

POLITICO

Return of the liberal-tarians

By Darren Samuelsohn – June 9th, 2013

Nothing brings the left and the right together quite like government snooping.

Fears of Big Brother have the likes of liberal Sen. Bernie Sanders and libertarian Sen. Rand Paul sounding the alarm over the National Security Administration sweeping up millions of phone records and mining the activity of Internet users.

The same coalition – call them “liberal-tarians” – has come together on other issues over the years, from opposition to the Iraq war to gay marriage and medical marijuana, helping to nudge evolving public attitudes, which eventually drove policy changes.

This time the issue is one that has never riled the public quite as much as civil liberties crusaders, raising the question: will the liberal-tarians generate change – or just a lot of noise?

“This is a good example of the fact that this is an issue that is neither Republican or Democrat,” Sen. Mike Lee told POLITICO. “It’s neither liberal nor conservative. It’s simply American.”

On Capitol Hill, liberals and libertarians were fired up as news broke of the administration’s use of the Patriot Act to permit the NSA surveillance.

Listen to Paul and Sanders on this issue, and it’s a little hard to tell them apart.

“I think the irony is that people voted for President Obama hoping for something different,” Paul said. “They were hoping for someone who’d protect the First Amendment, someone who’d protect the Fourth Amendment and there are good progressives and liberals in our country who do and there are good conservatives who believe that.”

Sanders told reporters he’s shocked by the breadth of the program.

“I worry what it would mean for American civil liberties, but I will tell you I never ever expected that under any definition of that legislation that it would mean the phone calls of millions and millions of Americans – virtually none of whom the government has any reason to believe is involved in terrorism – would be checked by the United States government,” Sanders said.

Laura Murphy, director of the American Civil Liberties Union’s D.C. office, welcomed the Republican voices to the civil liberties debate, including 18-term Wisconsin Rep. James Sensenbrenner, a former chairman of the Judiciary Committee, and two-term Michigan Rep.

Justin Amash. Both were out of the gate quickly Thursday with statements slamming the Obama administration. “They’re saying things ACLU members would say,” she said.

But the prospects for a bill look dim, since House and Senate leaders have shown little interest in curbing the power of the NSA.

While big changes might not be imminent, the alignment is worth watching considering its track record in Washington.

“It stops the establishment people of your party from marginalizing the position by assigning it to the opposition,” said Grover Norquist of Americans for Tax Reform. “You have people on the right who will listen to Rand Paul and Mike Lee. You have people on the left who will listen to Ron Wyden and Mark Udall. When they speak together, they’re seeing this as a broadly viewed thing. It’s not just my guy who sees it.”

Norquist noted left-right coalitions have worked to varying degrees of success to reform Pentagon spending, establish lawmaker term limits and lower mandatory minimum sentences for convicted users of crack cocaine.

Murphy, of the ACLU, said left-right coalitions happen more often than the public might realize, citing House and Senate gangs working on immigration reform, mental health and privacy — three issues that ACLU lobbyists discussed in more than a dozen meetings last week alone with Republican staffers, including aides to Mitch McConnell.

Former Sen. John Sununu (R-N.H.) recalled his own experience of seeing conservatives and liberals work together during a filibuster over the Patriot Act. More recently, he pointed to a left-right alliance that helped defeat anti-piracy legislation.

“Every coalition looks a little different, but sometimes the left and the right can come together if, to do nothing else, then to raise the visibility on a particular issue and make people ask a few extra questions,” Sununu said. “Because if someone on the far left and someone on the far right agree, then maybe there’s a little bit more to the story than first meets the eye.”

The political extremes also came together earlier this year as Congress ignored pleas from the White House, Pentagon and domestic agencies to stop sequestration.

On the right, the fiscal hawks defeated the defense hawks by convincing Republican leaders that across-the-board spending cuts wouldn’t be so crippling.

“It’s a cut across the board for everybody,” said Rep. John Shimkus, an Illinois Republican who said he could live with layoffs and furloughs for the Pentagon’s civilian workforce even though his central Illinois district is near Scott Air Force Base. “We have a \$16 trillion national debt. We spend over \$1 trillion more than we take in every year. We have to cut spending. So now we’re going to have to find out the price.”

On the left, former Democratic National Committee Chairman Howard Dean also shrugged off Obama’s warnings about budget austerity. As Vermont governor, Dean said he was able to make tough budget decisions that didn’t disrupt essential services: It just takes good managers.

More than anything, Dean said Democratic lawmakers should be thrilled that sequester would go forward because it gave them an opportunity to cut the Defense Department's budget without having to take another tough roll call vote.

"I'm supporting the sequester because we have to get serious about the budget deficit and nobody's done that yet, including the fiscal cliff deal, and because this is the first budget deal I've seen in 30 years that takes a fair share out of the Pentagon," Dean told POLITICO.

"It's the biggest bureaucracy in Washington and this is the last chance anybody will ever get to cut it because neither the Democrats nor the Republicans have the nerve to cut it if it's a straight-up vote."

Former Rep. Tom Davis (R-Va.) said political extremes on both sides of the aisle can also be a detriment, citing the partisan corners that Obama and House Speaker John Boehner retreated into during their budget talks that allowed for the start of sequestration.

"They control their respective parties right now," Davis said. "They control them through the media. They control them through SuperPACs. They control them through their grassroots activists. And when you have a Congress where 80 percent are more concerned about their primary than their general election, this is what you get."

Brink Lindsey, a senior fellow at the Cato Institute, applauded the libertarian streak that "run[s] through both the left and the right of American politics."

"But often those streaks are most visible in the side that's out of power," he said, noting conservatives who have hit Obama on federal spending but stayed quiet on the issue during the George W. Bush years.

"In recent years, though, events have conspired to activate libertarian impulses on both sides," he said, citing gay marriage and marijuana laws.

Now, progressives aren't so worried about defending Obama since he's been elected to a second term. Many are also "more concerned with how much he resembles his predecessor in asserting sweeping and unaccountable executive power on everything from drones to the surveillance state."

"This progressive awakening on peace and civil liberties is meeting up with libertarian-oriented conservatives who are disillusioned with the neoconservative adventurism of the Bush years," Lindsey said.

