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The Meaning of Joe Barton's Apology

Expect more deference to big business if the GOP recaptures Congress.

by THOMAS FRANK



Last Thursday, Representative Joe Barton, a Republican from Texas, took the opportunity afforded by a congressional hearing into the Gulf of Mexico oil spill to turn the tables on conventional wisdom. Instead of listening to BP's CEO apologize for his company's errors, Mr. Barton apologized to him instead.

What brought on the burst of remorse was an arrangement reached at the White House the day before, when BP agreed to set up a \$20 billion escrow fund to compensate victims of the oil spill. Mr. Barton was "ashamed," he said, "that a private company would be subjected to what I would characterize as a shakedown, in this case a \$20 billion shakedown."

The remark was morally inverted but it was not, as Mr. Barton said, after being pressured to recant, a "misconstruction." Instead, it was a glimpse into the soul of a certain sort of conservative, a reminder of just what kind of government we can expect if the reinvigorated right recaptures Congress this fall.



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Associated Press

Rep. Joe Barton, R-Texas.

That's because the "shakedown" theory of government is not some crackpot idea from the paranoid fringe; it is an inescapable corollary of the laissez-faire tradition. Yes, it was damnably inconvenient for Mr. Barton to bring it up when he did, while BP's oil well was still vomiting poison into the Gulf, and while stories of BP's negligence danced across the front pages.

And, yes, Mr. Barton's version of reality flew in the face of certain facts—for example, that Republicans, in addition to Democrats, had been calling for the very escrow fund Mr. Barton saw as a "shakedown," and that, according to news stories, BP was leaning toward some kind of an escrow plan even before its executives' fateful

meeting with the Hyde Park ruffian in the Oval Office.

But Mr. Barton's remarks struck a chord nevertheless. His party's base thrilled to his words. Politicians and entertainers alike rushed to his defense, led by the eternally outraged Rush Limbaugh, who blustered that "The United States government may as well be a branch of organized crime the way that it is being conducted and the way it's doing business."

And that was one of the milder metaphors. Ben Stein took to the website of the American Spectator to vilify President Obama as "the Duce in the White House"; "Our Caudillo President." An editorial in the Economist magazine likened

Mr. Obama to Russian Prime Minister Vladimir Putin. Fox Business host Stuart Varney delivered the obligatory Hugo Chávez comparison.

It hardly began with Mr. Barton. Depicting the works of Barack Obama as the heavy-handed thuggery of a Chicago gangster has been a favorite stereotype on the right since the beginning.

And this, in turn, is merely an expression of the permanently upside-down political universe of the right, in which the law is criminal, cynicism is a form of idealism, and bleeding-heart liberals are really soulless monsters in love with the power of the state for the same reason that gangsters are fond of their Uzis: because it is the weapon that allows them to plunder and loot the productive members of society.

According to this way of looking at things, regulation is really a form of extortion, a political maneuver to which liberals are partial not because regulation works—heavens no!—but because the threat of regulation allows liberals to demand payoffs from the affected businesses in exchange for walking back their grand, public-minded ideas. Campaign contributions are the tribute exacted by Washington in exchange for allowing business to do its innocent thing.

That's why accusing the EPA of "extortion" has long been a favorite maneuver of polluters. With SEC enforcement, the chosen epithet seems to be "shakedown." With the Microsoft antitrust case, back in the 1990s, certain market-minded conservatives claimed to perceive that the real motive behind it all was an unholy desire to force the software giant to hire lobbyists and donate to politicians. They also understood that Eliot Spitzer's investigation of conflicts of interest on Wall Street, back in 2002, was nothing but "a protection racket," in the words of Cato Institute scholar Alan Reynolds, designed to collect "ransom money for Albany."

Now, it is undoubtedly true that agents of government sometimes take bribes and intimidate people. But the faith I am describing here—the faith that surely informed Joe Barton's remarks—goes much farther than that. It holds that extortion is simply what regulatory agencies do; that criminal operations are at the very heart of the liberal state.

So it's not only BP that deserves an apology; it's every enterprise that has been touched by the poisonous tentacles of government. And maybe some day they will get it. After some future Republican Congress resumes wrecking the regulatory state, it can appoint Mr. Barton to perform the nation's contrition work, apologizing to businessmen great and small for every last act of insolent supervision inflicted on them over the centuries by our arrogant public.

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