

Articles

HUMBLE CONSERVATISM: STEWARDSHIP, THE RULE OF LAW, AND A CONSISTENT LIFE ETHIC

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I. INTRODUCTION

The raging coronavirus pandemic has caused much pain throughout the United States of America. There is the pain of the loss of tens of thousands of lives throughout the country due to COVID-19,¹ the pain of individuals who are unable to see their loved ones as they battle the disease in hospitals throughout the United States,² and the pain of those unable to hold traditional funerals to bury the deceased.³ There is the pain

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¹ See Elliott Davis, *U.S. Coronavirus Deaths Exceed 65,000*, U.S. NEWS & WORLD REP. (May 2, 2020), <https://www.usnews.com/news/national-news/articles/2020-05-02/us-coronavirus-deaths-exceed-65-000-as-states-start-reopening>.

² See Katie Hafner, *'A Heart-Wrenching Thing': Hospital Bans on Visits Devastate Families*, N.Y. TIMES (Mar. 29, 2020), <https://www.nytimes.com/2020/03/29/health/coronavirus-hospital-visit-ban.html>.

³ See Rachel L. Harris, Susan Mermelstein & Lisa Tarchak, *After Real Loss, Virtual Comfort Must Do*, N.Y. TIMES (Apr. 29, 2020), <https://www.nytimes.com/2020/04/29/opinion/coronavirus-funerals-mourning.html>.

and anguish that health care workers face daily as they work valiantly to give the best possible medical care to those afflicted by this terrible disease.⁴ There is also much economic pain—the pain of those who are unemployed,⁵ of those who are in long food lines throughout the country,⁶ and of those who are uncertain about paying their mounting bills, like rent.⁷

The 2020 presidential election, an election which took place in the midst of the pain of the pandemic,⁸ was quite possibly one of the most contentious in American political history.⁹ Amidst the matchup between President Donald Trump and former Vice President Joe Biden that arose, a third major candidate for the presidency briefly emerged: Congressman Justin Amash.¹⁰ On April 28, 2020, Congressman Amash announced the

⁴ See Jillian Mock, *Psychological Trauma is the Next Crisis for Coronavirus Health Workers*, SCI. AM. (June 1, 2020), <https://www.scientificamerican.com/article/psychological-trauma-is-the-next-crisis-for-coronavirus-health-workers>.

⁵ See, e.g., Mike Manzoni, Alison King & Asher Klein, 'Devastating': As Unemployment Skyrockets, Mass. Residents Feel the Pain, NBC BOS. (Apr. 2, 2020), <https://www.nbcboston.com/news/coronavirus/devastating-as-unemployment-skyrockets-mass-residents-feel-the-pain/2101759>.

⁶ See Li Zhou & Kainaz Amaria, *The Current Hunger Crisis in the US, in Photos*, VOX (May 9, 2020, 8:50 AM), <https://www.vox.com/2020/5/9/21251895/food-banks-lines-pandemic>; see also Tracey Tully, *Food Lines a Mile Long in America's Second-Wealthiest State*, N.Y. TIMES (last updated May 13, 2020), <https://www.nytimes.com/2020/04/30/nyregion/coronavirus-nj-hunger.html> (discussing long food lines in New Jersey).

⁷ See, e.g., Megan Leonhardt, *Americans Who Have Lost Wages Amid Coronavirus Outbreak Worry They'll Be Short Over \$900 on Their Bills*, CNBC (last updated Mar. 20, 2020, 3:08 PM) <https://www.cnn.com/2020/03/20/americans-fear-they-wont-be-able-to-pay-their-bills-during-coronavirus-outbreak.html> (noting that nearly three out of four Americans were concerned about paying bills and making payments on loans); Anna Bahney, *Rent. Student Loans. Utility Bills. How to Get Help if You Can't Pay Your Bills*, CNN (last updated Apr. 16, 2020, 12:55 PM), <https://www.cnn.com/2020/04/16/success/cant-pay-rent-bills-help-coronavirus/index.html/> (noting various protections for renters that were introduced by the CARES Act).

⁸ See Pam Fessler, *The Legal Fight Over Voting Rights During the Pandemic Is Getting Hotter*, NPR (May 2, 2020, 7:00 AM), <https://www.npr.org/2020/05/02/849090889/the-legal-fight-over-voting-rights-during-the-pandemic-is-getting-hotter>.

⁹ See Myra Adams, *The 2020 Election: Most Consequential? Most Contentious?*, REALCLEAR POL. (Dec. 21, 2019), https://www.realclearpolitics.com/articles/2019/12/21/the_2020_election_most_consequential_most_contentious__142008.html.

¹⁰ See David Weigel, *Rep. Justin Amash to Seek Libertarian Party Nomination for President*, WASH. POST (Apr. 28, 2020, 10:12 PM), https://www.washingtonpost.com/politics/rep-justin-amash-to-seek-libertarian-party-nomination-for-president/2020/04/28/482b7de6-89b2-11ea-8ac1-bfb250876b7a_story.html. See generally Haley Byrd, *Justin Amash is the Loneliest Member of Congress*, CNN (last updated July 4, 2019, 6:12 AM), <https://www.cnn.com/2019/03/10/politics/amash-trump->

formation of an exploratory committee to seek the nomination of the Libertarian Party.¹¹ After approximately three weeks, however, on May 16, 2020, Amash made the decision to pass on running in the 2020 presidential election.¹²

In the tweet in which he announced the formation of an exploratory committee, Congressman Amash wrote, “Americans are ready for practical approaches based in humility and trust of the people.”¹³ Despite this uplifting vision, prominent conservatives almost immediately criticized Amash’s candidacy.¹⁴ Former Republican Congressman Joe Walsh¹⁵ assessed that Amash’s candidacy “increases the likelihood that [President] Trump can pull off another narrow win.”¹⁶ Prominent conservatives Bill Kristol¹⁷ and Max Boot¹⁸ shared this assessment.¹⁹ Even prominent Democrats like former presidential candidate Andrew Yang²⁰ essentially agreed that an Amash candidacy could only help a

house-republicans-lonely/index.html (exploring Amash’s political background and ultimate decision not to run in the 2020 presidential race).

¹¹ Michael Ruiz, *Justin Amash Forms Exploratory Committee for Potential White House Run as Libertarian*, FOX NEWS (Apr. 28, 2020), <https://www.foxnews.com/politics/justin-amash-exploratory-committee-libertarian>.

¹² Justin Amash (@justinamash), TWITTER (May 16, 2020, 1:45 PM), <https://twitter.com/justinamash/status/1261714484479041537> (“After much reflection, I’ve concluded that circumstances don’t lend themselves to my success as a candidate for president this year, and therefore I will not be a candidate.”).

¹³ Justin Amash (@justinamash), TWITTER (Apr. 28, 2020, 8:30 PM), <https://twitter.com/justinamash/status/1255293442516815872>.

¹⁴ See, e.g., Max Boot (@MaxBoot), TWITTER (Apr. 28, 2020, 9:17 PM), <https://twitter.com/MaxBoot/status/1255305275751518209>; Joe Walsh, *Justin Amash Can’t Win – He Can Only Help Trump Get Reelected*, DAILY HERALD (Apr. 30, 2020), <https://www.dailyherald.com/discuss/20200430/justin-amash-cant-win-x2014-he-can-only-help-trump-get-reelected>.

¹⁵ See generally Benjamin Siu & Abby Cruz, *Joe Walsh: Everything You Need to Know About the 2020 Presidential Candidate*, ABC NEWS (Feb. 7, 2020, 2:58 PM), <https://abcnews.go.com/Politics/joe-walsh-2020-presidential-candidate/story?id=67447229> (exploring former Congressman Walsh’s political background).

¹⁶ Walsh, *supra* note 14.

¹⁷ See generally Benjamin Wallace-Wells, *Bill Kristol Wanders the Wilderness of Trump World*, NEW YORKER (Feb. 2, 2018), <https://www.newyorker.com/culture/persons-of-interest/bill-kristol-wanders-the-wilderness-of-trump-world> (exploring Kristol’s background).

¹⁸ See generally Damon Linker, *Did Max Boot Turn His Back on the Republican Party, or Did the Party Turn Its Back on Him?*, N.Y. TIMES (Nov. 1, 2018), <https://www.nytimes.com/2018/11/01/books/review/max-boot-the-corrosion-of-conservatism.html> (exploring Boot’s background).

¹⁹ See Boot, *supra* note 14; Bill Kristol (@BillKristol), TWITTER (Apr. 29, 2020, 9:10 AM), <https://twitter.com/BillKristol/status/1255484652208390152>.

²⁰ See generally Kendall Karson et al., *Andrew Yang: Everything You Need to Know About the 2020 Presidential Candidate*, ABC NEWS (Feb. 11, 2020, 9:53 PM),

Trump reelection.²¹ In response, Congressman Amash tweeted, “[t]he visceral outrage of many partisans to giving Americans an additional choice on the ballot speaks volumes about the ugly, hyperpartisan nature of politics today. This is precisely the mindset that needs to be challenged and why this campaign is so critical.”²²

Although Amash’s campaign did not gain traction this year, his record and example should be a call for conservatives to espouse what I term “humble conservatism”—a conservatism that offers the promise of restoration of humility, compassion, and moral elevation to government. As someone who grew up on a corn and soybean farm in rural north Iowa where I found hard work and dreamed of a better opportunity for a career, I am a proud, humble conservative dedicated to the values of fairness, justice, equality, and the rule of law. This Article presents four arguments, examining Amash’s record, which espouse humble conservatism: 1) embracing the virtue of humility in our nation’s political discourse; 2) a conservative, fiscal vision for stewardship of America’s ballooning national debt; 3) a commitment and record to strict adherence to the Constitution, the separation of powers, and the rule of law; and 4) a commitment to a consistent life ethic.²³ In sum, while Amash’s candidacy for the presidency was short-lived, his record is a guide to demonstrate a path for humble conservatism toward morally elevated political discourse and policymaking in the United States.

II. HUMILITY AS A VIRTUE IN POLITICAL DISCOURSE

Humility is becoming a trait that more organizations aspire to see among their leaders.²⁴ As Sue Shellenbarger wrote in *The Wall Street Journal*, “[h]umble people tend to be aware of their own weaknesses, eager to improve themselves, appreciative of others’ strengths[,] and

<https://abcnews.go.com/Politics/andrew-yang-political-rookie-white-househopeful/story?id=62210322> (discussing Yang’s presidential run).

²¹ See Andrew Yang (@AndrewYang), TWITTER (Apr. 29, 2020, 10:11 AM), <https://twitter.com/andrewyang/status/1255500018246705155>.

²² Justin Amash (@justinamash), TWITTER (Apr. 29, 2020, 4:00 PM), <https://twitter.com/justinamash/status/1255587802907058176>.

²³ See *infra* Parts II–V.

²⁴ See Sue Shellenbarger, *The Best Bosses Are Humble Bosses*, WALL ST. J. (Oct. 9, 2018, 9:35 AM), <https://www.wsj.com/articles/the-best-bosses-are-humble-bosses-1539092123>.

focused on goals beyond their own self-interest.”²⁵ There are more and more commentators who argue that humble leaders can be great leaders.²⁶

Humility is also a value political leaders can aspire to.²⁷ After his election to the Presidency in 1860,²⁸ President Abraham Lincoln had a herculean task of preserving the Union on the brink of Civil War.²⁹ In approaching this task, Lincoln viewed his role as President through the lens of humility:

I am exceedingly anxious that this Union, the Constitution, and the liberties of the people shall be perpetuated in accordance with the original idea for which that struggle was made, and I shall be most happy indeed if I shall be an [sic] humble instrument in the hands of the Almighty, and of this, his almost chosen people, for perpetuating the object of that great struggle.³⁰

Perhaps the virtue of humility in Lincoln’s character³¹ helped him the most, molding him into the greatest President in American history.³²

²⁵ *Id.*

²⁶ See, e.g., Jeff Hyman, *Why Humble Leaders Make the Best Leaders*, FORBES (Oct. 31, 2018, 9:58 AM), <https://www.forbes.com/sites/jeffhyman/2018/10/31/humility/#c48eb451c800>; Paul Keijzer, *5 Reasons Why Humility is an Essential Leadership Trait*, BUS. 2 CMTY. (Mar. 15, 2018), <https://www.business2community.com/leadership/5-reasons-humility-essential-leadership-trait-02026513>.

²⁷ See Lisa Miller, *Miller: Humility in Politics*, NEWSWEEK (Nov. 5, 2010, 3:45 PM), <https://www.newsweek.com/miller-humility-politics-69935>

(Yet despite our justifiable cynicism, we expect—we want—our political leaders to be humble. We call them ‘public servants,’ after all—a rhetorical trick that connects the leaders of the land to the people who clean their houses and invokes the utilitarian ideal of individual submission to a greater good).

²⁸ *Election of 1860*, HIST., <https://www.history.com/topics/american-civil-war/election-of-1860> (last updated June 2, 2020).

²⁹ See *id.*; see also President Abraham Lincoln, First Inaugural Address of Abraham Lincoln (Mar. 4, 1861) (transcript available at https://avalon.law.yale.edu/19th_century/lincoln1.asp) (“I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual.”).

³⁰ President Abraham Lincoln, Address to the New Jersey State Senate (Feb. 21, 1861) (transcript available at <http://www.abrahamlincolnonline.org/lincoln/speeches/trenton1.htm>).

³¹ See Russell Razzaque, *Learning Humility From Lincoln*, PSYCHOL. TODAY (Apr. 10, 2012), <https://www.psychologytoday.com/us/blog/political-intelligence/201204/learning-humility-lincoln> (“Lincoln’s humility was a hallmark of the way he conducted himself in office[. . .].”).

³² See Robert W. Merry, *America’s Greatest President Ever: Abraham Lincoln*, NAT’L INT. (Feb. 19, 2018), <https://nationalinterest.org/blog/the-buzz/americas-greatest-president-ever-abraham-lincoln-24560> (“In the numerous [presidential ranking polls]executed since . . . 1948 . . . Lincoln has come out as number one in nearly all of them.”).

There is also a strong focus on humility in the Christian scriptures, both in the Old³³ and New³⁴ Testaments, from the Book of Proverbs³⁵ to the Book of Psalms³⁶ to the Gospel of Matthew,³⁷ wherein Christ Jesus proclaimed, “Do not be called ‘Master’; you have but one master, the Messiah. The greatest among you must be your servant. Whoever exalts himself will be humbled; but whoever humbles himself will be exalted.”³⁸ Professor Amy Black has noted that a strong biblical basis for humility in politics comes from the Book of Philippians,³⁹ which calls for individuals to “[d]o nothing out of selfishness or out of vainglory; rather, humbly regard others as more important than yourselves, each looking out not for his own interests, but (also) everyone for those of others.”⁴⁰ Professor Black emphasizes two steps individuals can take today to produce more humble politics: to listen to each other, even in disagreement,⁴¹ and to be charitable with regard to the consideration of the motives of others.⁴² In the modern era, perhaps the most admirable exemplar of a figure who conveyed humility was the late Archbishop Oscar Romero of El Salvador.⁴³ Romero promoted human rights and human dignity in the midst of violent divisions.⁴⁴ Romero often referred to humility in his writings and speeches and viewed it as a virtue the world needed:

³³ See, e.g., *Proverbs* 22:4 (New American).

³⁴ See, e.g., *Matthew* 23:10–12 (New American).

³⁵ See *Proverbs* 22:4 (New American) (“The reward of humility and fear of the LORD is riches, honor and life.”).

³⁶ See *Psalms* 149:4 (New American) (“For the LORD takes delight in his people, honors the poor with victory.”).

³⁷ See *Matthew* 23:10–12 (New American) (“Whoever exalts himself will be humbled; but whoever humbles himself will be exalted.”).

³⁸ *Id.*

³⁹ See Amy Black, *Radical Humility in Everyday Politics: Christian Humility in the American Political Circus*, TABLE (July 1, 2016), <https://cct.biola.edu/adding-much-needed-dose-humility-politics>.

⁴⁰ *Philippians* 2:3–4 (New American).

⁴¹ See Black, *supra* note 39 (“By humbly holding back our questions and intentionally taking time to listen, we demonstrate love and seek mutual understanding. After being willing to first listen to one another and explore differences in more depth, we can then engage in respectful, open dialogue.”).

⁴² See *id.* (“Rather than assuming we know why someone is acting in a particular way, we should enter political discussions with the Golden Rule front of mind, treating others as we would have them treat us and accepting their political arguments at face value.”).

⁴³ See Archbishop Gomez: *Make Oscar Romero’s Mission Your Own*, CATH. NEWS AGENCY (Aug. 16, 2017, 6:02 AM) <https://www.catholicnewsagency.com/news/archbishop-gomez-make-oscar-romeros-mission-your-own-93013>.

⁴⁴ See *id.*; see also Jonah McKeown, *Blessed Oscar Romero’s Legacy of Charity in El Salvador*, CATH. NEWS AGENCY (Oct. 11, 2018, 3:01 AM), <https://www.catholicnewsagency.com/news/blessed-oscar-romeros-legacy-of-charity-in-el>

We must overturn so many idols,
 the idol of self first of all,
 so that we can be humble,
 and only from our humility
 can learn to be redeemers,
 can learn to work together
 in the way the world really needs.⁴⁵

Despite his work on behalf of human rights, Romero was assassinated during Catholic Mass on March 24, 1980.⁴⁶ As he is now a Catholic saint,⁴⁷ some extoll Romero's humility as one of his virtues.⁴⁸

Congressman Amash's focus on humility as a guiding principle of his short-lived campaign⁴⁹ and his approach to humility in politics⁵⁰ is a model for future conservatives to follow. As Lisa Miller has noted, political focus on humility tends to follow in the wake of elections.⁵¹ With Amash's brief campaign, humility preceded the election.⁵² In an interview with *The New York Times*, Amash remarked, "[w]hat we need in Washington is a little more humility and trust of the people[]"⁵³ Ultimately, Amash exited the 2020 presidential race with much humility, recognizing that the timing was not right for a run for the presidency.⁵⁴

A focus on humility, trust of the people, and integrity has the potential of morally elevating politics and serving as a bedrock for humble conservatism. Humble conservatism can be a conservatism, infused with humility, kindness, and concern for the common good.

salvador-89122 (referring to Romero as "the voice of those voiceless people who were suffering the violence and repression.").

⁴⁵ OSCAR ROMERO, *THE VIOLENCE OF LOVE* 53 (James R. Brockman trans., The Brudenhof Foundation, Inc. 2003).

⁴⁶ McKeown, *supra* note 44.

⁴⁷ See Elisabetta Povoledo, *Archbishop Óscar Romero and Pope Paul VI Are Made Saints*, N.Y. TIMES (Oct. 14, 2018), <https://www.nytimes.com/2018/10/14/world/europe/vatican-oscar-romero-paul-vi-saints.html>.

⁴⁸ See, e.g., John Dear, *Looking to the Example of Archbishop Oscar Romero*, NAT'L CATH. REP. (Mar. 19, 2013), <https://www.ncronline.org/blogs/road-peace/looking-example-archbishop-oscar-romero>; see also ROMERO, *supra* note 45, at 5.

⁴⁹ See Amash, *supra* note 13.

⁵⁰ See Reid J. Epstein, *Q.&A. With Justin Amash*, N.Y. TIMES (Apr. 29, 2020), <https://www.nytimes.com/2020/04/29/us/politics/justin-amash.html>.

⁵¹ See Miller, *supra* note 27.

⁵² See Amash, *supra* note 13; Epstein, *supra* note 50.

⁵³ See Epstein, *supra* note 50.

⁵⁴ See Amash, *supra* note 12.

III. STEWARDSHIP OF THE NATIONAL DEBT

One of the effects of the coronavirus pandemic is the skyrocketing and dangerous debt it is leaving to future generations.⁵⁵ The United States Treasury Department reportedly borrowed approximately \$3 trillion dollars during the second quarter of 2020 alone,⁵⁶ and the national debt ballooned to over \$27 trillion dollars.⁵⁷ The potential consequences of all the spending and debt may be very harmful to the middle class in the future because there is a prospect for higher inflation, higher interest rates, and quite possibly a higher tax burden.⁵⁸

Congress has appropriated trillions of dollars to fight the pandemic.⁵⁹ The largest of the stimulus bills, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, included \$2.2 trillion in relief to individuals and businesses.⁶⁰ While an estimated \$560 billion in funding for the CARES Act was estimated to go directly to individuals and \$500 billion was estimated to go directly to large corporations, only \$377 billion was estimated to go to small businesses.⁶¹ Certainly, individuals and small businesses who are going through so much pain during the pandemic deserve to receive the bulk of the benefits of the CARES Act, and health care professionals and hospitals who are working to protect and save lives need the equipment and resources to fight the war against the coronavirus.

Humble conservatives, and all conservatives, should cringe at some of the parts of this hastily crafted legislation. The CARES Act essentially

⁵⁵ See *Coronavirus: US to Borrow Record \$3tn as Spending Soars*, BBC (May 4, 2020), <https://www.bbc.com/news/business-52537938>.

⁵⁶ Jeff Cox, *US Treasury Seeks to Borrow a Record \$3 Trillion This Quarter*, CNBC, <https://www.cnbc.com/2020/05/04/us-treasury-seeks-to-borrow-a-record-3-trillion-this-quarter.html> (last updated May 5, 2020, 7:15 AM).

⁵⁷ See US DEBT CLOCK.ORG, <https://www.usdebtclock.org> (last visited Jan. 28, 2021) (debt amount accurate as of Jan. 28, 2021).

⁵⁸ See Matt Egan, *The US is Becoming the King of Debt. It's a Necessary Risk*, CNN (last updated May 6, 2020, 2:46 PM), <https://www.cnn.com/2020/05/06/business/us-debt-deficit-coronavirus/index.html>.

⁵⁹ Jim Sergent, Ledyard King, & Michael Collins, *4 Coronavirus Stimulus Packages. \$2.4 Trillion in Funding. See What That Means to the National Debt.*, USA TODAY (May 8, 2020, 8:15 AM), <https://www.usatoday.com/in-depth/news/2020/05/08/national-debt-how-much-could-coronavirus-cost-america/3051559001>.

⁶⁰ Amir El-Sibaie et al., *FAQ on Federal Coronavirus Relief Law (CARES Act)*, TAX FOUND. (Apr. 2, 2020), <https://taxfoundation.org/federal-coronavirus-relief-bill-cares-act>.

⁶¹ See Kelsey Snell, *What's Inside The Senate's \$2 Trillion Coronavirus Aid Package*, NPR (Mar. 26, 2020, 5:34 PM), <https://www.npr.org/2020/03/26/821457551/whats-inside-the-senate-s-2-trillion-coronavirus-aid-package>.

provides a \$25 billion bailout with loans for airlines,⁶² which includes approximately \$10 billion in funding for airports,⁶³ while many small businesses are struggling throughout the country.⁶⁴ Additionally, the CARES Act provides the Kennedy Center for the Performing Arts a \$25 million bailout.⁶⁵

On top of over \$2 trillion in spending, in May 2020 the United States House of Representatives passed a \$3 trillion spending bill, the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act.⁶⁶ It is clear that the “culture of spending,” a phenomenon described and decried by former Democratic Congressman Tim Penny and Major Garrett in the book *Common Cents*⁶⁷ approximately twenty-five years ago, is alive and well in Washington, D.C.

Examining Congressman Amash’s record in Congress reveals a model of consistency to follow regarding the spiraling national debt in the United States. Amash vocally criticized the excesses of the corporate bailouts of the CARES Act, tweeting that the deal did “far too little for those who need the most help, while providing hundreds of billions in corporate welfare, massively growing government, inhibiting economic adaptation, and widening the gap between the rich and the poor.”⁶⁸ While the United States House of Representatives passed the CARES Act by

⁶² Will Horton, *How The U.S. Is Distributing Airline Bailout Funds In COVID-19 Relief Deal*, FORBES (Apr. 15, 2020, 6:25 AM), <https://www.forbes.com/sites/willhorton1/2020/04/15/how-the-us-is-distributing-airline-bailout-funds-in-covid-19-relief-deal/#7ee8bbb563a1>.

⁶³ David Ditch, *One Botched CARES Act Bailout for Airports Is More Than Enough*, HERITAGE FOUND. (May 8, 2020), <https://www.heritage.org/budget-and-spending/commentary/one-botched-cares-act-bailout-airports-more-enough>.

⁶⁴ See Greg Iacurci, *7.5 Million Small Businesses are at Risk of Closing, Report Finds*, CNBC, <https://www.cnbc.com/2020/04/14/7point5-million-small-businesses-are-at-risk-of-closing-report-finds.html> (last updated Apr. 15, 2020, 8:55 AM).

⁶⁵ Julia Jacobs, *As Furloughs Grow, Kennedy Center Defends Use of \$25 Million in Aid*, N.Y. TIMES (Mar. 31, 2020), <https://www.nytimes.com/2020/03/31/arts/kennedy-center-defends-25-million.html>.

⁶⁶ Alicia Adamczyk, *HEROES Act Would Provide Another Stimulus Check, Broader Student Loan Relief*, CNBC (May 16, 2020, 8:00 AM), <https://www.cnbc.com/2020/05/16/what-you-need-to-know-about-the-heroes-act.html>; Lia Russell, *House Passes \$3 Trillion HEROES Act Relief Legislation*, FCW (May 15, 2020), <https://fcw.com/articles/2020/05/15/heroes-act-passes-workforce-tech.aspx>.

⁶⁷ See TIMOTHY J. PENNY & MAJOR GARRETT, *COMMON CENTS: A RETIRING SIX-TERM CONGRESSMAN REVEALS HOW CONGRESS REALLY WORKS—AND WHAT WE MUST DO TO FIX IT* 41–42 (1995) (“[T]he steady increase in mandatory spending has brought America the twin crises of deficits and debts. The deficit and debt are the result of the willful abandonment of our forebears’ legacy of frugality.”).

⁶⁸ Justin Amash (@justinamash), TWITTER (Mar. 25, 2020, 2:00 AM), <https://twitter.com/justinamash/status/1242692856801828872>.

voice vote,⁶⁹ Congressman Amash noted in the Congressional Record, following the enactment of the law,⁷⁰ that had a recorded vote taken place, he would have voted “no.”⁷¹ In addition to Republican Congressman Thomas Massie’s concerns regarding the debt incurred under the CARES Act,⁷² five other Republican members of the House of Representatives courageously noted they also would have voted “no”⁷³—including Congressman Andy Biggs of Arizona,⁷⁴ Congressman Ken Buck of Colorado,⁷⁵ Congressman Jody Hice of Georgia,⁷⁶ Congressman Doug Lamborn of Colorado,⁷⁷ and Congressman Ted Yoho of Florida.⁷⁸

A major step toward handling the escalating debt is to enact a balanced budget amendment to the United States Constitution that would

⁶⁹ Claudia Grisales et al., *President Trump Signs \$2 Trillion Coronavirus Rescue Package Into Law*, NPR (Mar. 27, 2020, 5:00 AM), <https://www.npr.org/2020/03/27/822062909/house-aims-to-send-2-trillion-rescue-package-to-president-to-stem-coronavirus-cr>.

⁷⁰ Coronavirus Aid, Relief, and Economic Security Act, H.R. 748, 116th Cong. (2020) (enacted).

⁷¹ 166 CONG. REC. H1868 (daily ed. Mar. 31, 2020) (statement of Rep. Amash).

⁷² See Maxim Lott, *Thomas Massie Defends Ill-Fated Coronavirus Bill Maneuver: ‘I Was Just Standing up for the Constitution’*, FOX NEWS (Mar. 31, 2020), <https://www.foxnews.com/politics/thomas-massie-defends-himself-coronavirus-bill>.

⁷³ See 166 CONG. REC. H1867–68 (daily ed. Mar. 31, 2020) (statement of Rep. McCarthy).

⁷⁴ See Ronald J. Hansen, *He Voted Against 2 Coronavirus Relief Bills. Rep. Andy Biggs May Oppose the Next One, Too*, ARIZ. REPUBLIC, <https://www.azcentral.com/story/news/politics/arizona/2020/03/20/why-arizonas-rep-andy-biggs-still-opposing-coronavirus-aid-bills-covid-19/2881563001/> (last updated Mar. 20, 2020, 11:11 PM); see also Press Release, Congressman Andy Biggs, Congressman Biggs Votes to Protect America’s Financial Solvency (Mar. 27, 2020), <https://biggs.house.gov/media/press-releases/congressman-biggs-votes-protect-america-s-financial-solvency> (“I could not in good conscience support legislation that fails to address the immediate needs of families, individuals, and small businesses, while adding trillions of dollars to our debt.”).

⁷⁵ See Joey Bunch, *Colorado’s Congressional Delegation—Except Ken Buck—Lauds New Relief Package*, COLO. POL., https://www.coloradopolitics.com/coronavirus/colorados-congressional-delegation-except-ken-buck-lauds-new-relief-package/article_ad503668-85c4-11ea-9498-77d467d24c9a.html (last updated Aug. 2, 2020).

⁷⁶ See Tia Mitchell, *Georgia Rep. Hice Votes Against \$484 Billion Coronavirus Relief Bill*, ATLANTA J.-CONST. (Apr. 24, 2020), <https://www.ajc.com/blog/politics/georgia-rep-hice-votes-against-484-billion-coronavirus-relief-bill/h5RsRzdkMugwjakqIAv4MJ>; see also 166 CONG. REC. H1867 (daily ed. Mar. 31, 2020) (statement of Rep. McCarthy).

⁷⁷ See Press Release, Congressman Doug Lamborn, Congressman Lamborn Opposes \$2 Trillion CARES Act (Mar. 28, 2020), <https://lamborn.house.gov/media/press-releases/congressman-lamborn-opposes-2-trillion-cares-act>.

⁷⁸ See 166 CONG. REC. H1868 (daily ed. Mar. 31, 2020) (statement of Rep. McCarthy). See generally *Ted Yoho Announces Plans to Retire from Congress*, GAINESVILLE SUN (Dec. 10, 2019, 10:48 AM), <https://www.gainesville.com/news/20191210/ted-yoho-announces-plans-to-retire-from-congress> (detailing Yoho’s congressional career).

require Congress to keep spending in check. In the 112th Congress (2011–2012),⁷⁹ Congressman Amash introduced a resolution—H.J. Res. 81—on October 14, 2011 in the United States House of Representatives which proposed such a balanced budget amendment to the United States Constitution.⁸⁰ The proposed amendment prohibited federal spending, except on debt, to exceed the average annual revenue (with the exception of revenue collected from borrowing) of the United States within the past three-year period.⁸¹ Under this amendment, a two-thirds vote of both the United States House of Representatives and United States Senate could declare an emergency in order to permit spending that exceeded the limits.⁸² In the 112th Congress, fifty-nine members of Congress cosponsored the amendment—forty-five Republican members and even fourteen Democratic members.⁸³

Representative Amash reintroduced his version of the amendment in three subsequent Congresses—the 113th Congress (2013–2014),⁸⁴ the 114th Congress (2015–2016),⁸⁵ and the 115th Congress (2017–2018).⁸⁶ In each successive Congress, the number of cosponsors of this particular version of the amendment decreased from thirty-eight in the 113th Congress,⁸⁷ to five in the 114th Congress,⁸⁸ and to only two in the 115th Congress.⁸⁹ Once the coronavirus crisis abates, it is imperative that conservatives re-examine strident advocacy for a balanced budget

⁷⁹ Olympia J. Snowe, *The Effect of Modern Partisanship on Legislative Effectiveness in the 112th Congress*, 50 HARV. J. ON LEGIS. 21, 22–23 (2013).

⁸⁰ H.R.J. Res. 81, 112th Cong. (2011).

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Information Relating to H.J. Res. 81*, CONGRESS.GOV, <https://www.congress.gov/bill/112th-congress/house-joint-resolution/81/all-info> (last visited Oct. 28, 2020).

⁸⁴ H.R.J. Res. 24, 113th Cong. (2013).

⁸⁵ H.R.J. Res. 54, 114th Cong. (2015).

⁸⁶ H.R.J. Res. 15, 115th Cong. (2017).

⁸⁷ *Cosponsor Information for H.J. Res. 24*, CONGRESS.GOV, [https://www.congress.gov/bill/113th-congress/house-joint-resolution/24/cosponsors?q={%22search%22:\[%22AMASH%22\]}&r=5&s=4&searchResultViewType=expanded](https://www.congress.gov/bill/113th-congress/house-joint-resolution/24/cosponsors?q={%22search%22:[%22AMASH%22]}&r=5&s=4&searchResultViewType=expanded) (last visited Oct. 28, 2020).

⁸⁸ *Cosponsor Information for H.J. Res. 54*, CONGRESS.GOV, [https://www.congress.gov/bill/114th-congress/house-joint-resolution/54/cosponsors?q={%22search%22:\[%22AMASH%22\]}&r=6&s=8&searchResultViewType=expanded](https://www.congress.gov/bill/114th-congress/house-joint-resolution/54/cosponsors?q={%22search%22:[%22AMASH%22]}&r=6&s=8&searchResultViewType=expanded) (last visited Oct. 28, 2020).

⁸⁹ *Cosponsor Information for H.J. Res. 15*, CONGRESS.GOV, [https://www.congress.gov/bill/115th-congress/house-joint-resolution/15/cosponsors?q={%22search%22:\[%22amash%22\]}&r=6&s=2&searchResultViewType=expanded](https://www.congress.gov/bill/115th-congress/house-joint-resolution/15/cosponsors?q={%22search%22:[%22amash%22]}&r=6&s=2&searchResultViewType=expanded) (last visited Oct. 28, 2020).

amendment to allay the national debt. Adoption of a balanced budget amendment is at the heart of humble conservatism: responsible stewardship of the national budget.

A guiding principle of humble conservatism in the wake of the pandemic must be commitment to stewardship of the national debt and a rejection of corporate bailouts. By doing so, humble conservatism will promote free enterprise, provide strong support for small business and the middle class, and further policies to encourage hard-working Americans who want to work and find success in our free market economy. In essence: by dedication to responsible stewardship of the budget and national debt, humble conservatism will protect future generations.

IV. STRICT ADHERENCE TO THE CONSTITUTION, THE SEPARATION OF POWERS, AND THE RULE OF LAW

The coronavirus pandemic has tested cherished constitutional freedoms. While the First Amendment of the United States Constitution protects, as a fundamental right, the right to protest, Professor Floyd Abrams and attorney John Langford noted in an op-ed in *The New York Times* that states like California banned public protests.⁹⁰ In addition to this challenge to the First Amendment, it is concerning in America when those who attend church services have their vehicles outside of church monitored and their license plate numbers recorded by state troopers—which is what occurred in Kentucky at a church following Easter Sunday services on April 12, 2020.⁹¹

Congressman Amash's philosophy of upholding the Constitution and applying restraint to federal governmental powers is one to which humble conservatism should aspire.⁹² In a speech advocating for the repeal of the Affordable Care Act on January 18, 2011, Congressman Amash called for the restraint of governmental power as follows:

Mr. Speaker, the Founders were keenly aware of the threat a powerful and overbearing Federal Government poses to our liberty. With this concern in mind,

⁹⁰ Floyd Abrams & John Langford, *The Right of the People to Protest Lockdown*, N.Y. TIMES (May 19, 2020), <https://www.nytimes.com/2020/05/19/opinion/coronavirus-first-amendment-protests.html>.

⁹¹ Sarah Ladd, *Easter Churchgoers Defiant After Kentucky Troopers Write Down Their License Plate Numbers*, LOUISVILLE COURIER-J., <https://www.courier-journal.com/story/news/2020/04/12/kentucky-churches-hold-in-person-easter-services-despite-order/5127260002> (last updated Apr. 12, 2020, 9:38 PM).

⁹² See David Eggert, *Amash at Town Hall: 'My Job is to Protect the Constitution'*, AP NEWS (May 29, 2019), <https://apnews.com/9a56fd277f204b61880fe75c8da72582>.

they wrote a Constitution that created a Federal Government with limited powers. Later they proposed the 10th Amendment, which reserves to the States or the people powers not delegated to the Federal Government.

The debate we are having today goes beyond health care, although there is no doubt health care coverage is an important and difficult issue. What we are discussing today goes to the core of our Constitution's design. It asks Members of Congress whether we take constitutional limits on our power seriously.

We have all witnessed everyday Americans' renewed interest in the Constitution. As they have asked tough questions about the constitutionality of this law, the law's proponents have tried to dress up their answers in constitutional language.

They say Congress's power to tax upholds this law. But when this law originally was being considered, those same proponents were the first to claim the bill included no new taxes. They try to find support in Congress's power to regulate interstate commerce. If forcing Americans to start commerce is the same as regulating existing commerce, it would have been news to the Founders.

Finally, grasping at clauses, they claim Congress can do anything that is in the general welfare of the country. If this law is constitutional, if Congress has such broad power, our limited Federal Government will become limitless, and all without changing our Constitution or the approval of the Americans whom it protects. It is not just for the courts; it is our duty as a Congress to pay attention to the Constitution and its limits on our power.⁹³

In a time when rights guaranteed under the Constitution are being restricted, it is more important than ever for humble conservatism to embrace strict adherence to the parameters of the Constitution, uphold the doctrine of separation of powers, and promote the rule of law.

V. A CONSISTENT LIFE ETHIC

Together, the protection of the most innocent among us, and the preservation of the right to life, act as the heart that animates humble conservatism. Pope Francis noted that the separation of economics and morality has led to a situation where "the basic ethical norms of human nature are increasingly neglected."⁹⁴ Pope Francis remarked that it is "necessary to express the strongest possible opposition to every direct attack on life, especially against the innocent and defenseless."⁹⁵

In the papal encyclical *Evangelium Vitae* ("The Gospel of Life"), Pope John Paul II wrote, "[t]he Creator has entrusted man's life to his responsible concern, not to make arbitrary use of it, but to preserve it with

⁹³ 157 CONG. REC. H212 (daily ed. Jan. 18, 2011) (statement of Rep. Amash).

⁹⁴ Pope Francis, Address of Pope Francis to the Italian Pro-Life Movement (Apr. 11, 2014).

⁹⁵ *Id.*

wisdom and to care for it with loving fidelity.”⁹⁶ Not only is abortion contrary to the dignity and worth of every human being,⁹⁷ but so is the death penalty.⁹⁸

According to a 2019 Pew Research Center survey, the vast majority of self-identified “Conservative Republicans and Republican leaners” responded that abortion should be prohibited in all or most cases.⁹⁹ Polls, however, consistently show that conservatives typically support the death penalty.¹⁰⁰ This divide between conservative opposition to abortion and support for the death penalty can be reconciled with humble conservatism: the promotion of a consistent life ethic dedicated to the protection of life at all stages and to the preservation of the dignity and worth of every human being.

Congressman Amash provides a path of a legislator with a record of both supporting pro-life legislation and expressing opposition to the death penalty.¹⁰¹ In 2011, he spoke on the floor of the United States House of Representatives in support of H.R. 3,¹⁰² the “No Taxpayer Funding for Abortion Act,” which would have prohibited federal taxpayer funding for abortions.¹⁰³ Congressman Amash remarked that “[i]t is unconscionable that in a country founded explicitly to protect individuals’ fundamental rights we allow the regular violation of the right to life.”¹⁰⁴ Even following his party switch from the Republican Party to the Libertarian Party,

⁹⁶ Pope John Paul II, *Evangelium Vitae* (Mar. 25, 1995), http://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae.html.

⁹⁷ *See Pope Francis Denounces Abortion After Decrying Church’s Focus on Rules*, CBS NEWS (Sept. 20, 2013, 12:43 PM), <https://www.cbsnews.com/news/pope-francis-denounces-abortion-after-decrying-churchs-focus-on-rules>.

⁹⁸ *See Elisabetta Povoledo & Laurie Goodstein, Pope Francis Declares Death Penalty Unacceptable in All Cases*, N.Y. TIMES (Aug. 2, 2018), <https://www.nytimes.com/2018/08/02/world/europe/pope-death-penalty.html>.

⁹⁹ *Public Opinion on Abortion*, PEW RES. CTR. (Aug. 29, 2019), <https://www.pewforum.org/fact-sheet/public-opinion-on-abortion>.

¹⁰⁰ Ramesh Ponnuru, *Conservatives and the Death Penalty*, NAT’L REV. (June 12, 2019, 7:18 PM), <https://www.nationalreview.com/corner/conservative-support-death-penalty-consistent>.

¹⁰¹ *See* Press Release, Representative Justin Amash, Amash Praises House Action on Pro-Life Bill (Jan. 28, 2014), <https://amash.house.gov/press-release/amash-praises-house-action-pro-life-bill>; *Amash Backs Bill to Prohibit Federal Death Penalty*, WZZM13, <https://www.wzzm13.com/article/news/amash-backs-bill-to-prohibit-federal-death-penalty/69-c61f934e-c943-40e1-9a10-8f60ad874500> (last updated July 26, 2019, 1:44 PM).

¹⁰² *See* 157 CONG. REC. H3028 (daily ed. May 4, 2011) (statement of Rep. Amash).

¹⁰³ No Taxpayer Funding for Abortion Act, H.R. 3, 112th Cong. (2011).

¹⁰⁴ 157 CONG. REC. H3028 (daily ed. May 4, 2011) (statement of Rep. Amash).

Amash affirmed his pro-life beliefs.¹⁰⁵ In addition to his pro-life stance, Amash also expressed opposition to capital punishment¹⁰⁶ and supported an effort to abolish the federal death penalty.¹⁰⁷ Amash's leadership is indicative of advocacy for policies congruous with a consistent life ethic, and can be a model for the humble conservative.

A vigorous humble conservatism can be the philosophy that advocates for a consistent life ethic. In the midst of a pandemic that is causing so much loss of human life,¹⁰⁸ humble conservatism can restore the right to "Life, Liberty[,] and the pursuit of Happiness" so eloquently emblazoned as "unalienable rights" in the United States Declaration of Independence,¹⁰⁹ and can help build a vibrant culture of life in the United States.

VI. CONCLUSION

Senator Charles Sumner—the ardent Republican, anti-slavery advocate from Massachusetts¹¹⁰—once stated in an 1845 address that "[t]he true grandeur of humanity is in moral elevation, sustained, enlightened and decorated by the intellect of man."¹¹¹ While Congressman Amash's candidacy for the Presidency was a brief one,¹¹² his focus on the virtues of humble conservatism provides a path conservatives can follow to uphold the virtue of humility in political discourse, to maintain

¹⁰⁵ See Matt Welch, *Justin Amash Becomes the First Libertarian Member of Congress*, REASON (Apr. 29, 2020, 10:11 AM), <https://reason.com/2020/04/29/justin-amash-becomes-the-first-libertarian-member-of-congress> ("I'm pro-life, and I believe the 14th Amendment provides a strong federal basis for protecting life.").

¹⁰⁶ See Justin Amash (@justinamash), TWITTER (July 26, 2019, 11:02 AM), <https://twitter.com/justinamash/status/1154768910392221696>.

¹⁰⁷ See Nate Madden, *Justin Amash Teams Up with 'Squad' Member to End Federal Death Penalty Ahead of Announced Executions*, CONSERVATIVE REV. (July 26, 2019), <https://www.conservativereview.com/news/justin-amash-teams-squad-member-end-federal-death-penalty-ahead-announced-executions>.

¹⁰⁸ See *We Need a National Day of Mourning*, BOS. GLOBE (May 26, 2020, 4:00 AM), <https://www.bostonglobe.com/2020/05/26/opinion/death-toll-coronavirus-merits-national-day-mourning>.

¹⁰⁹ THOMAS JEFFERSON, DECLARATION OF INDEPENDENCE (1776), available at <https://bri-docs.s3.amazonaws.com/Branded-Declaration.pdf> (last visited Feb. 1, 2020).

¹¹⁰ See *The Caning of Senator Charles Sumner*, U.S. SENATE, https://www.senate.gov/artandhistory/history/minute/The_Caning_of_Senator_Charles_Sumner.htm (last visited Oct. 28, 2020).

¹¹¹ CHARLES SUMNER, THE TRUE GRANDEUR OF NATIONS: AN ORATION DELIVERED BEFORE THE AUTHORITIES OF THE CITY OF BOSTON, JULY 4, 1845 75–76 (1845).

¹¹² David Weigel, *Rep. Justin Amash Says He Won't Run for President*, WASH. POST (May 16, 2020, 1:58 PM), https://www.washingtonpost.com/politics/rep-justin-amash-says-he-wont-run-for-president/2020/05/16/17d5ccb0-979e-11ea-82b4-c8db161ff6e5_story.html.

stewardship of the national debt, and to form a path to ease the burden of debt on future generations. These virtues can also help promote the Constitution, separation of powers, and the rule of law and embrace a culture of life and consistent life ethic. Humble conservatism (guided by humility), stewardship of the national debt, respect for the rule of law, support of small business, and advocacy of a culture of life can be the philosophy that helps the United States of America recover from one of the darkest moments of our era and promises a brighter future wherein everyone has the opportunity to succeed and prosper.