

EAST OREGONIAN OPINION

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Founded October 16, 1875

OUR VIEW

Out of Bounds

Ryan Bounds' career on the federal judiciary likely came to a sudden end last week, just minutes before it was set to begin.

On Thursday, Senate Majority Leader Mitch McConnell abruptly pulled President Donald Trump's appellate nominee — who was born and raised in Hermiston and graduated from Hermiston High School — when it became apparent that Bounds did not have enough votes to pass the Senate.

Enough Republican senators — it only takes two in the closely divided body — voiced concerns about writings Bounds authored while an undergrad at Stanford.

The *New York Times* reported that Senator Ron Wyden (D-Ore.) had been attempting to persuade Republicans in their cloakroom directly off the Senate floor that Bounds' writing was disqualifying and he should be rejected.

"His crusade seemed unlikely to succeed, given that disciplined Senate Republicans have been pushing through Trump administration judicial picks with assembly-line efficiency over the heated complaints of Democrats," wrote Carl Hulse in the newspaper.

Oregon's other senator, Jeff Merkley, was equally strident in the cause of

defeating Bounds' nomination. Neither senator returned a "blue slip," which had been required for a federal court nomination to proceed.

By now you are familiar with those deeply immature columns, for which Bounds apologized and claimed — convincingly, we'd argue — that they do not represent who he is as a person or a jurist.

But when you have the razor-thin margins that Republicans are dealing with in the Senate — and a Democratic bloc that has remained steadfast in opposition to many of Trump's nominees — even the smallest issue can grind the whole process to a halt.

"After talking with the nominee last night and meeting with him today, I had unanswered questions that led to me being unable to support him," said Republican Sen. Tim Scott of South Carolina — one of the Republicans Wyden had been working on earlier in the day. McConnell arranged that hasty face-to-face meeting between Scott and Bounds, but it did not sway the senator's vote.

And thus the gears were ground.

It's unfortunate to see Ryan Bounds' nomination crash and burn because of a few opinion pieces he wrote more than



AP Photo/J. David Ake

Lights shine inside the U.S. Capitol Building as night falls in Washington.

20 years ago. We argued previously that while the columns were boneheaded and dumb, most all of us have done boneheaded things when we're 21 years old, and we don't think anyone should be judged for all eternity on immature mistakes.

But we also realize the power — and the responsibility — of the blue slip. As we go through this political movement of anarchic upheaval, we must hold onto our time-honored norms and protect them at all costs. The ability of home-state senators to have outsized sway is an important one, and should

be respected by everyone who supports local control in federal decisions. Sure, the process can be twisted to be partisan and petty — and that may be the case here. But the principle is crucial.

When a bird has flown or a ship has sailed, it's important to take stock of what we still have. In this case, the Senate can still rally behind the blue slip principle that no one should get a seat on a federal court unless at least one senator from their home state gives their approval. That's good. Still, we remain of the opinion that Bounds should have received that home-state approval.

OTHER VIEWS

Libertarians in the age of Trump

A little over a week ago, in the brief historical entr'acte between the Brett Kavanaugh nomination and our president's Helsinki rendezvous, I was in Las Vegas for the annual libertarian convention known as FreedomFest.

Like most interesting churches, libertarianism is a diverse and fractious faith, and FreedomFest brings together all its different sects: The think-tankers with their regulatory-reform blueprints, the muckraking journalists taking on government abuses, the charter city backers and Burning Man attendees, the Ayn Rand fans wearing dollar signs on their lapels, the eccentric-genius businessmen and pot legalizers — and the converts eager to tell you how everything changed when I got really into gold.

In principle I am not a libertarian: The teenage nerd enters conservatism through either "Atlas Shrugged" or "Lord of the Rings," and between Tolkienists like myself and the Randians a great gulf is often fixed. But even if libertarianism seems an insufficient philosophy of human flourishing, its defense of individuals and markets can be a crucial practical corrective to all manner of liberal and conservative mistakes.

So it was interesting to be among the libertarians in a time when, like other right-of-center faiths, they have seen their political ideals swallowed up by the rule of Donald Trump.

Just a little while ago journalists were talking about a "libertarian moment" in American politics, with Rand Paul as its avatar — an entitlement-cutting, prison-reforming, drug-legalizing, intervention-opposing, drone-strike-filibustering politics that was supposed to build bridges between Republicans and millennials. But then Paul, like other Republicans, was steamrolled by Trumpism in 2016. So what exactly happened to his moment?

One answer is that the libertarian spirit was overextended and vulnerable to a backlash. Confident free-traders underestimated how much outsourcing had cost the Western working class. Entitlement reformers overestimated the political practicality of their proposals. Cultural laissez-faire weakened social solidarity, with opioid-driven disintegration the symptom of decay.

In this account Trumpism, with its tariffs and walls and family-separating cruelties, is simply a rejection of the politics of liberty, an anti-libertarian moment. But there's also a different story, in which Trump didn't as much defeat Rand Paul's worldview as co-opt its more effective messages.



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Comment

On foreign policy, for instance, Trump ran as hard against the Iraq War and neoconservatism as the Kentucky senator or his father. Trump's skepticism about international institutions and U.S. intelligence agencies is also in tune with common libertarian assumptions (and paranoid). It says something about the strange congruence between the libertarian moment and the politics of 2018 that the CIA chief Paul filibustered years ago, John Brennan, is now a Trump critic.

Meanwhile, on economic policy, you could argue that Trump has debased libertarianism rather than disavowing it, following many prior Republicans in using the rhetoric of capitalism to champion businessmen rather than markets. And where libertarianism has been shadowed by bigotry (as in Ron Paul's infamous 1990s newsletters), Trump simply adopted the identity politics and left the limited-government principle behind.

Wandering and arguing at FreedomFest offered grist for both understandings of how libertarianism relates, or doesn't, to Trumpism. Plenty of attendees were fiercely #NeverTrump and regarded him as an enemy of their ideals. But there were also plenty of people, like one of my sparring partners, former Libertarian Party VP nominee Wayne Allyn Root, ready to defend Trump with a true believer's gusto.

You can see this same division among libertarian's political champions in Washington, D.C. Michigan Congressman Justin Amash has been a frequent thorn in Trump's side, and he reacted to the Helsinki business with a tweetstorm criticizing Trump's servile attitude toward Putin as something that even foreign policy doves should find disturbing.

While that was happening, though, Rand Paul was taking a very different tack in the Senate — running interference for our Putin-besotted president, and defending his weird Russia diplomacy as the best alternative to war.

Amash's approach is admirable; Paul's is probably more in tune with what a lot of self-described libertarian voters currently want. Which leaves libertarianism in much the same difficult position as other forms of conservatism under Trump.

His ascent has a lot to teach purists about the political limits of their theories, the need to temper dogma with more contingent wisdom. But learning those lessons without surrendering to Trumpian whims requires a discipline that even Ayn Rand's supermen might struggle to maintain. And libertarians, alas, are as fallen as the rest of us.

Ross Douthat, *The New York Times*



YOUR VIEWS

Appreciate everyone who helped free Hammonds

I support Greg Walden for his efforts and success in which he lobbied the White House for the pardon of Dwight and Steven Hammond. Thank you also to the Oregon Cattlemen's Association and Interior Secretary Ryan Zinke, who also supported the Hammonds.

It seems that the Obama administration was overzealous in going after the Hammonds. The Hammonds are not terrorists, they're ranchers. They know how to take care of the land because it's their livelihood. That administration obviously did not understand ranching or even the West, for that matter. The Trump administration knows and appreciates ranching communities and what they can provide.

I also agree with what Greg Walden said about President Trump's decision for the pardon. He said the decision was "a win for justice, and an acknowledgment of our unique way of life in the high desert, rural West."

Patty Trost
Unity

McLeod-Skinner would benefit rural Oregon

When our farmers and ranchers have a hopeful future we all benefit from

a healthy economy. But action must happen now to minimize the impact of global warming. Rural communities like ours depend on agricultural and natural resources for our economic well-being and can be especially vulnerable to the impacts of global warming.

The droughts, storms, fires and heat waves we are having now are only the beginning. We have already wasted opportunities to minimize global warming effects on the environment. Unfortunately Mr. Walden's voting record for the past 20 years has shown little concern for this — the biggest threat to life as we know it. The League of Conservation Voters gives Mr. Walden a 9 percent score for 2017 and a 9 percent lifetime score for his 20 years. He votes for actions benefiting corporations over actions that would protect our air and water from pollution and reduce the amounts of methane and carbon into the atmosphere.

A vote for Jamie McLeod-Skinner is a vote for a hopeful sustainable future for farmers, ranchers, and real people who actually live and work in Congressional District 2.

McLeod-Skinner has works hard to meet and listen to people in all walks of life in our District 2. She represents the concerns of people — not just corporations — and understands how global warming threatens our way of life.

Diane Bungum
The Dalles

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