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Is Trump a Conservative? Mike Lee Says Yes

The president's call to break up entrenched federal power makes him a kindred spirit, according to Utah's stalwart tea-party senator.

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Mike Lee is one of the Senate's most principled conservatives and deepest thinkers.

But even he is willing to twist himself in knots to say, *Yes, Donald Trump is one of us.*

Here's where Lee, the junior Republican senator from Utah, has landed: Trump makes sense in the White House, as the head of the Republican Party, and as a leader of the conservative moment because that's what happened. It's more deduction than enthusiasm.

Lee has just written another book about the Founding Fathers. He says that the people who created this country and its government would have loathed the closed process Majority Leader Mitch McConnell (R-Ky.) used to produce the Senate's health-care bill—"we're dealing now with the consequences of that," he said—but that they'd also smack back all the talk that Trump isn't qualified for the job.

"I don't think they would look at that and say, 'We don't like this president,' or, 'We don't think he's qualified.' I think his qualifications occurred by virtue of the process that they themselves set up. That's what qualifies someone to be president," Lee told me in an interview in his office in the Russell Senate Office Building for the latest episode of POLITICO's Off Message podcast.

While Democrats spiral through an existential crisis of losing the white working class, flirting with socialism and understanding how to speak to the demographics and economics of the future, the Republican Party's own identity crisis has scrambled even the people who like to think they stand apart.

Lee, a former law clerk to Samuel Alito who would get over 100 percent on every Heritage or American Conservative Union scorecard, is a case in point. He was elected by challenging a Republican incumbent from the right in one of the earliest shudders of what kind of election year 2010 would be. He trashed Trump's candidacy all the way through the end. Now he's co-sponsoring a health-care amendment that experts say would gut protections for those with pre-existing conditions—with Sen. Ted Cruz (R-Texas)—his best friend and compatriot in adjusting their ideology to the new reality. The pair of once vigorous Trump critics—beyond the policy differences, Cruz called Trump "a pathological liar" for linking his father to the JFK

assassination, and Lee said last June he'd "like some assurances that he's going to be a vigorous defender for the U.S. Constitution"—are courting White House support and pledging to help the president whenever they can.

Lee even defends Trump against members of the House and Senate who've griped privately that the president isn't interested in the policy specifics of Obamacare repeal: "I was actually fairly impressed with how many details he did know," Lee said.

Asked who is the leader of the Republican Party, Lee takes another tour through tautology.

"At any given time, when there is a Republican president, typically we regard that person as the leader of the Republican Party. I would say that is the case today," he said.

He didn't quite get there when I asked him who the leader of the conservative movement is. "I don't know," he said.

But he's willing to call Trump *a* leader in the conservative movement.

"Anyone who's playing a role in the process is, by definition, a leader," Lee said. "I think he's someone who's come to Washington with an idea of breaking up accumulated power."

David Boaz, the executive vice president of the libertarian and normally Lee-communing Cato Institute, said he was surprised to hear the senator say that.

"It seems to me it's pretty obvious that Trump is not a conservative," Boaz said. He prefers to describe Trump as "a scary authoritarian nationalist protectionist crony-ist."

For Lee to call Trump a conservative, said the Manhattan Institute's *City Journal* editor Fred Siegel, obviously doesn't make sense, but "is a practical acknowledgment that he's president, and I don't think it means much at all."

Lee's book, "Written Out of History: The Forgotten Founders Who Fought Big Government" is a response to liberals who see their own politics reflected in the Founders by finding other quotes and moments and characters which better reflect his own sense of limited government. Hillary Clinton and others flocked to Lin-Manuel Miranda's "Hamilton," and though Lee says he loves the soundtrack and can quote parts of it, he starts his book with a chapter lionizing Aaron Burr.

"He was someone who defended the rights of the individual while serving as vice president of the United States, and therefore the president of the Senate during Thomas Jefferson's first term in office," Lee said. "When people were subjected to the impeachment and removal process, Aaron Burr was right there, looking out for their rights, even though it wasn't in his political interest to do so."

Lee, who's a lawyer and not a historian, said he likes to collect stories like Burr's, and then slowly builds those stories out through more research and reading. Sometimes he goes to the primary documents, but often he's relying on others' accounts to guide him through, and the people he focuses on are meant to tell a fuller story than he thinks is out there.

“The founding generation would be amazed. It would be surprised. I think it would be very impressed by what has happened since then in terms of our exploding population; in terms of the success of this country economically and otherwise,” Lee said.

But Lee said the current political climate is what they were trying to avoid.

“There’s a lot of bipartisan rancor, a lot of excessive delegation of legislative power from the legislative branch to the executive branch,” Lee said. “There has been this transfer of power from the American people in two steps: first, from the people to Washington; secondly, from the people’s elected representatives in Washington, whose job it is to make the laws, over to unelected, unaccountable bureaucrats. They would see that and say, ‘This is the natural outcome of disregarding limits on power.’”

In that vein, they’d understand Trump’s election, Lee argues: “The people voted for something different, something that they perceived would return power to them.”

As for what they’d make of Trump himself, Lee said, “I don’t know. It’s very difficult to put him back in that context, but I think they would make of him much of what the American people make of him, which is someone who wants to come in and disrupt the status quo, and wants to change the way things are happening.”

Boaz doesn’t think there’s any way to reconcile Trump with small-government conservatism. He’s worried about what this presidency means not just in terms of policy, but in terms of the future of the ideas themselves.

“It turns out you don’t have to be a Reaganite to attract Republican voters. So where does that leave National Review and The Weekly Standard and others? It raises questions about how much of a base of intellectual conservatism there is,” he said.

Siegel said he has many conservative friends “tearing their hair out of their head.”

“It’s wrenching to be an intellectual conservative in 2017 because on one hand Trump is not a conservative, on the other hand, Trump’s enemies are even worse,” Siegel said.

Boaz is hoping the holdouts will be able to reconstitute a chastened movement after Trump, whether the presidency ends in impeachment, a full two terms or whatever might be between.

“One question for intellectual conservatives,” Boaz said, “is, ‘Have you become such partisans that you’ve forgotten how to be intellectuals?’”

Lee hasn’t kept up with everything that Trump has done—he said he’s not familiar, for example, with the deal that gave a state tax subsidy to a Carrier plant in Indiana on the pretense of saving jobs, many of which have since been announced as going to Mexico anyway.

Despite the conservative criticism of decisions like that and of Trump overall, Lee thinks the president could lead to a renewal of conservatism.

“He promised in his inaugural speech in January by saying, ‘I want today to reflect more than just a change from one administration to another, one president to another, one political party to another. But to be something that will bring about a shift of power from Washington, D.C. back

to the American people,” Lee said. “To the extent he adheres to those principles, which are, by their nature, conservative, then I think that will bode very well for the future of the conservative movement.”