

Kibbe's Tea Party Rx Lacks Key Ingredient: Compromise

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On May 5, 2013, at an Ohio State University commencement address, President Obama called attention to a scourge afflicting the nation:

“Unfortunately, you’ve grown up hearing voices that incessantly warn of government as nothing more than some separate, sinister entity that’s at the root of all our problems; some of these same voices are also doing their best to gum up the works,” he advised the graduating students. “They’ll warn that tyranny is always lurking, just around the corner. You should reject these voices.”

Five days later in response to a planted question at an American Bar Association conference in Washington for tax professionals, Lois Lerner, director of the Exempt Organizations Division of the Internal Revenue Service, apologized for the improper targeting of conservative and libertarian organizations. The IRS, for instance, had selected for special scrutiny applications for tax-exempt status bearing organization “names like ‘Tea Party’ or ‘Patriots.’”

Lerner unwittingly revealed that the conservatives and libertarians whose warnings about unlimited government Obama parodied at OSU -- and portrayed to students as meritless -- were on to something.

It also appears that Lerner, who has since retired, seriously understated matters in her damage-control efforts at the ABA conference. Recently released emails indicate that just days before her staged apology in Washington she consulted with the Justice Department about prosecuting conservative groups for abuse of tax-exempt status.

In May 2013 and again in March 2014, Lerner invoked the Fifth Amendment in ducking questions from members of the House Oversight Committee investigating the IRS’s harassment of conservative groups.

The accumulated evidence indicates that perhaps the most powerful and feared executive branch agency, whose legitimacy comes from standing above the fray, targeted an incumbent president’s political opponents for three years -- in the run-up to a critical midterm election and continuing through his own re-election campaign.

From Matt Kibbe's point of view, the IRS scandal is only the tip of the iceberg. In "Don't Hurt People and Don't Take Their Stuff: A Libertarian Manifesto," Kibbe contends that we live in an era of runaway, out-of-control government. He avidly argues in his quirky, invigorating book that the remedy consists of relearning the principles of liberty and limited government. Either the nation reclaims them, says Kibbe, or we will succumb to the delusive allure of a government-supervised society, squandering our freedom and spending ourselves into bankruptcy.

A force to be reckoned with, Kibbe (at left in photo) is also the author of the national bestseller "Hostile Takeover: Resisting Centralized Government's Stranglehold on America." Trained as an economist, Kibbe is president and CEO of FreedomWorks, "a grassroots service center to a community of over 6 million activists who believe in individual liberty and Constitutionally-limited government." He is widely regarded as a leader in the Tea Party movement.

In the spirit of much Tea Party rhetoric, Kibbe conjures dire consequences but his tone is generally upbeat and his approach is eclectic. Drawing on the music and lyrics of the rock band Rush, the novels of Ayn Rand, observations by the American Founders, the ideas of Austrian school economists Ludwig von Mises and F.A Hayek, and conversations with Tea Party favorites in the House and Senate, he poses a question about the future of America that he insists is "really quite simple."

This really quite simple query presents a stark choice: "Do you believe in the freedom of individuals to determine their own futures and solve problems cooperatively working together, or do you believe that a powerful but benevolent government can and should rearrange outcomes and make things better?"

Naturally, Kibbe sides with free individuals against powerful governments because in his view good intentions cannot overcome the propensity of officeholders to make things worse by overpromising and underperforming. His creed boils down to the nice line he took for the title of his book: "Don't hurt people and don't take their stuff."

But like the question he poses, the creed he commends is too simple.

In the real world, there is no insuperable obstacle to believing both that individuals should be free and that governments have a critical role to play in making things better. The hard -- and never-ending -- challenge is how to give government the considerable powers that it needs to secure the manifold conditions of freedom while keeping it from abusing those powers. Even during the simpler times when our federal republic was young, that tradeoff required accommodating competing interests and balancing contending rights.

Meeting that challenge in the continental-scale, high-tech, uncommonly pluralistic, world-power America of today, an America in which substantial majorities expect the government to provide a framework of regulation for a vast free-market economy and maintain a basic

social safety net, calls for constant and energetic accommodation and balancing.

Kibbe recognizes that matters are not as simple as he breezily insists they are. The rules of liberty it turns out are not two but six. In addition to don't hurt people and don't take their stuff, Kibbe argues that freedom depends on people taking responsibility for their lives and assisting members of their community; working to support themselves and to advance their happiness; minding their own business; and maintaining eternal vigilance against the abuse of power.

He offers an enticing vision of political life governed by the rules of liberty: individuals exercise choice, seize opportunities, undertake cooperation, embrace competition, provide for and educate the next generation, and restore limited government by rendering it transparent and holding it accountable.

But this enticing vision is also too simple.

People make bad choices, opportunities evaporate, cooperation goes sour, competition spills over into cruelty and criminality, and care for the next generation is neglected -- harsh realities that scarcely trouble Kibbe's analysis.

Because he neglects the variety of ways in which social and economic life routinely breaks down -- and the deleterious impact these breakdowns can have on political order -- he can indulge dreams of a miniaturized government. However, given citizens' preferences and social, economic, and national security imperatives in 2014, no feasible re-limiting of the federal government will leave it anything other than massive.

The refusal to adjust expectations and demands to the facts of 21st century political life is not a necessary concomitant of devotion to liberty and limited government. But despite his good-natured eclecticism, Kibbe's thinking displays a certain rigidity. Similarly, of fellow Tea Party activists he proudly observes, "Not compromising seems to be the glue that holds us as a social movement."

That intended praise does the Tea Party an injustice. While aversion to compromise typifies many in the movement, it is not the glue that holds the Tea Party together. And it is not a virtue.

The Tea Party movement is bound by the shared conviction, grounded in both conduct observable to the naked eye and sophisticated social science data, that our federal government has grown bloated, spendthrift, and maladroit; that it frequently operates without concern for constitutional limits; and that its current disordered condition presents a threat to individual liberty and long-term American prosperity.

Aversion to compromise, however, obstructs the Tea Party's efforts to restore constitutional limits. The aversion reflects a confusion between the admirable devotion to principle and a counterproductive inflexibility in the application of principle to complex circumstances. Making a principle of the aversion demonstrates a failure to appreciate two major lessons of the American founding.

First, the Constitution embodies, and could not have come into existence without, the Framers' spirit of compromise. Our charter of government is imbued with compromises between sectional interests, economic interests, and big-state and small-state interests. It also represents the combining and reconciling of myriad opinions about the structure and proper blending of legislative, executive, and judicial power.

Second, the Constitution was specifically designed to encourage compromise. The division of power between the federal government and the state governments, the separation of powers between the three branches of the federal government, a bicameral legislature, a unitary executive, a judiciary with the power of judicial review -- all of these constitutional features and more are intended to slow down decision-making by compelling representatives to address rival claims, form coalitions, and craft bargains. The goal is laws that reflect the will of the majority and take into account the interests of minorities while respecting the rights of all.

Notwithstanding President Obama's crude jibes and juvenile mockery, the Tea Party's historic role is to call the United States back to liberty and limited government. To fashion reforms that will bring government more in line with constitutional requirements, the Tea Party needn't water down its devotion to founding principles. It need only heed its best instincts by recovering the intimate connection between loyalty to principle and prudent compromise on which the nation was founded.

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