

THE FLAKE EFFECT

As you no doubt know, Democrats got shellacked yesterday. Not only did they lose the Senate in spectacular fashion, but Jim and I are stuck with our shitty Republican governors. Locally, the GOP succeeded in term-limiting our Mayor who wins with 80% of the vote.

Steve Vladeck has [a post](#) considering how this will affect national security politics. I agree with his ultimate conclusion:

Thus, the real question that I think yesterday's results raise for national security policy in the 114th Congress is not what this "genuine debate about how best to preserve constitutional values while protecting the Nation from terrorism" will look like, but rather whether the *absence* of such a debate (which seems increasingly likely) will indeed provoke courts to play the more aggressive role to which Justice Kennedy alluded.

But along the way, Vladeck makes a grave category error by suggesting that Ted Cruz is a libertarian.

Although the realignment thesis requires decent support from the wings of *both* parties, the consequences of yesterday's results are to put the focus squarely on how libertarian Republicans approach national security policy—since theirs is the party in power in both chambers. With that in mind, consider Senator Ted Cruz's [fairly remarkable unwillingness to openly endorse Senator Mitch McConnell as majority leader](#). Whatever that portends with respect to the leadership race, it suggests at the very least that, on *some* issues, the more libertarian wing of the Republican party may not

exactly fall into lockstep with the party's more moderate elements. And while that was an intriguing enough phenomenon when Republicans only controlled the House, how that plays out when Republicans control both sides of the Capitol will be very interesting to watch.

Ted Cruz is a dangerous narcissistic authoritarian piggybacking on Tea Party popularity and amorphousness to advance his own career. He is not a libertarian.

There are, to be sure, some libertarian senators. Along with Mike Lee and Dean Heller, who get little notice, Rand Paul has learned how better to use Senate procedure to advance libertarian aims. (One piece of evidence that Cruz is not a libertarian is that both he and Paul appear to be running for President, making it clear they don't have the same agenda.)

That said, one of the most interesting aspects of this election is that Paul did some real campaigning for authoritarian hack Pat Roberts, lending him his Tea Party cred.

~~Ted Cruz, however, was not out campaigning.~~
Update: According to [this](#), Cruz also campaigned for Roberts.

But the question of how having Cory Gardner and Joni Ernst in the Senate has little to do with their politics, in my opinion.

They have a lot more to do with the difference between Mitch McConnell and John Boehner.

John Boehner is an ineffective leader whose attempt to discipline his party ended up [creating leaders who had little to lose](#).

Mitch McConnell is not an ineffective leader. He has long been able to demand discipline.

Perhaps the best indicator of that is what happened when Jeff Flake, who was superb on civil liberties in the House, moved to the

Senate. He's terrible on those issues now. Pretty much runs and hides in a corner, whimpering, when such issues come up. I'm not sure how Mitch did it, but he managed to neutralize someone who challenged GOP authoritarianism. Completely. I expect the same of Cory Gardner (though will be happy to be proven wrong).

In any case, I would be shocked if Mitch made the error of putting someone like Gardner (or Paul) in one of the at least 3 new Republican slots that will open up on the Intelligence Committee.

The story of the next two years will be about what Mitch – and his heavy discipline – wants to accomplish in the Senate, not about what a few libertarians or pseudo-libertarians want.