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Best of the Blogs: One Lump or Two?

October 25, 2010 | Posted by: [Edward A. Fallon](#)

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November 2 is fast approaching, and the nation is awaiting the election results to see whether the Tea Party Movement will be revealed to be a force in American politics or an over-hyped media sensation. This week's "Best of the Blogs" feature provides everything a political junkie needs to learn more about

the Tea Party Movement.

The obvious starting point might be Butch Cassidy's (or Paul Newman's) famous question, "Who are those guys?" Amy Gardner at the Washington Post tries to answer that question [here](#) (hat tip to Steven Easley). Despite her best efforts, a definitive picture of the Movement remains elusive:

[A] new Washington Post canvass of hundreds of local tea party groups reveals a different sort of organization, one that is not so much a movement as a disparate band of vaguely connected gatherings that do surprisingly little to engage in the political process.

The results come from a months-long effort by The Post to contact every tea party group in the nation, an unprecedented attempt to understand the network of individuals and organizations at the heart of the nascent movement.

Seventy percent of the grass-roots groups said they have not participated in any political campaigning this year. As a whole, they have no official candidate slates, have not rallied behind any particular national leader, have little money on hand, and remain ambivalent about their goals and the political process in general.

Jonathan Haidt does some psychoanalysis of libertarians, liberals and conservatives, and tries to show that it is not a love of liberty that unites Tea Partiers, but rather a belief in karma:

The notion of karma comes with lots of new-age baggage, but it is an old and very conservative idea. It is the Sanskrit word for "deed" or "action," and the law of karma says that for every action, there is an equal and morally commensurate reaction. Kindness, honesty and hard work will (eventually) bring good fortune; cruelty, deceit and laziness will (eventually) bring suffering. No divine intervention is required; it's just a law of the universe, like gravity.

The whole article is [at the Wall Street Journal](#). I am not sure that I buy the argument, but the image of Sarah Palin wearing a sari and banging a tamborine is an appealing one.

The issue that seems to unite the Movement more than any other seems to be the Obama administration sponsored Affordable Health Care Act. Litigation over the individual mandates contained in the legislation is being closely watched. Theresa Weisenberger gathers the cases and issues [in one location](#) over at the JET Law Blog (the Vanderbilt Journal of Entertainment & Technology Law). Meanwhile, over at Balkinization, guest bloggers Gillian Metzger and Trevor Morrison provide constitutional commentary. [Their opinion](#) of the Florida District Court case:

In short, the court's declaration that the individual mandate cannot be deemed an exercise of Congress's tax power is built upon a hostile reading of the record. If the presumption of constitutionality means anything, surely it is that in areas not subject to a Supreme Court-mandated clear statement requirement, courts should give Congress the benefit of the doubt.

Meanwhile, the issue of immigration seems to confound the Tea Party. Stewart Lawrence at the Daily Caller examines the contradictions [in this post](#):

Ideologically, support for immigration is thoroughly consistent with the Tea Party's enthusiastic endorsement of the unfettered free market. In fact, for years, libertarian, pro-free enterprise groups like the CATO Institute have joined business groups and immigration advocates in calling for less government regulation of immigration — a position that critics call an "open borders" policy.

But many Tea Party activists believe that restoring the "rule of law" — and regaining control of the country's borders — is also fundamental to the American ideal of freedom. They don't necessarily oppose rising immigration, especially legal immigration, but they are hostile to "amnesties" for illegal aliens that appear to reward "lawbreakers."

Over in England, [The Economist magazine](#) looks across the Atlantic and asks "What is this thing Hayek called the

Rule of Law?” It is an interesting blog post that manages to name check Paul Ryan and Ron Johnson from Wisconsin but inexplicably fails to mention my post on Hayek in the [Marquette Law School Faculty Blog](#).

Will the Tea Party Movement expand beyond the borders of the United States and become an international movement? Anna Leutheuser at the Heritage Foundation [thinks it will](#):

The principles that precipitated the first Tea Party – a respect for the rule of law, and desire for limited government and individual liberty – are universal; and they are just as threatened now as they were at the time of the American founding. This time, however, the United States is not alone in coming to their defense.

Finally, we go back to Balkinization to give Jack Balkin [the last word](#) on the Tea Party Movement:

What changed during the 1960s and afterwards was the creation of a New Right, and the joinder of social conservatives, business conservatives, anti-welfare state conservatives, anti-regulatory conservatives, anti-tax conservatives and foreign policy conservatives. That alliance made it possible for the rich and for corporations to bankroll a wide range of conservative causes, in the belief that a rising tide (of anger) would lift all conservative boats. Corporate interests could ally themselves with the Republicans’ form of populism as long as social conservatives would keep voting for candidates who would favor business interests and seek to lower taxes on the wealthy and corporations.

This basic feature of modern American conservatism has not really changed with the emergence of the Tea Party, even though the Tea Party presents itself as a new form of political organization, alienated in part from the mainstream of the Republican Party. The Tea Party, however differently it may be organized, is just the latest incarnation of the most conservative elements of the late 20th century conservative coalition, this time featuring a special emphasis on opposition to the size of government and government taxation. That emphasis makes the Tea Party a natural object of corporate support, albeit mostly hidden corporate support, because many in the Tea Party also are not that fond of the Wall Street bailout either.

That’s all for now. As Craig Ferguson says, “I look forward to your letters.” Please remember our comments policy:

We hope that this blog will be a robust forum for civil and well-informed discussion of important issues and ideas. To that end, we welcome the submission of comments from readers in response to posts. We reserve the right not to publish comments based on such concerns as redundancy, incivility, untimeliness, poor writing, etc. All comments must include the first and last name of the author and a valid e-mail address.

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