

The End of the Libertarian Dream?

Long on the fringes of American politics, small-government conservatives were closer than ever to mainstream acceptance. Then two things happened: Donald Trump and Jihadi John.

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Justin Amash can't seem to concentrate. His eyes keep drifting toward the TV behind me, mounted on the wall inside his congressional office. The 36-year-old representative from Michigan, who arrived in Washington six years ago as a self-described libertarian Republican, is rattling off a list of concerns about the newly inaugurated president, but he is distracted by C-SPAN's programming: Mick Mulvaney, his close friend and colleague from South Carolina—and a similarly libertarian-minded Republican—is getting grilled during his confirmation hearing to become director of the Office of Management and Budget. Arizona Senator John McCain had just finished his inquisition and was particularly harsh, scolding Mulvaney for voting to slash military spending and withdraw American troops from Europe and Afghanistan. It was a tense exchange, and Amash savored every moment of it. The ascent of Mulvaney to such a powerful position in the federal government, libertarians believe, proves that their ideology has invaded and influenced the Republican mainstream in a manner unimaginable a decade ago.

There is, however, a complicating factor: Mulvaney's new boss is President Donald Trump.

In campaigning for the presidency, Trump frequently sang from the same hymnal as libertarian primary rival Senator Rand Paul, warning against regime change and nation-building abroad, decrying the allied invasions of Iraq and Libya (never mind that Trump initially supported both), and promising to disengage from a self-immolating Middle East while re-evaluating American involvement in NATO. The election of an ideologically unmoored reality-TV star was startling to many libertarians, but at least it suggested some progress in their struggle with the GOP's interventionist wing. "The silver lining is that Trump proved you can win the Republican nomination, and the presidency, by criticizing neoconservative foreign policy," says David Boaz, executive vice president of the libertarian Cato Institute.

"I think the McCain-Graham wing of the party is withering," Amash tells me in his office, referring to South Carolina's hawkish senator. "It was dominant 10 or 15 years ago on foreign policy matters and surveillance and other things. But today, it's a rather weak force compared to a decade ago in D.C. And it's almost nonexistent at home."

And yet, Trump also pledged to oversee a massive military buildup. He threatened to “bomb the shit out of” the Islamic State; suggested killing the families of terrorists; expressed an interest in seizing Iraq’s sovereign oil; advocated the return of torture; and, in his inaugural address, declared he would eradicate Islamist terrorism “from the face of the Earth.” When I mention all this, Amash bursts out laughing. “Not exactly a libertarian philosophy,” I say. “No,” he shakes his head. “It’s not.”

There are areas, certainly, in which Trumpism and libertarianism will peacefully co-exist; school choice, as evidenced by Trump’s selection of Education Secretary Betsy DeVos, is one example. Deregulation is another. But by and large, they cannot be reconciled. Where libertarians champion the flow of people and capital across international borders, Trump aims to slow, or even stop, both. Where libertarians advocate drug legalization and criminal justice reform, Trump and his attorney general, Jeff Sessions, seek a return to law-and-order policies. Where libertarians push to protect the First and Fourth Amendments, Trump pushes back with threats of banning Muslims and expanding the surveillance state. And where Mulvaney has dedicated his career to the argument that dramatic fiscal measures are needed to prevent the United States from going bankrupt, Trump campaigned unambiguously on accumulating debt, increasing spending and not laying a finger on the entitlement programs that make up an ever-growing share of the federal budget.

Sooner or later, something has to give. “Mick knows the numbers. And he’s going to get to, at some point, a soul-testing moment,” Mark Sanford, his fellow South Carolina representative and a self-identified, lifelong libertarian, tells me. “Do I go with, you know, what Donald is saying? Or do I go with what I know to be mathematic reality?”

This disconnect captures the sense of uncertainty and conflict that libertarians—whether they are Republicans, Democrats or adherents of the eponymous third party—feel in the age of Trump. After generations of being relegated to the periphery of American politics, they are seeing some of their most precious ideals accepted and advocated for at the highest levels of government. But in many policy areas, there has never been a president who poses a greater threat to what they hold dear—one who is poised, potentially, to reorient the GOP electorate toward a strong, active, centralized and protectionist federal government. The Trump presidency, then, is shaping up to be a defining moment for the libertarian movement.

But it won’t come down to intraparty disputes over marijuana, or sentencing reform, or government data collection. Rather, the viability of libertarianism—for the next four or eight years, and potentially much longer—will be determined to an overwhelming extent by the relative stability of international affairs and the level of security Americans feel as a result.

Not long ago, libertarians were having their long-awaited moment, with Rand Paul—supposedly the candidate who could rebrand their once-fringe ideology for a new generation of Americans—gracing magazine covers and converting Republicans to a philosophy of laissez-faire at home and restraint abroad. But the reason he isn’t president today, his allies say, owes equally to the rise of Trump and that of another disruptive phenomenon.

“Two people were Senator Paul’s undoing in the presidential race,” Chip Englander, his campaign manager, tells me. “Donald Trump and Jihadi John.”

Libertarians call it “the Giuliani moment.” It was May 15, 2007, and the former New York mayor stood across from Ron Paul on a debate stage in Columbia, South Carolina. They had nothing in common—personalities and ideologies aside, Rudy Giuliani was comfortably leading the GOP presidential field, while Paul was polling in the low single digits—but they would soon produce an inflection point in the party’s modern history, one that triggered a decade of unprecedented progress for libertarians.

As a panel of Fox News moderators mocked his opposition to the Iraq War, Paul argued that American intervention in the Middle East was “a major contributing factor” to the September 11 attacks. “Have you ever read the reasons they attacked us?” he asked. “They attack us because we’ve been over there.” Giuliani, whose candidacy arose from his heroic handling of 9/11, pounced, calling it “an extraordinary statement” and asking Paul to withdraw it. The crowd roared with approval, but Paul didn’t budge. “I believe very sincerely that the CIA is correct when they teach and talk about blowback,” he responded.

That statement, better suited to an Ivy League faculty lounge than a Republican debate stage, “was the spark that started everything,” says A.J. Spiker, the former Iowa GOP chairman who backed Ron Paul and later his son Rand for president. Before long, there was talk of a “Ron Paul Revolution,” which somehow wasn’t an overstatement: As he climbed in the polls and gained name recognition, Paul began raising eye-popping sums of money online with the help of “liberty movement” groups that had begun forming across the country, with much of their grass-roots energy concentrated on college campuses.

There was, however, an unintended consequence: Paul’s popularity served to cement libertarianism’s reputation as an exotic strand of internecine opposition rather than a reliable, cooperative piece of the GOP coalition. Even though he emphasized other issues in his campaign—most memorably, auditing the Federal Reserve—it was Paul’s harsh critique of President George W. Bush’s interventionism that defined his candidacy in 2008 and again in 2012, as well as his son’s political ambitions, in the eyes of the party elite.

“He alienated a lot of Republicans with a very isolationist foreign policy message,” says Bob Barr, the former Georgia congressman who abandoned the GOP and became the Libertarian Party’s presidential nominee in 2008. Barr, listening to Paul that year, recalls thinking, “If libertarians continue to exist on ideological purity in that regard ... it will condemn them to not expanding their influence in the party.”

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The Republican establishment was banking on exactly that. Having watched with alarm as Paul’s 2012 campaign attracted significantly more support than its 2008 iteration, the party’s elder statesmen were eager to undermine the movement’s long-term viability. When I spoke with Karl Rove a month after Election Day 2012, he predicted libertarianism would soon regress to pre-Paul irrelevance. “I don’t think the antiwar sentiment is durable,” Rove told me. “The Republican Party is not going to find itself in five or 10 years committed to neo-isolationism.”

In the year that followed, Rove's prediction looked anything but prescient. In July 2013, Amash sponsored an amendment to restrict the National Security Agency's bulk data collection program; it fell just 12 votes shy of passage in the House, despite fierce opposition from President Barack Obama and the congressional leadership of both parties. That amendment was inspired by blockbuster revelations a month earlier, made by intelligence contractor Edward Snowden, that the government's domestic surveillance practices were illegal. That followed a watershed moment in March 2013, when Rand Paul, then a freshman senator from Kentucky and inheritor of his father's messianic following, had completed a nearly 13-hour filibuster in opposition to the nomination of John Brennan as Obama's CIA director—and more broadly, to the administration's refusal to rule out drone strikes on American citizens. This momentum was validated by Republican leader Mitch McConnell, a mascot of the Washington establishment, hiring Jesse Benton, the Paul family consigliere, to manage his own 2014 Senate reelection.

With another White House campaign on the horizon, the dreams of a movement rested on the younger Paul's shoulders. Everyone recognized that the disheveled, curmudgeonly 70-something Ron could win hearts and minds but never the presidency. Rand—more polished, more nuanced and nearly 30 years younger—was the libertarians' chosen one. (Gary Johnson, the Libertarian Party's 2016 nominee, was never taken as seriously.) Ron had won 21 percent of the vote in Iowa and 23 percent in New Hampshire in the 2012 primary; Rand, in the eyes of his bullish base, had nowhere to go but up.

Sure enough, by July 2014, he sat atop the GOP presidential field in the RealClearPolitics average of national surveys; that same month, NBC News released polls showing him leading in New Hampshire and tied for first place in Iowa. As he prepared to launch his campaign in early 2015, Paul basked in his—and the libertarian movement's—ascendance, which crescendoed with an August 2014 *New York Times Magazine* feature, with the headline, "Has the 'Libertarian Moment' Finally Arrived?" It was met with hosannas inside Paul's political operation.

Twelve days after the *Times* piece was published, an organization known as the Islamic State, or ISIS—which had announced the formation of a caliphate to govern Muslims worldwide, but globally was not yet a household name—released a video depicting the beheading of American journalist James Foley. Exactly two weeks later, ISIS published a similar video showing another American journalist, Steven Sotloff, also being beheaded. With the spectacular barbarism piercing Western consciousness—amid wall-to-wall coverage, the executioner was dubbed "Jihadi John" by media outlets—Obama delivered a prime-time address on September 10 and pledged to "destroy" ISIS.

The next month, *Time* magazine featured Paul on its cover as "The Most Interesting Man in Politics." The timing could not have been worse: Having intended to capture Paul's rise, the story marked the onset of his decline. He had already dropped to 12 percent in the RCP national poll average, from 14 percent in July; by Christmas, he was at 9 percent. The crash continued throughout 2015, interrupted by only a fleeting bounce after his April 7 campaign launch. In late July, he was below 6 percent, and by October, one year after *Time*'s cover, he hovered at just over 2 percent.

"We did a survey in Iowa that fall, and in the survey, Republican caucus-goers were very much opposed to the policies that Senator Paul was waving the flag for: less spying, less drone strikes,

less foreign intervention, closing of foreign bases,” recalls Vincent Harris, the campaign’s chief digital strategist.

Embarrassingly, Paul’s numbers plunged so low that Fox Business excluded him from its main debate in January 2016, less than a month before Iowa’s first-in-the-nation caucuses. (Paul boycotted the undercard debate.) A few weeks later, after winning just 4.5 percent of the vote in Iowa, Paul quit the race.

It was a dramatic, if unsurprising, fall from grace. Ron Paul had masterfully exploited the frustrations of a war-weary Republican Party, and though his son was hyped as an objectively superior messenger, everyone understood the foundation of his appeal could crumble with a sudden shift in public opinion. “We as libertarians know that at a time of fear, our brand doesn’t sell very well,” says Jack Hunter, the editor of *Rare Politics* and co-author of Rand Paul’s 2011 book, *The Tea Party Goes to Washington*. “So when we saw beheadings on the news ... we knew it would be problematic.”

Polling suggested as much. In November 2013—when Rand Paul was riding high—43 percent of Republicans said U.S. anti-terrorism policies were going too far in restricting civil liberties, while 41 percent said they weren’t going far enough to protect the homeland, according to Pew Research. In September 2014—during the immediate aftermath of the Foley and Sotloff execution videos—those figures were 24 percent and 64 percent, respectively. The shift in sentiment would only accelerate. A separate poll in September 2014, commissioned by CBS News, found that 39 percent of Americans favored sending U.S. ground troops to Iraq and Syria to fight ISIS, with 55 percent opposed. Five months later, in February 2015, the percentages inverted: 57 percent of Americans wanted U.S. ground troops deployed to battle ISIS, and 37 percent were opposed. (Among Republican voters, it was 72 percent and 27 percent, respectively.)

To remain competitive, Paul—whose candidacy was already suffering from other manifest shortcomings, lack of financial support and personal prickliness chief among them—tried to thread an impossible needle: projecting greater toughness to reassure mainstream Republicans, without sounding so muscular as to alienate his base. “We accomplished neither,” Tony Fabrizio, the Paul campaign’s pollster, says. “With all respect to Rand ... I think he wanted to prove he and his father were different. And that created natural tensions. By trying to please both sides, he wound up pleasing neither.”

Drew Ivers, who chaired Ron Paul’s 2008 and 2012 campaigns in Iowa, shocked his fellow libertarian activists by declining to endorse Rand’s 2016 bid. “I remember him telling me once by phone ... that he was going to submit a proposal to go to war with ISIS,” Ivers tells me. “Go to war? Wait a minute. What do you mean, go to war?”

“I busted his chops about it,” Matt Welch, editor at large of *Reason*, recalls of Paul’s proposed declaration of war. “And he said to me, ‘Look, I can’t win a Republican primary under these conditions if I don’t support some kind of confrontation with ISIS.’”

Paul declined an interview request for this article. His spokesman, Sergio Gor, said in an email, “Our focus is on Obamacare repeal and replacement exclusively right now.” More accurately,

the senator's friends and allies say, he simply has no interest in re-litigating his presidential run or participating in a post-mortem of it.

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Ironically, there was one Republican in 2016 who outdid Ron Paul's rants against Bush's interventionism—and he won the party's nomination. “Look at Trump. He went to South Carolina, a military state, and said the Iraq War was a disaster, said 9/11 happened on Bush's watch, shared these borderline conspiracy theories,” Welch says. “He was stridently antiwar and anti-intervention—and he stomped the competition.”

It's the wild card of global affairs—and the terrible hand it dealt Paul's 2016 campaign—that distracts from libertarianism's successful infiltration of the domestic policymaking complex. Education, which Republicans nationalized under Bush, is increasingly being handed back to the states. A coalition of liberal Democrats and conservative Republicans has begun challenging the status quo on issues ranging from police militarization to asset forfeiture to sentencing reform. Meanwhile, two of the libertarian community's other longtime goals, marijuana decriminalization and marriage equality, have been realized in irreversible ways.

And yet, all of this momentum might be rendered insignificant, even irrelevant, if the new Republican president ends up going to war. In fighting for the heart and soul and future of the GOP, libertarians understand their chief strategic priority is holding Trump to his non-interventionist rhetoric. This explains why Paul was willing to support Sessions' nomination, despite the new attorney general's sharply divergent views on issues such as drug prosecution and asset forfeiture: Paul, it appears, would rather spend what political capital he has opposing anyone who might inflame Trump's foreign policy. (“Do not let Elliott Abrams anywhere near the State Department,” the Kentucky senator wrote the week of Sessions' confirmation vote, responding to reports that Trump could pick the well-known neoconservative to be deputy to Secretary of State Rex Tillerson.)

So far, Paul and his ilk are taking some comfort in the company Trump keeps. The president passed on hiring Abrams. And the principals of Trump's national security team—Tillerson, Defense Secretary Jim Mattis, Homeland Security Secretary John Kelly—are regarded as pragmatic realists who will restrain, rather than encourage, the president's more aggressive instincts.

That said, Trump, who loves to be called “a man of action,” feels a mandate to escalate various conflicts with America's enemies. Exit polls on Election Day found that 24 percent of all voters thought the fight against ISIS was going “very badly,” and Trump won 83 percent of that group. Some in the Pentagon reportedly want to send ground forces into Syria. Trump has already proved unhesitant to deploy American troops—special operators at minimum—to foreign soil. That he decided to greenlight a tremendously dangerous operation in Yemen almost immediately after taking office shows an appetite for boldness and a willingness to accept collateral damage; a Navy SEAL, as well as several civilians, were killed in the operation.

It's not what President Rand Paul would have done. And yet libertarians, who feared they ultimately would choose between an interventionist Democrat in Hillary Clinton and a neoconservative Republican nominee, still believe, perhaps naively, that this was their next best outcome. Marco Rubio, the hawkish Republican senator from Florida, "would have been much worse for us," Amash tells me. "I think Rubio would have ushered in a long decline of American foreign policy. ... Trump is just a shock to the system. Rubio is a younger, more charming John McCain."

In any case, the grass-roots foundation laid by Ron and Rand Paul seems likely to outlast Trump. Young Americans for Liberty, the group that grew out of Ron's 2008 campaign, went from 96 chapters nationwide in 2009 to 602 chapters in May 2015, the month after Rand's campaign launched. Today, there are 804 chapters. This growth, combined with continuous, non-election-year activism—and polling showing that younger voters, both left- and right-leaning, are increasingly libertarian in their views of government—wards off pessimistic assertions that their "moment" might have just come and gone.

"Look at every single candidate who ran, and look at their infrastructures," Cliff Maloney, president of Young Americans for Liberty, tells me. "Do you see people out still knocking doors for Marco Rubio or Jeb Bush or Ben Carson? No. This is going to be a slog. And we're going to fight through."

The more important fight will take place on Capitol Hill. With the vast majority of Republicans already capitulating to Trump, libertarian-minded lawmakers are positioned as the most vocal bloc of intraparty opposition. Ron Paul was a lonely voice of dissent in Bush's GOP, and benefited politically when the party faithful eventually came around to some of his arguments. Today, there's a much larger contingent in the Congress oriented toward libertarianism—Amash, Sanford, Thomas Massie of Kentucky and others in the House; Rand Paul and Mike Lee in the Senate—and it has already shown a willingness to tangle with Trump where others in the party have passed. The aggressiveness with which libertarians check Trump's overreach, at home and abroad, will correlate with the movement's credibility, and popularity, if Republican voters turn against the president's policies.

But what if they don't? Knowing the Libertarian Party just nominated its most experienced presidential ticket ever and won just 3 percent nationally, the grave fear among libertarians is that Trump's actions will represent the very worst of his campaign promises—intervening militarily, adding to the debt, abandoning trade, restricting civil liberties—and that the GOP electorate will love him for it.

"If the Republican Party becomes thoroughly Trumpist," Boaz says, "there's not much room for libertarians."