

Disturbing Developments in Portland, Part 2

By Don Sutherland

Since my last blog entry, “Disturbing Developments in Portland,” the nation has witnessed an expansion of the imposition of federal "police" power into Chicago and Albuquerque. In addition, the Trump Administration has also threatened to expand that initiative to such cities as New York and Philadelphia.

Since that time, none of the concerns raised in that piece have been addressed, much less in a serious fashion. At best, things stand exactly where they stood at the time the blog was written. It still appears that people were detained in Portland in violation of their Fourth Amendment rights simply because they had been exercising their First Amendment rights.

Moreover, *Newsweek* [reported](#), that the federal agents had “pepper sprayed” medical supplies. Destruction of such supplies is little different from plunder and pillage, both of which are prohibited under the Laws of War. That such acts were carried out against American civilians is remarkable. That they were carried out by individuals who are purported to be enforcing the law is extraordinary. Put another way, the situation appears to have degenerated into little more than a 21st century localized re-enactment of the British occupation of Boston at the dawn of the American Revolution.

Meanwhile, “conservative” talk radio and cable TV outlets have enthusiastically greeted the deployment. That evidence for probable cause for the detentions has not been furnished, has garnered no mention from those radio and TV outlets. Why have there been no expressions of concern from the self-described "conservatives?" There are at least two major reasons. The first is definitional. The second reflects the nature of those outlets and their audience.

First, a crucial distinction needs to be drawn. The overwhelming share of today’s self-described American "conservatives" are actually right-wing populists. Conservatives, from Edmund Burke to Ronald Reagan, have traditionally favored limited government and placed paramount importance on the protection of individual liberties. Whenever the scope of government and individual liberties were in conflict, traditional conservatives have typically given priority to the latter.

In contrast, right-wing populists typically favor strong state power that is deployed in favor of their desired pursuits. The goals of such pursuits, often cultural and/or illiberal in nature, frequently cannot be achieved through persuasion and voluntary consent. Thus, state power is needed to tip the balance against the will of the people. As long as state power is exerted toward those pursuits, right-wing populists give priority to the state over the individual, even if doing so shreds individual rights.

Second, based on 2016 exit polls and more recent opinion polls, a key part of President Trump's political base is comprised of white males who have no more than a high school education. In an increasingly knowledge-centered world, opportunities for those without a college education have grown increasingly scarce.

At the same time, the nation has been growing more diverse. Diversity is enriching the nation's culture, strengthening its workforce expanding its capacity to realize knowledge-based opportunities and improving life overall. However, on account of their own dislocations from society, that part of Trump's base views diversity in general and immigrants in particular as being harmful to the nation. That part of his base believes international trade is severely damaging. They want the state to use its full weight for a revanchist turning back of the clock. Within that perspective, the recent imposition of federal "police" power as a positive exercise of state power.

The combination of the President's personal qualities and the people with whom he has surrounded himself—increasingly "Yes" men and women—has magnified the impact of that perspective. Together, these variables have removed the kind of constraints that would typically produce a more prudent policy course.

This problem, of course, is an old one. In his, *The Spirit of Despotism*, which was printed as early as 1795, English minister Vicesimus Knox wrote of this dynamic:

Power, though limited by written laws, in the hands of mortal men, poorly educated, and surrounded by sycophants and flatterers, who wish, by partaking the power, to partake also of its profits and distinctions, and thus gratify at once their pride and avarice, is always endeavoring to extend itself beyond the limitations; and requires to be watched with the most jealous eye, by all who are subject to it, and to be restrained within its bounds by the manliest efforts, and the most determined resolution of virtue.

What should the public do in the face of increasing federal encroachment cheered on by the President's right-wing populist base? The public should stand fast for its rights. It should insist that any federal policing efforts be carried out only for wholly legitimate aims and in full deference to basic constitutional rights. Preservation of those basic protections must be non-negotiable. "Human beings constitute a country, not a soil in a certain latitude," Knox explained, "and an attachment to liberty is the truest loyalty." Among other things, preserving a republic in which there is "an attachment to liberty" will be among the defining issues of Election 2020.