FL; and John Yarmuth, D-KY.

Even more than in the outgoing session, Jewish lawmakers will hold positions of considerable significance in the 111th Congress. In the Senate, Schumer continues to hold the third-ranking post of Vice Chair of the Democratic Conference, while relinquishing – after two winning cycles – the helm of the Democratic Senatorial Campaign Committee; Boxer remains Chief Deputy Whip. Key committee chairmanships in the new Congress are expected to include Boxer at Environment; Feinstein in a new role at Intelligence; Kohl at Aging; Levin at Armed Services; and Lieberman at Homeland Security. Specter remains ranking member of Judiciary.

In the House, the lone Jewish Republican, Eric Cantor, will assume the second-ranking leadership spot – as Minority Whip. On the other side of the aisle, Jewish lawmakers in key po-

sitions – heading four of the House’s 20 standing committees – include Berman as chair of Foreign Affairs; Frank as chair of Financial Services; Waxman as chair of Energy and Commerce (after a bruising Democratic caucus battle against Michigan’s John Dingell); and Filner as chair of Veterans Affairs. (Powerful subcommittee chairs include Lowey on the Foreign Operations panel of Appropriations, and Levin at the Trade panel of Ways and Means.

FOREIGN POLICY CHALLENGES

Any forecast of the election’s implications for U.S. foreign policy, specifically in the Middle East, must begin with the recognition that while the record of the Bush administration may be perceived one way in America’s Democratic precincts – it is seen quite differently in a number of foreign capitals. On Bush’s watch, the U.S. relationship with India soared; barriers to trade with 11 countries were knocked away; aid to Africa expanded; ties with much of Asia and Latin America stabilized and deepened; NATO continued to grow, and its mission evolved; and significant progress was made on nuclear non-proliferation (Libya the clearest success), counter-terrorism cooperation, and the elevation of human rights (in particular, religious freedom and non-discrimination) and democratic reform as foreign policy priorities. Relations with the four leading European trading and political partners had their ups and downs over the course of eight years – but are as solid today as at any time in recent history; the U.S. posture toward the United Nations wasn’t always accommodating – but, particularly on institutional reform and a chronic bias against Israel, Washington stuck to its principles. Middle East policy, a focus throughout the administration, presented fierce challenges – not least, the challenge of a prolonged and painful military engagement in Iraq – and yielded mixed results; in the year since the Annapolis Conference, Israeli-Palestinian negotiations and security cooperation have shown promise, but haven’t eluded the realities of Islamist rejectionism and violence.

Congress played a larger or lesser role in all of the foreign policy accomplishments, and in confronting all the foreign policy challenges, of the Bush years – more harmoniously when Republicans controlled both ends of Pennsylvania Avenue, less harmoniously for the last two years (although in sync on the India-U.S. civil nuclear deal and on the urgency of thwarting the Iranian regime’s nuclear ambitions). As in administrations and Congresses past, there was overwhelming consensus on support for the mutually beneficial U.S.-Israel relationship, the assurance of Israel’s security against foes near and distant, and partnership with the Israeli government in its pursuit of normalized relations with the Arab world and a negotiated two-state resolution with the Palestinians.

In the incoming Obama administration, and in the 111th Congress, concordant views on Israel can be expected to prevail. Obama’s Senate record and his many statements on Middle East policy throughout the campaign attest to sympathy and familiarity with Israel’s security needs and its people’s yearnings for peace – a disposition consistent with White House sentiments in the Bush and Clinton years, particularly, and reflecting the broad bipartisan mainstream of American public and political opinion. Against this congenial background, of course, points of tension can be envisioned – as political and strategic circumstances evolve, as peace negotiations accelerate or falter, or as the administration links or de-links one or another aspect of Middle East diplomacy to a larger policy framework. And hanging over all will be four regional crises: the imperative to stabilize and achieve political progress in Iraq and Afghanistan, entailing

profound decisions on the continuing intensity of U.S. and allied military engagement; the prospect of a final showdown with Al Qaeda and its enablers, entangling Afghanistan and the precarious (and nuclear-armed) Pakistan; and the menace of a belligerent and theocratic Iran, racing toward nuclear-weapons capability, unrelenting in its sponsorship of terrorist organizations, and committed to Israel's destruction and to the uprooting of American influence across the Middle East. Obama's approaches to these four crises – each a potentially agenda-devouring nightmare – may define the foreign policy terrain of the new administration, competing for attention with the relative subtleties of Israeli-Palestinian peacemaking, and the complex choreography of relations with a newly assertive Russia, and with steadily emerging China.

FUNDING PRIORITIES

Obama will take office against the backdrop of an economy in crisis and massive public debt that will have unavoidable implications for AJC's policy concerns. Just as is the case today for businesses, nonprofits and individuals, every proposed use for the taxpayer's dollar will be in competition with uses that others will argue are more crucial. This will only up the pressure for vigorous advocacy in pursuit of funding for programs considered crucial to our national interests.

One such area for AJC will be foreign affairs funding in general, and assistance for Israel in particular. Foreign affairs funding – which supports critical assistance to Israel, peacekeeping and humanitarian relief for the Darfur region of Sudan, and numerous other international affairs priorities – constitutes a minuscule portion of the overall budget and is not the place to look for savings. During his campaign for the presidency, Obama recognized the importance to American interests of maintaining – indeed, enlarging – this funding, saying in July 2008 that development assistance “can be our best investment in increasing the common security of the entire world.” He pledged to “double our foreign assistance to \$50 billion by 2012, and use it to support a stable future in failing states, and sustainable growth in Africa; to halve global poverty and roll back disease.” But, even in better times, foreign assistance has always been far too easy to caricature as “sending our money abroad when we need it at home.” In the current atmosphere of economic crisis, there will no doubt be efforts to roll back current levels of spending, much less provide for increases – and AJC and other champions of American global engagement will be called upon to make the case why, in these troubled times, the need to support development and democracy abroad is more urgent than ever.

Even against this background of roiling markets and economic downturn, indeed because of it, there will undoubtedly be movement early in the 111th Congress on economic stimulus measures ranging in the hundreds of billions of dollars, following unsuccessful efforts to move such a package during the mid-November lame-duck session. This package is expected to include funding for infrastructure, roads and bridges, tax cuts, and – importantly, in light of the high priority AJC has accorded to an energy policy that strengthens energy security and responds to the threat of climate change – investment in “green jobs” and alternative energy. President-elect Obama has indicated that he sees such energy-related measures as serving the core criterion of an effective stimulus package – that it create jobs and income through related activities across the economy in real time – even as it is related to long-term policy objectives, in this case investment in infrastructure that will reduce the use of carbon through clean energy.

ENERGY SECURITY

More broadly, the President-elect and the majority leadership in both houses of Congress have committed to move forward on broad-ranging energy initiatives in the coming year, even in the face of the economic crisis. The prospects for such movement were boosted in the view of many observers by Waxman's victory over Dingell in the contest for House Energy and Commerce Committee chairmanship, a virtually unprecedented successful challenge to the House's seniority system. Rep. Dingell, who had served as Democratic leader of that committee for close to three decades, was characterized by *The New York Times* as "the [auto] industry's most stalwart defender in Congress, having slowed or blocked many safety and environmental standards that the auto companies argued they could not meet." Rep. Waxman, in contrast, is seen as a champion of comprehensive climate-change legislation, to the point that he has been described by automobile-industry partisans as an "irrational environmental zealot."

To be sure, neither the upcoming change of management at 1600 Pennsylvania Avenue, nor internal changes in either house of Congress, should allow one to take for granted how soon, or in what fashion, action will be taken on the energy issue – or on any other front. Even given broad consensus across party lines on the need to reduce our dire dependence on foreign oil, and bipartisan support as well for the need to adopt measures directed at greenhouse gas emissions, the determination of exactly what should be done will turn on questions that are complex and contentious – and have broad and uncertain economic implications. The resolution of those questions could slow down action on energy reform, as could the view heard in some quarters that an economic downturn is no time to burden industry with "cap and trade" or other initiatives aimed at reducing greenhouse-gas emissions; policy-makers may also be tempted (in a repeat of what happened after the 1970s oil price shock) to take their eyes off the energy-security ball as oil and gas prices settle down from their recent stratospheric heights.

Energy-security advocates, taking a longer view, can be counted on to continue pressing their initiatives with the new administration and new Congress. These include implementation, and further strengthening, of CAFE (Corporate Average Fuel Economy) standards, extended and enhanced in December 2007 for the first time in decades as part of an omnibus energy measure; enactment of the bipartisan Open Fuel Standard Act, which will require that, over the next several years, new automobiles be flex-fuel vehicles able to operate on a variety of fuels in addition to gasoline; and, as part of a federal transportation bill due for reauthorization in 2009, increased funding for public transportation, incentives for smart growth planning (e.g., dense urban development and walkable communities), and setting a national goal of having public transit account for 10 percent of all transportation.

CHURCH-STATE OUTLOOK

On another core policy front, President-elect Obama seems much in sync with AJC's perspective on separation of church and state. He is on record opposing vouchers that would allow public funds to be used to pay for tuition at private and religious schools; indeed, this surfaced as an area of disagreement with McCain in the presidential debates. At the same time, the President-elect has evidenced comfort with religious voices in the public square – and comfort in himself speaking in a religious voice – in a manner not always evident among his Democratic

compatriots. Thus, in mid-2007, Obama spoke in positive terms of the central role that religious faith can play in politics by pointing to the moral element in, for example, fighting poverty or expanding access to health insurance. “Doing the Lord’s work is a thread that runs through our politics since the very beginning,” he said, “and it puts the lie to the notion that separation of church and state in America means somehow that faith should have no role in public life.”

Obama has also articulated a vision on the partnership between government and faith-based social services that, in the broad strokes, is much in accord with AJC’s views. Thus, recognizing the value of that long-standing partnership, he announced last summer his intention, if elected, to create a new President’s Council for Faith-Based and Neighborhood Partnerships that would enable faith-based groups, secular nonprofits and government to work together on the myriad of challenges our nation faces, “from saving our planet to ending poverty.” At the same time, the then-candidate enunciated a number of principles to avoid endangering the separation of church and state through the implementation of this program. (In short, a faith-based organization receiving a federal grant could not use grant money to proselytize program beneficiaries, could not discriminate against such beneficiaries on the basis of their religion, and could use the federal dollars only to support secular programs; further – in a sharp shift from the rules set in President Bush’s faith-based initiative – Obama would bar recipient organizations from discrimination in “hiring for government-funded social programs.”)

Having said this, the broad pronouncements of the principles under which President-elect Obama’s faith-based program will operate leave much to be filled in. There remain complexities with which his administration and the Congress will have to grapple, and with which AJC has already begun to engage – such as the scope of the anti-discrimination safeguards that would be applied, and whether pervasively religious organizations, such as houses of worship, would receive funds directly or through a mediating institution (a separately incorporated religiously affiliated entity).

During the 110th Congress, AJC found itself far less often pressed to act against a burgeoning threat to separation of church and state than had been the case in the recent past. This year’s election may herald a further such easing. Nevertheless, as in the nuanced application of new faith-based initiatives, AJC will assure that its voice continues to be heard in the implementation of programs that will unavoidably bring to bear complex questions about how institutions of religion and government should interact, as they inevitably must. In addition, there remain proactive initiatives to protect the free exercise of religion on which AJC will continue to work in the 111th Congress, such as the Workplace Religious Freedom Act, legislation directed at strengthening protection against religious discrimination for employees who require a reasonable accommodation of their religious practices.

IMMIGRATION POLICY

On immigration, President-elect Obama presents less of a dramatic shift in perspective from his predecessor than in the case of church-state, sharing as he does with President Bush – as well as with his erstwhile adversary, Senator McCain – a commitment to comprehensive immigration reform that reconciles humane treatment of immigrants with meaningful security measures. Thus, in May 2007, then-Senator Obama called for “stronger enforcement on the border

and the workplace,” as well as for immigration reform that reunites families and “bring[s] in more foreign-born workers with the skills our economy needs.” Days after the election, the President-elect sketched out some of the specifics of what his administration’s plan for immigration would look like: On the security side, additional personnel, infrastructure and technology on the border and at points of entry, paired with “cracking down on employers who hire undocumented immigrants;” and, on the other hand, fixing the dysfunctional bureaucracy, increasing the number of legal immigrants “to keep families together and meet the demand for jobs that employers cannot fill,” and instituting a system that “allows undocumented immigrants who are in good standing to pay a fine, learn English, and go to the back of the line for the opportunity to become citizens.” Interestingly, given the emphasis AJC places on the need to view the challenge of undocumented immigration holistically and not just as a domestic issue, the Obama plan also seeks “to promote economic development in Mexico to decrease legal immigration.”

Notwithstanding an immigration policy that reads as if it were taken from an AJC playbook, and Obama’s assertion that he regards comprehensive immigration reform as a first-year priority, it is wise to avoid irrational exuberance on its immediate prospects. We have had two successive Congresses (one under Republican, the other under Democratic, control) in which comprehensive reform legislation failed to move, even with a chief executive in place who in large measure shared the incoming President’s perspective on this issue. The bills crashed and burned in large part because of a vociferous grass roots opposition that literally shut down the Capitol switchboard and left members of Congress, particularly in swing districts, believing that the issue was toxic – prompting House Speaker Nancy Pelosi to assert that comprehensive immigration reform would only move as a bipartisan measure, not as a Democratic initiative alone.

In the aftermath, it must be said that it is hard to find a member of Congress who, in the most recent election or for that matter in the election prior, lost a seat or came close to doing so because he or she was too “pro-immigrant.” Quite the opposite, it has become common wisdom that the harsh anti-immigration tone associated with broad swaths of the GOP (although emphatically not its latest standard-bearer) was responsible for this election’s sharp turnaway of Latino voters. Nevertheless, the political challenges of moving comprehensive immigration reform remain very real. AJC and its allies will find it necessary to press this issue on two fronts. First, inside the Beltway, working to persuade elected officials that comprehensive immigration reform is not only right on the merits, but that politically it is the smart thing to do – that Americans will support reform that makes functional a dysfunctional system and treats immigrants humanely, even as it gives proper attention to the nation’s security concerns. At the same time, to give credence to that latter point, it is time for supporters of immigration reform to direct their attention to building an active grass roots that can respond in kind when the voices of those opposed to immigration reform are heard. (AJC has already begun working toward that end.)

BALANCING SECURITY AND CIVIL LIBERTIES

In another priority area, the incoming administration has clearly indicated that change is at hand in an area that has stirred controversy ever since the events of September 11, 2001 – the balancing of national security concerns and protection of civil liberties. In his responses to an AJC candidate questionnaire, then-Senator Obama promised to close the Guantánamo detention facility, with the remaining prisoners to be transferred to prisons in the United States, and to es-

establish a review process “for determining who we prosecute for war crimes, who we detain as combatants under the laws of war, and who we can release.” He also called for a restoration of *habeas corpus* and pledged that he would “not tolerate U.S. forces torturing prisoners.” President-elect Obama’s commitment to restoring *habeas corpus*, as well as to addressing other due process concerns associated with Guantánamo and other detainees, and his fervent opposition to degrading and inhumane treatment of prisoners, are much in accord with positions asserted by AJC. Of course, even as the balance is reset between civil liberties protection and counterterrorism, implementation of the promised change in policy will invoke new legal and security challenges, not least in the disposition of the individual Guantánamo detainees.

In a related area, earlier this year then-Senator Obama voted in favor of amendments to the Foreign Intelligence Surveillance Act that brought up to date procedures for judicial review of domestic surveillance that had fallen behind the technological curve, and that – as candidate Obama noted – declared FISA “the exclusive means to conduct surveillance.” Nevertheless, even with this latter important provision, concerns were raised by critics of the bill who asserted that it opened the door too widely to abusive surveillance. For this reason, even as AJC acknowledged the urgent need for Congress to bring FISA up to date, this organization called for intensified congressional oversight of the amended FISA’s operations – an obligation that, even with a new administration taking office, will extend to the new Congress.

NATIONAL SERVICE

Finally, while on the campaign trail, President-elect Obama pledged that national service would be “a central cause of my presidency,” and in response to AJC’s candidate questionnaire, indicated his intent to “ask the American people for their service and their active citizenship.” The Obama national service plan reflects these commitments by proposing, among other things, to “establish a Classroom Corps to help teachers and students, with a priority placed on underserved schools; a Health Corps to improve public health outreach; a Clean Energy Corps to conduct weatherization and renewable energy projects; a Veterans Corps to assist veterans at hospitals, nursing homes and homeless shelters; and a Homeland Security Corps to help communities plan, prepare for and respond to emergencies.” At his appearance at the ServiceNation summit in September, then-Senator Obama joined with Senator McCain in pledging to support the Serve America Act, legislation introduced by Senators Hatch and Kennedy that would expand the number of national service participants to 250,000.

The Obama national service plan is very much in keeping with AJC’s support for national service programs, which is premised on the belief that an expansion of national service opportunities could address, at least in part, many of our national challenges – among them strengthening our infrastructure and homeland security, protecting our environment and natural resources, and ensuring access to quality education for our young people – as well as enhance the civic consciousness of young Americans and thereby build a stronger civil society. AJC, a founding member of the ServiceNation coalition, looks forward to working with the President-elect and with sponsors of the Serve America Act in moving forward to make this vision a reality.

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