



# Conservative Intellectuals Romanticize the Tea Party

By Wendy Kaminer

I am old enough to remember the '60s and '70s and the counter-cultural embrace of Eastern religions. So, reading the weekend *Wall Street Journal*, I was a bit surprised to learn that "liberals have long been uncomfortable with karma." According to Jonathan Haidt, karma is, instead, the unifying passion of Tea Partiers, who are motivated by a thirst for moral accountability that liberals have long disdained.

What's his evidence of liberal disdain for karma or accountability? Liberals favor birth control and abortion rights, Haidt notes; and I suppose it makes sense to characterize reproductive choice as a rejection of karma if you believe that women should be punished for engaging in sex without intent to procreate. Haidt also sees liberal hostility toward karma in support for progressive taxation and "liberal reforms aimed to protect defendants and limit the power of the police." What do tax policies and due process for the accused have to do with karma? If you believe that poor people have only themselves to blame for their poverty and should suffer its consequences unaided, and if you trust the government and believe that everyone arrested for a crime is guilty and that police (and prosecutors) never abuse their power, you might agree that a progressive tax code and respect for the constitutional rights of the accused are defenses against karma.

I'm not dismissing Haidt's argument entirely. Outrage over Bush Administration bailouts did indeed help fuel the Tea Party movement, but Americans [tend to blame](#) Obama for the Bush bailouts, and outrage over them is shared by people right and left. Indeed, liberals and conservatives alike claim to care about moral accountability, and many do. In general, people seem less divided by a belief that actions should have consequences than by deep disagreements over precisely which actions deserve what consequences. Should government agents who authorized or engaged in torture be held accountable for their crimes? Not according to the Tea Party, which doesn't appear to regard the illegal detentions, renditions, and torture of terror suspects as acts worthy of punishment.

The Tea Party's tolerance or outright endorsement of the expansive, intrusive national security state utterly undermines its professed desire for limited government. I have made this point [time](#) and time [again](#), and I'll continue making it, because the Tea Party's support for the biggest, baddest federal government ever is so often overlooked. Peter Berkowitz (who's smart enough to know better) adopts the Tea Party's view of itself as a movement driven by a coherent anti-federalism that animated debates between the founders and by an understanding of basic constitutional principles: according to

Berkowitz (also writing in the *Weekend Journal*) "the Tea Party movement's focus on keeping government within bounds and answerable to the people reflects the devotion to limited government embodied in the Constitution."

Never mind the unaccountable power to detain, interrogate, and even assassinate people, without due process, adopted by both Bush and Obama. Never mind the shadow government spanning both administrations described by the *Washington Post* in its essential and largely ignored [expose](#) of the post 9/11 security state. You can only refer to the Tea Party's "devotion to limited government" with a straight face if you pay no mind to the awesome power of the 21st-century imperial presidency, which Tea Partiers and other right wingers from Christine O'Donnell to Liz Cheney support.

But it's not just the security state you have to ignore to describe the Tea Party as anti-federalist. You'd also have to ignore dramatic, recent expansions of the federal criminal code that have imbued federal prosecutors with jurisdiction over crimes once quaintly considered the business of states. You'd have to ignore the War on Drugs, second only to the War on Terror in eroding civil liberty and expanding the power of federal prosecutors. And, if you're tempted to characterize the Tea Party as generally mistrustful of government, you have to wonder why it doesn't oppose the death penalty, support for which assumes that the state always prosecutes capital cases fairly and accurately and never makes mistakes when it selects people to die.

So while it's probably true that, as Berkowitz asserts, the Tea Party movement represents anxiety over the federal deficit, spending, taxes, and a stagnant economy, it is obviously not true that it also aims to "block the expansion of the state into citizens' lives." When expansion of the state into our lives includes federal surveillance and detention powers, or the power to prosecute street crime (or regulate marriage and abortions), the Tea Party appears to be all for it.

Tea Partiers are hardly alone in their inconsistent approaches to big government. Liberals who favor federal intervention in the marketplace or expansion of federal hate crime legislation but oppose limits on stem cell research, gay marriage, or the government's power to blacklist and spy on us also stand both for and against federal power. Only a minority of libertarians (some of whom can be found at the CATO Institute) are consistent in their commitment to individual freedom and an unregulated marketplace.

I'm not suggesting that people who are consistent in their opposition to federal power are always right by virtue of their consistency. I count myself among the inconsistent, since my strong support for civil liberty sometimes clashes with my opposition to entirely free markets. But I do wish Tea Partiers and their conservative intellectual apologists would exhibit a little self-awareness and honesty about their own inconsistent approaches to federal power. Very few people, right or left, have principled positions on federalism. Most of us oppose federal power when we oppose federal policies and support it when we oppose state policies or practices.

"People favor federalizing what they don't like and oppose federalizing what they like," the always incisive Barney Frank reminded me years ago, commenting on expansions of federal criminal

jurisdiction. Or as Jon Stewart recently [pointed out](#), "it's a fallacy that limited government is the principled stand of conservatives. It's only limited to the shit they want to do."

This is not too subtle a point for Peter Berkowitz, but, like Jonathan Haidt, he seems less intent on formulating an intellectually honest analysis of the Tea Party than in marketing a romanticized one. While acknowledging parenthetically that allegedly anti-federalist Tea Partiers have probably never read the Federalist Papers, Berkowitz derides their liberal critics as poorly educated elitists with little understanding of the constitutional scheme of enumerated powers and a system of checks and balances. Of course, he has no evidence for this assertion (other than his irritation with fashions in teaching history and political science), and he offers no reason to believe that a majority of Tea Partiers would pass, much less outscore their liberal critics, on a basic civics test about the Bill of Rights (excluding the Second Amendment) and the respective roles of Congress, the Courts, and the President. Higher (and lower) education may be failing all of us, but partisanship has more power to make smart people seem stupid.

This article available online at:

<http://www.theatlantic.com/politics/archive/2010/10/conservative-intellectuals-romanticize-the-tea-party/64752/>

Copyright © 2010 by The Atlantic Monthly Group. All Rights Reserved.