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## Populist Conservatism and Constitutional Order

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**THE TOP-DOWN**, elitist brand of politics that has dominated the United States since the end of the Cold War—under Republican and Democratic administrations alike—has failed. Yes, we are materially richer than we were in 1991, and our largest corporations are more profitable. But we are militarily and strategically weaker, fiscally endangered, and spiritually enervated. As a result, public trust in the vaunted institutions that our elites control—political, scientific, journalistic, educational, religious—has evaporated. And populism—especially on the conservative Right—is on the rise.



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Although I will focus on the U.S., this rise of populism is widespread. From Argentina to Italy to France to the United Kingdom to Hungary, there are similarities. The new populism tends to be economically and politically nationalistic. It tends to be culturally patriotic and socially conservative. It tends to sympathize with workers over corporations. It is also self-consciously, defiantly—often mockingly—anti-establishment.

It is not a coincidence that so many of the West’s populist leaders—Javier Milei, Jair Bolsonaro, Viktor Orbán, Giorgia Meloni, and Donald Trump—have, shall we say, colorful personalities. Their political swagger may threaten elite politicians almost as much as their policy agendas do, because it punctures the bubble of credentialed, institutional authority that insulates elite power from public scrutiny.

With few exceptions, the Left as we know it today has rejected populism out of hand, embracing instead Big Government, Big Business, Big Banks, Big Tech, Big Pharma, Big Labor, Big Ag, Big Media, and Big Entertainment. For the most part, today’s Left is hard at work fortifying the power these institutions wield against the rigors of democratic accountability.

Thus the only hope for a sustainable, democratically legitimate populist reform movement today is on the Right. The question is whether the leaders of the movement can harness the highly negative energy from which the populism emerges and channel it toward a

coherent, positive politics of national renewal and reform.

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To see what today’s populists are reacting against, think back to 1991. The end of the Cold War appeared to be a great victory for the Washington establishment—never mind that most leaders of that establishment opposed Reaganism, which was instrumental in bringing down the Soviet Union. Regardless, this victory earned Western institutions a high level of public trust unimaginable today. In November 1989, for instance, when the Berlin Wall fell, President George H.W. Bush’s public approval rating hit 70 percent and would climb to 80 and even 90 percent in subsequent years.

With the Cold War over, one would have expected a recalibration of American foreign and domestic policy. It should at least have been a time for a national debate about those topics. For four decades, we had strung tripwires for nuclear war around the world to contain a foe that suddenly no longer existed. Working families who had invested two generations of blood and treasure during what President John F. Kennedy called the “long, twilight struggle” were ready to focus on problems closer to home.

But the Washington establishment had other ideas. President Bush himself, in the lead-up to the first Gulf War, pledged allegiance to a “New World Order” that would be governed by the United Nations and policed, at its behest, by the U.S. Between that tin-ear approach and his backtracking on conservative economic policies, Bush squandered his popular support so badly that he suffered an embarrassing electoral defeat in 1992.

In 1993, Bush’s successor, President Bill Clinton, led the fight to ratify the North American Free Trade Agreement, which gutted America’s industrial Midwest and lit the fuse on an illegal

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immigration bomb still exploding today. In 1994, Congress passed a law submitting the U.S. to the World Trade Organization, surrendering America's economic sovereignty to globalist bureaucrats. Soon thereafter, a bipartisan majority in Congress granted Most Favored Nation trading status to the People's Republic of China, handing over working Americans' multi-trillion-dollar peace dividend to our greatest international rival.

Clinton also sent U.S. troops into Mogadishu to referee the Somali civil war—with infamous results in the Black Hawk Down debacle—and orchestrated a bombing campaign in the former Yugoslavia. The climax of the White House debate about the latter mission is illustrative—it came when future-Secretary of State Madeleine Albright snapped at General Colin Powell, chairman of the Joint Chiefs, “What’s the point of having this superb military that you’re always talking about if we can’t use it?” And, of course, this was before President George W. Bush led America into the successive catastrophes of Iraq, the global financial crisis of 2008, and the Great Recession.

In the decade-and-a-half since then, America's fiscal situation has deteriorated. Americans suffered under the Covid pandemic while government bureaucrats (aided by the media) censored and demonized anyone who challenged the official (and often provably false) pandemic narrative. The Supreme Court redefined marriage, establishing the legal predicate for the trans fanaticism now responsible for destroying women's sports and mutilating children across the country. The Justice Department, including the FBI, has shown brazen political partisanship in support of the elites and against the populists. Our nation has been beset by an unprecedented border crisis, a mental health crisis, and historically low birth rates. The withdrawal from Afghanistan was a national

embarrassment, wars rage on two continents, antisemitism is on the rise on college campuses, and China is financing its own cold war against the U.S. with money and technology American executives gave the Chinese in exchange for corporate profits. Our \$35 trillion national debt is now equal to 124 percent of our gross domestic product. We spend more every year on interest payments on that debt than we do on national security.

These are the conditions that have rightfully discredited the elites and given rise to conservative populism.

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Despite being discredited, the elites do offer a critique of populism that deserves to be taken seriously: the claim that populism is all style, lacks substance, and cannot be trusted. Populism, according to this view, is a rhetorical Trojan Horse that unprincipled demagogues use to advance their narrow, selfish ambitions. And to be sure, history is full of corrupt tribunes of the people who abuse their power and enrich themselves at their nation's expense.

The lesson to be drawn from this critique is that legitimate and enduring change in democracies comes neither from philosophers nor rabble-rousers. It only comes by strategically fusing populist energy and principled ideas. That is what Ronald Reagan did in the 1980s. He harnessed popular frustration—frustration with Washington incompetence, Soviet aggression, and economic stagflation—to a positive agenda of conservative reform. Richard Nixon before him and Bill Clinton after him also channeled populist frustrations and aspirations toward their policy aims. Going back through history, so did Franklin Roosevelt's New Deal, Theodore Roosevelt's early progressivism, Abraham Lincoln's unionism and abolitionism, and Jacksonian and Jeffersonian democracy.

Indeed, what was the Founding itself—and the Constitution in particular—but the thoughtful harnessing of populist frustration on behalf of clear, positive political principles?

Speaking of which, it is still the case that legitimate and enduring change in the U.S. will only be accomplished *through* the Constitution. It's too bad that this point needs to be made, but there are anti-establishment voices within the populist movement—especially among the young and online—who reject the Constitution as an artifact of liberal, Enlightenment errors that must be replaced with a pre-Enlightenment form of government. But the American people are not interested in thrones and altars. They want a secure border, safe streets, economic autonomy and opportunity, a family-friendly culture, and a government that works for them instead of the other way around.

It would be a strange populism that haughtily dismisses the values of the populace. It would be a strange nationalism that promises citizens sovereignty only to turn around and rule them like subjects. Indeed, that is precisely what the elite establishment does today—and why it is failing.

None of our problems are beyond our constitutional order's power to solve. What is it we need, after all? We need a Congress that acts like a legislature rather than a company of moralizing performance artists. We need a president who acts like a responsible chief executive rather than a drunken king. We need a judiciary that acts impartially in accordance with the Constitution and the laws of the land rather than in a partisan manner. And we need to disperse the political power that is now concentrated in the hands of the Washington establishment.

In short, the solution to our problems is not to scrap or transcend the Constitution, but to start obeying and applying it again. Under that document, “We the People” already possess every

power we need to reestablish majority rule, minority rights, democratic accountability, equal justice under law, and national sovereignty.

Writing my recent book on this topic, I kept coming back to a quotation from composer Gustav Mahler: “Tradition is not the worship of ashes, but the preservation of fire.” The preservation of fire strikes me as a good metaphor for conservatism. It's not rose-tinted nostalgia of an idealized past. It preserves the best of the past and applies its lessons to the present—maintaining a controlled burn as a way to a better future.

The greatest challenges we face today are fairly straightforward. The necessary solutions, as Reagan said, may not be easy, but they are simple. It is clearly possible for a nation to control its borders, to prosecute criminals, to reclaim its sovereignty as it pertains to war, peace, and trade, and to protect and promote the values that most Americans espouse.

Step back from the Left's Oz-like faux-authority and think for a moment about its legal fragility. Almost everything organizations of the Left do is either funded by taxpayers or ignored by prosecutors. A principled, populist conservative government could undo huge swaths of it with—in the immortal words of President Barack Obama—“a phone and a pen.” The supposedly un-fireable bureaucrats of the federal Deep State are nothing of the sort. The president could reclassify, reassign, or simply dismiss thousands of them. Moreover, agencies that have gone all-in on woke claptrap in the last decade have advertised their own irrelevance to budget-conscious congressional appropriators.

The U.S. Border Patrol could secure the border today if the president ordered them to. Energy companies already know where to drill—they just need permission. We already know which treaty loopholes China exploits to steal

our jobs and trade secrets. The loopholes could be closed, or we could withdraw from the treaties altogether.

Cities and states that refuse to prosecute crimes or protect girls' privacy can be disqualified from federal aid. Corporations that practice ideological discrimination can be prohibited from federal contracting. The Justice Department now harassing Christians and conservatives could start exploring Big Tech's deliberate attempts to addict children to harmful online content. We could reform the tax code to prioritize families and workers instead of globalist corporations. We could do the same with education, labor, housing, and transportation policy.

Instead of funneling more money into DEI offices on campus, we could invest in trade apprenticeships. Instead of wasting money on global green energy boondoggles, we could build nuclear power plants. We could reclaim our sovereignty by withdrawing from the World Trade Organization and the United Nations and by clarifying our strategic alliances. And the institutions we need to revive—marriage and family, church and community, private enterprise and public spirit—already exist. Like flowers in a garden choked by weeds, they just need room, light, and water to grow again.

Returning to my metaphor of a controlled burn, we will need to ignite several of those to fix institutions like the Department of Homeland Security, the EPA, the Federal Reserve, the FBI, the Department of Education, the military-industrial complex, and apparently now FEMA. Today these institutions function as anti-American, anti-constitutional predators, serving their own interests at the expense of the national interest. Their institutional status quo is inconsistent

with freedom and self-government. America must break and reform them before they break and destroy us.

Not only in America but across the West, not-so-silent majorities today consist of citizens that the elites, by nature and ideology, look down on and treat as deplorables—those who believe in the rights of the individual, the virtue of local communities, the centrality of the family, and the sovereignty of the nation-state. This new conservative populist coalition is not as ideological as past iterations. But conservatism isn't supposed to be ideological. Yes, America was founded on the basis of ideas, but it is a people and a nation first.

AMERICAN CONSERVATISM EXISTS TO SERVE THE PEOPLE AND THE NATION THROUGH THE CONSTITUTION. THIS INCLUDES DEFENDING THEM AGAINST ENEMIES FOREIGN AND DOMESTIC. AND THE FACT IS, ELITE INSTITUTIONS HAVE BECOME THE PEOPLE'S AND THE NATION'S ENEMIES. THEY ARE OPENLY WAGING CULTURAL WAR ON THOSE THEY OSTENSIBLY SERVE. THEY CANNOT BE NEGOTIATED WITH OR ACCOMMODATED. THEY MUST BE DEFUNDED, DISBANDED, AND DISEMPOWERED. THE REWARDS FOR DOING SO—FOR PUTTING AMERICAN FAMILIES FIRST AGAIN—WILL BE GREATER THAN WE CAN KNOW.

American conservatism exists to serve the people and the nation through the Constitution. This includes defending them against enemies foreign and domestic. And the fact is, elite institutions have become the people's and the nation's enemies. They are openly waging cultural war on those they ostensibly serve. They cannot be negotiated with or accommodated. They must be defunded, disbanded, and disempowered. The rewards for doing so—for putting American families first again—will be greater than we can know.

This is the fight before us. If we thoughtfully and tenaciously combine populist energy with conservative principles, it is a fight we can win. ■