

MAKING CONSERVATISM: CONSERVATIVE INTELLECTUALS AND THE
AMERICAN POLITICAL TRADITION

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ABSTRACT

Joshua Albury Tait: Making Conservatism:
Conservative Intellectuals and the American Political Tradition
(Under the direction of Benjamin C. Waterhouse)

Conservative thought has a complex relationship between principles and expediency; conservative intellectuals read history in line with their needs. This dissertation traces the construction of “conservatism” as a political identity in a nation of normative liberalism. Conservative discourse coalesced around several constructs: the language of conservatism itself; a theoretical formulation that *prioritized* economic liberty and anti-statism in politics and sublimated “tradition” to the cultural sphere; an equation right-wing policies with America’s political tradition; and an anti-leftism that included anti-communism, but was especially motivated by domestic anti-liberalism.

When conservative intellectuals appealed to history, they drew on a reservoir of symbolic authority that naturalized their contemporary political programs. These appeals developed in three stages: first, the justification of a conservative tradition in American history; second, an interpretation of history that found resources for contemporary conservative politics in the past; finally, the establishment of conservative readings as the sole interpretation of history, supplanting liberal interpretations of the past.

The conservative appeal to the authority of history had political intent. Conservative intellectuals sought to bring the federal state in line with pre-New Deal limits. They saw this

as restoring the republic after a liberal rupture in history. This narrative delegitimized their political opponents and fostered existential politics.

The prologue discusses the dominance of “liberalism” after World War II. Chapter 1 looks at the emergence of “conservatism” as a political language in the 1950s. Chapter 2 analyzes critics of liberalism in the early 1950s. Chapter 3 traces the founding of the conservative magazine *National Review* and the development of “conservatism” around several tropes. Chapter 4 addresses key conservative thinkers and their interpretations of American history. Chapter 5 focuses on conservative intellectuals and civil rights. Chapter 6 discusses the exhaustion of movement conservative intellectuals in the 1960s and 1970s and contrasts conservative intellectuals defined by their interpretation of history. Chapter 7 covers the neoconservative-led celebration of the Bicentennial of American independence, demonstrating conservative history reaching the White House. Chapter 8 offers snapshots of conservative intellectual success and failure in equating their policies with the American political tradition in the 1980s and beyond.

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INTRODUCTION

Charles Kesler, a conservative activist and academic, reflected on the trajectory of conservative politics in America in 1996. “To some extent, the Burkean paradigm had proved confining to the conservative movement,” Kesler remarked, referring to Edmund Burke, the Anglo-Irish statesman and first modern conservative.¹ Instead, he continued, the standard bearers of the American right such as Ronald Reagan and Jack Kemp were much more American. It had been, in Kesler’s view, Reagan’s fundamental achievement to reestablish the popular perception that America was a force for good. “Optimism meant reviving American patriotism.” Pride in the American past meant the ability to look forward to a good future.² In other words, the discourse of ideological conservatism had transformed dramatically since its earliest use in the post-World War II period. It had become American.

The intellectual history of American conservatism between 1945 and the late 1980s is one of many interrelated narratives. This dissertation traces the construction and justification of “conservatism” as a political identity in a discourse dominated by normative liberalism. Part of this project was a rehabilitation of free enterprise and concomitant critique of “big government.” A second part was the justification of federalism or states’ rights and in many cases a defense of white supremacy and patriarchal domination of American society. In pursuit of these aims,

¹ On Burke’s American reception and the revival of interest in him as a conservative icon, see Drew Maciag, *Edmund Burke in America: The Contested Career of the Father of Modern Conservatism* (Ithaca: Cornell University Press, 2013).

² “Lee Edwards interviews Chas Kesler on 19 Aug 1996,” Lee Edwards papers, box 220, 2010c14_a_0008835, Hoover Institution Archives (hereafter Edwards papers).

conservatives engaged in a long-term project to establish conservatism as not only a legitimate part of American politics, but as its sole authentic expression. From this standpoint, conservatives came to present liberals and liberalism as illegitimate and dangerous disruptors of an authentic American tradition dating back to the Founding and beyond.

I argue that presenting conservative policy as synonymous with the “American political tradition” was a key organizing idea for conservative intellectuals. This strategy became increasingly important over time. The extent to which conservative intellectuals identified their thought and political aims with the traditional principles of the United States, and the methods by which they achieved this association, is an underexplored strategy that united the conservative right as a movement. Very recently, Ken I. Kersch laid the foundations for analyzing this important conservative strategy.³

To construct conservatism as authentically American and liberalism as foreign and dangerous, conservative intellectuals created an alternative history of American politics – one that supplanted the existing narratives that centered on America’s democratic tradition. Conservative intellectuals reframed American history in a way that legitimated their politics and rescued the right from charges of self-interest and class motivation. In its place, conservatives erected a narrative that established free enterprise, strict construction of the Constitution, states’ rights, and Judeo-Christian religiosity as authentic flowerings of the Founding. Apart from a few demonized men and women, conservative intellectuals claimed the symbolic figures of the American past.

Philosophically, despite the efforts of some conservative intellectuals, conservatism at most only occasionally deviated from the bounds of Lockean liberalism. Some conservatives

³ Kenneth Ira Kersch, *Conservatives and the Constitution: Imagining Constitutional Restoration in the Heyday of American Liberalism* (New York: Cambridge University Press, 2019) and is discussed below.

criticized the liberal political order based on rights, individualism, and private property. But ultimately these elements were downplayed in conservative discourse in favor of strong property and individual rights married to a generalized and generic traditionalism and religiosity and, *sotto voce*, white identity politics. Despite failing to reach the heights of a truly alternative political philosophy for the United States, right-wingers found in the American past many tools suited to their white, middle-class right-wing liberalism: namely the Whiggish rhetoric of the Revolutionary era decontextualized and applied to twentieth century politics and the rigid strictures of the Constitution and constitutional government.⁴ These symbols and structures had readymade cultural and political purchase for modern Americans.

The primary focus of this dissertation is on conservative intellectuals and the ideas they produced and popularized after the Second World War. By intellectuals, I mean men and women engaged in the public production and discussion of ideas with the intention of shaping politics or society in some manner.⁵ In general, I have focused on people involved in defining what “conservatism.” In some cases, such as Daniel Boorstin and Leo Strauss, I have included people less directly involved in contesting movement conservatism because of their personal and professional connections with actively conservative intellectuals and because they shaped conservative views about American history.

Although the American right has many origins and much of the “deep currents” of conservative thought extend well before 1945, I have focused on the language of conservatism and the idea of being an explicit and conscious conservative since 1945.⁶ In the American

⁴ Patrick J. Deneen, *Why Liberalism Failed*, (New Haven, CT: Yale University Press, 2018).

⁵ See Daniel Bell, “the Intelligentsia” in American Society,” in *The Winding Passage: Essays and Sociological Journeys, 1960-1980*, (Cambridge, Mass: ABT Books, 1980), 119-37.

⁶ Kim Phillips-Fein, “Conservatism: A State of the Field,” *The Journal of American History* 98, no. 3 (2011): 723–43.

context, I argue that the language of conservatism was primarily a post-war occurrence for contingent reasons that gained currency as the antithesis of the language of liberalism that arose in the 1930s and 1940s and dominated the post-war “liberal consensus.”⁷

The history of conservative thought and discourse is a subset of much broader scholarship of the American right which predates my post-war starting point.⁸ Historians have explored the complex political, cultural, social, and economic forces that shaped the twentieth century right. They have analyzed the intersecting dynamics that produced the powerful political force broadly termed conservatism. Insightful monographs have highlighted the multifarious nature of the American right, emphasizing businesses and lobbying,⁹ white responses to

⁷ For a different use of the rhetoric of conservatism that was less ideological in nature, see Adam I. P. Smith, *The Stormy Present: Conservatism and the Problem of Slavery in Northern Politics, 1846-1865*. (Chapel Hill, NC: University of North Carolina Press, 2017).

⁸ For several slightly older surveys of the field, see: Alan Brinkley, “The Problem of American Conservatism,” *The American Historical Review* 99, no. 2 (1994): 409–29; Julian E. Zelizer, “Rethinking the History of American Conservatism,” *Reviews in American History* 38, no. 2 (2010): 367–92; Kim Phillips-Fein, “Conservatism: A State of the Field,” *The Journal of American History* 98, no. 3 (2011): 723–43.

⁹ For instance, Benjamin C. Waterhouse, *Lobbying America: The Politics of Business from Nixon to NAFTA* (Princeton, N.J: Princeton University Press, 2013); Kim Phillips-Fein, *Invisible Hands: The Businessmen’s Crusade Against the New Deal*, (New York: W. W. Norton, 2009); Kevin M. Kruse, *One Nation Under God: How Corporate America Invented Christian America*, (New York: Basic Books, 2016); Lawrence B. Glickman, *Free Enterprise System: An American History* (New Haven, CT: Yale University Press, 2019).

desegregation,¹⁰ the South and emergence of the “Sunbelt,”¹¹ evangelical culture,¹² far-right movements,¹³ and explicit conservative activism, among other factors.¹⁴ This scholarship decentered an overemphasis on conservative intellectual history that drew heavily on the narrative advanced by the movement itself.

¹⁰ Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*, (Princeton: Princeton University Press, 2005); Ronald P. Formisano, *Boston Against Busing: Race, Class, and Ethnicity in the 1960s and 1970s* (Chapel Hill: University of North Carolina Press, 2004); Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism, and the Transformation of American Politics*, (Baton Rouge: Louisiana State University Press, 2000); Kevin Michael Kruse, *White Flight: Atlanta and the Making of Modern Conservatism*, 2007; Joseph Crespino, *In Search of Another Country: Mississippi and the Conservative Counterrevolution*, *Politics and Society in Twentieth-Century America* (Princeton, N.J: Princeton University Press, 2007); Matthew D. Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South*, *Politics and Society in Twentieth-Century America* (Princeton: Princeton University Press, 2006); Matthew D. Lassiter and Joseph Crespino, eds., *The Myth of Southern Exceptionalism* (New York: Oxford University Press, 2010); Timothy J. Lombardo, *Blue-Collar Conservatism: Frank Rizzo’s Philadelphia and Populist Politics*, First edition, *Politics and Culture in Modern America* (Philadelphia: University of Pennsylvania Press, 2018).

¹¹ Joseph Crespino, *Strom Thurmond’s America*, (New York: Hill and Wang, 2013); Lisa McGirr, *Suburban Warriors: The Origins of the New American Right* (Princeton, NJ: Princeton University Press, 2002); Elizabeth Tandy Shermer, *Sunbelt Capitalism: Phoenix and the Transformation of American Politics*, (Philadelphia: University of Pennsylvania Press, 2013).

¹² For example: Bethany Moreton, *To Serve God and Wal-Mart: The Making of Christian Free Enterprise* (Cambridge, Mass: Harvard University Press, 2009); Darren Dochuk, *From Bible Belt to Sunbelt: Plain-Folk Religion, Grassroots Politics, and the Rise of Evangelical Conservatism*, (New York: W.W. Norton, 2011); Daniel K. Williams, *God’s Own Party: The Making of the Christian Right* (Oxford ; New York: Oxford University Press, 2010).

¹³ Edward H Miller, *Nut Country: Right-Wing Dallas and the Birth of the Southern Strategy* (Chicago: University of Chicago Press, 2016); John S. Huntington, “Right-Wing Paranoid Blues: The Role of Radicalism in Modern Conservatism” (University of Houston, 2016); Nancy K. MacLean, *Behind the Mask of Chivalry: Making of the Second Ku Klux Klan*, Oxford Paperbacks (New York: Oxford Univ. Press, 1995); Joseph Fronczak, “The Fascist Game: Transnational Political Transmission and the Genesis of the U.S. Modern Right,” *Journal of American History* 105, no. 3 (December 1, 2018): 563–88.

¹⁴ Some examples include: Donald T. Critchlow, *Phyllis Schlafly and Grassroots Conservatism: A Woman’s Crusade*, 2008; Gregory L. Schneider, *Cadres for Conservatism: Young Americans for Freedom and the Rise of the Contemporary Right* (New York: New York University Press, 1999); George H. Nash, *The Conservative Intellectual Movement in America, since 1945*, 1st softcover ed (Wilmington, Del: Intercollegiate Studies Institute, 1998); Sam Rosenfeld, *The Polarizers: Postwar Architects of Our Partisan Era* (Chicago ; London: University of Chicago Press, 2018); Nicole Hemmer, *Messengers of the Right: Conservative Media and the Transformation of American Politics*, *Politics and Culture in Modern America* (Philadelphia: University of Pennsylvania Press, 2016); Steven Michael Teles, *The Rise of the Conservative Legal Movement: The Battle for Control of the Law*, *Princeton Studies in American Politics : Historical, International, and Comparative Perspectives* (Princeton, N.J: Princeton University Press, 2008); Ann Southworth, *Lawyers of the Right: Professionalizing the Conservative Coalition*, *Chicago Series in Law and Society* (Chicago: The University of Chicago Press, 2008).

For decades after it was published, the primary intellectual history of these types of conservative intellectuals was George H. Nash's *The Conservative Intellectual Movement since 1945*.¹⁵ Nash made several important interventions in the study of conservative thought. First, he forewent an *a priori* definition of conservatism, choosing instead to focus on conservatives' self-definitions. Second, he suggested the dominant narrative of isolated conservative intellectuals in a post-war wilderness who gradually found one another to forge a political movement. Third, he offered a tripartite definition of conservatism as an alliance of traditionalist, libertarian, and anti-communist intellectuals. In this formulation, anti-communism bound the seemingly contradictory traditionalist and libertarian components of conservatism. Nash himself is a movement conservative and his work has become the definitive history of the conservative movement's intellectual successors.¹⁶ Historian Jennifer Burns argues that Nash romanticizes early post-war conservative intellectuals as an isolated "Remnant"; Burns suggests that instead it is likely that conservatives "inherited a series of long-established American beliefs and shared with the broader populace certain fundamental attitudes and opinions about communism, government, religion, and so forth."¹⁷ Moreover, Burns argues that Nash overstates the European influence on the conservative intellectuals.

Both critiques are correct, and Nash's analysis reflects the anxieties of his subjects. Isolation and political defeat was the lived reality for conservative ideologues in the 1950s. They did not perceive the New Deal order and its powerful political coalition as a "great exception," in

¹⁵ Nash, *The Conservative Intellectual Movement in America, since 1945*. Adam I. P. Smith, *The Stormy Present: Conservatism and the Problem of Slavery in Northern Politics*. (Chapel Hill, NC: University of North Carolina Press, 2017). For an able critique of Nash and placement of it in the context of conservative intellectual history and scholarship, see Jennifer Burns, "In Retrospect: George Nash's *The Conservative Intellectual Movement in America Since 1945*," *Reviews in American History*, 32, no. 3 (2004), 447-462.

¹⁶ ISI books is the current publisher of *The Conservative Intellectual Movement in America since 1945*.

¹⁷ Burns, "In Retrospect," 457.

labor historian Jefferson Cowie’s phrase. Rather they saw liberalism as a rupture that had derailed, perhaps permanently, the republic and part of a global assault on “civilization,” of which America was the great flowering. If their views were long-established beliefs and norms, all the better, but they had nonetheless been cast aside by America’s liberal elite in both parties. Secondly, the European influence on movement conservatism had several origins. Catholic and Christian humanist thinkers were overrepresented among post-war conservative intellectuals in part because their inherently transcontinental projects, informed by the idea of Christendom, gave them access to the European language of conservatism in ways the pre-existing American right did not.¹⁸ Esoteric concepts and language derived from Europeans and European emigres proved useful to the American right because it generated a new vocabulary to rehabilitate concepts like transcendent morals and classical economics that had been undermined in elite American circles. However, conservative intellectuals increasingly turned away from European formulations and toward a rhetoric and framework based on their reading of history – one that drew on the “deep currents” of indigenous right-wing thought.

Historians of conservative thought face competing temptations. One risk is dismissing the validity of conservative ideas and intellectuals entirely and reducing them to opportunistic defenses of privilege.¹⁹ The reverse risk is to disconnect conservative arguments from their social and political contexts and thereby treat them as purely principled. In some respects, Nash falls into this second trap. His discussion of the ideas that animated conservative intellectuals is

¹⁸ See for instance Patrick Allitt, *Catholic Intellectuals and Conservative Politics in America, 1950-1985* (Ithaca, N.Y.: Cornell University Press, 1993); Patrick Allitt, *Catholic Converts British and American Intellectuals Turn to Rome* (Ithaca (N.Y.); London: Cornell University press, 2000); Alan Jacobs, *The Year of Our Lord 1943: Christian Humanism in an Age of Crisis* (New York: Oxford University Press, 2018).

¹⁹ This is not quite the position that political theorist Corey Robin takes on specifics, as Robin analyzes individual thinkers seriously and thoughtfully, but it is his general view of the phenomenon of “reactionary” thought in Corey Robin, *The Reactionary Mind: Conservatism from Edmund Burke to Sarah Palin*, (Oxford: Oxford University Press, 2013).

excellent but downplays the extent to which these ideas and arguments were deployed in fraught historic contexts, especially regarding McCarthyism and instances of conservative racism. Nash tended to treat conservative intellectuals as if enduring conservative principles governed their responses to contemporary political issues. I argue that the interplay in conservative thought between the past and present and principle and partisanship is more complex.

Finally, where Nash treats conservatism as finely balanced between schools of traditionalism and libertarianism were united and complemented by anti-communism and brought together by conservative intellectuals like William F. Buckley, I challenge this formulation in several ways. I suggest that conservative discourse coalesced around several constructs: the language of conservatism itself, which proved attractive and appeared unifying; a conservative formulation that gained traction around 1960 that *prioritized* economic liberty and anti-statism in politics and sublimated “tradition” to the cultural sphere; an increasing equation of conservatism and right-wing policies with the American political tradition, justified and validated by history; and a broad anti-leftism that included anti-communism but was especially motivated by domestic anti-liberalism and fostered a united front conservative identity.

In the past two decades, the scholarship of conservative and right-wing intellectual history has greatly enhanced our understanding of the American and transatlantic right. As with the broader history of the American right, intellectual historians have illuminated many facets of the complex origins and history of modern right-wing thought. For example, there has been a great deal of fruitful historical scholarship on the intersection of conservative thought and economics. Daniel Stedman Jones and Angus Burgin have both illustrated how networks of neoliberal economists rehabilitated pre-Keynesian economics, before reformulating and

marketing libertarian nostrums to politicians in the 1970s and 1980s.²⁰ Jennifer Burns’s work, particularly on Ayn Rand, suggests the ways individualist ideology on the border of the traditionally understood conservative movement has also been important in shaping the right.²¹ Complementing this, Jason Stahl has shown how right-leaning think tanks have reshaped the landscape of knowledge production since the 1970s, especially in or around the corridors of power. Think tanks like the American Enterprise Institute and the Heritage Foundation created opportunities for conservative intellectuals to influence politicians and lowered barriers of entry for right-leaning experts. Meanwhile, they shifted political discourse to the right deploying the concept of “balance” against traditionally liberal academia.²² Some of the disaggregating effects the centrality of the market to conservative – and liberal – discourse has had on American society are analyzed sharply in Daniel T. Rodgers’s *Age of Fracture*.²³

Alongside the libertarian and neoliberal right, scholars have presented a varied picture of alternative right-wing traditions. Drawing on the framework of theorist Corey Robin, Peter Kolozi suggests a longstanding and varied counter-current of conservative critics of capitalism. Kolozi studies a variety of conservative thinkers and argues their dramatically varying critiques were derived from a defense of their economic and political status.²⁴ Paul V. Murphy’s deep

²⁰ Daniel Stedman Jones, *Masters of the Universe: Hayek, Friedman, and the Birth of Neoliberal Politics* (Princeton Oxford: Princeton University Press, 2012); Angus Burgin, *The Great Persuasion: Reinventing Free Markets Since the Depression* (Cambridge, Mass.: Harvard University Press, 2012).

²¹ Jennifer Burns, *Goddess of the Market: Ayn Rand and the American Right* (Oxford, England ; New York: Oxford University Press, 2009); Jennifer Burns, “Godless Capitalism: Ayn Rand and the Conservative Movement,” *Modern Intellectual History* 1, no. 3 (November 2004): 359–85.

²² Jason M. Stahl, *Right Moves: The Conservative Think Tank in American Political Culture Since 1945* (Chapel Hill: The University of North Carolina Press, 2016).

²³ Daniel T. Rodgers, *Age of Fracture* (Cambridge, Mass: Belknap Press of Harvard University Press, 2011).

²⁴ Peter Kolozi, *Conservatives against Capitalism: From the Industrial Revolution to Globalization* (New York: Columbia University Press, 2017).

study of the Southern Agrarians, an intellectual circle with a rich, albeit racist, social vision and a genuine if briefly held economic program, illuminates this group and several of their post-war successors.²⁵ As a useful overview, the political scientist George Hawley's *Right-Wing Critics of Conservatism* catalogues the variety of right-wing ideas, especially among those critical of neoliberal economics.²⁶

In addition to many excellent biographies of individual conservative thinkers, some historians have focused on intellectuals united by shared identities or histories.²⁷ John Patrick Diggins made a pioneering study of Max Eastman, John Dos Passos, James Burnham, and Will Herberg, intellectuals who moved from left to right.²⁸ In a more recent dual biography, Michael Kimmage fruitfully pairs the lives and thought of Lionel Trilling and Whittaker Chambers. These studies highlight the importance of Marxism in midcentury intellectual circles and the importance that breaking with the left played for many who moved right, as well as highlighting how anti-liberalism continued to shape some former Marxists.²⁹ Studies of neoconservative intellectuals stress a similar pattern.³⁰ Another dual biography poses the conservative personality

²⁵ Paul V. Murphy, *The Rebuke of History: The Southern Agrarians and American Conservative Thought* (Chapel Hill: University of North Carolina Press, 2001).

²⁶ George Hawley, *Right-Wing Critics of American Conservatism* (Lawrence: University Press of Kansas, 2016).

²⁷ For example, John B. Judis, *William F. Buckley, Jr., Patron Saint of the Conservatives* (New York: Simon and Schuster, 1988); Sam Tanenhaus, *Whittaker Chambers: A Biography* (New York: Random House, 1998); William P. Hustwit, *James J. Kilpatrick: Salesman for Segregation* (Chapel Hill: The University of North Carolina Press, 2013); Bradley J. Birzer, *Russell Kirk, American Conservative* (Lexington, Kentucky: University Press of Kentucky, 2015).

²⁸ John P. Diggins, *Up from Communism: Conservative Odysseys in American Intellectual History*, 1st ed (New York: Harper & Row, 1975).

²⁹ Michael Kimmage, *The Conservative Turn: Lionel Trilling, Whittaker Chambers, and the Lessons of Anti-Communism*, (Cambridge, Mass: Harvard University Press, 2009).

³⁰ Justin Vaïsse, *Neoconservatism: The Biography of a Movement* (Cambridge, Mass: Belknap Press of Harvard University Press, 2010); Benjamin Balint, *Running Commentary: The Contentious Magazine That Transformed the Jewish Left into the Neoconservative Right*, 1st ed (New York: PublicAffairs, 2010).

William F. Buckley as a counterpart to the radical writer Norman Mailer, arguing that both represented critiques of the liberal consensus.³¹

Just as former Marxists provided important impetus to midcentury conservative thought, so did intellectuals steeped in Catholic culture, as Patrick Allitt noted relatively early in the study of conservative intellectual history.³² Transnational high church religiosity gave intellectuals license to think in terms of an Anglo-American conservatism.³³ There is also a large literature on evangelical thought and culture that proved amenable to, and intertwined with, conservative political thinking and has been brought into ecumenical alliance with conservative Catholicism against communism and the secular humanism.³⁴ Other historians have also looked at the ways race as well as religion has informed conservative thought. Michael Ondaatje's study of black conservatives illuminates the thought of a loose group that complicates narratives that overemphasize naked racism as a motivating factor behind conservative thought. Leah Wright Rigueur's primarily political history similarly points to a distinct tradition of black conservatism in the African American community.³⁵ Benjamin Balint studies the particularly Jewish

³¹ Kevin M. Schultz, *Buckley & Mailer: The Difficult Friendship that Shaped the Sixties*, (New York: W. W. Norton., 2015.)

³² Allitt, *Catholic Intellectuals and Conservative Politics in America, 1950-1985*; Allitt, *Catholic Converts British and American Intellectuals Turn to Rome*.

³³ Maciag, *Edmund Burke in America*; Jacobs, *The Year of Our Lord 1943*; Birzer, *Russell Kirk, American Conservative*.

³⁴ Matthew Avery Sutton, *American Apocalypse: A History of Modern Evangelicalism* (Cambridge, Massachusetts: Belknap Press of Harvard University Press, 2014); Molly Worthen, *Apostles of Reason: The Crisis of Authority in American Evangelicalism* (New York, New York: Oxford University Press, USA, 2014).

³⁵ Michael L Ondaatje, *Black conservative intellectuals in modern America* (Philadelphia: University of Pennsylvania Press, 2010); Leah Wright Rigueur, *The Loneliness of the Black Republican: Pragmatic Politics and the Pursuit of Power* (Princeton, NJ: Princeton University Press, 2016).

contribution to conservative thought in *Running Commentary* while Jacob Heilbrunn emphasizes the Jewish prophetic tradition of neoconservatism.³⁶

As this brief survey of conservative intellectual histories suggests, the discourse of conservatism has many components and these traditions often made uneasy allies. There has been a siloing effect toward one of the major unifying forces of modern conservatism – the conservative magazine *National Review*, founded in 1955, and thinkers associated with the conservative movement. This decentering of *National Review* and the fusionist narrative has been necessary to excavate alternative genealogies of conservative thought and to overturn the romantic narrative of conservative intellectuals as the unique forebears of the “conservative ascendancy.”³⁷ As a result, intellectual histories that focus on *National Review* have tended either to be sympathetic to conservatism or emerge from the conservative movement itself.³⁸ Nevertheless, this circle made influential contributions to American politics and this dissertation re-reads their important intellectual history by analyzing the way they defined conservatism and the meaning of American politics.

³⁶ Benjamin Balint, *Running Commentary: The Contentious Magazine That Transformed the Jewish Left into the Neoconservative Right*, 1st ed (New York: PublicAffairs, 2010); Jacob Heilbrunn, *They Knew They Were Right: The Rise of the Neocons* (New York: Anchor Books, 2009).

³⁷ Donald T. Critchlow, *The Conservative Ascendancy: How the GOP Right Made Political History* (Cambridge, Mass: Harvard University Press, 2007).

³⁸ For instance Jeffrey Hart, *The Making of the American Conservative Mind: National Review and Its Times* (Wilmington, Del: ISI Books, 2005); Steven F. Hayward, *Patriotism Is Not Enough: Harry Jaffa, Walter Berns, and the Arguments That Redefined American Conservatism* (New York: Encounter Books, 2017); Gregory L. Schneider, *The Conservative Century: From Reaction to Revolution*, Critical Issues in American History (Lanham, Md: Rowman & Littlefield Publishers, 2009); Patrick Allitt, *The Conservatives: Ideas and Personalities throughout American History* (New Haven: Yale University Press, 2009). See also Lee Edwards’s work and the curation efforts of the Intercollegiate Studies Institute, eg. <https://isi.org/intercollegiate-review/unsung-conservative-heroes-an-introduction/>. An exception to this trend is Kevin Mattson, *Rebels All! A Short History of the Conservative Mind in Postwar America* (New Brunswick, N.J: Rutgers University Press, 2008), which treats modern conservatism as a radical attack on the establishment under a false banner. Another is an important treatment of conservatism and race in Jesse Curtis, “‘Will the Jungle Take Over?’ National Review and the Defense of Western Civilization in the Era of Civil Rights and African Decolonization,” *Journal of American Studies*, May 9, 2018, 1–27. Also Sarah Katherine Mergel, *Conservative Intellectuals and Richard Nixon*, 1st ed (New York: Palgrave Macmillian, 2010).

The extent to which conservative intellectuals identified their thought and political aims with the traditional principles of the United States is an understudied part of the strategy that united the conservative right as a coherent movement. Social groups without easy access to high cultural spokesmen felt a deep need for ideological representation. Conservative thinkers and writers intellectualized the felt needs of a sizeable portion of the population and gave them an elite or quasi-elite voice. These intellectuals also provided a new vocabulary and rhetoric to rehabilitate political and economic principles associated with the Republican right – and parts of the Democratic right. The Great Depression and “great exception” of the New Deal undermined free market economics, the strict construction of the Constitution, congressional supremacy, and federalism/states’ rights. The conservative rehabilitation of the political principles of the Republican right was an occasionally intersecting parallel to the rehabilitation of free market economics. The conservative intellectuals studied here claimed their principles were reflected in the American past and, going further, concluded that their philosophy represented America’s sole authentic political tradition. The esoteric ideas that dominated early conservative discourse gave way to an Americanized conservatism. In the 1960s, conservative political ideas were both challenged and hardened by the civil rights movement – in fact, the latter-day discourse of conservatism absorbed the rhetoric and language of freedom, rights, and colorblindness into its depiction of the American political tradition, although to conservative ends.

Conservative thinkers appealed to the authority of the Constitution, the Declaration of Independence, and the Federalist papers, but also to general norms and the guidance of the founding generation and other symbolic statesmen. From these authorities, conservative intellectuals crafted a political tradition that included a dedication to the Constitution, but was more supple, nebulous, and opportunistic than pure constitutionalism. At various times,

conservative intellectuals emphasized the importance of the doctrine of separation of powers, congressional supremacy, states' rights or federalism, the two-party system, "freedom under God," "life, liberty, and the pursuit of happiness," free enterprise, and centrality of Judeo-Christian values to the American regime.³⁹

The conservative narrative of the American past had important implications. Conservatives frequently contrasted the American Revolution and the American government with the French Revolution and European "progressive" societies. Most conservative intellectuals treated the tradition as realistic, conservative, and restorationist rather than revolutionary, which informed their conception of themselves as authentic and their political opponents as dangerously revolutionary.

Modern conservative thought is in part a story of defined principles and claims, but it is also a history of shifting principles for political expediency. Conservative intellectuals justified their political objectives with reference to the American political tradition in ways that shifted in response to their needs. Frequently, conservative discussion of the workings of the American regime turned on the relationship between the federal government and the states. In practice, conservative intellectuals tended to identify the elements of the political framework where they or their allies possessed institutional strength as more authentically in line with the nation's political tradition. Conservative intellectuals also shifted the *telos* or aim of the American political tradition when necessary. In many cases, conservatives emphasized liberty (seen primarily from a normatively white and masculine perspective), but at other times conservative intellectuals centered abstract values like virtue, greatness, domestic tranquility, and even equality. The malleability of conservative appeals to the American political tradition illustrated

³⁹ Kruse, *One Nation Under God*.

both the sometimes-fractious nature of movement conservatism but also the interplay between contemporary political interests and theoretically enduring principles.

In the 1950s and 1960s, conservative thinkers held that the Tenth Amendment of the Constitution and the phrase “We the People” in the Preamble to the Constitution justified southern communities’ rejection of Supreme Court decisions on civil rights. They argued these rulings by the Court were antidemocratically imposed on the states. By the 1980s, responding to the moral triumph of the civil rights movement, conservatives sought to appropriate the idea of the “content of character, not color of skin” by presenting themselves as defenders of the “colorblind” Constitution – a concept they used to challenge Affirmative Action programs and, later, the Voting Rights Act.⁴⁰ As another example, conservative intellectuals took great lengths to validate the concept of congressional supremacy in the 1950s and early 1960s. They were motivated by complex theoretical frameworks and a desire to defend Congress, their political site of strength, and to constrain liberal or moderate presidents. By contrast, in the late twentieth century and early twenty-first, conservative legal theorists propounded the theory of the unitary executive using similar historico-political reasoning. Legal scholar Stephen Skowronek rightly calls this turn “exactly what the earlier generation of conservatives feared.”⁴¹

Whether repurposed Whig rhetoric, constitutional anti-majoritarianism, or Jeffersonian anti-statism, the American political tradition, at least when read narrowly, provided many tools for conservative intellectuals to advance their contemporary political objectives. What made conservative appeals to the American political tradition effective was America’s pervasive civic mythology and this mythology’s strength during the Cold War. When conservative intellectuals

⁴⁰ Rodgers, *Age of Fracture*, 111-43.

⁴¹ Stephen Skowronek, “The Conservative Insurgency and Presidential Power: A Developmental Perspective on the Unitary Executive,” *Harvard Law Review* 122, no. 8 (2009): 2070–2103.

appealed to American symbols, they drew on a reservoir of symbolic authority that naturalized their contemporary political programs.⁴² Conservatives' insistence on their reading of the American political tradition narrowed political possibilities. Immediately after World War II, conservative intellectuals began working to bring the federal state back in line with "traditional," pre-New Deal limits. Conservatives were transparent about this aim and saw it as a conservation, or restoration, of the traditional republic.⁴³

In many respects this was a politics of nostalgia. In *The True and Only Heaven*, Christopher Lasch criticized conservative intellectuals' tendency to lapse into nostalgia. Distinct from history, nostalgia romanticizes the past. It misrepresents history to impose an idealized past on the present, as if history had not moved in the interim. "Nostalgia evokes the past only to bury it alive," Lasch wrote. "It shares with the belief in progress, to which it is only superficially opposed, an eagerness to proclaim the death of the past and to deny history's hold over the present."⁴⁴ Although many conservative intellectuals developed sophisticated analyses of the Founding, conservative discourse frequently turned nostalgic by treating the Framers as perfect statesmen.

A corollary of this idealized vision of the Founding has been the conservative tendency to treat left-wing politics as an existential threat to America itself. Perhaps the historical specificity of the Founding emphasized the temporality of political regimes and implied the threat of an end.⁴⁵ Conservative narratives consistently depicted a liberal rupture in the authentic political

⁴² David Sehat, *The Jefferson Rule: How the Founding Fathers Became Infallible and Our Politics Inflexible*, First Simon & Schuster hardcover edition (New York: Simon & Schuster, 2015).

⁴³ Jefferson Cowie, *The Great Exception: The New Deal and the Limits of American Politics*, Politics and Society in Twentieth-Century America (Princeton; Oxford: Princeton University Press, 2016).

⁴⁴ Christopher Lasch, *The True and Only Heaven: Progress and Its Critics*, 1st ed (New York: Norton, 1991), 82-4, 112-20.

tradition. Most conservative intellectuals blamed Roosevelt's New Deal as the point of departure, although others faulted Abraham Lincoln or Woodrow Wilson. Conservative discourse generally treated the American order as finely balanced on the precipice of restoration and destruction. By presenting liberalism and liberal programs as a betrayal of American patrimony, conservative intellectuals delegitimized their political opponents and fostered "rule or ruin" politics.⁴⁶

Ken I. Kersch's recent *Conservatives and the Constitution* makes similar arguments to parts of this dissertation. Kersch argues rightly that constitutionalism was a unifying force for movement conservatism, and that adherence to the "deep story" of conservative constitutionalism allowed the conservative movement to maintain its alliances while dividing politics between loyal Americans and enemies of the Constitution. My dissertation differs from Kersch's work in several ways. First, Kersch ably presents various actors and their contributions to conservative constitutional deep stories, but is less interested in their chronological development. As a result, his analysis is occasionally divorced from context. I show, with emphasis on archival research, how conservatives constructed these deep stories in response to specific political struggles and how they changed over time. In particular, the question of movement conservative attitudes to race and civil rights is underemphasized in Kersch's study and focused on high-brow southern neo-Confederates rather than the tense and varied place racism played in the thought of more nationally oriented conservatives. Secondly, my use of the American political tradition is less specific than Kersch's emphasis on the Constitution. But it has the advantage of accounting for a greater variety of conservative rhetoric. For instance, although it is possible to frame American commitment to free enterprise as a constitutional

⁴⁵ Bruce James Smith, *Politics & Remembrance: Republican Themes in Machiavelli, Burke, and Tocqueville*, Studies in Moral, Political, and Legal Philosophy (Princeton, N.J: Princeton University Press, 1985), 24-5.

⁴⁶ Geoffrey M. Kabaservice, *Rule and Ruin: The Downfall of Moderation and the Destruction of the Republican Party, from Eisenhower to the Tea Party* (New York: Oxford University Press, 2013).

position, most conservatives did not promote free enterprise on constitutional grounds. To them, it was simply the “American way.” Finally, where Kersch maps the broad conservative movement, including thinkers who did not consider themselves conservative, I have tended to focus on men and women who consciously used the language of conservatism, tracing the development of an explicitly conservative movement over time. This means that where Kersch takes the conservative movement somewhat for granted, through archival research, my project situates the development of the discourse conservatism in the growth of the movement itself.⁴⁷

The prologue of this dissertation describes the rhetorical dominance of “liberalism” in the immediate post-World War II period. Chapter 1 looks at the emergence of “conservatism” as a political language in the 1950s in response to cultural anxiety and some intellectuals’ efforts to discern a conservative intellectual and political tradition in America. Chapter 2 discusses middle- and high-brow critics of liberalism in the early 1950s, primarily the individualists around *The Freeman*, Russell Kirk’s *Modern Age*, and the American students of Leo Strauss. I analyze their engagement with the language of conservatism, with one another, and with the American political tradition. Chapter 3 traces the founding of *National Review* in 1955 and the coalescence of “conservatism” around several tropes and the way these discourses were hardened by political activists in the early 1960s. Chapter 4 primarily looks at James Burnham and Willmoore Kendall and their studies of the American political tradition during more or less the same period. I suggest anti-liberalism was a powerful unifying force for conservatism, even in the relatively high theoretical work of Kendall and Burnham. Chapter 5 focuses on conservative intellectuals and civil rights, tracing the shift from arguments based on the Tenth Amendment and southern white supremacist claims to an emphasis on the colorblind Constitution primarily during Barry

⁴⁷ Kersch, *Conservatives and the Constitution*.

Goldwater's 1964 presidential campaign. Chapter 6 discusses the exhaustion of movement conservative intellectuals in the 1960s after Goldwater's defeat and into the 1970s with their incomplete rapprochement with Richard Nixon. Here I contrast four conservative intellectuals whose careers were partly defined by their interpretation of the American political tradition and their engagement with the conservative right. Chapter 7 covers the neoconservative-led celebration of the Bicentennial of American independence and shows conservative narratives about the American past reaching the White House. Finally, an epilogue offers snapshots of conservative intellectual success and failure in defining their policies with the American political tradition in the 1980s and beyond.

PROLOGUE: “WE’RE ALL LIBERALS NOW”

In remarks that quickly became cliché, the literary critic Lionel Trilling observed in the preface of his 1950 best-seller *The Liberal Imagination* that liberalism was “not only the dominant but even the sole intellectual tradition” in the United States at the time. Conservative ideas were not in “circulation” and, although the public had strong reactionary impulses, they did not “express themselves in ideas but only in action or in *irritable mental gestures which seek to resemble ideas*.”¹ Trilling’s blunt assessment in fact called for intelligent conservatism to temper liberalism after seventeen years of New Deal and Fair Deal political ascendancy. Nevertheless, the passage exemplified the dominance of liberalism as a political and cultural force during the 1950s. This section briefly surveys the contours of the liberal consensus in the first two decades after World War II. Liberalism was the language of choice for the major figures in American political life. In many respects it represented a true but shallow consensus. In others, however, it masked ideological disagreements and belied major oncoming political and social clashes.

“We are all liberals now,” wrote one politician in 1959.² The consensus was not monolithic: it was the result of the Cold War, an extensive discursive effort, and historically contingent political structures that bounded political possibilities.³ The post-war liberal

¹ Lionel Trilling, *The Liberal Imagination: Essays on Literature and Society* (New York: New York Review Books, 2008), xv-xvi.

² Chester Bowles, “Six Liberals Define Liberalism,” *New York Times Magazine*, April 19, 1959, 82.

³ Wendy Wall, *Inventing the “American Way”: The Politics of Consensus from the New Deal to the Civil Rights Movement* (Oxford: Oxford University Press, 2009); Rosenfeld, *The Polarizers*; Jennifer A. Delton, *Rethinking the*

consensus emerged from political conflicts in the 1930s about the place of capitalism in the United States, religious and ethnic identity, and the nature of America's enemies abroad. By the end of the 1930s, a framework of liberalism, reinforced and intensified by American participation in World War II and burgeoning Cold War, partially reconciled these questions. The post-war liberal consensus and its contingent resolution of these fault lines defined the political center in the 1940s and 1950s. Liberalism was never subscribed to by all Americans, yet it held powerful sway from 1945 until its gradual breakdown in the 1960s. Its positions have had a remarkable political half-life in American politics.

The discourse of the "American Way" fostered wartime unity and allowed considerable, although always limited, tolerance and pluralism. At the same time, it narrowed the horizons of politics, especially in economics, from the extremes and possibilities of the 1930s. The liberal consensus insisted upon the importance of private enterprise and a harmony of interests between corporations, labor, and individual welfare. This equation of "the American Way" with "individual freedoms, rights, and opportunities" all but downgraded economic inequality as a site of contestation from political culture in the 1950s and early 1960s.

The historian and prominent liberal intellectual Arthur Schlesinger Jr called liberalism "the vital center" between fascism and communism in an "age of anxiety." Schlesinger's mid-century liberalism, chastened from the optimistic heights of the Progressive era, dismissed the false optimism of the nineteenth century. "Recognition of human frailty," Schlesinger suggested

1950s: How Anticommunism and the Cold War Made America Liberal (New York, NY: Cambridge University Press, 2013); Ira Katznelson, *Fear Itself: The New Deal and the Origins of Our Time*, 1. ed (New York, NY: Liveright, 2013); Cowie, *The Great Exception*; Gary Gerstle, "The Protean Character of American Liberalism," *The American Historical Review* 99, no. 4 (October 1994): 1043; For a book that argues against the idea of consensus, but for the depth of Cold War liberalism, see Kevin Mattson, *When America Was Great: The Fighting Faith of Postwar Liberalism*, (New York & London: Routledge, 2004).

later, “offered democracy a more solid foundation than a belief in human perfectibility.”⁴ To its adherents, mid-century liberalism avoided the ideological extremes of the 1930s. For liberal Democrats it meant curbing radicalism, for Republicans it meant modernization and a cautious acceptance of a Keynesian economics. Shorn of unrealistic excesses, Schlesinger believed liberalism was fundamentally good; it “reasserted” the “ultimate integrity of the individual,” cherished freedom, civil rights, and civil liberties. It occupied the political space between “bureaucracy” on the left and “plutocracy” on the right.⁵ Although they existed in a political context still dominated by the New Deal, most post-war liberals held a lowered view of the efficacy of the state (although it remained an important tool in the liberal arsenal) and believed that a regulated capitalism was the best economic system.⁶ The conclusion for liberals from 1945 to the end of the 1950s was that the United States, was basically a decent society. As Robert Booth Fowler writes, the liberal consensus was bewitched by its own certainty. “It was skeptical but it was also believing; it was anti-ideological but also ideological; it was detached but it was also committed; it was liberal but it was also conservative.”⁷

At the height of the liberal consensus, liberalism was a confident but vague outlook. Leading politicians disputed the philosophical content of liberalism. The left, center, and right all claimed ownership of liberalism. In 1948, *The New York Times* magazine held a symposium of

⁴ Arthur M. Schlesinger, *The Vital Center: The Politics of Freedom* (New Brunswick, N.J., U.S.A: Transaction Publishers, 1998), xiii.

⁵ Schlesinger, *The Vital Center*.

⁶ Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War*, 1st ed (New York: Alfred A. Knopf, 1995); Delton, *Rethinking the 1950s*.

⁷ Robert Booth Fowler, *Believing Skeptics: American Political Intellectuals, 1945-1964*, Contributions in Political Science, no. 5 (Westport, Conn: Greenwood Press, 1978). 4

leading liberals seeking a definition.⁸ It ran the same story eleven years later, although with slightly less high-profile figures. The 1959 version featured a cartoon of a besuited man confusedly looking at a sign pointing in nine different directions, each labeled liberalism.⁹

In general, liberals saw themselves as concerned with freedom and a pragmatic humanitarianism, but even these priorities obscured at least four different uses of the word. On the left, liberalism meant the political positions taken by Henry Wallace and *The Nation*, often criticized as fellow-travelers of the communist Popular Front. This leftist liberalism demanded government regulation of the economy and greater emphasis on economic equality. Wallace suggested liberalism was a credo for change. He reframed “liberty,” arguing that modern economics and corporate power meant that it was necessary to use government power to restrain corporate threats to human freedom.¹⁰ For mainstream Democrats, liberalism meant support for the New and Fair Deals and their creative extension into the 1950s and 1960s. As then-Senator Hubert Humphrey put it in 1959, “the liberal’s answer to the crisis of our time is a program of action to summon all the resources and resourcefulness of free men.”¹¹ This type of Democratic liberalism meant flexibility about using federal power, emphasis on individual welfare, and internationalism, particularly engagement with the United Nations.

Republicans disputed Democratic claims to liberalism and left-wing interpretations of the term. Liberal and moderate Republicans made an impassioned and strong claim on liberalism during the middle of the century. Late in 1948, leading Republican Thomas Dewey complained that “no words in our language have been more distorted and falsely interpreted than the terms

⁸ “What is Liberalism?” *New York Times Magazine*, April 19, 1948, 10-11.

⁹ “Six Liberals Define Liberalism,” *New York Times Magazine*, April 19, 1959, 13, 82-3.

¹⁰ “What is Liberalism,” 11.

¹¹ Hubert Humphrey, “Change is the Law of Society,” *New York Times Magazine*, April 19, 1959, 13, 82.

‘liberal’ and ‘liberalism.’” To Dewey and liberal Republicans, liberalism was a wide-ranging term that meant freedom in multiple spheres. Not just economic, liberalism included social and “human” liberty. Dewey was especially frustrated that liberalism had been coopted by the Wallaceite left and by Democratic New Dealers. His presidential rival Harold Stassen of Minnesota likewise argued for a humane economic liberalism not reliant on the federal government.¹² Several years later, Arthur Larson, an Eisenhower official, published *A Republican Looks at his Party*. In the Eisenhower-inspired manifesto, Larson argued “the word ‘liberalism’ has been tortured out of its true meaning by those who would equate it with the New and Fair Deals.”¹³ In 1959, Senator Jacob Javits, too, insisted the vitality of freedom and free institutions relied on “the private economic system, not just government alone.”¹⁴ Liberal and moderate Republicans sought to combine careful spending and public-private programs with ambitious social welfare aims. More than anyone, they insisted on the consensus-era belief in the confluence of interests between corporations, labor, and the rest of America. In some respects, liberal Republicans could argue they were more effective liberals because, unlike liberal Democrats, they were not beholden by party loyalty to the southern white voting bloc. Liberal Republicans claimed to represent an authentic development of the liberal tradition from “Locke, Hume, Burke, Adam Smith and John Stuart Mill” that retained its emphasis on liberty.¹⁵

¹² “What is Liberalism,” 1948.

¹³ Arthur Larson, *A Republican Looks at His Party* (New York, NY: Harper, 1956), 197.

¹⁴ Jacob Javits, “An Ingredient in Both Parties,” *New York Times Magazine*, April 19, 1959, 13.

¹⁵ Larson, *A Republican Looks at His Party*, 197. The definitive history of liberal and moderate Republicans is Geoffrey M. Kabaservice, *Rule and Ruin: The Downfall of Moderation and the Destruction of the Republican Party, from Eisenhower to the Tea Party* (New York: Oxford University Press, 2013). See also Lewis L. Gould, *The Republicans: A History of the Grand Old Party* (Oxford ; New York: Oxford University Press, 2014); Michael Bowen, *The Roots of Modern Conservatism: Dewey, Taft, and the Battle for the Soul of the Republican Party*, 2014, 173-201. For a broader social history of elite northeastern liberals in both parties, see Geoffrey M. Kabaservice, *The Guardians: The Rise of the Liberal Establishment* (New York, NY: Holt, 2005). On the moderate Republican appeal

However, elements of the Republican right considered Republican liberals pale imitators of the New Deal: “Me too” Republicans peddling a “dime store New Deal.”¹⁶ This group, which included politicians but especially writers and activists outside party politics, primarily defined liberalism as economic liberty and government restraint. In 1948, Robert Taft, the standard-bearer of the Republican right, lamented that “today everyone goes around calling himself a liberal” but this liberalism meant support for change. Taft insisted true liberalism was concerned with “freedom of thought” and against arbitrary government intervention. He emphasized local cooperation and municipal and state action rather than federal authority. Taft opposed peacetime “price control, rationing, allocation control, compulsory military training or compulsory Federal health insurance” and believed “very strongly that the Federal Government should limit its assistance in the field of social welfare.” Although he was concerned about the boom-and-bust cycle of the economy, Taft opposed “all detailed regulation” of the economy.¹⁷ According to Taft it was this traditional liberalism that “kept our people free and our economy free” and “made the United States the greatest and most productive country in the world.”¹⁸

But even Taft was seen as a soft touch by elements of the right for his votes on public housing and federal aid for public schools. Libertarian critics of the Republican Party called for a thorough ideologizing of the GOP along traditional liberal lines to properly contrast with the New Deal-Fair Deal Democratic Party. An editorial writer for the *New York Times*, Elmer Peterson, complained authentic American liberalism had been ignored between 1936 and 1948.

to the black middle class on *civil* rather than *economic* rights, see Wright Rigueur, *The Loneliness of the Black Republican*; Jason Sokol, *All Eyes Are upon Us: Race and Politics from Boston to Brooklyn* (New York: Basic Books, 2014), 103-36, 193-232.

¹⁶ Russell Baker, “Republican Old Guard Rallying to Goldwater as Its Last Hope,” *New York Times*, July 23, 1960, 8.

¹⁷ “What is Liberalism,” 10.

¹⁸ Taft, “What is Liberalism,” 10.

Peterson pled for the Republican Party to offer a real choice against “paternalism and regimentation” and re-enfranchise the “millions of citizens who cling to the timeless liberalism of Jefferson and Lincoln.”¹⁹

During the height of the liberal consensus, the amorphousness of the term facilitated the domination of liberalism as governing ideology. Although it was primarily associated with the Democratic Party and the Democratic left, Republican moderates made a convincing claim to a more market-driven version of liberalism that was nonetheless compatible with the prevailing consensus. (Some Republicans suggested reviving the designation “progressive” to indicate their forward-looking agenda.²⁰) Although the Republican right had the least popular purchase on the term, they nevertheless complained, and contested its meaning, primarily in the first half of the 1950s. The specific content of liberalism was disputed, but America’s leading political figures were united behind a commitment to “freedom” or “liberty,” “rights,” material and social “progress,” and a liberal political tradition enshrined in the United States through the Declaration of Independence and symbolic figures like Jefferson and Lincoln.²¹

The liberal consensus was not just a discursive construction, it rested on unique economic and political structures. The unrivaled strength of American industry in the aftermath of World War II and its unparalleled standard of living supported the liberal political consensus through its bounty.²² The combination of the Cold War and Keynesian spending allowed liberals to sustain

¹⁹ Elmer T. Peterson, Letter, *New York Times*, Dec. 26, 1948, 83.

²⁰ “What is Liberalism,” *New York Times*, 1948, 10-11.

²¹ For a recent critique of liberalism in American political discourse, see Deneen, *Why Liberalism Failed*. Deneen argues the emphasis on social and economic freedom, bifurcated between the American left and right, has fostered social anomie, environmental degradation, and economic rapaciousness.

²² Lizabeth Cohen, *A Consumers’ Republic: The Politics of Mass Consumption in Postwar America*, 1st Vintage Books ed., (New York, NY: Vintage Books, 2004).

the New Deal coalition of machine Democrats, southern whites, union members, northern blacks, and liberals.²³ The constricting mechanisms of congressional power also undergirded the New Deal coalition. Distorted by the white supremacist stranglehold on the South, southern Democrats possessed massive power through seniority and committee chairmanships that allowed them to police the boundaries of the post-war consensus. A second consequence of the presence of southern Democrats was a retardation of the ideological polarization of the parties. A major aspect of post-war political history is the ideological sorting of the two-party system.²⁴

The era's academic history supported the idea that the American political tradition was liberal in these broad terms. One justification for the narrative of the liberal tradition derived from Progressive school scholarship, prominent from around 1910 to 1950. The central framework of the Progressives was conflict between social classes. It divided American history into competing traditions, one radical, embodied in the Revolution and expressed in the Declaration of Independence, and one conservative "incarnated" in the Constitution and its anti-majoritarian provisions. In this telling, American history was shaped by class conflicts between labor or yeomen and local aristocrats, landowners, and business interests. The Progressives associated the American revolution with opponents of the conservative elites.²⁵ One late Progressive statement was Arthur Schlesinger Jr's *The Age of Jackson*, published in 1945. Schlesinger paralleled the democratization efforts of the Jacksonian era and the New Deal. To Schlesinger, New Deal liberalism was a modern iteration of the radical tradition inaugurated by

²³ Delton, *Rethinking the 1950s*, 1-77.

²⁴ Katznelson, *Fear Itself*, 2013; Rosenfeld, *The Polarizers*.

²⁵ Richard Hofstadter, *The Progressive Historians: Turner, Beard, Parrington*, Vintage Books V 591 (New York: Vintage Books, 1970).

Jefferson, continued by Andrew Jackson, and culminating in Franklin Roosevelt.²⁶ Writing in 1962, the conservative journalist M. Stanton Evans complained that Progressive scholarship still dominated popular knowledge of American history. “Famous historians” had produced “much scholarship and more rhetoric in the task of proving the unshakeable liberalism of America.” They had convinced the public that “America was born in the crucible of radicalism,” its “revolution was a social movement as well as a political one,” with “overtones of ‘democracy,’ levelling, and disdain for tradition.” As Evans disapprovingly summed up the Progressive view, business interests had briefly thwarted radicalism through the Thermidor of the Constitution, but the radical tradition predominated after the Jeffersonian Revolution of 1800 and Andrew Jackson’s victory in 1828. Thereafter “America resumed its destined path toward the welfare state.”²⁷

A new generation of historians challenged the Progressive school in the 1940s and 1950s. Critics charged the Progressives had overstated the level of conflict, overdrawn the moral and ideological differences involved in historical conflicts, and understated the extent to which political actors in the United States operated within shared assumptions.²⁸ In 1955 Louis Hartz, a political scientist at Harvard University, published the Pulitzer-winning *The Liberal Tradition in*

²⁶ Arthur M. Schlesinger, *The Age of Jackson* (Boston: Little, Brown, 1945).

²⁷ M. Stanton Evans, “The American Revolution: A Study in Conservatism,” Intercollegiate Society of Individualists, Inc., 1962, box 19, Buckley Papers.

²⁸ The most famous statements of this “consensus” school were Richard Hofstadter, *The American Political Tradition and the Men Who Made It*; Hofstadter, *The Progressive Historians*; Richard Hofstadter, *The Age of Reform: From Bryan to FDR*, (New York, NY: Vintage Books, 1955); David Potter, *People of Plenty*, (Chicago: University of Chicago Press, 1954); Daniel Boorstin, *The Genius of American Politics*; see also David Brown, *Richard Hofstadter*; John Higham, “The Cult of the ‘American Consensus,’” *Commentary*, Jan 1, 1959, 93-100; John Higham, “Beyond Consensus: The Historian as Moral Critic,” *The American Historical Review* 67, no. 3 (1962): 609–25; John Higham, “Changing Paradigms: The Collapse of Consensus History,” *The Journal of American History* 76, no. 2 (1989): 460–66; Leo P. Ribuffo, “What Is Still Living in ‘Consensus’ History and Pluralist Social Theory,” *American Studies International* 38, no. 1 (February 2000): 42–60. The so-called consensus historians were fractious and although some had traditional and celebratory views of the American past, others critiqued America’s political culture from the radical left.

America. It became an extremely enduring interpretation of American politics.²⁹ Hartz argued that due to American parochialism, the Progressives mistook Whiggery for “frightful ‘conservatism,’” and their own bourgeois liberal democracy as “‘progressive’ or ‘radical,’ a set of terms which meant nothing insofar as Western history of Western political alignments as a whole went.”³⁰

Hartz argued the United States was a nation born unto liberalism. He argued that European states had stumbled into liberalism from a feudal past that created a socialist and conservative dialectic. By contrast, the United States had been founded as a liberal society upon the economic and social bases that fostered liberalism. Since it by-passed an *ancien regime*, the United States possessed neither a radical revolutionary tradition nor a conservative one. Instead the American political tradition was a calcified elaboration on John Locke’s political philosophy. Hartz criticized this “Lockianism” as isolating, materialist, and politically limiting. But liberalism was so central to the American political tradition that Americans failed to recognize its contours. “There has never been a ‘liberal movement’ or a real ‘liberal party’ in America,” Hartz noted. “We have only had the American Way of Life, a nationalist articulation of Locke which usually does not know that Locke himself is involved.”³¹ This analysis identified the left and right wings of American politics with aspects of liberalism. The United States had never had a true radical tradition to challenge its basic liberalism, nor had a conservative tradition emerged. “When Jefferson is traditional, European traditionalism is a curious thing indeed,” Hartz

²⁹ Louis Hartz, *The Liberal Tradition in America: An Interpretation of American Political Thought Since the Revolution* (New York: Harcourt, Brace, 1955). An extensive literature contesting and debunking Hartz’s argument exists, a negative testament to its enduring influence. See for instance, Mark Hulliung, ed., *The American Liberal Tradition Reconsidered: The Contested Legacy of Louis Hartz*, American Political Thought (Lawrence, Kan: University Press of Kansas, 2010).

³⁰ Hartz, *The Liberal Tradition*, 29.

³¹ Hartz, *The Liberal Tradition*, 11.

quipped.³² Hartz and *The Liberal Tradition* were of course products, albeit critical ones, of the liberal consensus. So dominant was the discourse of liberalism in the early 1950s that Hartz, partly knowingly, projected its tropes – individual rights, pragmatism, devotion to capitalism – onto the sweep of American history.³³ Nevertheless, Hartz’s argument, if not his criticism, was widely digested among America’s educated class and reinforced the claim that the United States was a liberal nation with a liberal political tradition beginning with its colonization and founding.

At the height of the liberal consensus, the discourse of conservatism was so marginal politically and intellectually that liberal icons like Arthur Schlesinger and Lionel Trilling actively called for an intelligent conservatism to sharpen liberalism.³⁴ Observers of American politics tended to refer to *conservatives* rather than *conservatism*. Conservatives represented business interests or “stand-pat” opposition to change or to liberal policies. In 1950, conservatism was not a political ideology with the depth or content to rival liberalism. It was a designation of factions within both parties indicating opposition to the New Deal and, in the Republican Party, a preference for isolationism and political instincts linked to pre-Depression Republican pieties.

In the late 1940s and early 1950s, the Republican right were sometimes called “orthodox” Republicans. At other times they and southern Democrats were called “conservative” or even “reactionary” in the press, but in political reportage “conservative” more often denoted the British Conservative Party. In a description of the composition of the Republican Party in 1953, the *New York Times* used geographic and foreign policy terms, describing an Eastern

³² Hartz, *The Liberal Tradition*, 8.

³³ James T. Kloppenberg, “The Virtues of Liberalism: Christianity, Republicanism, and Ethics in Early American Political Discourse,” *The Journal of American History* 74, no. 1 (June 1987): 9.

³⁴ Lionel Trilling, *The Liberal Imagination*, xv; Arthur Schlesinger Jr., “The Need for An Intelligent Opposition,” *New York Times*, April 2, 1950, 164.

internationalist wing and Midwestern isolationists.³⁵ The Republican right advocated “individual liberty, federalism, and a strict interpretation of the Constitution.”³⁶ Elements of the Republican grassroots and the Midwestern faction suggested that “conservative” opposition to the New Deal perspective appealed to the basically right-leaning American voter and argued that emphasizing this conservatism would be a winning strategy for the Republican Party.³⁷ The difference between Old Guard Republicans and liberals within their own party or the Democratic Party was clearest on labor, civil rights, housing, and federal aid to education. On civil rights, the conservative Republican bloc treated federalism as a distinct issue from race and voted for or against civil rights legislation based on its perceived constitutionality “regardless of its impact” on Jim Crow. According to historian Michael Bowen, the Republican right’s votes on civil rights did not signal naked racism and therefore marked a difference between the Republican right and southern Democrats. Bowen argues that in the late 1940s and early 1950s, the division between the wings of the GOP was rhetorical, cultural and personal and as much about positioning the party in future elections as it was about real differences in policy preferences. Republican liberals and conservatives shared many goals and principles. The individual voting patterns of politicians suggested pragmatism as much as ideology, as “Mr. Republican” Robert Taft’s putatively liberal votes on public housing and federal aid to education suggest.³⁸

³⁵ For example, William S. White, “Death Blow to GOP Harmony,” *New York Times*, Aug. 1, 1953

³⁶ Michael Bowen, “Getting to Goldwater: Robert A. Taft, William F. Knowland, and the Rightward Drift of the Republican Party,” in Elizabeth Tandy Shermer, *Barry Goldwater and the Remaking of the American Political Landscape*, 92.

³⁷ Michael Bowen, *The Roots of Modern Conservatism: Dewey, Taft, and the Battle for the Soul of the Republican Party*, (Chapel Hill: University of North Carolina Press, 2014)

³⁸ Michael Bowen, *The Roots of Modern Conservatism*, 52-4.

In the late 1940s and 1950s, the language of liberalism predominated throughout the political spectrum, from the left to right. In every respect, it was accepted that America was a liberal nation. This dissertation shows how a group of intellectuals transformed the language of American politics, shifting the perception of the United States from liberal to conservative, and identifying right-wing politics with conservatism and the preservation and even restoration of America's authentic conservative political tradition. The earliest advocates of conservatism as an explicit political ideology and identity were not linked with the Republican or Democratic right-wings, but in short order conservatism became the favored designation for opponents of the liberal consensus.

CHAPTER I: FINDING AN AMERICAN CONSERVATISM: THE NEW CONSERVATISM AS A RESPONSE TO CRISIS

Late in 1953 Clinton Rossiter busily cycled through his rolodex. The well-established Cornell political scientist had a Guggenheim grant to study conservatism in America and his contacts were among its leading figures.¹ Conservatism, sometimes called the New Conservatism or even Neo-Conservatism, was a minor intellectual phenomenon in the early to mid-1950s. It had been covered in major weeklies and possessed a strange, stuffy glamor. Rossiter wrote to the academics and writers associated with this revival to interview them for his manuscript.² By nature, Rossiter was paralyzingly moderate. He found the possibilities of the New Conservatism intriguing. But he was skeptical about its prospects as an effective political force given the realities of American politics and especially the existent American right that remained wedded to rugged individualism.

The New Conservative moment Rossiter catalogued transformed the American political vocabulary by legitimating “conservatism” as an explicit and conscious political ideology. It facilitated the production of several tropes of right-wing mythology, including the enduring critique of liberals and liberalism as materialistic, and a reading of the American past that reimagined the United States and its political tradition as a bastion of cultural, economic, and

¹ Clinton Rossiter to Daniel J. Boorstin, Dec. 4, 1953, 43, Daniel J. Boorstin Papers, Manuscript Division, Library of Congress, Washington, D.C. (Hereafter Boorstin Papers).

² Clinton Rossiter to Daniel J. Boorstin, Dec. 4, 1953, 43, Boorstin Papers; Peter Viereck to Daniel J. Boorstin, March 25, 1954, 60, Boorstin Papers; Clinton Rossiter to John H. Hallowell, Dec 30, 1953, 4, John H. Hallowell Papers, Duke University Archives, David M. Rubenstein Rare Book & Manuscript Library, Duke University (Hereafter Hallowell Papers); Clinton Rossiter to Robert A. Nisbet, Dec 30, 1953, 2, Robert A. Nisbet Papers, Manuscript Division, Library of Congress, Washington, D.C (hereafter Nisbet Papers).

political *conservatism*. The New Conservatives also unintentionally helped to launch a right-wing political movement despite their sustained public opposition to its precepts and leaders. Ultimately, the New Conservative project of cultural traditionalism and political centrism failed. They were supplanted by the energetic right-wing proponents of “free enterprise,” “small government,” and a blunter, more aggressive anti-communism, who incorporated the New Conservatives traditionalism, terminology, and critiques of liberalism into their right-wing discourse.

New Conservatism and Crisis

The political consensus of the 1950s was an unstable but dominant discourse. The chief political and intellectual classes largely agreed upon defending the existing political system as the product of a hard-fought victory of liberalism, anti-communism, pragmatism, and anti-fanaticism. The reformist experiments of the early New Deal were over, but the hardline opposition to the New Deal state had been relegated to a minority position within the minority Republican Party.³ Meanwhile, a large subset of American intellectual elite of the 1950s returned from a period of radical politics in the 1930s to qualifiedly endorse the United States as a generally good regime.⁴ A 1956 *Time* magazine story depicted intellectuals’ “reconciliation” with the nation. There the literary critic Lionel Trilling acknowledged that “an avowed aloofness from national feeling is no longer the first ceremonial step in the life of thought.”⁵ Of course, these liberal intellectuals were hardly members of the American Legion. They remained critical of much of American political culture. They opposed the anti-communist purges of Joseph

³ Brinkley, *The End of Reform*; Bowen, *The Roots of Modern Conservatism*.

⁴ Joseph Dorman, ed., *Arguing the World: The New York Intellectuals in Their Own Words* (New York: Free Press, 2000). For a study of two intellectuals rightward turn, see Kimmage, *The Conservative Turn*.

⁵ "Education: Parnassus Coast to Coast," *Time*, June 11, 1956, 67.

McCarthy and the House Committee on Un-American Activities. But the leading lights of the American intelligentsia were also active anti-communists and members of the Congress of Cultural Freedom, a CIA-funded anti-communist organization run by philosopher Sidney Hook.⁶

For the most part the intellectual construction of the American consensus took place in newspaper editorials, academic journal articles, books, and articles in high- and middle-brow magazines. One writer suggested that “climate of opinion” is “created less by mass circulation of Hearst editorials and other popular comic books than by small qualitative circulation among those who ‘count.’”⁷ That they believed the boundaries of culture could be shaped and policed within such a narrow intellectual space suggested both the confidence and blinkeredness of mid-century intellectuals.

Yet despite American economic power and the tremendous standard of living possible with its political and economic arrangements, the liberal historian and social critic Arthur Schlesinger Jr suggested the middle-class experience widespread anxiety and discontent. Schlesinger called both McCarthyism and “the so-called religious revival” manifestations of “inner unrest.”⁸ Recalling the era, Daniel Bell claimed the Second World War, Holocaust, and early stages of the Cold War “traumatized” the intellectual class of the 1950s. For them, the manifestations of inner unrest were not church on Sunday and fear of communist infiltration, but Franz Kafka in fiction, existentialism in philosophy, Kierkegaard and neoorthodoxy in theology,

⁶ Irving Kristol to Members of the American Committee for Cultural Freedom, Inc Affiliated with Congress for Cultural Freedom, Jan 16, 1953, Sidney Hook papers, 124, Folder 2, Hoover Institution Archives (hereafter Hook papers); Peter Coleman, *The Liberal Conspiracy: The Congress for Cultural Freedom and the Struggle for the Mind of Postwar Europe* (New York : London: Free Press ; Collier Macmillan, 1989).

⁷ Peter Viereck, “Sermons in Self Destruction,” *Saturday Review of Literature*, August 18, 1951, 40.

⁸ Arthur Schlesinger Jr, “The Future of Liberalism: The Challenge of Abundance,” *Reporter*, May 3 1956, 8-11.

and Absurdism at the theater.⁹ Sociologist Robert Nisbet criticized the popularity of existentialism among the intellectual class as the “flamelike attraction” that atomistic individualism exhibited to those alienated from larger social communities.¹⁰ Proponents of existentialism suggested the philosophy was a human response to the collapse of moral, spiritual – even mathematical – certainties.¹¹ Overshadowing the intellectual landscape was the existential dread of the Cold War. As the historian Richard Hofstadter put it, “even the bomb, the most disquieting reality of the era, set in motion a current of conservatism, insofar as it made men think of political change with a new wariness and cling to what they had.”¹²

Such discussion of conservatism had reached “epidemic proportions” in 1954, observed the left-wing journal *Partisan Review*.¹³ The complaint captured the vogue for outspoken conservatism that emerged from some primarily academic segments of the intellectual class. The New Conservatives – a term that stuck, although not all lumped under its banner accepted it – was a circle largely composed of Anglophile college professors interested in critiquing mass culture and politics while cementing the values of “Christian” or “Western” civilization and moderate politics in the United States under the auspices of conservatism. They proposed tradition, hierarchy, and stability as the necessary antidote to war, mass politics and

⁹ Daniel Bell, “The Cultural Contradictions of Capitalism,” *Journal of Aesthetic Education*, Vol. 6, No. 1/2, (Jan-April, 1972), 19-20.

¹⁰ George M. Marsden, *The Twilight of the American Enlightenment: The 1950s and the Crisis of Liberal Belief* (New York: Basic Books, 2014); Robert A. Nisbet, *The Quest for Community*, Repr., A Galaxy Book 91 (London: Oxford University Press, 1977), 213.

¹¹ William Barrett, *Irrational Man: A Study in Existential Philosophy* (New York: Anchor Books, Doubleday, 1990), 3-48.

¹² Richard Hofstadter, *The Progressive Historians: Turner, Beard, Parrington*, Vintage Books ed., (New York: Vintage Books, 1970), 439.

¹³ E. V. Walter, “Conservatism Recrudescent: A Critique,” *Partisan Review*, vol. 21, no. 5 (September–October 1954), 512–23.

totalitarianism.¹⁴ The New Conservatives were fiercely anti-communist and championed moral realism and ideological skepticism, placing them firmly within the preoccupations of the era's intellectual classes.¹⁵ The New Conservatives participated in and were in part products of the rehabilitation of Edmund Burke, an Anglo-Irish statesman and writer, as the "founder" of conservatism and a model for a morally serious but non-ideological conservatism, fit for the consensus era.¹⁶

One of the first proponents of "New Conservatism," Peter Viereck, began his exposition of conservatism by asking what "values" society could "live by in the postwar crisis?"¹⁷ These intellectuals sought to preserve American values and, if possible, reconstruct their bases. The postwar crises were demanding on their own terms. But the taboo on ideological extremism and the yearning for meaningful life gained added urgency under the threat of nuclear war: meaning could lead to ideology and crusading, risking nuclear oblivion. The New Conservatives also responded to the boom in economic production and consumption. Post-war American wealth created unprecedented prosperity for many white middle-class Americans. To many intellectuals, however, this smacked of vulgar materialism and mass culture of conformity.¹⁸

¹⁴ An insightful essay on the New Conservatives is Jennifer Burns, "Liberalism and the Conservative Imagination," in Neil Jumonville and Kevin Mattson, eds., *Liberalism for a New Century* (Berkeley: University of California Press, 2007), 58-72. The New Conservatives are also dealt with as a precursor to, but ultimately distinct from the conservative movement in George H. Nash, *The Conservative Intellectual Movement in America, since 1945*, 1st softcover ed., (Wilmington, Del: Intercollegiate Studies Institute, 1998), 51-102.

¹⁵ Fowler, *Believing Skeptics*, 3-71.

¹⁶ On Burke's reception in the United States, see Drew Maciag, *Edmund Burke in America: The Contested Career of the Father of Modern Conservatism* (Ithaca: Cornell University Press, 2013), especially 165-243.

¹⁷ Peter Viereck, *Conservatism Revisited*, Revised and Enlarged Edition (New York: The Free Press, 1962).

¹⁸ Robert Booth Fowler, *Believing Skeptics: American Political Intellectuals, 1945-1964*, Contributions in Political Science, no. 5 (Westport, Conn: Greenwood Press, 1978), 3-71.

Samuel Huntington, a Harvard political scientist, argued that continued political liberalism “simply gives the enemy a weapon with which to attack.” He proposed conservatism as a temporary device as part of the war footing against the Soviets.¹⁹ Another New Conservative retrospectively called the New Conservatism “the effort of a new generation to interpret our national tradition” in response to the “traumatic shock” of war and the “withering of New Deal ideology.”²⁰ This cultural and political conservatism of the 1950s was a response to the era’s anxieties: a quietist exhale after the upheavals of the 1930s and 1940s. The New Conservatism reasserted traditional values, papering over uncertainties in popular and intellectual culture. They reconstructed the meaning of the United States as a conservative nation for the nuclear age.

Peter Viereck and the Revolt Against Revolt

The first New Conservatives to break into the public consciousness was the historian and poet Peter Viereck. The son of a moderately successful German émigré poet, Hearst columnist, and Nazi sympathizer, Viereck was born in New York in 1916. He attended elite private schools before graduating *summa cum laude* in History and English Literature at Harvard. In 1937, Viereck spent a year imbibing “ethical elitism” at Christ’s College before completing his doctorate at Harvard on the link between German Romanticism and Nazism. In 1940, the editor of the *Atlantic Monthly* commissioned the “brilliant, impulsive, voluble, and... genuine eccentric” Viereck, then twenty-three, to write on the state of youthful liberalism.²¹ Instead Viereck produced “But – I’m a Conservative!” Viereck argued the basis of conservatism was the

¹⁹ Samuel P. Huntington, “Conservatism as an Ideology,” *American Political Science Review* 51, no. 2 (June 1957): 454–73.

²⁰ Francis G. Wilson, “The New Conservatives in Spain,” *Modern Age*, Spring, 1961, 149.

²¹ Arthur M. Schlesinger, *A Life in the Twentieth Century* (Boston: Houghton Mifflin, 2000), 239; Tom Reiss, “The First Conservative: How Peter Viereck Inspired - And Lost - A Movement,” *The New Yorker*, October 24, 2005, 38-47

“common values basic to every civilized society and creed.” In the West, this meant “a blend of legalism, reason, and the Christian discipline (Protestant or Catholic or the closely related Jewish).” Viereck drew heavily on Burkean ideas. He argued the enemy of conservatism and all good political systems was mass movements. “Dynamism” reduced individuals to mass man and thereby threatened civil liberties and created conflicts and repressive regimes. Against dynamism, Viereck proposed the “rule of reason in the individual, Christian ethics between individuals, law in the state, free parliamentary negotiation among political parties, peace by negotiation among nations.” The true conservative society was reformist, constitutional and, as Viereck understood it, economically agnostic. Conservative society could be capitalist or socialist so long as its economic system was “baptized” by tradition.²²

Viereck’s father had been a German advocate during World War I. The FBI charged him with conspiring with the Nazi regime during the Second World War. The younger Viereck was animated by an intense anti-totalitarianism aimed at the left and the right. He denounced Stalin and left-wing fellow-travelers, but also McCarthy, Franco, Ezra Pound, and the New Critic Allen Tate as dangerous right-wingers. Viereck later wrote that he could “never be morally indifferent toward anything connected with fascism.”²³ His moralism about the dangers of mass politics translated into a philosophical conservatism that valued incremental evolution, “aristocratic,” virtues and political restraints. After the war, Viereck rejected a position at the University of Chicago, spurning the “high pay” in an “unattractive city,” for Mount Holyoke College in

²² Peter Viereck, “But -- I’m a Conservative!,” *The Atlantic Monthly*, April 1940, <https://www.theatlantic.com/magazine/archive/1940/04/but-im-a-conservative/304434/>.

²³ Peter Viereck to Louis D. Rubin, Oct 14, 1958, Louis D. Rubin Jr. Papers #3899, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill. (here after the Rubin Papers); Tom Reiss, “The First Conservative: How Peter Viereck Inspired - And Lost - A Movement,” *The New Yorker*, October 24, 2005, 38-47; Schlesinger, *A Life in the Twentieth Century*, 239.

Massachusetts where he became professor of Russian history.²⁴ Viereck won the Pulitzer Prize for poetry in 1948 and published *Conservatism Revisited: The Revolt Against Revolt* in 1949.²⁵

The conservative “revolt” was against mass politics and the impulse to overthrow a good society. Against the revolutionary impulse Viereck proposed the “treasure house” of experience and a social cement. In his view, conservatives believed in proportion, restraint, “self-preservation through reform,” humanism, balance, and “a fruitful obsession for unbroken historic continuity.”²⁶ When brought together appropriately the result was a humane freedom built on “ethics and law” rather than libertarian defiance. What underpinned conservative individualism, was not “political abstraction and economic tinkering” but Christianity and its development of the “free Athenian ideal.” Christianity brought into modernity the “four ancestries” of Western civilization: the justice and moralism of Judaism, Greek intellectual inquiry, Roman law, and medieval scholasticism.²⁷ In emphasizing these fonts of “Western man,” Viereck participated in the Cold War era construction of “Western Civilization” as an ancient and transatlantic entity with the moral, historical, and geographic resources to oppose the Soviet Union.²⁸ His evocation of law, religion, free thought, and moral realism – including neo-scholasticism – put Viereck in line with a major contemporary trend of reasserting transcendent moral reasoning, a project with

²⁴ Peter Viereck to Louis D. Rubin, November 29 [no year], 158, Rubin Papers.

²⁵ Peter Viereck, *Conservatism Revisited*.

²⁶ Peter Viereck, *Conservatism Revisited*, 32.

²⁷ Peter Viereck, *Conservatism Revisited*, 46-7.

²⁸ Bernard Bailyn, *Atlantic History: Concept and Contours* (Cambridge, Mass: Harvard University Press, 2005), 13-14.; Eugen Webber, “Western Civilization,” in Anthony Molho and Gordon S. Wood, eds., *Imagined Histories: American Historians Interpret the Past* (Princeton, N.J: Princeton University Press, 1998), 206-21.

urgent meaning in the age of anxiety and as a counterpoint to the perception of the Soviet Union as an atheistic and repressive republic.²⁹

In 1949, Viereck treated conservatism as a trans-national phenomenon more connected with the Western tradition than the United States specifically. His touchstones were British and European, although he made some effort to link the conservative tradition to America. Much of *Conservatism Revisited* revolved around the nineteenth century Austrian Prince Klemens von Metternich. Viereck admired Metternich's cosmopolitanism and opposition to radical movements. But the odd emphasis limited the reach of Viereck's manifesto. Alongside Metternich, Viereck praised the British Whigs as "the model of modern conservative leadership" as well as nineteenth century Tories who blended "humane reform with historic continuity."³⁰ His pantheon of evolutionary conservatives included "Pericles, Cicero, Erasmus, Burke, Loris-Melikov, Disraeli, Stolypin, Churchill."³¹ These leaders understood the threat of mass society.

There was an American history for Viereck to draw upon as well. Viereck claimed the American Revolution could be called the "American Conservation" since it "conserved the established traditional liberties of freeborn Englishmen, as already confirmed in 1688" against the "usurpations" of George III. Viereck argued the Framers of the Constitution created a conservative government. They established the anti-democratic Constitution and Separation of Powers protected by the Supreme Court. Liberals may find this conservatism at the genesis of the United States embarrassing, Viereck acknowledged, but it accounted for America's longevity.

²⁹ An early flourishing of this impulse can be seen in Alan Jacobs, *The Year of Our Lord 1943: Christian Humanism in an Age of Crisis* (New York: Oxford University Press, 2018), 5-51. As it pertained to Catholic intellectuals, Patrick Allitt, *Catholic Intellectuals and Conservative Politics in America, 1950-1985* (Ithaca, N.Y: Cornell University Press, 1993), 3-83.

³⁰ Peter Viereck, *Conservatism Revisited*, 83

³¹ Peter Viereck, *Conservatism Revisited*, 100.

And although Viereck considered the conservative tradition Christian-Classical rather than American in origin, he connected his claims to his home country by suggesting “the heirs of the American Conservation of 1776” had become the chief defenders of “the western heritage.”³²

In Viereck’s view, the global conflict was not between liberals and conservatives. Liberalism and conservatism were the center against totalitarianism on the extreme right and left. Viereck agreed with his college friend Arthur Schlesinger’s concept of the Vital Center, a framework Viereck endorsed.³³ To Viereck, society needed both Edmund Burke, the symbolic conservative, and J. S. Mill, the archetypal liberal, to avoid totalitarianism. This intellectual centrism led Viereck to take positions that alienated elements of the pre-existing American right. He denounced the Spanish dictator Francisco Franco, a favorite of some American right-wing anti-communists. Domestically, he stridently opposed Joseph McCarthy despite his hero status on the right. Viereck’s economic views also placed him in the political center or even left. He commended Franklin Roosevelt and the New Deal as a bulwark against radicalism. He also endorsed “long-needed” labor laws and the “conservative” institution of labor unions.³⁴ Elsewhere he expressed a preference for Keynesian economics that put him at odds with a major strand of right-wing thought and activism.³⁵ At the same time, Viereck criticized liberal intellectuals as materialist, smug, centralizing, and soft on communism.³⁶

³² Peter Viereck, *Conservatism Revisited*, 116-7.

³³ Peter Viereck to Louis D. Rubin, Nov 12, 1958, Rubin Papers.

³⁴ Peter Viereck, *Conservatism Revisited*, 135; Peter Viereck to Louis D. Rubin, Jan 26, 1958, Rubin Papers.

³⁵ On right-wing free enterprise movements and activism, see Kim Phillips-Fein, *Invisible Hands: The Businessmen’s Crusade against the New Deal*, 2010; Lawrence B. Glickman, *Free Enterprise System: An American History* (New Haven, CT: Yale University Press, 2019); David Sehat, *The Jefferson Rule: How the Founding Fathers Became Infallible and Our Politics Inflexible*, First Simon & Schuster hardcover edition (New York: Simon & Schuster, 2015), 75-106.

³⁶ Peter Viereck, *Shame & Glory of the Intellectuals* (New Brunswick, N.J: Transaction Publishers, 2007).

Conservatism Revisited was widely and generally well-reviewed. It solidified Viereck as a leading voice of conservatism. Despite the odd emphasis on Metternich, Viereck's paean to moderation resonated with the political climate. His centrist politics let him to publish in a variety of places, including the *New York Times*, liberal anti-communist *New Leader*, the Catholic *Commonweal*, the *Jewish Commentary* and, briefly, as part of an effort to rehabilitate "the right-wing scandal sheet," *The American Mercury*.³⁷ An editor at *The American Mercury* solicited works from Viereck to "civilize" the magazine but when the failing magazine was sold to the anti-Semite Russell Maguire, the owner banned the *Mercury* from publishing Viereck.³⁸

Viereck was the most visible of a group of scholars and writers who coalesced around the New Conservative vision and an appeal for conservative political leadership. Primarily composed of political scientists, the circle included Malcolm Moos and Thomas Cook at Johns Hopkins University, John Hallowell at Duke University, Raymond English at Kenyon College, and Francis Wilson at the University of Illinois.³⁹ Others sympathetic to the New Conservatives and in contact with them included Gerhart Niemeyer, a political theorist working for the State Department in the early 1950s but who spent most of his later career at Notre Dame, philosopher Eliseo Vivas, and the literary critic Louis D. Rubin.⁴⁰ The New Conservative circle was only ever very loose. They were friends and professional colleagues who shared a broad political outlook

³⁷ For example, Peter Viereck, "Fascism vs. Conservatism," *New Leader*, Dec 13, 1950, 16-18; Peter Viereck, "Pure Poetry, Impure Politics, and Ezra Pound," *Commentary*, April 1951, 340-346; Peter Viereck, "Babbitt Revisited," *Commonweal*, September 15, 1950, 551-553; Peter Viereck, "Vision and Values," *The American Mercury*, October, 1952, 111-118; Peter Viereck, "In Defense of British Imperialism," *The American Mercury*, September 1952, 122-130.

³⁸ Martin Greenberg to Melvin Arnold, December 29, 1952, 158, Rubin Papers.

³⁹ Malcolm Moos to John H. Hallowell, Oct 3, 1949, 4, Hallowell Papers; Peter Viereck to Louis D. Rubin, Jan 28, 1952, 158, Rubin Papers; John H. Hallowell to Thomas I. Cook, April 25 1950, 4, Hallowell Papers; Francis G. Wilson to John H. Hallowell, Oct 29 1947, 4, Hallowell Papers; Peter Viereck to John H. Hallowell, Sept. 15. [1950], 4, Hallowell Papers.

⁴⁰ See letters in 4, Hallowell Papers, from Vivas, Niemeyer, and Rubin.

as well as the small world of political science in the mid-1950s. A good number of the New Conservatives and their allies were not American – English and Cook were English, Niemeyer German, and Vivas Colombian-born.⁴¹ And they mostly, although not all, were committed high church Christians.⁴² Discovering one another was an enthusiastic process, but the New Conservatives were an academic circle and at no stage a political movement. They kept in touch by mail, reviewed one another’s work, and occasionally met or organized conferences.

The academic political scientists of the New Conservative circle represented a semi-secularized instance of a postwar neo-traditionalist revival. There was a spike in intellectual religiosity: in some cases, this was seen in conversions to Catholicism or high church Anglicanism.⁴³ In others, it was the popularity of neo-orthodox Protestantism. Historians “rediscovered” Edmund Burke and Alexis de Tocqueville who provided insights into moderate, evolutionary politics. Philosophically, Natural Law and neo-Thomist philosophy experienced a resurgence.⁴⁴ In addition to the New Conservatives, Viereck suggested thinkers like Reinhold Niebuhr, Alfred North Whitehead, Daniel Aaron, Hyatt Waggoner, John Lukacs, David Riesman, and Hannah Arendt were part of this conservative trend.⁴⁵ Arthur Schlesinger’s

⁴¹ Raymond English, “Conservatism: The Forbidden Faith,” 393; Thomas I. Cook to John H. Hallowell, December 9, 1956, 4, Hallowell Papers.

⁴² Francis G. Wilson to John H. Hallowell, Oct 29, 1947, 4, Hallowell Papers; Viereck called himself a “heretical Protestant” in Peter Viereck to Louis D. Rubin, Sept 7, 1958, Rubin Papers; John H. Hallowell to Reinhold Niebuhr, Dec 1, 1950, 4, Hallowell Papers; John H. Hallowell to John A. Vieg, Oct 20, 1947, 4, Hallowell Papers.

⁴³ Alan Jacobs, *The Year of Our Lord 1943: Christian Humanism in an Age of Crisis*, (Oxford University Press: Oxford, 2018).

⁴⁴ Maciag, *Edmund Burke in America*, 165-243. On Catholicism, see Allitt, *Catholic Intellectuals and Conservative Politics in America, 1950-1985*; Allitt, *Catholic Converts British and American Intellectuals Turn to Rome*.

⁴⁵ Peter Viereck, “Enough of Toughmindedness,” *Saturday Review of Literature*, April 26, 1952, 9-10; Reinhold Niebuhr, “Liberalism: Illusions and Realities,” *The New Republic*, July 5, 1955, 11-13; Reinhold Niebuhr to June Bingham, May 20, 1955, 26, Reinhold Niebuhr Papers, Manuscript Division, Library of Congress, Washington, D.C. (hereafter Niebuhr Papers).

repudiation of radicalism and relationship with Reinhold Niebuhr meant he was sometimes associated with the New Conservatism. Some were privately sympathetic, others less eager to be associated with conservatism but were coopted by the New Conservatives or associated with them by the press. Mark Edwards argues that several of these New Conservatives, their “reluctant” liberal supports, and especially Niebuhrian Christian Realists, were in fact the true traditionalists of the era as they appropriated Burkean themes to defend the New Deal as an organic political structure against the radical attacks from the right. This was indeed how several of the New Conservatives presented themselves, but the vogue for conservatism took on other shades, even among this scattered and loosely allied group, as they positioned themselves and the reclaimed language of conservatism in the American context.⁴⁶

Despite their scornful attitude to liberalism as naïve, the New Conservatives were in step with their intellectual political culture. Their critiques of liberalism’s frailties were part of securing the post-war liberal order by making it the object of conservation. The governing metaphor of the New Conservatism was a narrow political reading of Original Sin, a theological concept of basic and universal human inequity popularly reintroduced by Reinhold Niebuhr.⁴⁷ For the New Conservatives the upshot of Original Sin, whether understood theologically or not, was that the optimism of liberalism was unfounded and its cultural and institutional manifestations lacking in rootedness. What was needed to sustain the liberal order was conscious political conservatism. John Hallowell, an active Episcopalian heavily influenced by Niebuhr, thought modern liberalism’s lack of an “absolute” basis for morality made it vulnerable to

⁴⁶ Mark Thomas Edwards, *The Right of the Protestant Left* (New York: Palgrave Macmillan US, 2012),. 146-58.

⁴⁷ Reinhold Niebuhr, *Moral Man and Immoral Society: A Study in Ethics and Politics*, Second edition, Library of Theological Ethics (Louisville, KY: Westminster John Knox Press, 2013).

tyranny. It was an “invitation to suicide.”⁴⁸ Francis Wilson, a Catholic convert who had promoted a philosophical conservatism through the political science journals since 1941, published *The Case for Conservatism*, one of two books with that title released in 1951.⁴⁹ He argued conservatism was a constant assessment of the past, present, and future to ascertain permanent principles. In the dialectic of history, liberalism was a false promise that disintegrated “through the falsification of its own revolution” thus rekindling conservatism.⁵⁰ Critics of the New Conservatives frequently highlighted the tension between their prescriptivist arguments about society and their simultaneous appeals to transcendent values. This tension was clear in Wilson’s writing. He held that conservatism was primarily an evolutionary philosophy, but since it was concerned with “lasting values” when these values were at stake “the conservative can even become a revolutionary.”⁵¹ But in general, in the immediate aftermath of the war against fascism and in the early days of the Cold War, the New Conservatives did not see liberalism as totally opposed to conservatism. Both existed in a more complex spectrum of political ideologies. The New Conservatives treated conservatism as a dialectical partner to liberalism or as its sober and morally sound protector in a world of extremes. In the *American Scholar* in 1952, Raymond English posited that liberalism and conservatism were in an interplay that forged Western

⁴⁸ John H. Hallowell to Arnold Brecht, Nov 23, 1946, 4, Hallowell Papers; John H. Hallowell to Reinhold Niebuhr, Dec 1, 1950, 4, Hallowell Papers; John H. Hallowell to John A. Vieg, Oct 20, 1947, 4, Hallowell Papers; John H. Hallowell to Walter H. Bennett, Oct 29, 1946, 4, Hallowell Papers.

⁴⁹ For instance, Francis G. Wilson, “A Theory of Conservatism,” *American Political Science Review* 35, no. 1 (February 1941): 29–43; Francis G. Wilson, “The Revival of Organic Theory,” *The American Political Science Review* 36, no. 3 (1942): 454–59; Francis G. Wilson, “Human Nature and Politics,” *The Journal of Politics* 8, no. 4 (1946): 478–98.

⁵⁰ Francis G. Wilson, *The Case for Conservatism*, (Seattle: University of Washington Press, 1951).

⁵¹ Francis G. Wilson, *Case for Conservatism*, 1.

civilization. Of the two, the “skeptical sobriety” and epistemic humility of conservatism was sounder and more permanently valid than the “experiment and enthusiasm” of liberalism.

The New Conservatives routinely called for British-style Toryism for the post-war era. This type of noblesse oblige politics was largely absent from the rough-and-tumble of American politics (although Schlesinger argued its practitioners were often men of the left like Franklin Roosevelt). The New Conservatives nevertheless insisted that anti-populist gradualism and instinctive conservatism existed in both the structure and body politic of American politics. English called for an Anglo-type conservative party in the United States but short of that endorsed the two-party system as “by far the most satisfactory mechanism for free, popular, constitutional government.”⁵² What the United States needed, Peter Viereck wrote to another New Conservative, was “responsible conservative opposition to the reigning relativist-pragmatist-liberalism.”⁵³

The desire to emulate British Toryism estranged the New Conservatives from the American organization popularly regarded as conservative – the Republican Party. Viereck was not registered with either party.⁵⁴ He considered GOP complicit in “pseudo-conservative” and reactionary McCarthyism. It needed to purge its “McCormicks & McCarthys” and imitate “the British conservative party of Churchill.” In the 1952 election Viereck and Thomas Cook, another New Conservative, both voted against Eisenhower for “failing to repudiate the gangster-McCarthy right-wing-radicals in his party.”⁵⁵ Similarly, John Hallowell was unsympathetic to

⁵² English, “Conservatism: The Forbidden Faith,” 405.

⁵³ Peter Viereck to John H. Hallowell, Sept. 15. [1950], 4, Hallowell Papers.

⁵⁴ Peter Viereck to Louis D. Rubin, Jan 28, 158, Rubin Papers.

⁵⁵ Peter Viereck to Louis D. Rubin, Jan 26, 158, Rubin Papers.

laissez-faire and endorsed strong government, the welfare state, and a controlled economy.⁵⁶ Viereck admitted the New Conservatives' support for the New Deal and opposition to the "conservers of the economic wealth of plutocrats" put them in America's liberal camp, yet insisted that they remained philosophically distinct from liberals. His heroes, Disraeli and Metternich, were Tory socialists. Ultimately, Viereck concluded that the dividing line was liberals detested tradition and believed in the "goodness of man" and inevitable progress. Conservatives, by contrast, took a tragic view of history.⁵⁷

Within the Republican Party, the two men associated with the New Conservatism, August Heckscher and McGeorge Bundy, were firmly part of the moderate, northeastern wing of the party.⁵⁸ Heckscher edited the opinion page of the moderate Republican *New York Herald-Tribune*. Bundy was a comer, ghost-writing for Henry L. Stimson in the late 1940s and advising Thomas Dewey in 1948 while working with foreign policy luminaries at the Council on Foreign Relations. In 1949 he joined Harvard as associate professor before his promotion to dean in 1953.⁵⁹ Heckscher and Bundy conceptualized the moderate Republicans as enlightened conservatives. Like most moderate Republicans, Heckscher believed the Democratic-led trend toward centralization corrupted individual initiative and was too blunt an instrument for good governance. Methods matter, Heckscher argued, and "voluntary participation" strengthened citizens' stake in society, while "reckless spending and enlargement of the federal bureaucracy" stultified it. These moderate Republicans attempted to promote similar ends to the New Deal and

⁵⁶ John H. Hallowell>William F. Buckley, Oct 17, 1960, 18, William F. Buckley, Jr. Papers (MS 576). Manuscripts and Archives, Yale University Library (hereafter Buckley Papers).

⁵⁷ Peter Viereck to Louis D. Rubin, Jan 26, 158, Rubin Papers.

⁵⁸ Geoffrey M Kabaservice, *Rule and Ruin: The Downfall of Moderation and the Destruction of the Republican Party, from Eisenhower to the Tea Party* (New York: Oxford University Press, 2013), 16-17.

⁵⁹ David Halberstam, *The Best and the Brightest* (New York: Modern Library, 2001), 40-63.

Fair Deal but with greater emphasis on market forces. Heckscher repudiated the Republican right as a radical and doctrinaire inversion of New Dealers.⁶⁰

An enlightened conservatism that harnessed the state and the market for the public good, Heckscher argued, was rooted in the American political tradition, specifically the Madisonian concept of balancing pluralities. The Whigs understood conflicting sectors of society could be brought together through public projects and their successor Republicans had embraced the Homestead Acts. Traditionally, the GOP “had a strong respect for federal power” and wielded it for the public good. It once understood that states were valuable as communities and laboratories of legislation, not locked in mortal combat with the federal government. Heckscher suggested that this philosophy of Republican governance was the legitimate American alternative to overbearing Democrats and radical, myopic right-wingers.⁶¹ Viereck agreed that if the moderate faction controlled the Republican Party, it would “stand for an enlightened, nondemagogic, non-witch-hunting opposition” and be worth joining. But the “Old Guard” right still dominated.⁶² Viereck’s fears notwithstanding, the moderate Republicans had success through Eisenhower. In office, the president occasionally called his outlook “conservative dynamism,” but this became more widely known as “Modern Republicanism.”⁶³ And, as if to underscore the liberal consensus of the 1950s, both Heckscher and Bundy joined the Democratic Kennedy administration.⁶⁴

⁶⁰ August Heckscher, “Where are the American Conservatives?” *Confluence*, 2 (1953): 54-65. The best history of the Moderate Republicans is Kabaservice, *Rule and Ruin*.

⁶¹ August Heckscher, “Where are the conservatives?”

⁶² Peter Viereck to Louis D. Rubin, Jan 28, 158, Rubin Papers.

⁶³ Kabaservice, *Rule and Ruin*, 14. The classic statement of Modern Republicanism by a contemporary actor is Arthur M. Larson, *A Republican Looks at his Party*, (New York: Harper & Brothers, 1956).

⁶⁴ Kabaservice, *Rule and Ruin*, 16.

Other New Conservative thinkers advanced similar visions of the American past. They accepted conservatism was not America's primary tradition, but contended that practice and history justified a state-oriented, paternalistic conservatism. Raymond English founded the bases of modern American conservatism in Alexander Hamilton's political and economic thought and the "solid as granite" *Federalist Papers*. Other sources included the constitutionalism of John C. Calhoun and Francis Lieber, the legal thought of John Marshall and Oliver Wendell Holmes, and the leadership of Abraham Lincoln and Theodore Roosevelt. Combined, this could be a "creed as rich and satisfying" as anything in Britain.⁶⁵ In a negative version of Heckscher's idea of plurality, Francis Wilson claimed John Adams saw in the Constitution an "ideal balance" so that no interest group "might run away with the state." Wilson called this an American expression of the Aristotelian view of good society "balanced between the extremes of rich and poor and between the extremes of democratic and oligarchical" government. Wilson concluded that modern liberalism's "revolutionary materialism" denied the "Christian interpretation of human nature" and ran against the "American conservative tradition."⁶⁶ More broadly, the New Conservatives followed Viereck's tack and habitually situated the Revolution as a conservative battle for the Whiggish rights of Englishmen. Burke's historic support of the Revolutionaries proved invaluablely legitimating for this framing.

Although loosely knit and with different political and academic priorities, the New Conservatives generally advocated a conservative philosophy of moral and philosophical seriousness, political moderation, and an interest in governance rather than opposition to government. They saw conservatism as fundamentally moderate and an antidote to political

⁶⁵ Raymond English, "Conservatism: The Forbidden Faith," 401.

⁶⁶ Francis G. Wilson, *The Case for Conservatism*.

extremes. They tended toward the economic center, with some like Viereck favoring Tory socialism while others like the moderate Republicans Bundy and Heckscher preferring a greater market emphasis. They often took inspiration from British and European politics but found precedents for their conservatism in storied elements of the American past. Viereck and the New Conservatives helped inaugurate interest in political conservatism concomitant with the era's sense of striving stability in a period of crisis. In 1953 that interest exploded with the emergence of Russell Kirk, author of the bestselling *The Conservative Mind*.⁶⁷

Russell Kirk and The Conservative Mind

Perhaps above all, Russell Kirk's work and extensive networking established conservatism as an intellectual possibility in the 1950s. Kirk maintained the language of the New Conservatism, a designation he rejected, but shifted its political connotations toward the existing American right. Meanwhile Kirk worked with almost anyone who expressed sympathy toward conservatism, however broadly defined and however testy the relationship. By doing so, Kirk facilitated, sometimes unwillingly, the "fusionist" project that equated conservatism in the United States with free markets, anti-communism, and some form of social conservatism.

Kirk's upbringing was in stark contrast to Peter Viereck's. Born in suburban Michigan, outside Detroit, Kirk's working-class family were neither literary nor churchgoers and as a teenager Kirk professed atheism. A strong student, Kirk graduated high school in 1936 and won a scholarship to Michigan State College of Agriculture and Applied Sciences.⁶⁸ After graduating, Kirk earned a master's degree at Duke University, strengthening his appreciation for gothic

⁶⁷ Russell Kirk, *The Conservative Mind: From Burke to Santayana*, 4th ed. (Chicago: Henry Regnery Company, 1968).

⁶⁸ The main biography of Russell Kirk is Bradley J. Birzer, *Russell Kirk: American Conservative*, (University Press of Kentucky: Lexington, 2015), 23-56

settings and the imagined moonlight and magnolia history of the South. At Duke, Kirk wrote about the hardline Jeffersonian John Randolph of Roanoke, positioning him as an American conservative icon. Kirk's thesis became the basis of his first book, *Randolph of Roanoke: A Study in Conservative Thought*, published in 1951 by the University of Chicago Press, then directed by the conservative southerner William T. Couch.⁶⁹ During World War II, Kirk was enlisted in the Chemical Warfare Service but did not serve overseas. After the war he taught part time for Michigan State College before entering the doctoral program at St. Andrews in Scotland. Between 1948 and 1952, Kirk split his time between East Lansing and St. Andrews, deepening his conviction in community, tradition, and trans-Atlantic civilization. The dissertation Kirk wrote at St. Andrew's became the basis of his career-making book *The Conservative Mind*.⁷⁰

Even before completing the manuscript, Kirk believed he was contributing to the struggle for “the spiritual and intellectual and political tradition of our civilization” being fought in the minds of the youth.⁷¹ He wrote widely for review journals, especially those with a reputation for cultural conservatism like the *Sewanee Review*. He also corresponded extensively with writers sympathetic to his project and expected a positive reception from these writers and outlets.⁷² One of his correspondents, the Catholic Burke scholar Ross Hoffman, put Kirk in touch with the powerful publisher Alfred Knopf. Enthusiastic about Kirk's research, Knopf, a staunch

⁶⁹ Russell Kirk, *Randolph of Roanoke: A Study in Conservative Thought* (Chicago: University of Chicago Press, 1951).

⁷⁰ Bradley J. Birzer, *Russell Kirk*, 89-95.

⁷¹ Russell Kirk to Henry Regnery, July 31, 1952 in Henry Regnery papers, box 39, folder 9, Hoover Institution Archives (hereafter Regnery Papers).

⁷² Russell Kirk to Henry Regnery, June 5, 1952, Regnery Papers, box 39, folder 9; Russell Kirk to Henry Regnery, July 31, 1952, Regnery Papers, box 39, folder 9.

Republican, asked for first refusal on the manuscript.⁷³ Knopf's staff proposed dramatic cuts to the manuscript. They told Kirk that if properly abbreviated, his book would "demand" publication.⁷⁴ Outraged and convinced of his lengthy manuscript's quality and salability, Kirk turned to his second-choice publisher, the Henry Regnery Company. Kirk approved of Henry Regnery, "a short, thin, intense" man in his early forties, for his politics. Regnery ran one of America's few right-leaning publishing houses.⁷⁵ Kirk appreciated that the Chicago-based Regnery was Republican and Midwestern. Regnery and Kirk's began a close, nearly decade-long, relationship that shaped the popular conception of conservatism in the United States.⁷⁶

For the relatively unknown author working with a small publishing house, media reception was crucial for finding an audience for Kirk's conservatism. While finishing the manuscript, Kirk networked assiduously and engaged wealthy contacts for advertising funds and secured a grant from a foundation to purchase fifteen hundred copies for distribution.⁷⁷ In addition to marketing himself, Kirk was also engaged intellectually. Shortly before publication he attended a conference on conservatism at the Newberry Library in Chicago. There he met Richard Weaver, a conservative-leaning professor at the University of Chicago, and the sympathetic historian Stanley Pargellis, head of the Library.⁷⁸ Kirk read portions of it to the conference and the historian Merle Curti critiqued it for defining conservatism around religious

⁷³ Russell Kirk to Henry Regnery, July 31, 1952, Regnery Papers, box 39, folder 9.

⁷⁴ Harold Strauss to Russell Kirk, July 3, 1952, Regnery Papers, box 39, folder 9.

⁷⁵ Cleveland Amory, "Trade Winds," *Saturday Review*, September 25, 1954, 6-8.

⁷⁶ Russell Kirk to Henry Regnery, Oct 17, 1952, Regnery Papers, box 39, folder 9.

⁷⁷ Russell Kirk to Henry Regnery, April 1, 1953; Russell Kirk to Henry Regnery, Jan 23, 1953, Regnery Papers, box 39, folder 9.

⁷⁸ Russell Kirk to Henry Regnery, Oct 17, 1952, Regnery Papers, box 39, folder 9; Russell Kirk to Henry Regnery, Nov 9, 1952, Regnery Papers, box 39, folder 9.

principles. Curti's Progressive framework assumed conflict derived from clashes in class and group interests, and that conservatism meant elite interests. Against this view, Kirk insisted conservatism was a hazy and benign attitude to society that traversed social class lines.⁷⁹

The Conservative Mind was a surprise hit and became a foundational text of modern American conservatism. Kirk wrote *The Conservative Mind* as a "lively history of ideas" from a "frankly conservative" perspective.⁸⁰ He described a political sentiment he called "conservatism" in British and American thought and politics. Feeling pessimistic about the trajectory of the so-called conservative impulse in Britain and the United States, Kirk had originally intended to call his book *The Conservatives' Rout*. At Regnery's urging he sought a more positive title, considering *Conservative Ideas* before choosing *The Conservative Mind*.⁸¹ In line with contemporary historians, Kirk agreed that conservatism began as a conscious political persuasion in 1794, with Edmund Burke's *Reflections on the Revolution in France*. He traced conservatism through a series of politicians and thinkers, each, Kirk argued, influenced by Burke. In effect, Kirk's Burke was an unsung and benign influence sustaining modernity.

Kirk aimed to describe and analyze a political view he admired and legitimate it in intellectual circles. He shifted between using the thinkers he discussed as his own voice and critiquing them for deviating from conservative nostrums. In Kirk's framework, present in *The Conservative Mind* and elsewhere, conservatism was not an ideology, by which Kirk meant "abstract" or rationalist principles. Instead, he suggested six "canons": 1) society is Providential and political problems are ultimately moral or religious. 2) Traditional life is superior to

⁷⁹ Russell Kirk to Henry Regnery, Nov 9, 1952, Regnery Papers, box 39, folder 9; August Heckscher, "Who are the conservatives."

⁸⁰ Russell Kirk to Henry Regnery, July 31, 1952, Regnery Papers, box 39, folder 9.

⁸¹ Russell Kirk to Henry Regnery, Oct 17, 1952, Regnery Papers, box 39, folder 9; Russell Kirk to Henry Regnery, Nov 9, 1952, Regnery Papers, box 39, folder 9.

“equalitarianism” and “utilitarianism.” 3) Hierarchy is necessary and social levelling causes despair. 4) Property and freedom are intrinsically linked. 5) Since human beings are appetitive and emotional, tradition is superior to rationalism. 6) A recognition of the distinction between change and reform and a skepticism toward progress and innovation. Kirk argued that the historic conservative tradition had declined precipitously. He saw himself as a restorer of true conservatism to redeem mass industrial society and oppose collectivism.⁸²

Kirk treated conservatism as a trans-Atlantic phenomenon, but Burke’s view that the War of Independence was a “revolution not made, but prevented” gave Kirk license to praise the American political order. Kirk believed conservatism had a diminished status in the United States compared to liberalism. Nevertheless, he emphasized America’s conservative foundations. He called the Constitution “the most successful conservative device in the history of the world.”⁸³ Because of it, the United States had not undergone a Revolution since its breaking with Britain and, in the 1950s, it was the most conservative power in the world.⁸⁴ Like Viereck, Kirk considered the Founding by-and-large “a conservative restoration of colonial prerogatives.”⁸⁵ In Kirk’s view most of the Founders were conservative men who found themselves in the surprising situation of independence. He divided the Founders between the French-influenced Republicans, epitomized by Jefferson, and the sober history-minded Federalists.

Despite these foundations, Kirk argued conservatism had been defeated in the United States over the next 200 years. As a historical quirk, in the early Republic, the conservative impulse was linked with the Federalists and the party of political centralization. In Kirk’s telling,

⁸² Russell Kirk, *The Conservative Mind*, 17-20.

⁸³ Russell Kirk, *The Conservative Mind*, 78, 114.

⁸⁴ Russell Kirk, *The Conservative Mind*, 117.

⁸⁵ Russell Kirk, *The Conservative Mind*, 78.

New England conservatism stood for property, hierarchy, and religious order secured by a strong government. His contemporaries tended to regard Alexander Hamilton as the premier rightist among the Founding Fathers.⁸⁶ But Kirk contended Hamilton was a “financier, the party-manager, the empire builder” more than a conservative.⁸⁷ Hamilton fostered the industrial sector and a powerful state both of which crushed conservative society and created plutocrats not aristocrats. Instead Kirk praised John Adams as a complex and realistic thinker, “the founder of true conservatism in America.” Kirk thought Adams’s Whiggish opposition to absolute power in the form of a devotion of Separation of Powers was essential to the American political tradition.⁸⁸

A second form of American conservatism developed in the “agrarian” South. There was a vast gulf between the New England Federalist conservatism and the Southern Agrarian conservatism as a result of their regional priorities and contrasting economic and cultural bases. Kirk’s earlier work on John Randolph shaped his interpretation of southern conservatism, which he considered flawed but America’s best hope of a conservative bulwark against modernity. Although critical of slaveholders, Kirk abstracted their thought from its historical context and presented southern conservatism as a political culture in opposition to the consolidation of an “omnicompetent” state. As people of the land, southern conservatives favored “organic change” against mercantilism, individualism, and racial conflict. Kirk argued southern conservatism was characterized by four impulses: “distaste for alteration”; “preservation of agricultural society”; “local rights”; and “a sensitivity about the negro question” in terms of “the peculiar institution”

⁸⁶ Clinton Rossiter, *Conservatism in America* (New York: Alfred A. Knopf, 1955), 112.

⁸⁷ Russell Kirk, *The Conservative Mind*, 80.

⁸⁸ Russell Kirk, *The Conservative Mind*, 77-81, 91-102.

and, after emancipation, “the color-line.”⁸⁹ Kirk thought slavery was wicked, in part because it distorted conservatism, but it was at the same time determinative for southern conservatism. The presence of enslaved people created “anxiety to preserve every detail of the present structure, and an ultra-vigilant suspicion of innovation” in the southern mind.⁹⁰ Kirk acknowledged that by 1824, southern conservatism was so bound up with defending slavery that it was impossible to disentangle its proponents’ motives. Despite this recognition, he celebrated Randolph and the South Carolinian John C. Calhoun as exemplary southern conservatives. In both cases, Kirk did treat these men in a manner divorced from the context of repressing enslaved people.⁹¹

In Kirk’s view both American conservatisms gradually deformed, especially the New England kind, leading to the Civil War.⁹² During the mid-nineteenth century, southern conservatism stood against widespread democratization and industrialization of the rude American public. Meanwhile, the New England conservative tradition gave way to Transcendentalism and Unitarianism.⁹³ Transcendentalist liberalism and avaricious capitalism. This “abstract” tendency lent itself to Abolitionism which built up to a destructive conflagration with the slaveholding South that permanently damaged the prospects of conservatism in America. Kirk’s understanding of the Civil War was shaped by Revisionist scholars like Avery Craven and J. G. Randall who dominated Civil War historiography during his college years.⁹⁴

⁸⁹ Russell Kirk, *The Conservative Mind*, 151-84.

⁹⁰ Russell Kirk, *The Conservative Mind*, 155.

⁹¹ Russell Kirk, *The Conservative Mind*, 155-80.

⁹² Russell Kirk, *The Conservative Mind*, 77-114, 151-84.

⁹³ Russell Kirk, *The Conservative Mind*, 246, 321-2.

⁹⁴ As a characteristic statement, see J. G. Randall, “The Blundering Generation,” *Mississippi Valley Historical Review*, 27 (June 1940): 3–28.

The Revisionists lamented the “unnecessary conflict” ginned up by ideological extremists and Kirk too attacked the Abolitionists as fanatics but also criticized southern motives and bluster. Throughout *The Conservative Mind*, Kirk suggested the Civil War and Reconstruction were blows from which “moral and political conservatism has not yet recovered, and perhaps never can.” The post-Reconstruction South was left with a “dismembered economy” and the problem of reconciling “negro emancipation with social stability.” Burdened by the “permanent political hypocrisy” of its disenfranchisement of black voters, the South could no longer philosophize conservatism

And so, Kirk lamented, American conservatism was overwhelmed by urbanization and industrialism. Kirk thought Americans lived in denial of the reality of sin. Individualism reigned over the “community of spirit” of conservatism. He was alarmed by the adoption of Darwinism, pragmatism, and positivism on one hand and populists and yellow press newspapers on the other.⁹⁵ Without a viable conservatism of the kind Kirk described in his canons, America was increasingly materialist and a gyre of transformation. “The America of Jefferson and John Adams was being effaced.” “Conservatives have been routed, though not conquered.”

By the 1950s, Kirk concluded, the United States – and the world – was at a crossroads. The conservative elements of the American political tradition had sustained private property, religious practice, and the conservative Constitution, but conservative leadership was routed. After the First World War, America fell into “levelling humanitarianism, the development of a new and complex American imperialism,” and social hedonism.⁹⁶ The only conservatives left in America were social critics, as “practical conservatism degenerated” into a celebration of

⁹⁵ On the emergence of pragmatism as a response to the Civil War, Louis Menand, *The Metaphysical Club*, 1st ed (New York: Farrar, Straus, and Giroux, 2001).

⁹⁶ Russell Kirk, *The Conservative Mind*, 430.

“private enterprise.”⁹⁷ Unlike many critics of the New Deal, Kirk thought Roosevelt was not a radical, but was unfortunately open to radicals’ ideas. In response to the New Deal, Kirk suggested, there was a resurgence in conservative thought. Impressed by James Burnham’s prognostications in *The Managerial Revolution*, Kirk intimated a coming crisis between managerial collectivism and conservatism.⁹⁸

The critical reaction to *The Conservative Mind* was positive. One of Kirk’s friends, Gordon Chalmers, President of Kenyon College, reviewed it positively in the *New York Times*, a coup for Regnery. Chalmers praised it as both “anti-pre-communism,” against the “Hegel-Marx-Laski” axis, and a positive statement of the conservative ethos.⁹⁹ Even better, *Time* gave *The Conservative Mind* a lavish review after it was recommended by anti-communist mystic and former *Time* editor Whittaker Chambers.¹⁰⁰ Everyone agrees “the U.S. is the citadel of conservatism in a tumult of innovation,” the reviewer proclaimed. And Kirk had superbly explained its meaning for a society “living in the shadow of lost illusions.” *Time* noted Kirk’s evasiveness on the connection between slavery and American conservatism, but the reviewer was so convinced by Kirk’s description of the conservative tradition that he dismissed slavery as a materialist phenomenon that was not truly conservative.¹⁰¹ Another review called it “intelligent and important” scholarship, but poured cold water on the idea of ethical conservatism in America

⁹⁷ Russell Kirk, *The Conservative Mind*, 432.

⁹⁸ Burnham, *The Managerial Revolution*; Russell Kirk, *The Conservative Mind*, 444-5.

⁹⁹ Gordon Keith Chalmers, “Goodwill is Not Enough,” *New York Times*, May 17, 1953.

¹⁰⁰ Bradley J. Birzer, *Russell Kirk*, 114.

¹⁰¹ “Generation to Generation,” *Time*, July 6, 1953, 90-5.

so long as the “lunatic fringe” dominated the right.¹⁰² Shortly after release, Kirk and Regnery expected to sell a strong 6,000 copies.¹⁰³

The New Conservatives were interested in Kirk but lukewarm toward him. A few months before *The Conservative Mind*'s publication Viereck called him a “valuable scholar” but had not met him.¹⁰⁴ When Kirk's book appeared he declined to review it (but recommended Thomas Cook as a reviewer with a similar perspective).¹⁰⁵ John Hallowell, whom Kirk cited approvingly, praised Kirk's exciting prose but criticized his filiopiety to his subjects and failure to demonstrate commonalities between northern and southern conservatism in America. To Hallowell, this raised questions about the coherence of his definition of conservatism. Hallowell also questioned Kirk's “personal predilection” for states' rights that led him to downplay slavery and denigrate Hamilton and John Marshall.¹⁰⁶ Nevertheless, within a year *The Conservative Mind* was in its fourth printing and its popularity had catapulted Kirk to the foremost spokesman of the modern intellectual conservative outlook.¹⁰⁷

The royalties from *The Conservative Mind* and a grant from the right-wing Volker Fund let Kirk resign from his teaching position and network further.¹⁰⁸ He believed he was a part of a

¹⁰² Peter Viereck, “Conservatism vs. Smugness,” *Saturday Review*, Oct 3, 1953, 38.

¹⁰³ Kirk to Henry Regnery, date unclear, Oct 17, 1952, Regnery Papers, box 39, folder 9.

¹⁰⁴ Peter Viereck to Louis D. Rubin, Autumn, 1952, 158, Rubin Papers

¹⁰⁵ Louis D. Rubin, Jan 29, 158, Rubin Papers

¹⁰⁶ John H. Hallowell, “Review of *The Conservative Tradition from Burke to Santayana*, by Russell Kirk, *The Journal of Politics* 16, no. 1 (1954): 150–52.

¹⁰⁷ Russell Kirk, “The American Conservative Character,” *Georgia Review*, 8, No. 3 (Fall, 1954), 249–60.

¹⁰⁸ Russell Kirk to Robert A. Nisbet, Nov 10, 1953, 2, Nisbet Papers`.

wave of healthful conservative writing and corresponded with like-minded men. Kirk also began work on a journal he hoped would be a lightning rod for conservative thought and writing.¹⁰⁹

Crucially, Kirk's ascendance as the most prominent spokesmen of the new discourse of intellectual conservatism shifted the perception and the politics of the New Conservatism to the right. During this period, Kirk wrote on an abstract plane, filling his essays with references to historic thinkers and politicians. However, by associating himself with the right-wing Henry Regnery Company, Kirk signaled that his conventional politics were to the right the New Conservatives. Kirk was a self-described "adherent" of the recently deceased Republican standard-bearer Robert A. Taft and it showed in his writing.¹¹⁰

The year after *The Conservative Mind*, Kirk and Regnery followed it with a slim sequel. Kirk told Regnery he wanted to criticize false doctrines that hampered the prospects of conservatism in America. Namely, the "dangerous nonsense about the struggle simply being 'capitalism v. communism'" propagated by men like Henry Hazlitt and Max Eastman in journals like *The Freeman*. Their catastrophic thinking, Kirk argued, "is a more powerful aid to the radicals than anything they can do for themselves." Likewise, Kirk took aim at the "sham 'Americanism'" of the left-wing set around *Partisan Review*.¹¹¹ Published in 1954, *A Program for Conservatives*, which sold 6,500 copies in its first three years in print, was not a policy book for conservatism.¹¹² In Kirk's view, day-to-day politics were symptomatic of deeper first principles and "particular policies ought to be left to the politician." Kirk promised not specifics,

¹⁰⁹ Russell Kirk to T. S. Eliot, found in Russell Kirk and James E. Person, *Imaginative Conservatism: The Letters of Russell Kirk* (Lexington, Kentucky: University Press of Kentucky, 2018), 65. Russell Kirk to Robert A. Nisbet, Nov 10, 1953, 2, Nisbet Papers.

¹¹⁰ Russell Kirk to Daniel J. Boorstin, August 5, 1954, 33, Boorstin Papers.

¹¹¹ Russell Kirk to Henry Regnery, [unclear date], 39, folder 9, Regnery Papers.

¹¹² Henry Regnery to Russell Kirk, May 24, 1957, 39, folder 9, Regnery Papers.

but “the spirit in which the conservative ought to approach such economic matters as the business cycle.”¹¹³ He suggested ten social problems faced, including the problems of boredom, community, justice, and wants. In reckoning with these issues as an “imaginative conservative,” Kirk returned to his familiar analytical ground of history, allusion, anecdote, and abstract discussion. After reading one draft, Henry Regnery told Kirk to shorten the manuscript and rely less on Edmund Burke.¹¹⁴

At times in *A Program for Conservatives*, however, Kirk indicated what the political policies that he thought flowed from his romantic conservatism. Like some of the other men associated with the New Conservatism, he was critical of “laissez-faire” economics. One chapter of *A Program for Conservatives* featured a lengthy critique of classical economist Ludwig von Mises, popular among “individualists.”¹¹⁵ Kirk thought Mises’s economic philosophy neglected the needs of community.

However, indications of Kirk’s right-wing Republicanism were clear throughout *A Program for Conservatives*. He criticized the federal state, welfare, and organized labor. Each of these things was not bad in and of itself, but Kirk argued that 1954 they were against conservative society. For instance, Kirk evinced a concern about “collectivization.” Critics mocked Taft’s use of the phrase “creeping socialism,” but Kirk objected that “there is such a thing” and it never “ceases to creep until it becomes totalitarianism.”¹¹⁶ “The omnicompetent state” destroyed the free engagements that created “real community.”¹¹⁷ In the name of

¹¹³ Russell Kirk, *A Program for Conservatives*, (Chicago: Henry Regnery Co, 1954), 7.

¹¹⁴ Henry Regnery to Russell Kirk, 17 June 1954, 39, folder 9, Regnery Papers.

¹¹⁵ Russell Kirk, *Program for Conservatives*, 143-51.

¹¹⁶ Russell Kirk, *Program for Conservatives*, 262.

¹¹⁷ Russell Kirk, *Program for Conservatives*, 160.

“traditional society,” conservatives ought to oppose “centralization, extension of the economic functions of government, the increase of taxation and national debts, the decay of family-life and local association, and the employment of state education to enforce uniformity of character and opinion.”¹¹⁸ Kirk thought modern welfare was deleterious to the conservative spirit and private charity. State involvement in “education, economic management, and responsibility even for food-supply and housing” had “diminished the responsibility of the individual.”¹¹⁹ Moreover, Kirk argued, operated at the federal level, Social Security was compulsory and arbitrary and marginalized the states and local governments that “should be the principal administrators.” In its present form, “the real reason why the federal government continually extends” Social Security was “that this places at the disposal of the federal power a vast reserve of money and credit.” It was “disguised taxation.”¹²⁰ Finally, where Peter Viereck strongly favored unions as a conservative force, Kirk argued that in their modern form unions were more “collectivism than community.” Kirk praised the Taft-Hartley Act that curtailed union action as “a great blessing to unionism,” although perhaps insufficient to curb its vicious hierarchy.¹²¹

Kirk’s political principles were community, piety, property, and “love.”¹²² He lamented many threats to these principles, including free market capitalism. But his primary fear was collectivism in the form of a centralizing state. It was important, Kirk told his readers, to “defend the institutions of local government against a state consolidation of power, and the rights of

¹¹⁸ Russell Kirk, *Program for Conservatives*, 49.

¹¹⁹ Russell Kirk, *Program for Conservatives*, 107.

¹²⁰ Russell Kirk, *Program for Conservatives*, 161.

¹²¹ Russell Kirk, *Program for Conservatives*, 158.

¹²² Russell Kirk, *Program for Conservatives*, 18-19.

states against the encroachments of the federal government.”¹²³ This localism was the basis of American democracy. Adding two contemporary men to his pantheon of conservatives, Kirk observed that conservative political leaders” “from President Adams and President Madison to Senator Byrd and Senator Taft, has detested consolidation of power.”¹²⁴

As Kirk rose in prominence as the voice of American conservatism, his idealistic Taftism became increasingly identified as the politics of the New Conservatism by the wider public. Others associated with conservatism, like Robert Nisbet and Peter Viereck, were uncomfortable with this association, especially after writers like right-wing provocateur William F. Buckley also became publicly connected with conservatism.¹²⁵ Similarly, two writers who informed Kirk’s understanding of the American political tradition, Daniel Boorstin and Clinton Rossiter, kept their association with conservatism ambiguous. Despite their reservations about conservatism, both wrote influential studies that paralleled Kirk’s conservative ideas in important ways and identified conservative roots deep in the American political tradition.

Daniel Boorstin & Clinton Rossiter: Conservatism in America

Daniel Boorstin would become one of the most prominent American popular historians of the twentieth century. In the early 1950s he was a well-regarded scholar. Having grown up in Oklahoma and gone to Harvard in the 1930s, where he befriended Peter Viereck and David Riesman, men both associated with the New Conservative turn, Boorstin specialized in law. He earned highest honors at Harvard and then again at Oxford University.¹²⁶ While at Oxford,

¹²³ Russell Kirk, *Program for Conservatives*, 162.

¹²⁴ Russell Kirk, *Program for Conservatives*, 258.

¹²⁵ Arthur Schlesinger Jr to Robert A. Nisbet, October 6, 1955, 2, Nisbet Papers.

¹²⁶ Daniel J. Boorstin to Frederick A. Colwell, May 13, 1961, 60, Boorstin Papers; Daniel J. Boorstin to Peter Viereck, Oct 8, 1952, 60, Boorstin Papers; David Riesman to Daniel J. Boorstin, May 31, 1957, 43, Boorstin Papers.

Boorstin joined a Marxist study group and admired the materialist interpretation of history. When Boorstin returned from England, he completed a JD at Yale and returned to Harvard as an instructor in 1938. In Cambridge, Boorstin briefly joined the Communist Party, attracted to it by its stand on anti-Semitism and the communist sentiment that “Communism is Twentieth Century Americanism.” Boorstin later told the House Committee on Un-American Activities that the Communist Party had blurred the lines between communism and liberal positions. By 1939 Boorstin repudiated the Party and continued a teaching career that led him to the University of Chicago in 1944.¹²⁷

Boorstin’s most influential contribution to conservative interpretations of America’s political tradition was *The Genius of American Politics*, published in 1953. The book began as a series of lectures sponsored by the Walgreen Foundation. Books based on lectures often have an outsized influence on historiography and the public consciousness. Their wide intended audience and distilled, sweeping nature lend them to dramatic claims in digestible form. The Walgreen Lectures had a culturally conservative bent, reflecting a mission of liberal humanism among the University’s leadership and the wishes of the Walgreen Foundation. The Walgreen lectures aimed to “greater appreciation of American life and values.”¹²⁸ As well as Boorstin, in the 1940s and 1950s the series featured George Kennan, Jacques Maritain, and New Conservative John

¹²⁷ *Communist Methods of Infiltration (Education): Hearings Before the Committee on Un-American Activities House of Representatives, Eighty-Third Congress, First Session, February 25, 26, and 27, 1953* (Washington, DC: United States Government Printing Office, 1953), 47-62.

¹²⁸ Edward Nik-Khah, “George Stigler, the Graduate School of Business, and the Pillars of the Chicago School” in Robert Van Horn, Philip Mirowski, and Thomas A. Stapleford, eds., *Building Chicago Economics: New Perspectives on the History of America’s Most Powerful Economics Program*, Historical Perspectives on Modern Economics (Cambridge ; New York: Cambridge University Press, 2011); Jacobs, *The Year of Our Lord 1943*, 13-19.

Hallowell, and produced influential books by modern conservative favorites Leo Strauss, Eric Voegelin, and David Potter.¹²⁹

After delivering his Walgreen Lectures, Boorstin appeared before HUAC to defend his record and name names of communist associates from the 1930s. “I am not basically a political person,” Boorstin insisted. Still he suggested his religious practice and academic scholarship were inherently anti-communist. Discovering and explaining “the unique virtue of American democracy” against communism was something he was suited for.¹³⁰ Writing to Jacques Barzun, another historian associated with the intellectual class’s positive turn toward American institutions, Boorstin bemoaned the negative perception “intellectuals” had for “our dear country.”¹³¹ He disliked academic “carping” and their arrogation of “boundless” virtue to themselves, particularly over McCarthy.¹³² Above all, Boorstin criticized intellectuals for using “alien” and “absolute” values to judge America’s institutions. The defense of American institutions was the central thrust of *The Genius of American Politics*.¹³³

Through the quirks of history and geography, Boorstin argued, America gave forth a political culture without theory. Instead of abstract reasoning, principles and institutions were taken as a “given” in the United States. Most mid-century Americans, he suggested, viewed their political values as a gift from the past. They saw the present as a continuation of the Founding,

¹²⁹ Leo Strauss, *Natural Right and History*, Charles R. Walgreen Foundation Lectures (Chicago: University of Chicago Press, 1953).; Eric Voegelin, *The New Science of History*, (Chicago: University of Chicago Press, 1952); Potter, *People of Plenty*, (Chicago: University of Chicago Press, 1954). 2

¹³⁰ *Communist Methods of Infiltration*, 51-2, 60.

¹³¹ “Parnassus Coast to Coast,” *Time*, June 11, 1956, 67-75.

¹³² Daniel J. Boorstin to Jacques Barzun, August 5, 1953, 13, Boorstin Papers.

¹³³ Daniel J. Boorstin, *The Genius of American Politics*, Charles R. Walgreen Foundation Lectures (University of Chicago Press, 1953).

which had wrought a perfect system, one that realized its ideal principles and was sufficient for all eventualities. In fact, Boorstin suggested, a primitivist impulse to restore the principles and institutions of the Founding periodically overcame American politics. In Boorstin's view, America's popular political culture was the "land of the free," dedicated to *American* democracy, liberty, and the American way of life. As a nation, Americans simultaneously appealed to the past and yet were "fervently unhistorical in our approach to it."¹³⁴

Boorstin flipped the prevalent critique of America's lack of high political philosophers on its head. He treated this shortfall of theorists not as an anti-intellectual mark against America but as "a hallmark of a decent, free, and God-fearing society."¹³⁵ In the American intellectual culture of Cold War liberalism, and especially its expression in the New Conservatism, "ideology" smacked of communism and the failed political commitments of the 1930s. Echoing the New Conservatives' conviction in fixed human nature, Boorstin rejected European communists' efforts to remake the human spirit. Because America's political culture was so contingent on its unique history and geography, Boorstin intended to call his book "Not for Export." This title was much derided, and he instead landed on the evocative *The Genius of American Politics*.¹³⁶

Because of his legal training he focused closely on legal and political structures. Like many of his contemporaries both left and right, his broad-brush approach emphasized continuity in the American political tradition and wedded his historical analysis to a modern political problem. Although Boorstin began with the Puritans, whose success seemed "providential" and

¹³⁴ Daniel J. Boorstin, *Genius of American Politics*, 30.

¹³⁵ Daniel J. Boorstin, *Genius of American Politics*, 3-4.

¹³⁶ Daniel J. Boorstin to Peter Viereck, October 8, 1952, 60, Boorstin Papers.

laid the foundation for America's felt political tradition, his argument centered on the Founding and Civil War.

Boorstin brought historical authority to the idea that the Revolution was hardly a revolution at all. To be sure, Boorstin agreed, there was some social revolution and redistribution of property. But the Revolution did not transform the basis of American democracy. Instead it affirmed British institutions, recreating them under American auspices. Boorstin downplayed the Revolution's ideological sentiment. He called its major issue "a pretty technical legal problem."¹³⁷ Led by lawyers, not *philosophes*, the American Revolution was a revolution "without dogma"; it was a colonial rebellion based on independence, not the "rights of man." Like Viereck and Kirk, Boorstin used Burke's justification of the Revolution to bolster his claim for its basic conservativeness. In Boorstin's hands the Revolution reestablished traditional norms and institutions. They were so natural to the colonials that the Revolution produced no true "theory." Even *The Federalist* was practical and argued for a specific institutions, not abstract principles.¹³⁸ The Constitution had, at least since the emergence of the progressive school, been considered conservative. Boorstin's short study domesticated not only the Revolution and Declaration of Independence, but the remainder of the American political tradition, rendering them usable pasts for intellectuals involved in the conservative project.

Boorstin of course recognized that the fratricidal Civil War undermined his central thesis that America had a continuous and felt political culture and institutions. To resolve this problem, Boorstin treated the Civil War as a sociological conflict, rather than a political one, and a conflict that occurred within the circumscribed limits of the nation's political tradition. In his telling, the

¹³⁷ Daniel J. Boorstin, *Genius of American Politics*, 76.

¹³⁸ Daniel J. Boorstin, *Genius of American Politics*, 96-8.

Union and Confederacy had incompatible social visions, not political ones. Beneath the dispute over slavery, they agreed upon the Constitution and federal system as both sides claimed to defend their true meaning. Both sides also claimed the mantle of conservatism and called the other revolutionary.¹³⁹ After Reconstruction, the political institutions of the United States continued more or less as before. The historian Richard Hofstadter, a friend of Boorstin's, jokingly but critically proposed a cartoon of "a Reb and a Yank" observing the "devastation of the war. 'Well,' says one to the other consolingly, at least we escaped the ultimate folly of producing political theorists."¹⁴⁰

The mid-century animus against ideology explains the New Conservatives mild condemnations of slavery and the Confederacy and celebration of Calhoun. Their conception of Civil War history was informed by the Revisionist position that the war was unnecessarily caused by ideologues above and below the Mason-Dixon line. The heroes of the Revisionist School, such as Henry Clay, Daniel Webster, and Stephen A. Douglas, were conciliators who fashioned compromises to avoid war.¹⁴¹ The combination of this scholarship and 1950s anti-ideological sentiment made it common to celebrate Abraham Lincoln's moderate anti-slavery politics while condemning abolitionism. In addition, the mid-century liberal consensus was relatively blind to the contemporary oppression of African Americans in the United States and some New Conservatives, especially Kirk, accepted a romantic and non-white supremacist interpretation of John C. Calhoun and the slaveholders' regime.

¹³⁹ Daniel J. Boorstin, *Genius of American Politics*, 99-132.

¹⁴⁰ Richard Hofstadter, *The Progressive Historians*, (New York: Alfred A. Knopf, 1968), 462.

¹⁴¹ Thomas N. Bonner, "Civil War Historians and the 'Needless War' Doctrine," *Journal of the History of Ideas*, Vol. 17, No. 2 (April, 1956): 193-216.

At times Boorstin shifted between analysis and celebration. The upshot of America's political continuity was a natural conservatism that Boorstin thought was best expressed in cultural confidence and a degree of isolationism. The underlying lesson of American history was that man had the opportunity to make himself anew on the American continent but saw the limits of reason and chose instead to remake European institutions. Because of the apparent naturalness of their institutions, for Americans, "the proper role of the citizen and the statesman here is one of conservation and reform rather than invention."¹⁴²

Boorstin was most prescriptive in his warnings against attempting to "export" American institutions. As the result of organic historical processes, American political culture could not be replicated elsewhere or distilled into philosophy. America's values should be defended without being propagated. "We must refuse to become crusaders for conservatism in order to conserve the institutions and the genius which have made America great."¹⁴³ Like Kirk, he saw the historic abolitionists as ideological crusaders who had damaged the consensus and analogized strident anti-communists with them. It was better, he argued, to emulate Lincoln, who hated slavery but recognized the limits of politics. The "main concern is to preserve and improve free institutions where they now exist."¹⁴⁴ Jacques Barzun told Boorstin that he had stated "what every well-wisher of the country should know and believe" with "the authority of one widely read in the fundamental documents of our history."¹⁴⁵

¹⁴² Daniel J. Boorstin, *The Genius of American Politics*, 179.

¹⁴³ Daniel J. Boorstin, *The Genius of American Politics*, 185-9.

¹⁴⁴ Daniel J. Boorstin, *The Genius of American Politics*, 188.

¹⁴⁵ Jacques Barzun to Daniel J. Boorstin, Oct 7, 1953, 13, Boorstin Papers.

Boorstin hoped *The Genius of American Politics* would reach a popular audience and in this he was initially disappointed.¹⁴⁶ Although it was reviewed in *Commentary*, *Commonweal*, and *The New Republic*, major publications like the *New York Times* and *Saturday Review* ignored it.¹⁴⁷ Peter Viereck attempted to get a positive review in *The New Leader* or *Saturday Review* but to no avail.¹⁴⁸ The *American Historical Review* was positive but brief.¹⁴⁹

Although it was only lightly received, *The Genius of American Politics* became a classic of “Consensus School” historiography.¹⁵⁰ The so-called consensus historians were never comfortable with the term. Broadly speaking historians Boorstin, Hofstadter, and David Potter, and the political scientist Louis Hartz rejected the longstanding “Progressive” view of American history that saw the past as the struggle for democracy against interests. In his highly influential book *The American Political Tradition and the Men Who Made It*, Richard Hofstadter critiqued the Progressives’ emancipatory narrative from the left. He shrugged that “the range of vision embraced by the primary contestants in the major parties has always been bounded by the horizons of property and enterprise.” Whether Thomas Jefferson, Andrew Jackson, or Herbert Hoover, Americans “shared a belief in the rights of property; the philosophy of economic

¹⁴⁶ Daniel J. Boorstin to Jacques Barzun, Oct 28, 1953, 13, Boorstin Papers.

¹⁴⁷ *Genius* was ignored in the *New York Times*, covered in passing in “Just Published,” *Saturday Review*, May 16, 1953, 29, and given reviews in V. O. Key Jr, “Indigenous Politics,” *The New Republic*, June 8, 1953, 21; John A. Lukacs, “An Analysis of the American Political Temper,” *Commonweal*, July 24, 1953, and Robert Gorham Davis, “How Unique is America,” *Commentary*, August 1953, 176-7. Boorstin sometimes wrote for *Commentary*.

¹⁴⁸ Peter Viereck to Daniel J. Boorstin, May 2 [undated year], 60, Boorstin Papers.

¹⁴⁹ Karl W. Deutsch, “The Genius of American Politics,” *American Historical Review*, 59, No. 2 (Jan., 1954), 383-4.

¹⁵⁰ There has been an enormous amount of analysis of the consensus school. John Higham in particular has been a critical observer in academic and non-academic spheres, see: John Higham, “The Cult of the ‘American Consensus,’” *Commentary*, Jan 1, 1959, 93-100; John Higham, “Beyond Consensus: The Historian as Moral Critic,” *The American Historical Review* 67, no. 3 (1962): 609–25; John Higham, “Changing Paradigms: The Collapse of Consensus History,” *The Journal of American History* 76, no. 2 (1989): 460–66; Leo P. Ribuffo, “What Is Still Living in ‘Consensus’ History and Pluralist Social Theory,” *American Studies International* 38, no. 1 (February 2000): 42–60.

individualism, the value of competition; they have accepted the economic virtues of capitalist culture as necessary qualities of man.”¹⁵¹ Hofstadter also challenged what he perceived as the reductive treatment of history. He critiqued the progressives’ cleavages as simplistic, even naïve. Instead, Hofstadter and other consensus historians, showed that America’s social and political conflicts were far more complex and even paradoxical than the progressives realized. Political conflicts were muddled, *ad hoc* affairs. They had multiple causes that all existed within the same basic cultural-intellectual framework, ultimately bounded by capitalist assumptions. An article in *Commentary* magazine wrote that the “phrase “the American experience” has become an incantation.” Obsessed with ambiguity and irony, in the consensus historians’ hands, the author worried, “Classes have been turned into myths, sections have lost their solidarity, ideologies have vaporized into climates of opinion.”¹⁵² The consensus historians lived in and propagated a framework of whiteness. They were largely blind to its exclusions which allowed them to celebrate and critique the United States, the “American Way,” and American political tradition as substantial and broadly experienced.¹⁵³

Although they were friends and interlocutors, Boorstin reached opposite conclusions to Hofstadter. Hofstadter thought that the cultural anxieties of the mid-twentieth century created a nostalgic demand for the outmoded clichés of the narrow political tradition. Boorstin suggested cultural “hypochondria” could be overcome by attention to the givenness of American principles.

¹⁵¹ Richard Hofstadter, *The American Political Tradition: And the Men Who Made It* (New York, NY: Vintage Books, 1989). On the origins of this book, see Nick Witham, “Popular History, Post-War Liberalism, and the Role of the Public Intellectual in Richard Hofstadter’s *The American Political Tradition* (1948),” *The Historical Journal*; Cambridge 59, no. 4 (December 2016): 1133–55.

¹⁵² John Higham, “The Cult of the ‘American Consensus,’” 95.

¹⁵³ Higham, “Changing Paradigms.”\

As Hofstadter later admitted “there are some real issues of substance between us, which we may have occasion to talk about some day.”¹⁵⁴

The argument of *The Genius of American Politics* led observers to associate Boorstin with the New Conservatism. In private, Boorstin expressed a growing conservatism and a particular comity with Peter Viereck’s plague-on-both-houses criticism of liberal intellectuals and right-wing blowhards.¹⁵⁵ In *Commentary*, a magazine Boorstin contributed to, Robert Gorham Davis, an “independent liberal,” called *The Genius of American Politics* “rediscovered conservatism” and part of the Burke resurgence. But Davis also critiqued parts of the book as “the intellectual equivalent of Mr. Taft’s suggestion that we should ‘go it alone.’”¹⁵⁶

Sensing an ally, Russell Kirk struck up a correspondence with the historian. Boorstin shared Kirk’s frustration with “intellectuals” and added that businessmen were overly deferential to intellectuals and unable to articulate themselves except in bromides.¹⁵⁷ When Kirk attended the 1954 American Political Science Association conference, he felt “much assailed” for “being a Boorstinite, that is, a devotee of prudence, an anti-universalist, and an enemy of ideology.”¹⁵⁸ Boorstin recruited Kirk to write a textbook on conservatism for the University of Chicago Press (although this project was never completed). However, when Kirk asked Boorstin to write for his prospective magazine, Boorstin made excuses. He did write recommendation letters for Kirk’s application to the Guggenheim Foundation and eagerly connected through Kirk with the Earhart

¹⁵⁴ Richard Hofstadter to Daniel J. Boorstin, June 27, 1968, 27, Boorstin Papers.

¹⁵⁵ Daniel J. Boorstin to Peter Viereck, Feb 11, 1953; Daniel J. Boorstin to Peter Viereck, Oct 6, 1953 in 60, Boorstin Papers.

¹⁵⁶ Robert Gorham Davis, “How Unique is America,” 1777.

¹⁵⁷ Daniel J. Boorstin to Russell Kirk, August 16, 1954, 33, Boorstin Papers.

¹⁵⁸ Russell Kirk to Daniel J. Boorstin, Oct 22, 1954, 33, Boorstin Papers.

Foundation, a conservative grant-giving foundation that Kirk advised.¹⁵⁹ The Earhart Foundation gave Boorstin money and Kirk claimed his support was decisive. The foundation looked skeptically at Boorstin's prospectus since Boorstin had asked the academically prominent but, to the conservative organization, politically suspect Richard Hofstadter to recommend him.¹⁶⁰

When Clinton Rossiter, the political scientist working on a study of conservatism, visited Peter Viereck both each "in the same breath" recommended Boorstin's *The Genius of American Politics*. It was an "indispensable book on America's unique historical context as an example of neo-Burkean historical concreteness at its best."¹⁶¹ Boorstin and Rossiter's work were often treated as complementary. The same year *Genius of American Politics* came out, Rossiter published *Seedtime of the Republic*, a study of the concept of liberty before the Revolution. In a joint review of both books alongside Perry Miller's *The New England Mind*, the *Review of Politics* suggested Boorstin picked up where Rossiter left off on America's political tradition.¹⁶² Russell Kirk too saw them as similar and closer to his Midwestern Republicanism than to the moderate Republicanism of August Heckscher or the British Conservative Party-influenced politics of Peter Viereck. He even suggested his to his publisher that Henry Regnery Company should put out Rossiter's finished book on conservatism.¹⁶³ Drawing on Boorstin's and Rossiter's work in an essay on the "American Conservative Character," Kirk emphasized the nation's "strong conservative prejudices" even in "outwardly radical movements." The "best men" such as Calhoun and Lincoln "generally desired to be considered conservatives" and repudiated

¹⁵⁹ Russell Kirk to Daniel J. Boorstin, Oct 12, 1956, 33, Boorstin Papers.

¹⁶⁰ Russell Kirk to Daniel J. Boorstin, Oct 12, 1956, 33, Boorstin Papers.

¹⁶¹ Peter Viereck to Daniel J. Boorstin, March 25, 1954, 60, Boorstin Papers.

¹⁶² Thomas T. McAvoy, "The Genesis of American Ideals," *The Review of Politics* 16, no. 2 (1954): 235–37.

¹⁶³ Russell Kirk to Henry Regnery, Jan 20, 1954, 39, folder 9, Regnery Papers.

doctrinaire thinking.¹⁶⁴ The trope of America as a naturally conservative nation with a conservative political tradition was becoming key and academically sanctioned in the discourse of conservatism.

As Kirk drew on Rossiter's work, Rossiter was developing a critique of the prospects of conservatism in America. Rossiter had met with many of the men associated with the New Conservatism and the result of this research was an incisive study of "conservatism" in and against the American political tradition.¹⁶⁵ In many ways similar to the pessimism of Kirk's *The Conservative Mind*, he was more critical of the modern American right and the Taftite Republicanism with which Kirk sympathized. Rossiter agreed that Conservatism derived from the thought of Edmund Burke in Britain and John Adams in America. It was part of a "Western inheritance" that combined Judeo-Christian faith with Hellenic reason and the political concepts of constitutional democracy, liberty, and rule of law. Unlike Kirk, Rossiter published his book, *Conservatism in America*, through the prestigious Knopf in 1955, winning the Charles A. Beard award for history.¹⁶⁶

Rossiter argued conservatism was an authentic political tradition distinct from straightforward right-wing politics. He repeated the New Conservative view that the primary difference between conservatives and liberals, who in Rossiter's framework were part of a broad Western and American liberal consensus, was attitudinal. Pessimistic Conservatives treated "liberty as something to be preserved and defended."¹⁶⁷ Overly optimistic, Liberals considered it

¹⁶⁴ Russell Kirk, "The American Conservative Character."

¹⁶⁵ Clinton Rossiter to Daniel J. Boorstin, Dec 4, 1953, 43, Boorstin Papers. Rossiter's interview circuit included at least Russell Kirk, Robert Nisbet, Peter Viereck, Stanley Pargellis, and John Hallowell.

¹⁶⁶ Rossiter, *Conservatism in America*.

¹⁶⁷ Rossiter, *Conservatism in America*, 58.

“something to be improved and enlarged.”¹⁶⁸ Rossiter treated conservatives sympathetically as conscious citizens and protectors of society. They were non-doctrinaire and reformist. Although conservatives defended private property, their ideal was a “Spirit of unity among men of all classes and callings.”¹⁶⁹ They revered history and tradition. Rossiter called this public-spirited impulse “Conservatism.” He contrasted this tradition with typical anti-liberal and anti-egalitarian impulses in defense of wealth or elite interests, which he called “conservatism” without a capital C. Rossiter thought America, having come into its own as a superpower in the Cold War era, needed a conservative intellectual turn to deal with this development. Such a Conservatism ought to involve “a discriminating revival of Adams, Calhoun, and the conservative Lincoln,” and “not a wholesale importation of a Burke or [the French reactionary philosopher Joseph] Maistre.”¹⁷⁰

Rossiter asked how the capital-C Conservative persuasion fared in the American political tradition and found it had a mixed legacy. He basically agreed with Louis Hartz’s claim, made in several influential articles (alongside a book released the same year as Rossiter’s), that America was a liberal nation with a liberal tradition.¹⁷¹ As Rossiter put it, “the American political mind has been a liberal mind, for change and progress have been the American way of life.”¹⁷² Neither radicalism nor reaction thrived in America. Americans downplayed sin and “obsessed over” liberty. Liberalism was taught as natural. Americans believed whole-heartedly in liberty,

¹⁶⁸ Rossiter, *Conservatism in America*, 58.

¹⁶⁹ Rossiter, *Conservatism in America*, 53-5.

¹⁷⁰ Clinton Rossiter, *Conservatism in America*, 250.

¹⁷¹ Louis Hartz, “The Whig Tradition in America and Europe,” *The American Political Science Review* 46, no. 4 (1952): 989–1002; Louis Hartz, “American Political Thought and the American Revolution,” *The American Political Science Review* 46, no. 2 (1952): 321–42; Louis Hartz, “The Reactionary Enlightenment: Southern Political Thought before the Civil War,” *The Western Political Quarterly* 5, no. 1 (1952): 31–50.

¹⁷² Rossiter, *Conservatism in America*, 66.

the American Way of Life and Standard of Living, and America as a “land of opportunity.” These tropes all made the American political tradition a useful discursive matrix for libertarians and anti-government activists.

Yet Rossiter complicated Hartz’s argument. America’s lived culture was, Rossiter argued per Kirk, conservative. Between the conservative Constitution, the two-party system, and the many mediating institutions, American history was not one of “rugged individualism” but a tempered and conservative liberalism.¹⁷³ In his personal politics Rossiter equivocated between the New Conservatism and Cold War liberalism and his reading of the American political tradition as conservative liberalism matched this delicately poised personality.¹⁷⁴ The apogee of this balance between conservatism and liberalism was, for Rossiter, the 1952 election in which “a conservative liberal and a liberal conservative, each speaking of progress along familiar paths, competed for the favor of the American people.”¹⁷⁵ It was widely assumed that the New Conservatives were egg-heads for Eisenhower. In reality, most supported Adlai Stevenson.¹⁷⁶ But the New Conservatism and its positive reception appeared congruent with the President’s public persona and governing ethos.

Like Kirk, Rossiter lamented the decline of true Conservatism in America and extended this lament to a critique of the small-minded “conservatism” of the modern American right. He praised the Constitution as a tribute to the Founders’ statesmanship and their “alert conservatism and sense of continuity with the past.” As Whigs, men like Adams and Washington opposed

¹⁷³ Rossiter, *Conservatism in America*, 63-99, 145-6.

¹⁷⁴ Clinton Rossiter to the Editor, “The New Conservatism,” *Reporter*, August 11, 1955, 7.

¹⁷⁵ Rossiter, *Conservatism in America*, 95.

¹⁷⁶ James W. Prothro, “Verbal Shifts in the American Presidency: A Content Analysis,” *American Political Science Review* 50, no. 3 (1956): 726.

accrual of power both in the form of overweening government and in democratic uprisings. This wisdom was expressed in *The Federalist*, “we may fairly say Conservatism – at its finest and most constructive.”¹⁷⁷ But Rossiter argued that after 1820 tracing political conservatism meant observing an exception. Conservatism “must be judged by American standards,” those of a “country in which Liberalism has been the common faith and middle-class democracy the common practice.”¹⁷⁸ In short, capital-C Conservatism was a rare political persuasion.

Following the decline of Conservatism, Rossiter argued that right-wing thought in America underwent a materialist turn. A right-wing liberalism of individual liberty and property rights replaced the Conservative tradition dating back to Adams. Liberty became defined solely in economic terms. In the “fiction” of individualism, the right-liberalism of William Graham Sumner elevated freedom of contract. Right-liberalism, Rossiter argued, became the de facto conservatism in America – a denuded Jeffersonianism, materialistic in the extreme.¹⁷⁹ During this period, men like Elihu Root and William Taft converted the Founders “posthumously to rugged individualism,” sacralizing them and this interpretation.¹⁸⁰ Over the late nineteenth and early twentieth century, this right-liberalism became allied with democracy and industrialism. Its proponents emphasized material prosperity. Lockean and Jeffersonian liberal concepts became calcified in favor of property and individualism, which were conflated. Rossiter’s narrative of the decline of conservatism tracks with Kirk’s, but extends the critique further. For Rossiter, the villain was not liberalism per se but a right-wing materialist corruption of liberalism. Rossiter

¹⁷⁷ Rossiter, *Conservatism in America*, 110.

¹⁷⁸ Rossiter, *Conservatism in America*, 129.

¹⁷⁹ Rossiter, *Conservatism in America*, 131-242.

¹⁸⁰ Rossiter, *Conservatism in America*, 146. For a discussion of this process, see Sehat, *The Jefferson Rule*, 75-106.

called the result the first anti-government right in history. The American right of the 1950s, he argued, remained beholden to this tradition, either as reactionary forces or standpatters.

Rossiter concluded American conservatism was distinct from British conservatism. It shared commonalities such as belief in the value of religion, education, private property, and liberty. But the American right was fundamentally more optimistic about the human condition and trajectory of history. It was far more materialistic, thinking in economic rather than ethical terms. And it was an individualistic political creed. Democracy and industrialism were too central to American history for a true conservative movement to have emerged. Rossiter, making his point but also distinguishing himself from Kirk's circle, suggested Kirk sounded "like a man born one hundred and fifty years too late and in the wrong country."¹⁸¹ Rossiter's final analysis of the major trend of right-wing American philosophy, like Louis Hartz's, was that it was a businessman's liberalism.

In semi-detached fashion, Rossiter was intervening in the New Conservative project. His book was simultaneously an analysis of American history and conservative philosophy and an attempt to shape the future of conservative discourse in America. He hoped it would match the type of moderate conservative liberalism he favored against the trends of the Republican right characterized by Joseph McCarthy and, increasingly, writers like the young William F. Buckley. Rossiter listed the Burkean conservatives, who included Viereck and Kirk, as well as Francis Wilson, Robert Nisbet, John Hallowell, and Catholic historians Ross Hoffman and Frederick Wilhelmsen, as well as T. S. Eliot and some of the New Critics. He also suggested the themes put forth by the New Conservatives were heard in "men as distinguished and dissimilar as Herbert Agar, Harry Gideose, George Kennan, Robert M. Hutchins, Walter Lippmann, Peter

¹⁸¹ Rossiter, *Conservatism in America*, 211.

Drucker, Mortimer Adler, and Reinhold Niebuhr” and suggested the differences between the New Conservatives and these conservative liberals were “shallow ditches.”¹⁸² Rossiter was clearly sympathetic to the type of pessimistic worldview these thinkers shared, but considered them all opposed to the primary American right-wing tradition.

Nevertheless, by the mid-1950s, there was an agreement among the New Conservatives and sympathetic observers like Rossiter as to the basic conservativeness of the American political tradition.¹⁸³ In 1956, Peter Viereck published a short textbook on conservative thought. He sketched several traditions, including Anglo, American, German, and Latin. Appended to the volume were historic documents, including excerpts by Adams, Hamilton, Madison, John Quincy Adams, and Calhoun. Viereck’s summary epitomized the New Conservative position and expressed on his part a deeper appreciation of America’s indigenous, or at least inherited, conservative tradition.

Viereck envisaged this Anglo-American conservatism as a moderate political outlook descended from Edmund Burke. It accounted for Original Sin and remained distinct from the counter-revolutionary right. Within the Anglo-American tradition, Viereck suggested, the division between conservatives and liberals was the same as the historic argument between Edmund Burke and Thomas Paine. Human failure necessitated traditional social frameworks. In general, this traditionalism meant property rights, liberty over equality, constitutionalism, and a defense of the inarticulate status quo.¹⁸⁴

¹⁸² Rossiter, *Conservatism in America*, 210-11.

¹⁸³ Peter Viereck, *Conservatism: From John Adams to Churchill* (Princeton, NJ: D. Van Nostrand Co., 1956).

¹⁸⁴ Peter Viereck, *Conservatism*, 10-49.

A key to the New Conservative project was an interpretation of the Founding as a conservative rather than revolutionary event. There was a radical tradition, Viereck allowed. But America also had an “old and rooted” tradition of conservatism for modern Americans to draw upon.¹⁸⁵ The Revolution was a reassertion of the rights of the Glorious Revolution against the usurpations of George III. Edmund Burke had been correct to support the moderate American Revolution and attack the radical French.¹⁸⁶ The Federalists established a startlingly conservative Constitution: slow amendments, property restrictions for voters, bicameral congress, largely indirect election, and liberties based “primarily” upon “concrete, inherited precedents of British tradition.”¹⁸⁷ The Framers of the Constitution stifled democracy, defended property and individual rights, and aimed to develop natural aristocrats. Even into the 1950s, the Supreme Court represented the aristocratic tradition of governance.¹⁸⁸ From these auspicious, anti-mass politics foundations, the New Conservatives generally agreed that there had been a decline into mass politics and materialism. Inverting the political morality of Arthur Schlesinger’s *The Age of Jackson*, Viereck argued the Jacksonian Revolution transformed the United States into a mass democracy that idealized the wisdom of the common man. Viereck argued the Southern Lost Cause continued the conservative tradition after the Federalists’ decline. Like the Federalists, Southern conservatives favored liberty over equality, but unlike the Northern party they were against centralization.¹⁸⁹ After this second flowering of conservatism, the modern industrialism heralded by William Graham Sumner overcame conservatism. The combination of democracy,

¹⁸⁵ Viereck, *Conservatism*, 89.

¹⁸⁶ Viereck, *Conservatism*, 87.

¹⁸⁷ Viereck, *Conservatism*, 91.

¹⁸⁸ Viereck, *Conservatism*, 87-95.

¹⁸⁹ Viereck, *Conservatism*, 96-110.

high standards of living, and the “natural aristocracy” of tradesmen became, in the clichés of “rugged individualism” and “free enterprise,” the political faith of the Old Guard of the Republican Party.¹⁹⁰ Yet like Rossiter, Kirk, and the other New Conservatives, Viereck sensed there was a possible revival of intelligent conservatism emerging at this necessary time.

Critics of the New Conservatism

The initial response to the New Conservatives was positive. Kirk’s work was well-reviewed. He published widely in small literary journals as well as magazines like the Catholic *Commonweal* and even *Fortune*. A 1956 *Time* article treated Kirk one of America’s most significant public intellectuals.¹⁹¹ Viereck published in the *New York Times* as well as *Commonweal*, *Commentary*, and the *New Leader*. The New Conservatives proclaimed a moderate, responsible, sober political philosophy in an era of international threat but also domestic political conservatism. The 1952 election pitted Dwight Eisenhower against Adlai Stevenson. Stevenson noted in a speech at Columbia that “the strange alchemy of time,” had transformed the Democrats “into the truly conservative party in the country.”¹⁹² Arthur Schlesinger Jr, a close supporter called Stevenson the most conservative Democratic candidate in nearly thirty years.¹⁹³ The New Conservatives articulated a philosophy or at least a justification for this public turn toward conservatism which made them attractive media subjects. Their existence both explained the conservatism of the mid-century political scene and justified it.

¹⁹⁰ Viereck, *Conservatism*, 101-2, 177.

¹⁹¹ “Parnassus Coast to Coast,” *Time*, June 11, 1956, 67-75.

¹⁹² Richard Hofstadter, “The Pseudo-Conservative Revolt,” *The American Scholar* 24, no. 1 (Winter 1954): 10.

¹⁹³ Arthur Meier Schlesinger and Andrew Schlesinger, *Journals, 1952-2000* (London: Penguin, 2008) 12.

The intellectual pedigree of the New Conservatives and their social status was also integral to their reception. These were men of letters. Almost all in academia and all had advanced degrees. Educated and urbane, they departed from the usual image of the American right of businessmen, Babbittish American Legionnaires, or anti-communist bomb-throwers like McCarthy. The New Conservatives were intellectually legitimated by elite institutions. Viereck had a doctorate from Harvard, Rossiter and Hallowell from Princeton. Kirk earned a Doctorate of Letters from St. Andrew's University in Scotland. Degrees and academic standing granted the New Conservatives and their fellow-travelers prestige the American right had long lacked.

All the same, left and liberal intellectuals critiqued the New Conservative project. Arthur Schlesinger, public historian, liberal social commentator, and Democrat, was a major critic. At first, Schlesinger expressed agreement with the New Conservatives, especially Peter Viereck.¹⁹⁴ Schlesinger called Viereck and moderate Republicans August Heckscher and McGeorge Bundy “exceedingly able young men” trying to revive conservatism. He appreciated their attempt to redeem the right by transforming conservatism into “an affirmative movement of healing and revival, based on a living sense of human relatedness and on a dedication to public as against class interests.”¹⁹⁵ But working within a progressive framework that saw American history as a dialectical struggle between democratic forces and conservative opponents, Schlesinger considered conservatism ultimately a defense of material interests. To Schlesinger, American liberalism was responsible for most “acts of government that have contributed to the growth of freedom and opportunity in America.”¹⁹⁶ By 1953, as the concept of conservatism gained ground

¹⁹⁴ Arthur Schlesinger Jr, “Terror Versus Decorum,” *New York Times Book Review*, Oct 23, 1949, 49; On Viereck and Schlesinger, see Schlesinger, *A Life in the Twentieth Century*, 239, 284-5.

¹⁹⁵ Arthur M. Schlesinger Jr, “The New Conservatism in America: A Liberal Comment,” *Confluence*, vol. 2, (June 16, 1955): 61-71.

¹⁹⁶ Arthur M. Schlesinger Jr, “The Future of Liberalism,” *Reporter*, May 3, 1956, 11.

and, especially, as Russell Kirk and his anti-New Deal politics rivalled and surpassed Viereck as the most prominent expression of the New Conservatism, Schlesinger led critics in attacking the New Conservatism as misguided in philosophy and doomed in its efforts.

Several intellectuals in left and liberal publications challenged assumptions of the New Conservatism. In *Partisan Review*, Vic Walter, a former student of John Hallowell, found Kirk's conservatism irrational and reductive. He charged Kirk with overgeneralizing and treating, for instance, Marx and John D. Rockefeller as both agents of materialism. Walter also attacked the New Conservatives' conception of Original Sin as shallow. In the New Conservatives' hands, Original Sin justified limits on reform and political ambition. By contrast, the oft-cited Reinhold Niebuhr argued Original Sin *caused* societal injustice that explicitly demanded confrontation even in face of the sinfulness of the confronters.¹⁹⁷ In a second review of Kirk's work in *Partisan Review*, Walter attacked his "splenetic," rather than "thinking," conservatism and for his reliance on clichés. He alleged that Kirk merely quoted conservative sages as proofs rather than genuinely thinking.¹⁹⁸ Elsewhere, the liberal *New Republic* published two articles on Edmund Burke in successive months in 1956, taking on the New Conservatives' intellectual icon. The articles argued that a society's ancestors were as often foolish as wise "to those unawed by the mystery of history." Moreover, it is impossible to turn a prudent mood into a political philosophy. What was needed, *The New Republic* concluded, was a more viable radicalism. Another reviewer found the New Conservatives repeated references to "transcendent" values,

¹⁹⁷ E. V. Walter, "Conservatism Recrudescent: A Critique," *Partisan Review*, 21 (Sept-Oct, 1954): 512-23. For analyses of original sin in politics, see also Niebuhr, *Moral Man and Immoral Society*. And Lasch, *The True and Only Heaven*, 369-411.

¹⁹⁸ E. V. Walter, "The Conservatism of Despair," *Partisan Review*, 22, (Winter, 1955): 131-4.

whether religiously defined or left vague in origin, incompatible with the historicism implied in their reference to prescription or tradition.¹⁹⁹

The tradition Kirk, Viereck, and Rossiter invented legitimated them and the notion of conservatism through its connection to a storied past.²⁰⁰ What the New Conservatives did was more nebulous than the types of “invented traditions” analyzed by Eric Hobsbawm and others, but fulfilled similar functions. The intellectual tradition of conservatism emerged rapidly, contained an informal but consistent canon, and was institutionalized by subsequent organizations like *National Review*, The Heritage Foundation, and Intercollegiate Studies Institute. The conservative thinkers “invented” the tradition immediately following a period of great upheaval, as Hobsbawm indicated we should expect invented traditions, and its ongoing crystallization as an ornate conception of the conservative American political tradition has corresponded with massive social transformations.

But contemporary critics challenged the tradition on historical lines. They alleged that the tradition of conservatism lacked cohesion and was overly reliant on erroneous European sources. In the liberal *Reporter*, Schlesinger criticized the “politics of nostalgia.” He dismissed the conservative tradition as an “unconvincing and thoroughly artificial genealogy.”²⁰¹ Vic Walter too noted the paradox of aristocratic politics in the United States. Despite their concern about “rootlessness,” the New Conservatives had no natural social class upon which to base their hopes. America lacked a “pre-capitalist aristocracy” and the “aristocracy of wealth” offered “no

¹⁹⁹ Mulford Q. Sibley, “Burke and the New Ancestor Worship,” *The New Republic*, March 12, 1956, 24-5 (quoted on 25); Morton J. Frisch, “Burke vs. the New Conservatives,” *The New Republic*, April 23, 1956, 17.

²⁰⁰ The term Invented Tradition comes from Eric J. Hobsbawm and Terence O. Ranger, eds., *The Invention of Tradition*, (Cambridge: Cambridge University Press, 2010).

²⁰¹ Arthur M. Schlesinger Jr, “The Politics of Nostalgia,” *Reporter*, June 16, 1955, 9-12.

cultural leadership.”²⁰² Schlesinger agreed. The attributes the New Conservatives approved of in European aristocracy emerged from concrete historical settings alien to the American experience. Without an aristocracy, America had instead a “plutocracy” which, although successful on its own terms, was no governing class.²⁰³ The historical critique of the New Conservatives held that they misread the past to plant a European outlook in American soil.

One of the common responses to the New Conservatives the American political tradition was liberal and conservatism was beyond its ken. This argument derived from Louis Hartz’s easily grasped thesis that, due to America’s unique history, the nation had no feudal classes and therefore lacked aristocratic and socialist rivals to liberal political, cultural, and intellectual hegemony.²⁰⁴ Hartz meant this claim as an analysis and critique from the left of the paucity of liberal politics: it was atomistic and corrosive. Ironically, the radical Hartz’s critique of liberalism was not entirely dissimilar from some of the New Conservatives’ own criticisms. However, critics of the New Conservatives’ took Hartz’s contention that America was thoroughly liberal as gospel and argued the New Conservatives were misguided. In the *Review of Politics*, the British socialist Bernard Crick argued that America’s “Lockean and Jeffersonian heritage are not easily ignored.” Drawing heavily on Hartz, Crick depicted America as a nation that lives in the future, trusting in progress and the transformative power of the American Dream. The tradition that linked equality and freedom was incoherent but nonetheless “fortified by myth.” Because of the narrowly liberal tradition, Crick argued, America’s conservatives had been social critics, attacking “the philistinism and materialism of liberal-capitalism and, equally,

²⁰² E. V. Walter, “Conservatism Recrudescent,” 23.

²⁰³ Schlesinger, “Politics of Nostalgia,” 10.

²⁰⁴ Hartz, *The Liberal Tradition in America: An Interpretation of American Political Thought Since the Revolution*.

the utopianism of socialism.”²⁰⁵ Understood this way, conservatives were alien to American politics; they were reactionary critics of the *true* American tradition, not conservers of its fundamental ethos. A failure to recognize this, Arthur Schlesinger argued, “severed” the New Conservatives from “the American reality.” At best, he concluded, it could help the Eisenhower Administration devise a conservative role for itself.²⁰⁶ The contention that the United States was a liberal nation, however, did not mean there was no right-wing.

Critics of the New Conservatives argued that they misunderstood the nature of the American right which was right-liberal and business-oriented. Alongside Hartz, a major influence on this argument was the progressive historian Robert McCloskey’s 1951 monograph *American Conservatism in the Age of Enterprise*.²⁰⁷ McCloskey’s study of William Graham Sumner, Andrew Carnegie, and Stephen J. Field analyzed the process by which economic laissez-faire replaced judicial conservatism as the dominant philosophy of the Supreme Court and how business elites conflated laissez-faire with the powerful symbols of liberty and democracy. The progressive school reinforced the link made in the popular media between the business right and conservatism in America. Following this assessment of the political scene, Crick argued the Horatio Algerism and Social Darwinism of the existing right was rough terrain for the New Conservatives.²⁰⁸ Another critic suggested that given America’s political history, “laissez-faire conservatism” was the “only conservatism possible in America.”²⁰⁹ Schlesinger

²⁰⁵ Bernard Crick, “The Strange Quest for An American Conservatism,” *The Review of Politics*, Vol. 17, No. 3 (Jul., 1955): 359-76.

²⁰⁶ Schlesinger, “Politics of Nostalgia,” 11.

²⁰⁷ Robert Green McCloskey, *American Conservatism in the Age of Enterprise: A Study of William Graham Sumner, Stephen J. Field, and Andrew Carnegie*, (Harvard University Press, 1951).

²⁰⁸ Crick, “The Strange Quest for An American Conservatism.”

²⁰⁹ Ross D. Wetzsteon, “Conservative Vacuum,” unknown publication, in Regnery Papers, Box 39, Folder 9.

was similarly impressed by Hartz's thesis and its implications.²¹⁰ To Schlesinger, conservatives' relationship with business would be their "acid test." If they failed to convert the business right, or replace it, the New Conservatives would necessarily rely upon it. "There could be a real intellectual challenge here in working out a social philosophy that would explain the purposes and the achievements of American capitalism," Schlesinger offered. But, he concluded, the New Conservatism was "honorable, generous—and irrelevant."²¹¹

This argument was not news to the New Conservatives. Viereck, Rossiter – even Kirk – and their allies knew their project entailed transforming the American right away from laissez-faire dogmas and knee-jerk anti-New Deal positions. August Heckscher and McGeorge Bundy were involved in this effort within or adjacent to the institutional Republican Party. Viereck, Rossiter, and Kirk all criticized the decline of the American right from Adamsian conservatism to industrialist laissez-faire liberalism in the mold of William Graham Sumner or Andrew Carnegie, with origins in Alexander Hamilton's vision of an industrial America.

The New Conservatives responded in various ways to these criticisms. Rossiter pleaded innocence, claiming he was somewhere between a "conservative liberal" and "liberal conservative." He embraced the idea of the liberal tradition, claiming his aim, "quite unlike that of the Burkean conservatives," was to "sober and strengthen" liberalism, not to destroy it. He denied over-emphasizing Burke, and suggested his conservative lineage encompassed "Charles Evans Hughes, the first Roosevelt, Lincoln, Webster, and John Quincy Adams... John Adams and George Washington." Rossiter also professed a greater faith in America's business

²¹⁰ Arthur M. Schlesinger Jr, "Burke in America," *Encounter*, (Oct 1955): 76-9.

²¹¹ Arthur M. Schlesinger Jr, "Politics of Nostalgia," 12.

community which was in the 1950s certainly open to liberal visions of corporate responsibility beyond Schlesinger's progressive view of its rapaciousness.²¹²

Kirk developed several answers to these critiques. In response to Schlesinger's claims about class, he suggested leadership would come from America's business community but also its lawyers, voluntary associations, old families, and "our agricultural interest." What these classes needed was to be taught responsibility, which Kirk believed was the mission for conservative intellectuals. Another conservative, Stephen Tonsor, a medieval historian and Kirk acolyte, responded to Schlesinger by arguing that conservatism was a spiritual and moral program. "The leaders of the new conservatism are not now, nor will they be, identified with the American business community," Tonsor wrote. The gulf in conceptualizing conservatism was clear. Schlesinger identified conservatism with the elite, Kirk and his friends emphasized a romantic sense of culture and moral and intellectual character.²¹³

Kirk shaped the discourse of conservatism in America by providing rhetorical cover for supporters of free enterprise. The New Conservative rehabilitation of conservatism provided moral justification for business-minded right-wingers who could look to Kirk as a spokesman for the New Conservatism and for justification and philosophical depth to their positions. As we saw, insofar as Kirk made his politics clear, he supported the Republican right-wing. In 1954 Kirk offered help to a Congressional subcommittee led by Republican congressman Ralph W. Gwinn "whose acknowledged 'conservatism'" reportedly led him to suspect left-wing politics had become part of government-sponsored educational programs.²¹⁴ As part of the collaboration,

²¹² Clinton Rossiter to the editor, *Reporter*, August 11, 1955, 7; Delton, *Rethinking the 1950s*, 56-77.

²¹³ Russell Kirk, *A Program for Conservatives* (Chicago: Henry Regnery Company, 1954), 20-50.; Russell Kirk to the editor, *Reporter*, August 11, 1955, 7-8; Stephen J. Tonsor to the editor, *Reporter*, August 11, 1955, 8.

²¹⁴ C. P. Trussell, "New House Study of Education Set," *New York Times*, July 18, 1954.

Gwinn enthused about Kirk's arguments and hoped to argue along similar lines "the failure of the TVA to achieve its purpose, the withering effects of the uncertainties of socialism, and the falsification by government to justify itself."²¹⁵ Kirk himself thought the privatization of New Deal infrastructure like the TVA, Columbia River development, and Hoover Dam would be "the most important reversal of the drift towards a repressive collectivism which any nation has experienced in many years" and represent "conservatism intelligently applied to our present discontents."²¹⁶ Similarly, in 1955 Old Guard Republican Senator John Bricker cited Kirk's *Program for Conservatives* in a speech to the Edison Pioneers.²¹⁷ Later in Spring, Bricker called himself as a critic of "progress" at a university commencement address. He drew explicitly on Kirk, Robert Nisbet, Irving Babbitt, and Edmund Burke in his declamation of the national debt, "semiconfiscatory taxes," social security, and communism.²¹⁸

The New Conservatives' criticism of Marxist materialism and the alleged relativism of liberalism gave Republican free enterprisers ammunition to attack liberalism as relativist and materialist. It was rhetorically powerful and a critique with some basis when, in the 1940s and 1950s, the American left was emerging from a dalliance with Marxism, although this framing conflated American liberalism and Marxism through supposedly shared materialist worldview.²¹⁹ Ironically, this merger of conservative metaphysics and free enterprise alleged rank materialism

²¹⁵ Russell Kirk to Henry Regnery, Sept 20, 1954; Ralph W. Gwinn to Russell Kirk, Sept 16, 1954 in Regnery Papers, Box 39, Folder 9.

²¹⁶ Quoted in Schlesinger, "Burke in America," 77.

²¹⁷ Congressional Record, Senate, 1955, 1420.

²¹⁸ Quoted in *The Ohio Alumnus*, June 1955, vol. 13, no.9., 5.

²¹⁹ Kimmage, *The Conservative Turn*.

on the left but blithely accepted as natural right-wing claims about property rights and free enterprise dogma about the material progress generated by capitalism.

Conclusion

The New Conservatives and their allies shared a narrative of the American political tradition. From the conservative perspective, the foundational elements of the American political tradition were soundly conservative in that they limited democracy, prevented overweening accrual of political power through a wise federal framework, ensured property rights, and rightfully accounted for the basic immorality of humankind. Central to this narrative was the claim that the Founding was a conservative restoration of English rights. By framing the revolution and revolutionary documents like the Declaration of Independence in this way, the conservative writers domesticated the central event in America's political tradition. They identified themselves with the best elements of the Founding, as they understood them, and neutralized the progressive tradition that treated America as a revolutionary nation. The conservatives claimed both the Constitution and Declaration of Independence were conservative in nature. This claim was a departure from existing historiography that generally regarded the Declaration as a revolutionary document and the Constitution as a Thermidorian-style reaction. Clinton Rossiter and Daniel Boorstin's support for this thesis gave additional credibility to the narrative.

The New Conservatives' narratives of the American tradition were not uniform and allowed for several interpretations. The tradition either contained considerable liberal components, dating back to Thomas Jefferson in particular, or was basically liberal despite important conservative ballast. Kirk, Viereck, and Rossiter all perceived an egalitarian-leftist Jeffersonian tradition that promoted democracy and equality. Most also recognized non-

conservative right-wing traditions with origins in Alexander Hamilton and the Federalists. The New Conservatives discomfort with what they perceived as a materialist right illustrated their opposition to the contemporary Republican right. Even Russell Kirk, an active Republican, believed conservatism and the GOP must extricate themselves from their emphasis on property rights, contract law, and economic growth and develop a greater project of community and cultural renewal.

Perhaps as a result of their pessimistic disposition, the New Conservatives perceived the American political tradition as a story of decline. Kirk lamented the “conservative rout,” Boorstin warned against “cultural hypochondria,” Rossiter observed a shift from thoughtful “Conservatism” to shallow “conservatism.” Boorstin was most sanguine about the Republic. The problem was a negative perception of America’s political traditions and unspoken norms created erroneous comparisons to Europe. Kirk, Rossiter, and Viereck blamed a combination of democratization, industrialism, and the defeat of the conservative South. Jacksonian democracy offended their preference for hierarchy and elite politics and reflected their fear of contemporary mass political movements. Kirk especially blamed the Civil War for obliterating the southern conservative tradition and Rossiter agreed with this interpretation, although both criticized intransigent southerners for helping cause the war. Industrialism was a deathblow to conservatism in several ways: it transformed society, destroying organic communities through upheaval; and, moreover, its ideological defenders, typified by William Graham Sumner converted the American right to materialistic liberalism. Many of the New Conservatives were positive about Franklin Roosevelt and the New Deal. If Viereck represented their left flank, he praised Roosevelt as a conserving force in American history. Kirk, as the New Conservatives’ right-wing, thought Roosevelt was decent but misled, and strongly opposed the New Deal,

offering his support to the Republican right. Yet after years in the wilderness, the New Conservatives perceived that they were leading a necessary revival of conservatism and saw tentative signs for hope.

Just the New Conservatives believed a new birth of conservatism was a necessary as both an anti-communist tool and a stabilizing force after decades of crisis. The New Conservatives and their allies in the Consensus School of history (consciously allied, like Boorstin, but also, in a backhanded manner, critics like Hofstadter) produced a narrative of the Founding that identified Americanism with sobriety, political rights, and constitutionalism. Not revolutionary fervor.²²⁰ They rejected the argument put forth in the 1930s by the Communist Party of the United States that Communism was twentieth century Americanism. Instead, the New Conservatives generally agreed that America's was a tradition of liberalism that at its best was tempered by a conservative sensibility at its core. This narrative complemented a wider trend amongst anti-communist liberal intellectuals to downplay the importance of ideology in modern America and emphasize a "vital center" against political extremes.²²¹ The New Conservatives, who were the right-wing of the 1950s liberal consensus, projected this moderate liberalism onto the Founding. Kirk would have balked at this formulation, but the other New Conservatives perceived conservatism in a positive dialectic with liberalism. And although the New Conservative conception of the political tradition emphasized its salutary conservative elements, they accepted that the American political tradition was not solely conservative.

Kirk and the New Conservatives influenced American political discourse decisively. By giving historical and conceptual depth to a popularly used but ill-defined and largely negative

²²⁰ Raymond L. Carol, "Constitutional Fallacy?," *Freeman*, February, 1955, 324-5.

²²¹ Daniel Bell, *The End of Ideology: On the Exhaustion of Political Ideas in the Fifties* (New York: Free Press, 1960); Schlesinger, *The Vital Center*.

term, the New Conservatives made the term desirable or positive to those already called conservative by the popular press. It shifted the discourse. Although most of the New Conservatives were political moderates in either party, the Republican right benefited most from the rehabilitation of the concept of conservatism. Conservatism was no longer synonymous with opposition to the New Deal, plutocratic business interests, or McCarthyism. It became perceived as a wise and realistic position to hold in the modern world, with roots in the Founding, and supported by credentialed intellectuals like Daniel Boorstin and Clinton Rossiter.

Although the New Conservatives were critical of the existing American right, which Rossiter described as a Hamiltonian-Jeffersonian-Jacksonian *mélange*, the New Conservatives' principles and narrative left openings for alliances with, or cooption by, the libertarian right. The New Conservatives insisted on the importance of private property and the individual as the bearer of rights. In addition, the declension narrative, which the New Conservatives saw as a decline of the conservative spirit, coincided with the growth of the federal state, culminating in the New Deal.

CHAPTER II: RIVAL CRITIQUES OF LIBERALISM IN THE 1950s

The story that the conservative writer Russell Kirk told was that Frank Meyer, an ex-communist free market intellectual, had approached the head of the right-wing Volker Fund. Meyer pitched the executive an idea for a project but was turned down. Recovering, Meyer, “apparently on previous suggestion,” proposed to “attack Kirk.” In his cups, the executive announced, “I’ll buy that” and accordingly gave Meyer a small grant.¹ Whether this story, which Kirk heard from one of his “secret agents,” is true or not is unclear. The story, and the article that Frank Meyer wrote, show that during the early- to mid-1950s, the New Conservatives and writers like Kirk had rehabilitated the concept and language of conservatism and conservative identity, but that this discourse was not universally accepted by other intellectuals on the right.

At the time, Kirk and his allies-turned-rivals among the New Conservatives were formulating a language of postwar conservatism which included proponents of alternative traditions of right-wing thought that intersected with the newly rehabilitated discourse of conservatism. This chapter primarily follows two right-wing critiques of the prevailing conceptions of liberalism, especially as they connected with Russell Kirk’s career and with conservatism and rival non-liberal critiques, namely “Straussianism” and “individualism”. “Straussianism”, refers to the work of Leo Strauss and especially his American students who wrote about the United States for an exclusively academic audience during the 1950s. They

¹ Russell Kirk to Henry Regnery, April 4, 1960, Regnery Papers, Box 39, Folder 9.

critiqued liberalism as philosophically void and frail in the face of tyranny. More popular than the elitist Straussianism, “individualism” promoted an unreconstructed, pre-Depression, small government philosophy against the “statism” of the era. Both traditions were deeply anti-communist and represented different types of right-wing thought. The advocates of both traditions worked to ground their ideas in the wider American political tradition. It is anachronistic to call these traditions “conservative.” They were distinct traditions of thought more accurately described as critiques of midcentury liberalism. Although both engaged with the concept of conservatism, they kept it at arm’s length. The sometimes-bitter disagreements between these right-wing intellectual traditions and the Straussian and individualist dissatisfaction with the language and precepts of conservatism shows that in the mid-1950s, conservatism was not a unifying discourse or identity.

The final third of this chapter discusses Henry Regnery and Russell Kirk’s fraught effort to establish a journal as a way of influencing American culture and as a tool to shape the meaning of conservatism. Kirk’s struggle to launch *Modern Age* and his ultimate break with it suggests that his moment as a defining voice of conservatism came and went fairly quickly in the 1950s as he was replaced with new and more potent spokesmen and organizations that acted as effective sites of identity construction for the American right.

What does it mean to be on the American right or right-wing? The spatial metaphor derives its meaning from the seating pattern of the French National Assembly before and during the French Revolution. It is typically envisioned on a continuum and thus smuggles in numerous assumptions about the proximate relationships between different political positions – between

left and right, between far left and far right, an implication of parity, and so on.² As far as defining right-wing goes, for my purposes, right is in opposition to-, or the antithesis of- the left. If we take the left to mean a general drive toward egalitarian emancipation, the right is to criticize or oppose these movements. The political theorist Corey Robin calls the right “a meditation on—and theoretical rendition of—the felt experience of having power, seeing it threatened, and trying to win it back.”³ The right, in Robin’s formulation, is a justification of hierarchy, inequality, and even domination and a reassertion of threatened privileges. Despite his claims about the right’s underlying drives, Robin recognizes and is justifiably intrigued by the sheer variety and complexity of right-wing thought.⁴

Robin’s framework has considerable merit, but its emphasis on power and domination does not reflect the lived experiences of many on the American right. It also appears to create demands about deep-seated motives and social, political, or economic status that can be difficult to show about specific thinkers. By abstracting out his definition with such a focus on anti-leftism, Robin also, perhaps, gives short shrift to the sincerity of right-wing thinkers and true believers. At the other end of the spectrum, the historian George Nash defines, in this case, conservatism as “resistance to certain forces perceived to be leftist, revolutionary, and profoundly subversive of what conservatives at the time deemed worth cherishing, defending, and perhaps dying for.”⁵ In other words, the right is opposition to leftism in defense of higher values. The political scientist George Hawley offers a similar definition: the right encompasses

² Steven Lukes, “Epilogue: The Grand Dichotomy of the Twentieth Century,” *The Cambridge History of Twentieth-Century Political Thought*, ed. Terrence Ball and Richard Bellamy, (Cambridge, UK: Cambridge University Press, 2003). 606-7.

³ Robin, *The Reactionary Mind*, 3.

⁴ Robin, *The Reactionary Mind*.

⁵ Nash, *The Conservative Intellectual Movement in America, since 1945*, xiv.

all ideologies that “while not necessarily rejecting equality as a social good, do not rank it at the top of the hierarchy of values” and opposes left-wing ideology when equality impinges on its preferred good.⁶ If Robin overemphasizes privilege and power, Nash is vague about what constitutes left and Hawley, I think, is too willing to take conservative intellectuals at face value regarding the principles and social goods they prioritize. Although as general practice, it is valuable, empathetic, and intellectually honest to understand right-wing men and women as they understood themselves, at times right-wing incoherence and inconsistency belies their appeals to higher values and this must be reckoned with.

The Italian jurist Norberto Bobbio provides what I think is the most useful framing of the right-left dichotomy. Like the others summarized here, Bobbio treats the left as an emancipatory and egalitarian project. To the left, inequalities are “social and as such can be eradicated.” The right, however, holds that inequalities in some form or another “are natural and cannot”, and should not, “be eradicated.”⁷ This formulation captures the theme, consistent in American conservative discourse, that the right *is* opposed to some form of equality on the grounds that it is unnatural and attempting to create it with state power is tyrannical. It places less emphasis on power than Robin, although this is a dynamic worth paying attention to, and it is less willing than Nash to accept right-wing rhetoric without corroboration through action. What made individualists right-wing in the 1950s was their belief that equality went against the natural right of liberty they believe to be embedded in American culture and institutions. For Straussians, their emphasis on a type of philosophy and justice incongruent equality put them on the intellectual right.

⁶ George Hawley, *Right-Wing Critics of American Conservatism*, (Lawrence: Kansas University Press, 2016), 12.

⁷ Norberto Bobbio, *Left and Right: The Significance of a Political Distinction* (Chicago: University of Chicago Press, 1996), quotes on 67-8.

The traditionalist or “metaphysical conservatives,” represented by Russell Kirk’s circle, Straussians, and individualists were not the sum of right-wing traditions in America in the 1950s. But I have focused on these groups because of their engagement with the language of conservatism and the concept of the American political tradition. I have focused on respectable and elite or near elite thought that shaped, reinforced, and sometimes provided cover for rougher political rhetoric. In doing so, I discuss the relationship between high intellectual conservatism, racism, and white supremacy which is often couched in abstract terms and downplayed by their defenders.⁸ This chapter could have instead focused on transatlantic academics and intellectuals engaged in rehabilitating (neo)liberal economics, although this group is touched on here and elsewhere.⁹ I have preferred a more indigenous expression of libertarian thought.

Straussian Critiques of Liberalism and Tradition

Kirk met Leo Strauss in May 1956. He called the German “a remarkable scholar, and good and courageous man.” Kirk was amused to find that Strauss was “much relieved” to find Kirk “was not the towering, wrathful, ferocious figure he had imagined.” Laughingly, Kirk reported Strauss had confessed “I’m rather small, myself, and I had feared...” when they first met.¹⁰ The two were very friendly and Kirk admired the elder man deeply.¹¹ At the time, Strauss was a relatively obscure but well-regarded and well-pedigreed scholar. He held a Robert M.

⁸ Some of the scholarship of race and white supremacy that intersects with conservatism includes Hustwit, *James J. Kilpatrick*; Murphy, *The Rebuke of History*; MacLean, *Behind the Mask of Chivalry*; Crespino, *In Search of Another Country*.

⁹ See for instance Burgin, *The Great Persuasion*; Jones, *Masters of the Universe*..

¹⁰ Russell Kirk to William T. Couch, May 29, 1956, 399 in the William T. Couch Papers #3825, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill (hereafter Couch Papers).

¹¹ Birzer, *Russell Kirk, American Conservative*, 186-92.

Hutchins Distinguished Service professorship at the University of Chicago.¹² Despite being largely apolitical in the conventional sense, through his dynamic teaching of political philosophy, Strauss taught a generation of scholars who decisively influenced the conservative understanding of the American past.

Born in Germany in 1899, Strauss's intellectual formation was grounded in German philosophic trends and Jewish Talmudic scholarship. He studied or corresponded with major thinkers like Ernst Cassirer, Edmund Husserl, Martin Heidegger, and Carl Schmitt.¹³ Living through the collapse of the Weimar Republic decisively shaped Strauss. He fled Germany, first for Paris in 1932, then England, and then in 1938 began his career in the United States where he spent the rest of his life. Scarred by the Germany's descent into Nazism, Strauss became a lifelong critic of procedural liberalism that apparently lacked the moral and philosophical resources to oppose evil. Strauss was horrified by Nazi Germany and the Soviet Union. He revived the archaic term "tyrant" to describe modern strongmen instead of the legalistic "dictator." This linguistic shift is illustrative of Strauss's project. Influenced by Heidegger's excavation of ancient philosophy to reconstruct modern ontology, Strauss closely read classical philosophy in order to rethink two thousand years of political thought.¹⁴

¹² For a short memoir of Harry Jaffa's relationship with Strauss, see Harry V. Jaffa, *Crisis of the Strauss Divided: Essays on Leo Strauss and Straussianism, East and West* (Lanham, Md: Rowman & Littlefield Publishers, 2012), 1-39.

¹³ Steven B. Smith, "Philosophy as a Way of Life: The Case of Leo Strauss," in *Political Philosophy in the Twentieth Century: Authors and Arguments*, ed. Catherine Zuckert (Cambridge, UK: Cambridge University Press, 2011), 61-62; Carl Schmitt, *The Concept of the Political: Expanded Edition*, (Chicago: Chicago University Press, 2007), 97-122.

¹⁴ Mark Lilla, *The Shipwrecked Mind: On Political Reaction*, New York Review Books (New York: New York Review Books, 2016), 43-63.; Stanley Rosen, "Leo Strauss in Chicago," *Daedalus* 135, no. 3 (2006): 104-13.

Strauss's American career began at the New School for Social Research in New York.¹⁵ There he taught one of his first doctoral students, Harry Jaffa, a Jewish Yale graduate who wrote a dissertation on Aristotelianism and Thomism. According to his students, Strauss had greater ambitions than his obscurity at the New School.¹⁶ In the late 1940s, the imperious president of the University of Chicago, Robert Hutchins, hired Strauss, reportedly after a single interview, on the basis of Strauss's commitment to "Great Books," the center of Hutchins's pedagogical vision.¹⁷ The University was "at the height of its powers," a Midwestern rival to the Ivy League, and by moving to Chicago Strauss gained a higher salary, better students, and the possibility to make a mark on the political science discipline.¹⁸ In 1949, Strauss moved to Chicago and arranged for an appointment for two of his students, Harry Jaffa and Joseph Cropsey, at the university.¹⁹ In the same year, he gave a set of Walgreen Lectures on the concept of natural right. These became the basis of *Natural Right and History*, published in 1953, a book that established Strauss's English-speaking reputation and marked him as an apparent traditionalist and defender of natural right and natural law. This reputation brought him to the attention of Christian New Conservative scholars like John H. Hallowell.²⁰ Swiftly after arriving at Chicago, Strauss

¹⁵ Lilla, *The Shipwrecked Mind*, 43.

¹⁶ Harry Jaffa, Leo Strauss Center Interview Transcript, December 18, 2012, <https://wslamp70.s3.amazonaws.com/leostrauss/s3fs-public/interviews/pdf/Jaffa%2C%20Harry.pdf>; Ralph Lerner, Leo Strauss Center Interview Transcript, January 14, 2013, <https://wslamp70.s3.amazonaws.com/leostrauss/s3fs-public/interviews/pdf/Lerner%20interview.pdf>.

¹⁷ Kersch, *Conservatives and the Constitution*, 41-2.

¹⁸ Stanley Rosen, Leo Strauss Center Interview Transcript, May 2011, <https://wslamp70.s3.amazonaws.com/leostrauss/s3fs-public/interviews/pdf/Rosen%252C%20Stanley.pdf>; Jaffa, Leo Strauss Center Interview Transcript; Lawrence Berns, Leo Strauss Center Interview, November 2010, <https://wslamp70.s3.amazonaws.com/leostrauss/s3fs-public/interviews/pdf/Berns%2C%20L.%20interview.pdf>; Lerner, Leo Strauss Center Interview Transcript.

¹⁹ Jaffa, *Crisis of the Strauss Divided*, 9-10.

²⁰ Strauss, *Natural Right and History*.

attracted a circle of talented students from within the philosophy and political science departments and the Committee on Social Thought. Drawn by Strauss's intelligence, enthusiasm, methodology, and preoccupations, many of these students – “Straussians” – went on to substantial academic or political careers.

In *Natural Right and History* Strauss asserted that America was once dedicated to natural right by the Declaration of Independence but asked whether it had transformed and become like Germany. Strauss warned that the rejection of natural right, which he equated with nihilism, made societies vulnerable to tyranny. He critiqued two major criticisms of natural right, historicism and the distinction between facts and values – assumptions that dominated contemporary political science. Most of the book, however, was an excavation of the concept of natural right, from its discovery at the beginning of philosophy, through its faulty modern formulations beginning with Thomas Hobbes who broke with the intellectual tradition of natural right, and into modernity. By showing that historicism emerged as a response in the crisis of the modern philosophical degradation of natural right, Strauss claimed to undermine the basis of historicism – that it arrived at the absolute moment in history.²¹

Natural Right and History established several major themes Strauss and his students' would explore in their future work. It demonstrated the Straussian belief in the explanatory power of intellectual genealogies. Strauss had an extremely elevated idea of the “Western intellectual canon” across history. To him, historic thinkers were in a prolonged philosophical conversation with their forebears: they fundamentally shaped the thought-worlds of those who succeeded them. Strauss emphasized the intentionality of great thinkers, from Plato and Aristotle, through Maimonides, into modernity. Explicating the philosophical turns in the

²¹ Strauss, *Natural Right and History*; Will Herberg and John Hallowell, “A Review-Article,” *The Christian Scholar*, 37, no. 3 (1954): 435-47.

“Western tradition” explained the crises of modernity. Strauss drew a deep distinction between classical philosophy, characterized by a teleological view of natural right and belief in the possibility of political philosophy about the nature of a good regime, and modern philosophy that lowered the aims of politics.²²

Strauss’s project centered on returning to the ancient philosophers and recapturing their wisdom for, and perhaps in contradistinction of, modernity. As such, many of Strauss’s published writings were commentaries on classic works. His classes also reflected this belief and were semester long studies of specific books.²³ Strauss taught a method of reading key texts extremely closely. His most controversial innovation, or as he and his students argued, “rediscovery,” in this respect was the concept of “esoteric writing.”²⁴ The concept of esoteric writing derived from Strauss’s insight that social persecution had profoundly affected philosophical writing for most of history. The object of philosophy was the quest for truth, but truth often ran against the social orthodoxies of a given society. Great thinkers were therefore forced to present their deepest insights, the ones that cut against received belief, esoterically in a manner that would be overlooked by casual readers but grasped by perceptive close readers.²⁵ On the one hand, this “reading between the lines” made explicit an intuitive concept already in wide use. On the other, it led Strauss and his students to sometimes employ unusual interpretive devices, justifying non-traditional readings of thinkers like John Locke and Maimonides, and,

²² Strauss reprised and sharpened this argument in “The Three Waves of Modernity” in Hilail Gilden (ed.), *Political Philosophy: Six Essays by Leo Strauss* (New York: Bobbs-Merrill, 1975), 81-98.

²³ Lawrence Berns, Leo Strauss Center Interview, November 2010, <https://wslamp70.s3.amazonaws.com/leostrauss/s3fs-public/interviews/pdf/Berns%2C%20L.%20interview.pdf>; Lerner, Leo Strauss Center Interview Transcript.

²⁴ Leo Strauss, “On a Forgotten Kind of Writing,” *Chicago Review* 8, no. 1 (1954): 64-75; Leo Strauss, *Persecution and the Art of Writing*, University of Chicago Press ed (Chicago: University of Chicago Press, 1988).

²⁵ Strauss, “Forgotten,”; Strauss, *Persecution*.

according to their critics, dodge evidentiary standards. These elements of Strauss's teaching brought him and his students into conflict with elements of the political science profession. Strauss and his students became especially known for their criticism of behavioralism. Strauss imparted this combination of emphasis on ancient political philosophy, genealogical study, and close reading to his students who applied these methods and preoccupations to a variety of subjects, including America.

A few established political scientists engaged with Strauss's work. In 1956, John Hallowell, a New Conservative political scientist at Duke University and a former student of conservative academic Gerhart Niemeyer, invited Leo Strauss down from Chicago to give a lecture.²⁶ Despite Strauss's "thin, high-pitched voice," the lecture was a success.²⁷ The two men struck up a correspondence and Hallowell encouraged Strauss to contribute to a journal he edited.²⁸ To Hallowell and many other New Conservatives, Strauss was a potential ally against tendencies of modern liberalism in the political science profession and society writ large.²⁹ Strauss's students remember that in the 1950s he supported Adlai Stevenson, a Democrat and favorite son of Illinois, and this support for Stevenson placed him alongside many of the leading

²⁶ John H. Hallowell to Leo Strauss, Nov 29, 1956, 4, Hallowell Papers.

²⁷ Rosen, "Leo Strauss in Chicago," 106.

²⁸ John H. Hallowell to Leo Strauss, Feb 24, 1958; Leo Strauss to John H. Hallowell,, Feb 14, 1958; John H. Hallowell to Leo Strauss, Nov 29, 1956, in 4, Hallowell Papers.

²⁹ Russell Kirk to William T. Couch, May 29, 1956, 399, Couch Papers. Rumors surround Strauss because of the activities of his students and alleged students and the "neoconservative agenda" of the George W. Bush Administration and the War in Iraq. He and his ideas have been interpreted as key intellectual influences on those within the administration advocating for the war. The most notable academic Strauss critique is Shadia B. Drury, *The Political Ideas of Leo Strauss* (London, UK: Macmillan Press, 1988), the first of several works on Strauss that purports to unpack the crypto-Nietzschean bellicosity embedded in his work. A number of rebuttals of Drury's work have been produced by Straussian or Straussian sympathetic scholars, notably Catherine Zuckert and Michael Zuckert, *The Truth About Leo Strauss: Political Philosophy and American Democracy* (Chicago, IL: University of Chicago Press, 2006), Peter Minowitz, *Straussophobia: Defending Leo Strauss and Straussians against Shadia Drury and Other Accusers* (Plymouth, UK: Lexington Books, 2009), and Harry V. Jaffa, "Dear Professor Drury," *Political Theory* vol. 15, no. 3 (1987), each attempting to articulate the "real" Strauss. The moral panic about Strauss's thinking was, as Mark Lilla argues, tortuously overblown, Lilla, *The Shipwrecked Mind*, 43-63.

New Conservatives politically. In general, Strauss's politics placed him on the right, although not particularly outspokenly, and were primarily concerned with anti-communist foreign policy which was a general point of agreement among the New Conservatives.³⁰ At Chicago, the future neoconservative Edward Banfield appreciated Strauss and co-taught a class with him; and Willmoore Kendall, a combative conservative political scientist at Yale admired Strauss greatly. If anything, these exceptions suggest that at an early stage Strauss attracted most attention from right-leaning scholars.³¹

If Strauss struggled to sway contemporary political scientists, he had a magnetic attraction to a sizeable group of students at Chicago. Men like Allan Bloom, Seth Bernadete, Joseph Cropsey, and Stanley Rosen had distinguished careers analyzing and teaching political philosophy in the vein Strauss taught. A good number of Strauss's students, including Harry Jaffa, Walter Berns, Robert Goldwin, Herbert Storing, and Martin Diamond, trained their analysis on the United States. They brought to bear the Straussian tools of close reading, genealogical analysis, and attention to the philosophical underpinnings of key documents to questions of the American political tradition. Despite Strauss's focus on the classic political philosophers, it was apparently understood among his students that those who forewent this path to study the United States were performing a respectable endeavor: explicating the philosophical

³⁰ Mansfield, Leo Strauss Center Interview Transcript. In the transcript for Strauss's class on Grotius, Strauss announced that "For crude purposes I have always called myself a conservative, if not a reactionary, because I am not afraid of words" and argued American conservatism drew both from liberal and illiberal traditions in Leo Strauss, "Transcript of Session 3 of Grotius, On the Law of War and Peace" (October 13, 1964), Leo Strauss Center, <http://leostrasstranscripts.uchicago.edu/navigate/10/4/>.

³¹ Harvey Mansfield, Leo Strauss Center Interview Transcript, February 19, 2013, <https://wslamp70.s3.amazonaws.com/leostrauss/s3fs-public/interviews/pdf/Mansfield%2C%20Harvey.pdf>.; Correspondence of the relationship between Strauss and Kendall can be found in Willmoore Kendall papers, box 30, "Leo Strauss Correspondence w/Willmoore Kendall," Hoover Institution Archives (hereafter Kendall Papers). See also Willmoore Kendall, *The Conservative Affirmation* (Chicago: Henry Regnery Company, 1963), 203, 257-60.

basis of the American regime.³² Strauss “emphasized the importance of teaching American politics properly.”³³ Although there was a whiff of conservatism around Strauss’s students, most insist he did not inquire after or seek to shape his students’ political views.³⁴ One, Harvey Mansfield, suggests the students were bonded by their teacher and a sense of restoring political philosophy in a hostile professional world.³⁵

Restoring philosophical depth to the American political tradition meant challenging the dominant historiographical schools and finding, like the New Conservatives, a new appreciation for the philosophy of the Founders. One, a former socialist organizer named Martin Diamond, challenged the progressive school’s treatment of American political thinkers as, at best, distorted reflections of popular movements. He argued this approach diminished the American political tradition. Diamond inverted the argument by suggesting “the American political mind is a glass in which can be seen only darkly the thoughts of our best political thinkers.” Progressive historians used America’s political thinkers and leaders as data points, he argued. It was better to learn from them as teachers. In the American context, this meant a close study of political leaders “who were also among our best political thinkers.” Only then could contemporary Americans “appreciate what happened to their aims and principles in the course of American history.”³⁶ Strauss criticized formalism in political science, his American students opposed it in history.

³² Rosen, “Strauss in Chicago,” 105; Walter Berns to Willmoore Kendall, 20 Oct. 1960, in box 18, Correspondence with Walter Berns, Kendall Papers; Lawrence Berns, Leo Strauss Center Interview; Lerner, Leo Strauss Center Interview.

³³ Lawrence Berns, Leo Strauss Center Interview.

³⁴ Rosen, “Strauss in Chicago,” 108-11.

³⁵ Mansfield, Leo Strauss Center Interview.

³⁶ Martin Diamond, “Comment on McCloskey,” *American Political Science Review* 51, no. 1 (March 1957): 130–34.

Harry Jaffa claimed he first turned Straussian analysis on to the United States. Jaffa was a close student of Strauss. He took or audited nineteen courses with the German over a seven-year period in New York and at Chicago where his office was adjacent to Strauss's. Although his dissertation work was on Aristotle and Aquinas, Jaffa began a study of the Lincoln-Douglas debates in 1946. He discerned a deep philosophical component in their arguments. Primed by Strauss's teaching, Jaffa concluded the debates turned on competing moral epistemologies. They mirrored the dialogue in Plato's *Republic* between the philosophical Socrates (Lincoln) and the advocate of power politics, Thrasymachus (Douglas).³⁷ According to Jaffa, this exciting discovery of classical political philosophy in the American context, which Jaffa developed with other Strauss students Martin Diamond, Allan Bloom, Robert Goldwin, Joseph Cropsey, and Strauss himself, began the Straussian engagement with American history.³⁸

Just as Diamond proposed, Jaffa found high political thought in America's leaders, namely Lincoln. Explicating this philosophy and its implications for American politics became the central preoccupation of Jaffa's long career. He worked on this argument for much of the 1950s and in 1959 published *Crisis of the House Divided*. Jaffa argued against the revisionist, progressive, and consensus schools' interpretations of the Civil War by treating the ideas Lincoln and Douglas put forward as not only indicating coherent worldviews but crucial in defining the Civil War. They were not, Jaffa argued, mere political expedients. Instead, they expressed a philosophical schism at the heart of the American political tradition. Jaffa intended his title "Crisis of the House Divided" to illustrate the very real disagreements in nineteenth century

³⁷ Harry V. Jaffa, *Crisis of the House Divided: An Interpretation of the Issues in the Lincoln-Douglas Debates* (Garden City, N.Y.: Doubleday, 1959).

³⁸ Jaffa, *Crisis of the Strauss Divided*, 9-14; Jaffa, *Crisis of the House Divided*, 12; Jaffa, Leo Strauss Center Interview; Catherine H. Zuckert and Michael P. Zuckert, *The Truth about Leo Strauss: Political Philosophy and American Democracy* (Chicago: University of Chicago Press, 2006), 197-202, 217-27.

Americans' understanding of their political tradition. (One outflow of this project was a critique of Louis Hartz's thesis of the American liberal tradition; Jaffa emphasized the violent conflict of the Civil War).³⁹ In this early formulation of his argument, Jaffa followed the classic Straussian interpretation of Thomas Hobbes and John Locke as modern thinkers whose conception of natural right deviated from its classical meaning. The Founders of the Republic followed Locke and placed "low" and basically liberal values at the basis of the American regime. In other words, the United States was a modern regime and therefore compromised. However, in the Lincoln-Douglas debates and then in his presidency, Lincoln reformulated the natural right tradition found in Jefferson's phrasing at the heart of the Declaration of Independence. Lincoln, Jaffa claimed, understood the tradition in the classical sense regarding transcendent philosophical truths and justice. He supplanted the modern errors of the United States by entrenching the truth that all men were created equal in the American political tradition. In doing so, Lincoln turned the phrase "from a pre-political, negative, minimal, and merely revolutionary norm," into "a transcendental affirmation of what it ought to be."⁴⁰ At this stage, Jaffa believed Lincoln transformed the American political tradition through this reinterpretation. By placing classical wisdom at the center of the American project, Jaffa concluded, Lincoln elevated America.

Like many of Strauss's students, Jaffa was a hawkish anti-communist Democrat in the 1950s. His work was well received among conservative political scientists. The right-leaning political scientist Gerhart Niemeyer praised it as a mature political science that broke with the data driven orthodoxy.⁴¹ But the Straussian belief in transcendent political philosophy and

³⁹ Harry V. Jaffa, "Conflicts within the Idea of the Liberal Tradition," *Comparative Studies in Society and History*, 5, no. 3 (April, 1963): 274-8.

⁴⁰ Jaffa, *Crisis of the House Divided*, 321.

⁴¹ Gerhart Niemeyer, "Crisis of the House Divided.," *Midwest Journal of Political Science* 4, no. 2 (May 1960): 197.

regimes dedicated to justice put them at odds with the New Conservatives' belief in the mandate of tradition and the vaguely historicist emphasis on organic social structures. These tensions were clear in the mid-1950s work of another of Strauss's student, Walter Berns.

Berns was an early graduate student with Strauss at Chicago, part of a class of slightly older students informed by their war experience in the 1940s.⁴² Berns studied at Chicago in the early 1950s. Then between 1953 and 1956 he taught at Louisiana State University before moving to Yale. In 1959 he joined Clinton Rossiter as a professor of government at Cornell where he formed a conservative wing of the Cornell political science department alongside Allan Bloom until their resignation at the height of student activism at Cornell in 1969 after which they both took posts at the University of Toronto.⁴³

By the mid-1950s, Berns's political instincts were clearly to the right. "I am not a socialist (although I once belonged to the party, but that was some time ago)," he wrote to a Yale colleague in 1957. But he was also "not a liberal." On partisan grounds Berns was "more in agreement with the conservative position" than the liberal one. He criticized conservative constitutionalism regarding *Brown v. Board of Education*, but disagreed with active efforts to desegregate schools.⁴⁴ Berns felt that since both conservatives and liberals ignored deep philosophy, the clash between conservatism and liberalism was uninteresting "UNTIL

⁴² Lerner, Leo Strauss Center Interview; Walter Berns, "In Memoriam: Robert A. Goldwin," *AEI.org*, January 21, 2010, <https://www.aei.org/articles/in-memoriam-robert-a-goldwin/>.

⁴³ Donald Alexander Downs, *Cornell '69: Liberalism and the Crisis of the American University*, 1999, 257-8, 273. The Cornell crisis drew in several important people in the history of intellectual conservatism. The contrasting manner Clinton Rossiter and Walter Berns, two men attracted but distant to conservatism in the 1950s, reacted to the student revolts suggests the difference in their basic political beliefs and characters. Berns resigned on principle, Rossiter decisively reversed his hardline position against the militant activists to an accommodationist one. For an account of Rossiter's subsequent alienation from the faculty at Cornell, breakdown, and death by suicide, see Downs, 275-278.

⁴⁴ Walter Berns to Willmoore Kendall, 31 Dec, 1956, box 18, Kendall Papers.

conservatism attempts to elevate itself into a political philosophy.” He found the work of Russell Kirk, still the leading voice of conservatism in America, shallow. When Berns met Kirk at a meeting of the American Political Science Association, he asked what the conservative position on slavery should have been. Kirk replied it was a matter of prudence, which Berns found laughable. “This man who pretends to read Aristotle and other ancients knows nothing,” Berns griped to Willmoore Kendall. “I might have asked,” he continued, “what he thought the position of Christ was, or would have been, on slavery, but I saw no point in embarrassing him further.”⁴⁵ Berns took this complaint public in a “harsh” review of *Program for Conservatives*. He questioned the depth of Kirk’s thinking, arguing that he viewed liberals reductively and relied overly on quoting historic conservatives to debunk them. Kirk may correctly diagnose social ills, but he offered no solutions. Ultimately, Berns attacked Kirk’s view that tradition was a source of authority. Berns thought tradition was incoherent, emerging from many ancestors and valuing competing and incommensurate principles. Moreover, Berns mocked Kirk’s opposition to abstraction. The inalienable rights guaranteed in the Declaration of Independence were as absolute as anything Kirk decried as “Jacobin,” Berns observed.⁴⁶

In his first book, *Freedom, Virtue and the First Amendment*, Berns again challenged the concept of tradition. Berns acknowledged that he shared the conservative criticism of liberal freedom of speech positions but averred that conservatism concluded its “inquiry at the point where, historically, political philosophy began.”⁴⁷ Modern American political thinking among both liberals and conservatives, Berns argued, was preoccupied with the American political

⁴⁵ Walter Berns to Willmoore Kendall, 31 Dec, 1956, box 18, Willmoore Kendall Papers.

⁴⁶ Walter Berns, “A *Program for Conservatives*. Russell Kirk,” *The Journal of Politics* 17, no. 4 (November 1955): 683–86.

⁴⁷ Walter Berns, *Freedom, Virtue and the First Amendment*, (Baton Rouge: Louisiana State University Press, 1957), ix.

tradition. It was conventional wisdom, he suggested, that society's problems could be solved with a greater appreciation for and application of America's traditional principles. Paradoxically, there was "pronounced disagreement on what this tradition is. Conservative writers urge a return to the past that is praised as essentially conservative; liberal writers urge the maintenance of a tradition said to be essentially liberal." In this dispute, both sides claimed many of the same figures. "Liberalism is so much a part of the American tradition that most Americans have been liberals of one variety or another – even self-styled conservatives – without recognizing the fundamental sense in which this is true."⁴⁸ The difference between liberals and conservatives, Berns suggested, was the principle they valued highest. This view reflected many of the New Conservatives' self-conception. But against particularly Daniel Boorstin's celebration of America's lack of ideology, Berns contended that the alternative was not absolutism but the "quest for greater political understanding."⁴⁹ To reject philosophy as the New Conservatives had done was good insofar as they rejected totalitarianism. But it left them helpless in resolving contemporary problems, such as the question of free speech. Instead of tradition, which offered nothing workable on freedom of speech, a turn to philosophy was necessary.⁵⁰

It was certainly possible, however, that elements of the American political tradition were valid on philosophical grounds. Strauss had emphasized the importance of teaching American history with the depth it demanded and Berns, like Jaffa, turned Straussian analytic methods on the American political tradition.⁵¹ As if to prove his position and his mettle, Berns focused on

⁴⁸ Berns, *Freedom, Virtue and the First Amendment*, 46

⁴⁹ Berns, *Freedom, Virtue and the First Amendment*, 19.

⁵⁰ Berns, *Freedom, Virtue and the First Amendment*, 17-31.

⁵¹ For a fascinating although very sympathetic study of both Jaffa and Berns and their intersecting but tempestuous relationship with one another and their impacts on conservative thought, see Hayward, *Patriotism Is Not Enough*.

constitutional law and challenged whether simplistic freedom of speech was enshrined in the First Amendment. Not only was this one of the most sacrosanct elements of the American tradition, especially with the recent memory of McCarthyism, Berns's defense of a society's right to censor political speech ran contrary to received opinion. Remarking on McCarthyism in passing, Berns suggested it was wiser to suppress dangerous ideas officially than to allow demagogues to play on the fissures they created. He also went further than the argument his contemporary Sidney Hook made in *Heresy, Yes – Conspiracy, No*, a book Berns found too procedural in nature.⁵² Instead, Berns fixed on the concept of virtue and the claim that freedom meant more than license.

Freedom, Virtue and the First Amendment, published in 1957, is a classic instance of Straussian analysis of the United States. It is a philosophical argument and close textual reading of recent Supreme Court cases and key documents in the American tradition. Berns's thrust was that the liberal doctrine of free speech had failed because it created inconsistent results. Berns followed Strauss by treating liberalism, including the presumption of freedom of speech, as an empty procedural vision that lacked a conception of the end of society. Freedom was not always compatible with justice and the Supreme Court's inconsistent rulings and reasoning illustrated this fact. Berns explicitly rejected the rationale of the marketplace of ideas. There was nothing in its logic that necessarily promoted good ideas or rejected tyrannical ones. To Berns, the question of speech could not be resolved without a philosophical discussion of good and evil in society.

This classical conception of politics and the idea of the polis as the model for a political order underpinned Berns's argument. He wanted to revive the Aristotelian view that the ideal polis or state would inculcate virtue. Instead, the United States was a modern – not ancient -

⁵² Berns, *Freedom, Virtue and the First Amendment*, 209-14.

regime with an individualistic tradition that presupposed conflict between individuals and the government. Berns understood the Founding in classic Straussian terms: in the seventeenth century Thomas Hobbes reframed natural right and sovereignty in base, amoral terms; John Locke had accepted this view but made it palatable for a Christian audience; the Founders embraced the Lockean version of this low concept of natural right and made it the center of the American regime. The arrangement had failed, Berns argued, because good government demands a civilizing component; man is not a being with unalienable rights but a political animal who reaches his or her end in a polis. The government's responsibility for the souls of its citizens had been forgotten, Berns suggested, as evidenced by the doctrine of strict separation of church and state.

Berns found some justification in foundational American documents for his own view of politics. Following Jaffa, he pointed to Lincoln as sharing this view of political possibilities. Likewise, Berns found that the Preamble to the Constitution's language of establishing justice, ensuring domestic tranquility, promoting the general welfare, and securing the blessings of liberty justified a thicker conception of the state's role in forming souls than conventional liberalism. Berns punted on what this looked like in terms of philosophy or policies.⁵³ But, broadly speaking, reconstructing the American political tradition in terms of higher political philosophy was the major project of Strauss's students who engaged with American politics. This project was not political in an electoral sense. He sought to revive elements of classical thought and political philosophy. Nevertheless, many of his students, including Harry Jaffa, Walter Berns, and Martin Diamond had academic careers that intersected considerably with

⁵³ Berns, *Freedom, Virtue and the First Amendment*, 129-62.

conservative politics. In many ways these men fundamentally shaped the American right's self-conception and memory of American political history.

Strauss's students saw themselves as distinct from the New Conservatives, although they existed in similar circles and shared some important views. While at Louisiana State, Berns made a good impression on Eric Voegelin, another German political scientist admired by conservatives.⁵⁴ He commended Berns to Hallowell. Likewise, Hallowell considered Harry Jaffa an able scholar and a comer in the profession.⁵⁵ Daniel Boorstin taught at the University of Chicago and, Jaffa later suggested, may have had a testy view of Strauss's students.⁵⁶

If Strauss was not overtly political, why did so many, although certainly not all, Straussian scholars become associated with the right? To some extent the fact that their esteemed teacher had discernibly conservative politics set a tone among Strauss's students. Yet Strauss taught liberal democrats, socialists, and conservatives without imposing his politics.⁵⁷ Nevertheless, there was something conservative about his teaching, hence Strauss's appeal to conservative academics. In part this was because a straightforward reading of Strauss took note of his moralistic critique on liberalism, his emphasis on classic texts, and his use of the past to critique the present – all conservative tropes. In addition, Strauss evinced an intense anti-communism which he passed on to his students in the form of his views on tyranny. Similarly, the Straussian emphasis on ideas, sometimes to the point of ideological determinism, conflicted with the then dominant modes of analysis in the social sciences. The Straussians' estrangement from the political science establishment, which grew over time, meant that they were potential

⁵⁴ Eric Voegelin to John H. Hallowell, Jan 23 1954, 4, Hallowell Papers.

⁵⁵ John H. Hallowell to Francis G. Wilson, Jan 26, 1954, 4, Hallowell Papers.

⁵⁶ Jaffa, Leo Strauss Center Interview.

⁵⁷ Rosen, "Strauss in Chicago," 108-11.

allies for conservative activists looking to critique academia. Eventually a relationship of mutual benefit developed as Straussians sought political and funding opportunities, and conservative organizations sought intellectual credentials and pedigrees. Harry Jaffa, the most politically conservative of Strauss's students, at least initially, was especially important in this relationship.

Finally, there was a generationally conservative element to many of Strauss's early students and this was compounded by his teaching. Men like Robert Goldwin and Walter Berns had served in the Army in World War II and thought of themselves as patriots. Many of Strauss's students became outspoken cultural conservatives in response to student revolts in the 1960s. Strauss and his students possessed a very specific understanding of education. They valued rigor and learning, with an emphasis on a cultivated canon of philosophical thought. They saw themselves as part of a philosophical elite. As a result, they were primed to be especially angered by New Left student activism in the late 1960s and early 1970s. By a quirk of history, Walter Berns, Allan Bloom, and three other Straussians taught at Cornell during the major conflagration there in 1969. In their minds, the armed student takeover became a Weimar in miniature, shaping their cultural politics for the rest of the century.

The Straussians were vigorous critics of liberalism but distinct from the contemporary political right, as their voting habits suggest. In 1960, Jaffa and Berns both voted for Kennedy (or rather, against Nixon: in part on foreign policy grounds and in part because Berns found Nixon maudlin and insincere).⁵⁸ Straussians critiqued liberal individualism, proposing instead a higher view of the state. These positions led them to diverge from contemporary libertarian critics of liberalism. By taking the polis as their model and treating virtue and philosophy as their political ends, politically minded Straussians were, at least initially, interested in the construction

⁵⁸ Walter Berns to Willmoore Kendall, 20 Oct. 1960, box 18, Kendall Papers.

of a robust American regime with strong powers to shape its citizens and to fight tyranny, not least of all the Soviet Union. In some respects, the Straussians were closer to the New Conservatives like Hallowell and Viereck. Yet, as their philosophic underpinnings show (especially regarding tradition, a concept they viewed as inert and a shallow replacement for philosophy), the Straussians were a distinct group of rightward critics of liberalism. However, over the 1960s and in the 1970s, Straussian scholarship and claims about liberalism and the American political tradition became integral to the intellectual structure of the conservative movement at elite levels.

The Freeman: Liberty, the Constitution, and Becoming Conservative

The New Conservatives sought to make conservatism safe for America and discern a viable conservative tradition in the American past. Strauss and his students searched for a richer classical component for the American regime. During the same period, a collection of anti-communist critics of the New and Fair Deals published a “journal of opinion” advancing an “individualist” perspective that framed itself directly within the American political tradition. To the editors of *The Freeman* and its contributors, individualism was the natural flowering of American politics, albeit one betrayed by liberals. These individualists, later known as libertarians, belonged to an intellectual lineage that found extreme economic and political liberty at every stage of the American narrative. From the dissenting Puritans at Plymouth, through Jefferson’s Declaration of Independence, and in Andrew Jackson’s anti-centralization populism, in their telling, the America’s heritage was thoroughly libertarian.⁵⁹ If anything, these radical

⁵⁹ Brian Doherty, *Radicals for Capitalism: A Freewheeling History of the Modern American Libertarian Movement* (New York: PublicAffairs, 2007), 1-66. For a critical history of the “American Myth” of free enterprise, see Glickman, *Free Enterprise*, especially 55-111.

liberals believed they had the strongest claim on the American past.⁶⁰ The men and women at *The Freeman* also bristled at the term “conservative,” considering themselves true liberals, even radicals. Yet politically they sided with or sympathetically covered the “conservative” wings of the Republican Party and to a lesser extent the southern wing of the Democratic Party, especially Senators Robert Taft, John Bricker, and Harry Byrd.

A group of anti-communist and individualist writers led by Henry Hazlitt, Suzanne La Follette, and John Chamberlain founded *The Freeman*, “a Fortnightly for Individualists,” as a broad anti-communist and libertarian journal. Taking the name from two earlier individualist journals, they intended for their magazine to bring together different inflections of the individualist philosophy.⁶¹ Altogether, *The Freeman* published material by both journeymen individualist writers and impressive names. They published rising conservative writers, like James Burnham, William F. Buckley, and Russell Kirk, but also economists like Wilhelm Roepke, Frank Knight, Friedrich Hayek, and Ludwig von Mises.⁶² Other prominent contributors included Max Eastman, a regular contributor, alongside single contributions by Senator John Bricker, William Faulkner, Syngman Rhee, and Raymond Aron. Broadly speaking *The Freeman* stood for liberty and hardline anti-communism. They regularly criticized liberals, intellectuals,

⁶⁰ Indeed, elements of this interpretation of American politics can be seen in the nineteenth century histories of both major political parties. For anti-government animus in the Democratic Party, see Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America*, 1st ed (New York: Hill and Wang, 1990).; for nineteenth century Republican proto-individualism as free soil ideology, see Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (Oxford ; New York: Oxford University Press, 1995).

⁶¹ Nash, *The Conservative Intellectual Movement*, 204-232; Doherty, *Radicals for Capitalism*, 54-7, 198-205. The first run by the individualist icon Albert Jay Nock and the second edited by Russian-American anarchist Frank Chodorov.

⁶² See Daniel Stedman Jones, *Masters of the Universe: Hayek, Friedman and the Birth of Neoliberalism* and Angus Burgin, *The Great Persuasion*.

colleges, the welfare state, and world government, which was a threat to American sovereignty and individual liberty.

The key themes of *The Freeman* were that socialism was creeping domestically and marching internationally and it was up to the small band of individualists to “defend human dignity and liberty.”⁶³ In the early 1950s, the editors thought *The Freeman* filled a two-decade long need for a journal of “traditional liberalism and individual freedom.” The “classic liberal tradition” meant individual autonomy, economic liberty, including an explicit defense of capitalism as a positive program, the free market, and rule of law.⁶⁴ In *The Freeman*’s founding statement, the editors made clear that freedom was essentially negative – freedom from interference. They opposed Franklin Roosevelt’s positive reformulations of freedom such as “freedom from want” and “freedom from fear.”⁶⁵ The editors also insisted that in a liberal sense, democracy meant responsiveness to majority will balanced with being informed and enlightened.⁶⁶ Sometimes *The Freeman* put this position in gendered terms as a virile, masculine ideology lost over time. In a pedestrian piece of political writing, William Faulkner extolled an earlier America where “man’s inalienable right was the peace and freedom in which, by his own efforts and sweat, he could gain dignity and independence, owing nothing to any man.”⁶⁷ The erosion of the free political order of the Founders led to a collapse of individual masculinity. *The*

⁶³ Backpage ad, *Freeman*, December 11, 1950.

⁶⁴ Editorial, “Let’s Defend Capitalism,” *Freeman*, February 23, 1953, 267-8.

⁶⁵ The contrast of positive and negative freedom is an influential framing, drawn from Isaiah Berlin, “Two Concepts of Liberty,” *Four Essays On Liberty*, (Oxford University Press: Oxford, UK, 1969), 118-172.

⁶⁶ Editorial, “Faith of the Freeman,” *Freeman*, (Oct 2, 1950), 5.

⁶⁷ William Faulkner, “The Duty to Be Free,” *Freeman*, January 26, 1953, 304-6.

Freeman ran several articles in this vein in a series titled “My Father’s America.”⁶⁸ The prevailing sense of the American political tradition at *The Freeman* was one of decline from a pristine libertarian state. At the same time, they offered the persistent possibility of restoration.

Among individualists, it was an article of faith that the American tradition was liberal in a classical sense and republican rather than democratic.⁶⁹ John Chamberlain suggested the earliest version of individuals endowed with natural rights in America was the Pilgrims at Plymouth - hence their status as progenitors of the nation.⁷⁰ Throughout the magazine’s run, it insisted that the Declaration of Independence, Constitution, Bill of Rights, and *Federalist Papers* were first and foremost statements of liberty. One writer called them “among the world’s greatest documents, marking an epochal advance in man’s progress” precisely because they valued the citizen before government. For good measure he added that “the idea of the inalienable rights of the individual person is the fundamental spirit of the American tradition of government.”⁷¹

Alongside the individualists’ emphasis on individual liberty ran a focus on the constraints on governmental power. One ex-communist writer, Frank Meyer, claimed America’s political structure was equally hostile to concentration of power in “democratic” and “aristocratic” hands. According to Meyer, the “American principle” was that “power should be shackled by checks and balances” so “the individual remains free and government restricted and limited.”⁷² Another

⁶⁸ Alix du Poy, “My Father’s America: I,” *Freeman*, March 10, 1952, 361-4; Helen Woodward, “My Father’s America: II,” *Freeman*, May 19, 1952, 540-2; Forrest Davis, “My Father’s America: III,” *Freeman*, January 12, 1953 276-9.

⁶⁹ David Sehat argues that this association of the Founders with libertarianism was in part a product of the political struggle by anti-New Deal activists, particularly the American Liberty League, sponsored by some business interests, who promoted this historical narrative in Sehat, *The Jefferson Rule*, 75-106.

⁷⁰ John Chamberlain, “A Reviewer’s Notebook,” *Freeman*, December 3, 1951, 153.

⁷¹ E. Gordon Fox, “The American Way,” *Freeman*, February, 1955, 319-20.

⁷² Frank S. Meyer, “He Adds Little to Philosophy,” *Freeman*, May 1955, 486.

contributor linked the Founders' "fear" of "the never-ending demands of the masses" with the wisdom of twentieth century "Continental" liberals.⁷³ One reviewer for the magazine even found this lesson, backhandedly, in the (then) radically left-wing historian Richard Hofstadter's *The American Political Tradition*. Hofstadter pierced the images of a dozen American icons. The *Freeman's* reviewer found that Hofstadter showed "human nature is unchanging," but also that the Constitution had proven its value by restraining such low characters .⁷⁴

Although the individualists at *The Freeman* were distinct from the New Conservatives and sought to distinguish themselves from them, at times their historical vision was directly influenced by the New Conservatives' scholarship. One 1953 editorial, titled "Conceived in Liberty," echoed Daniel Boorstin's argument that, with the exception of the Civil War, Americans enjoyed a remarkable degree of comity under the twin ideals of national unity and individual freedom. In general, *The Freeman* praised Abraham Lincoln for summing up the "American Idea" at Gettysburg although at the same time, directly influenced by Russell Kirk, the editors praised the Founders and John C. Calhoun for articulating the American distrust of democratic power when it conflicts with individual liberty.⁷⁵

One instance of *The Freeman's* reverent individualist reading of the American political tradition was an Independence Day essay by William Henry Chamberlin, an anti-communist popular historian and journalist, also titled "Conceived in Liberty." Chamberlin claimed modern Americans owed an inestimable debt to the Framers of the Republic. Although the Founding generation disagreed among themselves, it was really a disagreement from two sides "of a single

⁷³ Erik von Kuehnelt-Leddihn, "Resurgence of Liberalism," *Freeman*, Feb 9, 1953, 337-9.

⁷⁴ Raymond L. Carol, "Constitutional Fallacy?," *Freeman*, February, 1955, 324-5.

⁷⁵ Editorial, "Conceived in Liberty," *Freeman*, July 13, 1953, 729-30. The editorial quotes at length the identical passage Kirk excerpts in Kirk's contemporaneous *The Conservative Mind*, 178-9.

truth.” The government they devised avoided concentration of power and let “the citizen go as far and as fast as his individual capacity would carry him, without State coddling, State regulation and State domination.” Chamberlin commended the *Federalist Papers* and Alexis de Tocqueville to his readers. He considered them strong expressions of America’s foundations: a faith “in natural law and inherent, inalienable human rights, intense distrust of any concentration of power in government, a suspicious attitude toward tyranny, whether of monarch or mob, including tyranny of the majority.” Chamberlin argued that when the United States “respected” these principles, it flourished, but when they were “eroded” it foundered.⁷⁶

The overwhelming sense from *The Freeman*’s writers and editors was that America’s authentic libertarian tradition had been betrayed in the first half of the twentieth century. Numerous articles made the point that, especially in the 1930s, liberals had done incredible violence to the American tradition of liberty. The former governor of Colorado, John C. Vivian, argued that the Founders’ had established America as a republic, a form of government maintained through Andrew Jackson and up to McKinley. Incrementally, however, America had become a democracy, a form of government incompatible with republicanism and ultimately dominated by bureaucrats.⁷⁷ The aging individualist journalist Garet Garrett lamented America’s Rome-like decline from a self-governing republic to an imperial welfare state unimaginable to the Founders.⁷⁸ Frank Meyer called the level of change since 1930s shocking and unacknowledged even by Republican legislators.⁷⁹ One libertarian, an erstwhile Ayn Rand devotee, even wrote a clunky satire in which Thomas Jefferson time-traveled to 1954. Jefferson

⁷⁶ William Henry Chamberlin, “Conceived in Liberty,” *Freeman*, July, 1955, 550-3.

⁷⁷ John C. Vivian, “Undermining the Republic,” *Freeman*, July 1952, 734-5.

⁷⁸ Garet Garrett, “The Decline of the American Republic,” *Freeman*, February 25, 1952, 331-3.

⁷⁹ Frank S. Meyer, “Call for a Third Party,” *Freeman*, April 5, 1954, 494.

marveled at the technology but was shocked by the massive growth in centralized federal power and interference.⁸⁰ Likewise, the isolationist and anti-FDR journalist John T. Flynn, a frequent contributor to the magazine, wrote a book, *The Decline of the American Republic*, that was reviewed and advertised in *The Freeman*. The United States “abandoned the American system of government” around 1930, Flynn alleged. And now young Americans do not know what America was once like.⁸¹ The individualists believed the cause of decline was partly political. *The Freeman* circle largely blamed Franklin Roosevelt and Harry Truman, although John Vivian traced America’s decline to Woodrow Wilson.

But the individualists also argued that the decline was intellectual: the result of an erroneous reinterpretation of the American political tradition. Vivian argued that at some point in the early twentieth century, politicians and voters alike came to see the United States as a democracy in which the people’s will, represented by the president, was all-powerful. This perception of America contradicted the preferred individualist narrative of the United States which saw it as a representative but strictly limited republic dedicated to individual liberty.⁸²

The *Freemanites* were convinced the Constitution enshrined this civil and economic libertarian interpretation at the basis of America’s political tradition. Therefore, the primary liberal treachery was their misconstrual of the Constitution. In 1951, John Chamberlain, one of *The Freeman*’s founding editors, reviewed *Undermining the Constitution* by a *Freeman* contributor. It argued and Chamberlain agreed that since 1932 New Dealers and Fair Dealers had

⁸⁰ Thaddeus Ashby, “Jefferson Revisits America,” *Freeman*, December, 1954, 226-9.

⁸¹ John Chamberlain, “A Reviewer’s Notebook: The Decline of the American Republic by John T. Flynn,” *Freeman*, September 1955, 659-60. *The Freeman*’s foreign policy editorial positions tended toward isolationism and, as Nicole Hemmer shows in *Messengers of the Right*, isolationists and former America Firsters like Flynn played an important role in the development of early conservative media institutions.

⁸² Vivian, “Undermining the Republic.”

normalized a loose construction of the Constitution, especially the “General Welfare” clause, to the point that it had become “merely an elastic document that can be stretched to cover any whim of a majority bent on despoiling a minority or robbing an individual of his supposedly inalienable rights.” Such a “latitudinarian” approach robbed the Tenth Amendment of its rightful authority.⁸³ Garet Garrett agreed and blamed Franklin Roosevelt specifically for creating a feedback loop between the Executive and a Supreme Court in which the justices held loose constitutional outlooks.⁸⁴ Over the five years of its run as a journal of opinion, *The Freeman* underpinned its staunch anti-communism and political analysis with stock tropes about the American past. Primarily, they held that the United States was properly a republic founded on liberty and separation of powers. In the modern era, liberals like Wilson, Roosevelt and Truman had intellectually and politically undermined the republic. The liberal transformation replaced the traditional republic with executive dominance and bureaucratic power. The liberal Supreme Court rubber-stamped this transformation, making a mockery of the Constitution.

One penetrating analysis of right-wing thought illuminates the *Freeman* and its editors and contributors. In *The Rhetoric of Reaction*, the economist and thinker Albert O. Hirschman identified three primary arguments used against reforms or revolutions. Hirschman defined the perversity argument (that proposed reforms will cause the opposite of their intended effect), the futility argument (that proposed reforms will have no effect), and the jeopardy argument (that proposed reforms will undermine an existing good).⁸⁵ He concluded the perversity argument was the most common and effective argument. For the men and women at *The Freeman* and for

⁸³ John Chamberlain, “A Reviewer's Notebook: Review of Undermining the Constitution: A History of Lawless Government by Thomas James Norton,” *Freeman*, September 24, 1951, 825-6.

⁸⁴ Garet Garrett, “Decline of the Republic.”

⁸⁵ Albert O. Hirschman, *The Rhetoric of Reaction: Perversity, Futility, Jeopardy* (Cambridge, Mass: Belknap Press, 1991).

libertarians and libertarian-informed conservatives in general, the jeopardy argument was most natural and most appealing.

American libertarians and conservatives were drawn to the jeopardy argument precisely because the dominant narrative of the American political tradition that they imbibed and reproduced set up liberty as the paramount good and suggested that it was perpetually jeopardized. Hirschman argues the jeopardy argument has limited applicability because it requires the defense of an existing good. In modern democracies, Hirschman followed a trajectory of modern state development from liberal rights, to democracy, and ultimately to the welfare state. The upshot was that in modern societies, the jeopardy argument was best employed as a defense of *liberty* (a modern good) against democracy or welfarism (other modern goods). “Oh Liberty! How many reforms are obstructed in Thy name!,” Hirschman joked. Not all modern states followed the liberty-democracy-welfare trajectory, and therefore the jeopardy argument was more contextual than the futility and perversity argument and less useful. As American libertarians and conservatives show, in the United States the jeopardy argument was extremely attractive since it comported closely with existing cultural narratives about the value of liberty and the libertarian nature of the American state. The American political tradition roughly followed Hirschman’s developmental framework and the popular narrative of the Founding valorized liberty as the Foundation of the nation. Moreover, American liberty was hard won, having been threatened from its outset by enemies without and within. Per Benjamin Franklin, the United States was “a republic, if you can keep it.”

The rhetorical demands of American involvement in the Cold War meant liberty was played up in the United States in contrast both to Soviet tyranny and economic equality. Companies like Monsanto and Republic Steel ran campaigns in *The Freeman* with references to

the Declaration of Independence and American liberties, especially religious liberties.⁸⁶ The *Freeman*'s writers claimed liberty was jeopardized in several ways. John Vivian employed the jeopardy argument when he claimed democracy was a threat to the liberal republic. Several other writers saw the Roosevelt era "attack" on the separation of powers as a threat to liberty. Others, like Faulkner, saw welfare, bureaucratization, and centralization as a threat to the kind of robust masculinity necessary for liberty. Ultimately, in the pages of the *Freeman*, the American political tradition was perfectly cast for the employment of the jeopardy argument. The primacy of the Founding in American culture and its dedication to liberty made it a powerful concept for opponents of the welfare state in their attacks on reform.

To go further, Hirschman called the logics he identified "rhetorics of intransigence." The implication was that conservative rhetoric was primarily used to oppose change. What about in situations where the transformation is a *fait accompli*, as was the case for *The Freeman* and the New and Fair Deals? In the case of the individualist right's attachment to liberty, because of liberty's stated importance in the American political tradition, individualists did not give up the jeopardy thesis easily. Individualists in the 1950s persistently saw government actions, particularly legislation passed during the New Deal like Social Security and the Tennessee Valley Authority, as illegitimate impositions upon liberty even decades after they were enacted. Each subsequent "imposition," too, only further demonstrated the original perfidy. For libertarians and contemporaneous conservatives, the original jeopardy dating back at least to the New Deal was compounded by numerous federal judicial, legislative, and regulatory acts. For some of the individualist right, the imperative was and remained the restoration of the American

⁸⁶ For example, Monsanto's "The Brightest Spot in All the World," in *Freeman*, April 21, 1952, 448 and Republic Steel's "Daddy...Draw Me a Freedom," in *Freeman*, February 9, 1953, 326. Republic Steel in particular, a major steel producer from Cleveland, OH, trafficked heavily in this imagery in *The Freeman*.

political tradition to its pristine state. In this regard, the argument was not so much a rhetoric of intransigence a radical rhetoric of its own: a rhetoric of restoration which turned libertarian-inflected conservatism into a radical doctrine.

During the early 1950s, *The Freeman* faced the same problems as the other right-wing journals of opinion from the era and this manifested in editorial turnover. Money was tight and although the magazine reached 21,000 subscribers, more than its projected audience, it lost \$400,000 in its first three years.⁸⁷ Between its founding in late 1950 and 1956, *The Freeman* underwent tense behind the scenes strife and shifts in direction. Hazlitt wanted the magazine to focus on theoretical issues while his colleagues insisted on traditional political coverage and extensive anti-communist writing. In particular, the editors and members of the board divided over the 1952 Republican nomination - one new editor was a Taft advisor – and McCarthyism. Critical of McCarthy, Hazlitt resigned when the other editors pushed the magazine in a pro-McCarthy direction. Shortly after, when the journal failed to pay its bills, the other senior editors resigned, and Hazlitt returned. Despite these upheavals and even though *The Freeman's* views on contemporary politics, namely foreign policy, shifted, it consistently presented individualism as the central and authentic expression of America's historic political culture.⁸⁸

The changes in leadership at *The Freeman* did affect the magazine's relationship with the New Conservatives and the terms "conservative" and "conservatism." The main factor in the individualists awkward positioning of themselves toward the discourse of conservatism was their sense that "liberal" had been thoroughly coopted and corrupted by New Dealers. Short of "reclaiming" the word, individualist intellectuals required a new political nomenclature. In this

⁸⁷ "Success Story: A Memorandum, from The *Freeman's* editors to The *Freeman's* readers," *Freeman*, October 6, 1952, 33; Doherty, *Radicals for Capitalism*, 199.

⁸⁸ Nash, *The Conservative Intellectual Movement*, 133-4.

search for a new terminology, “conservative” was not especially compelling to a group who saw themselves as traditional liberals and even radicals.

In the earliest issues of *The Freeman*, its contributors and editors generally used “conservative” descriptively to refer to anti-New Deal and anti-socialist politicians, often Taftites and southern Democrats.⁸⁹ Nevertheless, in articles, editorials, and in statements about *The Freeman*, Hazlitt, Chamberlain, and LaFollette indicated a degree of openness to being called conservative. In the first issue’s “Statement of Purpose,” *The Freeman* declared its position as “at once radical, liberal, conservative and reactionary.”⁹⁰ Its conservatism was due to its belief in “conserving the great constructive achievements of the past”; its reactionaryism was against the destruction of precious institutions. Both formulations were historically minded and based on the editors’ conceptualization of the American narrative building and then betraying a libertarian regime. A year later the editors suggested their aim was to “restore ‘conservatism’ and the cause of economic freedom to intellectual repute” although this was an unusually enthusiastic embrace of the term.⁹¹

Several contributors to *The Freeman* sought an alternative to the corrupted term “liberal” and considered “conservative.” J. Donald Adams, a longtime editor of the *New York Times Book Review*, noted that there was a phobia, especially among intellectuals, of being called conservative. He proposed a “constructive conservatism” based upon political and moral conviction.⁹² Meanwhile Max Eastman, a well-known former communist, noted that “left” and

⁸⁹ For instance, George E. Sokolsky, “The Conservative Plight,” *Freeman*, September 8, 1952, 839 and Virginius Dabney, “Virginia Prefers Byrd,” *Freeman*, October 6, 1952, 20-22.

⁹⁰ Editorial, “Faith of the Freeman,” *Freeman*, (Oct 2, 1950), 5.

⁹¹ Editorial, “The Function of the Freeman,” *Freeman*, December 31, 1951, 197-8.

⁹² J. Donald Adams, “The Right to be a Conservative,” *Freeman*, January 12, 1953, 273-5.

“right” had ideologically switched places. Eastman defined left and right by their relationship with state power and liberty, an idea inadvertently popularized by Friedrich Hayek’s *The Road to Serfdom*, published in 1944 and republished in condensed form in *Reader’s Digest* in 1945.⁹³ Eastman argued that because of its historic association with the left, the word “liberal” had positive connotations. It was, he thought, too good for leftists to lose, hence their illegitimate modern cooption of it. Eastman listed several emergent alternatives used by other writers that were largely variations on “realistic liberal” and included “liberal conservative.”⁹⁴ One reader suggested “Constitutionalist.”⁹⁵ In 1954 another favored “the good old-fashioned ‘conservative’” to the increasingly common (but derided as cumbersome) “libertarian.”⁹⁶ Another reader suggested “dynamic conservatism,” a phrase already associated with Dwight Eisenhower.⁹⁷ Tentative use of the identifier “conservative” by the men and women associated with *The Freeman* in the 1950s is one indication of the rising prominence and positive connotations associated with “conservatism” partly driven by the New Conservatives rehabilitation of the phrase in intellectual circles.

The Freeman’s editorial line toward the New Conservatives was ambiguous, sometimes praising and sometimes pillorying their writings. They initially praised the Midwestern Republican Russell Kirk. A 1952 review of Kirk’s *Randolph of Roanoke* commended his reappraisal as a defender of liberty. Randolph’s state-centric small government conservatism

⁹³ Friedrich A. Hayek, *The Road to Serfdom: Text and Documents*, (Chicago: University of Chicago Press, 2007).; on Max Eastman’s conservative turn, see John Patrick Diggins, *Up From Communism*.

⁹⁴ Max Eastman, “What to Call Yourself,” *Freeman*, August 24, 1953, 839-42.

⁹⁵ Harley L. Clarke to the Editor, *Freeman*, September 7, 1953, 868.

⁹⁶ Dorothy L. Thompson to the Editor, *Freeman*, June 28, 1954, 688.

⁹⁷ Edward F. Cummerford to the Editor, *Freeman*, October, 1954, 114; “Eisenhower as President,” *Christian Century* 71 (Feb. 10, 1954), 167–68.

jibed with *The Freeman*'s preoccupations.⁹⁸ *The Freeman*'s review of *The Conservative Mind* found Kirk too optimistic about the extent to which institutions of liberty had been preserved. All the same, the reviewer suggested Kirk deserved gratitude from "all who cherish the conservative cause."⁹⁹ Meanwhile, Max Eastman criticized Peter Viereck's profession of conservatism as a promotional gimmick. Eastman alleged the poet and historian lacked political and economic intelligence.¹⁰⁰ Despite this dismissal of Viereck, who was clearly more comfortable with left-wing economics than Eastman and *The Freeman*, it was clear that the New Conservatives were giving the term "conservative" a positive meaning and some individualists were attentive to this fact, especially since their favored politicians were routinely called conservative by the mainstream press.

One issue of the *Freeman* from 1954 featured an article by Kirk as well as an editorial arguing there was no conflict between liberty and conservatism. Like Eastman, the editorial suggested there had been a reversal in left and right conceptions of the state. In its telling, Jefferson, a "man of the left," sounded more like Robert Taft than Franklin Roosevelt. The left had gone to statism, *The Freeman* editorialized. Conservatism was now the force for liberty.¹⁰¹

The "Conservatives for Liberty" editorial was the high watermark for *The Freeman*'s rapprochement with the New Conservatives. It was published at the end of a brief interregnum between the last founding editor's resignation in January 1954 and the sale of the magazine to the explicitly libertarian Foundation for Economic Education (FEE), who put it under the

⁹⁸ Anthony Harrigan, "Great Conservative," *Freeman*, May 5, 1952, 511-2.

⁹⁹ Ben Ray Redman, "The Defense of Liberty: Review of *The Conservative Mind*: From Burke to Santayana, by Russell Kirk," *Freeman*, August 10, 1953, 819-20.

¹⁰⁰ Max Eastman, "Equivocal Conservatism," March 9, 1953, 423-4.

¹⁰¹ Editorial, "Conservatives for Liberty," *Freeman*, June 28, 1954, 694.

editorship of an aging but radical libertarian, Frank Chodorov, from July 1954.¹⁰² The Conservatives for Liberty issue featured articles by a group of contributors – William F. Buckley, James Burnham, Russell Kirk, and Max Eastman – who, along with Willi Schlamm, another writer disaffected by the new *Freeman* ownership, soon became key parts of a new magazine that took the idea of a conservatism of liberty seriously.¹⁰³

A year before taking over the editorship of *The Freeman*, Chodorov had founded a libertarian informational society for college students. Chodorov had floated the idea of an individualist counter to the Intercollegiate Socialist Society and its successor League for Industrial Democracy. As part of a long-term project of overthrowing “collectivism,” Chodorov envisioned a movement where “the individualist would become the campus radical, just as the socialist was forty years ago, and the aura of the ‘intellectual elite’ would fall on him.”¹⁰⁴ Having read Chodorov’s suggestion in a copy of *Human Events*, J. Howard Pew, head of the Sun Oil Company, donated \$1000 to the project and Chodorov began the awkwardly named Intercollegiate Society of Individualists (ISI) in connection with FEE. Chodorov appointed William F. Buckley, a young provocateur best known for his criticism of Yale University as ISI’s first president. In around a year, ISI had developed a mailing list of 2,500 students on 210 campuses.¹⁰⁵

¹⁰² Frank Chodorov, “About Me,” *Freeman*, July, 1954, 6-7.

¹⁰³ The last issue Henry Hazlitt edited was January 11, 1954. Chodorov took over editorship from the now monthly July 1954 issue. In the meantime, the masthead listed Kurt Lassen as General Manager and Florence Norton as Managing Editor.

¹⁰⁴ Frank Chodorov, “A Fifty-Year Project,” <https://oll.libertyfund.org/titles/chodorov-fugitive-essays-selected-writings-of-frank-chodorov>, 8/16/2019.

¹⁰⁵ Doherty, *Radicals for Capitalism*, 202-3; Nash, *The Conservative Intellectual Movement*, 272..

As his ideas about campus radicalism suggested, under Chodorov's editorship *The Freeman* immediately critiqued conservatism and emphasized a pure form of individualism characterized by markets, natural rights, and non-coercion.¹⁰⁶ (Chodorov also reoriented the magazine toward a non-interventionist foreign policy putting him out of step with many right-wingers.)¹⁰⁷

Illustrating the gulf between self-styled conservatives and libertarians, Russell Kirk was extremely skeptical of *The Freeman's* new owners and purified libertarian perspective. He told his publisher, Henry Regnery, a key publisher and conservative network builder, that he expected the new *Freeman* to be unreadable and ultimately fail.¹⁰⁸ Kirk intimated his admiration for Chodorov and William F. Buckley and a degree of comity, but suggested "a great gulf" between them philosophically. He repudiated individualism as a "dreary ideology" that ends in political anarchy and personal solitude. The philosophical gap between them was clear in Kirk's effort to distinguish between the intellectual traditions of individualism and conservatism. The individualist "pantheon" included Lao-Tso, Zeno, Baruch Spinoza, John Locke, John Milton, Adam Smith, J. S. Mill, Thomas Paine, Thomas Jefferson, Herbert Spencer, Henry David Thoreau, and Ralph Waldo Emerson. Against these thinkers, Kirk suggested a conservative tradition of Moses, Aristotle, Pascal, Lord Falkland, Dante, Samuel Johnson, John Ruskin,

¹⁰⁶ Frank Chodorov, "About Me."

¹⁰⁷ On the generational shift from non-intervention to interventionism, see for instance Hemmer, *Messengers of the Right*; Schneider, *The Conservative Century*. Evidence of the conflict between isolationists and aggressive anticommunist hawks within *The Freeman* include William F. Buckley, "A Dilemma for Conservatives" *Freeman*, August, 1954, 51-2 and a debate between Willi Schlamm and Frank Chodorov in William S. Schlamm, "But It's Not 1940," *Freeman*, November, 1954, 168-71, Frank Chodorov, "A War to Communize America," *Freeman*, November, 1954, 171-4.

¹⁰⁸ Russell Kirk to Henry Regnery, June 8, 1954, box 39, folder 9, Regnery Papers.

Edmund Burke, John Adams, J. F. Stephens, Nathaniel Hawthorne, and Orestes Brownson.¹⁰⁹ In 1954, Kirk's publisher Henry Regnery was confident that William F. Buckley, a writer of rising prominence among anti-liberal circles and another of Regnery's clients, would leave Chodorov's orbit and gravitate toward a consciously conservative rather than individualist perspective.¹¹⁰

That December, Chodorov ran a review of Kirk's *A Program for Conservatives*, his more political follow-up to *The Conservative Mind*. While generally positive, Willi Schlamm, argued Kirk weakened his book by his "almost desperate" efforts to show that the United States was historically a conservative nation. This was just not so, Schlamm contended. America was committed to progress. But although America's tradition was not conservative, the United States had developed a set of structures and institutions worthy of conservation.¹¹¹ Schlamm had commended Kirk to *Freeman* readers but only six months later Chodorov dedicated much of an issue to criticizing the New Conservatives.

In June 1955, Kirk got wind of a critical work by anti-communist writer Frank Meyer commissioned by Chodorov and sponsored by the Volker Fund. He suspected libertarian opposition to him derived from his pro-Catholic writings and occasional criticism of industrial capitalism.¹¹² Kirk believed some libertarians were so averse to coercion that they considered the Constitution compulsion which gave credence to critics, including the historian Richard Hofstadter, who accused the right of "pseudo-conservative lunacy."¹¹³ Kirk told friends that the

¹⁰⁹ Russell Kirk to E. Victor Milione, May 24, 1954, box 39, folder 9, Regnery Papers.

¹¹⁰ Henry Regnery to Russell Kirk May 28, 1954, box 39, folder 9, Regnery Papers.

¹¹¹ William S. Schlamm, "Civilized Conversation," *Freeman*, December, 1954, 233.

¹¹² Russell Kirk to Henry Regnery, June 24 [1955], box 39, folder 9, Regnery Papers. On Friedrich Hayek and part of the neoliberal movement's turn against Kirk, see Burgin, *The Great Persuasion*, 141-6. On Kirk's run-in with libertarians, see also Joshua Tait, "Right Stuff," *The National Interest*, May/June, 2019, 72-82.

July 1955 issue of *The Freeman* was the “anti-Kirk number.” It was. It contained an editorial, lead article, and review all aimed at him.

The thrust of *The Freeman*’s critique of Kirk and the New Conservatives was that, by its nature, conservatism lacked clear principles and, as such, conservatives were useful idiots for socialism. Chodorov editorialized that the function of conservatives was to conserve and in the 1950s conserving meant the conservation of socialism. Contemporary libertarians often called themselves conservative because they believed in conserving principles, Chodorov acknowledged, but they were etymologically-speaking radicals – seeking the root of things.¹¹⁴ In the same issue, William F. Buckley, primarily known as a critic of liberal academia, reviewed Kirk’s book on academic freedom written with sponsorship from the Volker Fund.¹¹⁵ Buckley criticized Kirk’s book as confused and inconsistent. Frank Meyer’s feature article most clearly indicated the individualist critique of New Conservatism: “Collectivism Rebaptized.”

Meyer had written about the New Conservatism already in some issues of the “right-wing scandal sheet” the *American Mercury*.¹¹⁶ In the early 1950s, *The American Mercury* was a popular monthly with a circulation of 50,000 and an anti-communist bent.¹¹⁷ Viereck had briefly contributed to it when he was asked by an editor to help “civilize” the magazine into “a journal of cultivated and enlightened conservatism.” However, broke, the owner William Bradford Huie

¹¹³ Russell Kirk to Henry Regnery, June 24 [1955], box 39, folder 9, Regnery Papers. Kirk referred to Richard Hofstadter’s concept of Pseudo-Conservatism from Hofstadter, “The Pseudo-Conservative Revolt.”

¹¹⁴ Frank Chodorov, “Conservatives Conserve,” *Freeman*, July, 1955, 547. Chodorov made an etymological argument, connecting radical to its root word radix, meaning root.

¹¹⁵ On Volker Funding, won in 1953, before Kirk perceived a turn against him amongst the Foundation. Russell Kirk to Robert A. Nisbet, Nov 10, 1953, box 2, Nisbet Papers; William F. Buckley, “Essay in Confusion: Review of Academic Freedom by Russell Kirk,” *The Freeman*, July 1955, 576.

¹¹⁶ Martin Greenberg to Melvin Arnold, December 29, 1952, folder 158, Rubin Papers.

¹¹⁷ Hemmer, *Messengers of the Right*, 41.

sold the *Mercury* to Russell Maguire in 1952 who banned Viereck from contributing and gradually turned the magazine in an openly anti-Semitic direction.¹¹⁸

In the early stages of the Maguire dispensation, Frank Meyer reviewed Viereck's *Shame & Glory of the Intellectuals* and Kirk's *The Conservative Mind*. Like Max Eastman in *The Freeman*, Meyer found Viereck disorganized and out of his depth. Moreover, Meyer contested Viereck's claim over the term "conservative." His "ideas are neither new, nor conservative, nor very profound" and he was vague about the basis of his supposed "universal ethics." Meyer charged that it was difficult to distinguish Viereck's New Conservatism from Arthur Schlesinger Jr's "Vital Center." Instead, "Manchester liberals," the true liberals, were also the true conservatives since, Meyer claimed, true conservatives believed in liberty. Meyer had previously been a ranking communist ideologue. His argument against the New Conservatives had elements of Marxoid analysis shot through with the intense anti-socialist conviction of a convert. Economic systems dictate whether a society is free or tyrannical, Meyer averred, and the "separation of powers" created by capitalism was the basis of a free society. There could be no middle ground between a free capitalist society and the tyranny of socialism.¹¹⁹ Viereck, who by the mid-1950s was fighting a rearguard action over his vision of conservatism, made an oblique response to this argument in his textbook on conservatism. He argued that when "conservatism becomes ideologized, logical, and self-conscious" it comes close to the "liberal rationalists" it opposes.¹²⁰ The fault line emerging among intellectuals interested in the concept and rhetoric of conservatism was whether conservatism was a disposition governed by epigrams or a complete

¹¹⁸ Martin Greenberg to Melvin Arnold, December 29, 1952, folder 158, Rubin Papers.

¹¹⁹ Frank S. Meyer, "Review of *Shame and Glory of the intellectuals*," *The American Mercury*, May, 1953, 71-2.

¹²⁰ Peter Viereck, *Conservatism: From John Adams to Churchill*, 16.

political ideology ordered by ironclad precepts. Meyer argued that conservatism was not only an ideology, but in the American context it was explicitly an ideology of freedom. This conclusion was in deep contradiction to Russell Kirk's influential presentation of conservatism in *The Conservative Mind* as profoundly non-ideological.

Despite this, Meyer's review of *The Conservative Mind* was somewhat conciliatory. In fact, as early as 1953, Meyer was suggesting the American political tradition was a healthy "fusion" of liberalism and conservatism "properly understood". Of the "multifarious" influences on American society, Meyer argued the key ideas were the "liberty of the individual," that is, liberalism, and a reverence toward American institutions due to their accumulated wisdom and expression of "spiritual and moral truths" that is called conservative. The tension between these tendencies had once been the basis of American society, but a "radical onslaught" had transformed liberalism and made conservatism cribbed and negative. Meyer called Kirk "valuable" and "stimulating, but also "aggravating" for his narrow treatment of the conservative tradition. Kirk slighted those who combined a conservative outlook with "equal devotion" to individual liberty. Instead, Meyer proposed key neglected figures such as Lord Acton, Herbert Spencer, and Thomas Jefferson, "whose *A Summary View of the Rights of British America* is one of the most important conservative documents in our history." The problem with Kirk, Meyer charged, was that he implicitly repudiated "the American fusion of individualism and conservatism." This lack of commitment to freedom, Meyer argued, made Kirk an unreliable ally for libertarians on the only salient issue of contemporary politics: the aggrandizement of state power.¹²¹

¹²¹ Frank S. Meyer, "Conservatism and Individualism," *The American Mercury*, July, 1953, 140-2.

Meyer sharpened his critique of Kirk in 1955. Chodorov commissioned the article as an attack on Clinton Rossiter, whose *Conservatism in America* had just been published, but Meyer focused the article on Kirk.¹²² Meyer identified Kirk alongside Robert Nisbet, Clinton Rossiter, and the nationally syndicated columnist Walter Lippmann with the New Conservatism. He claimed that as a quirk of history “conservative” had come to mean opponents of “false ‘liberalism.’” Once conservatives stood for defending “the established traditions of the Constitution and to a free American social structure” but the fundamental transformation of the political structure in the Roosevelt revolution rendered this an absurdity. To Meyer, the New Conservatism was the intellectual expression of Eisenhower Republicanism, which was little more than a soft Rooseveltism. Wittingly or not, Kirk, Rossiter and the New Conservatives were complicit in sustaining the debased New Deal political structure. Where conservatism failed, Meyer argued, was in its lack of clear principles. The principles of individualism were that value only resided in individuals and institutions were justified only insofar as they benefited individuals. In politics, these principles demanded the division of powers and an insistence on keeping “the entire sphere of economic activity” free of political control. On these issues Meyer found Kirk and the New Conservatives faulty. They were communitarian rather than individualist and soft on free market economics. For all their talk of transcendence, Meyer found the New Conservatives vague on principle; for their talk of tradition, he thought them weak on traditions of liberty.¹²³

Reactions among the right-wing intellectual sphere were mixed but demonstrated these intellectuals’ efforts to construct an ideologically rich right-wing and the genuine gulf between

¹²² Henry Regnery to Russell Kirk, August 2, 1955, box 39, folder 9, Regnery Papers.

¹²³ Frank S. Meyer, “Collectivism Rebaptized,” *Freeman*, July, 1955, 559-62.

conservatism and individualism. The episode created long-lasting ill-will between Kirk, Buckley, and especially Frank Meyer. *The Freeman* published four letters in response, two against the “fratricidal” attack on the New Conservative, one somewhat in agreement, and another arguing the debate was necessary.¹²⁴ Kirk was annoyed and perceived, somewhat paranoidly, the issue as an effort by libertarians to stifle his efforts to launch his own conservative journal.¹²⁵ It was “amusing,” he noted, that “two radical Jewish atheists – one an anarchist and the other a ‘reformed’ Marxist” had established themselves as defenders of One Hundred Percent Americanism. He predicted the “freemaniacs” magazine would shortly close.¹²⁶ But Kirk also found the episode clarifying. “I had much rather sacrifice the support of ten ossified Benthamites than the support of one real conservative,” he wrote to Regnery. For his part, Buckley, who was shopping around his own broad tent right-wing magazine, was “glad” Meyer had “unambiguously” insisted that conservatism demanded “inflexible principles” immune to “the ravages of the majority or the thing Kirk calls ‘prescription.’”¹²⁷ For his part, Kirk reported that his conservative allies were pleased that the individualists at *The Freeman* had created light between true conservatives and libertarians. By 1955 Kirk did not include Viereck and Rossiter among his allies. He saw them as moderate liberals and, by 1955, marginal to the formulation of a right-leaning conservatism.¹²⁸ “Conservative’ journalism” was trapped, Kirk complained, by

¹²⁴ Letters to the Editor, *Freeman*, September 1954, 632.

¹²⁵ Russell Kirk to Henry Regnery, July 5, 1955, box 39, folder 9, Regnery Papers.

¹²⁶ Russell Kirk to Henry Regnery, July 5, 1955 and Russell Kirk to Henry Regnery, August 13 1955, box 39, folder 9 in Regnery Papers.

¹²⁷ William F. Buckley to Suzanne LaFollette, July 5, 1955, box 3, Buckley Papers.

¹²⁸ Russell Kirk to William F. Buckley, September 1, 1955, box 3, Buckley Papers.

the “insane conjunction” of Viereck on the left and Chodorov on the right.¹²⁹ Defining and restoring true conservatism for the latter half of the twentieth century was Kirk’s goal. He hoped that establishing a journal of conservative thought would prevent conservatism becoming the preserve of the individualist right.

Russell Kirk and *Modern Age*

Late in 1952 Russell Kirk and Henry Regnery began discussions about launching a high-brow conservative journal. The scion of a textile fortune, Regnery was well-acquainted with right-wing intellectual circles. Both he and his father, William, were leading members of the Foundation for Foreign Affairs, an isolationist organization founded in 1945 to carry the right-wing isolationist worldview into the post-World War II era.¹³⁰ The Regnerys were of German descent. Henry did graduate study in Germany during the 1930s and spoke the language.¹³¹ According to Kirk, he also quietly possessed anti-Semitic views, tolerating open anti-Semites in his employ and quietly enquired into the ethnic heritage of liberal historian and commentator Arthur Schlesinger Jr.¹³² Regnery’s involvement in the isolationist circle brought him into contact with numerous long-time anti-internationalist and often anti-New Deal and Fair Deal intelligentsia, including the libertarian journalist John T. Flynn, Eugene Davidson, the editor of Yale University Press, and Frank Hanighen, who alongside Felix Morley co-founded the Washington anti-Roosevelt newsletter *Human Events* in 1944.¹³³ Regnery joined *Human Events*

¹²⁹ Russell Kirk to Henry Regnery, June 8, 1954, box 39, folder 9, Regnery Papers.

¹³⁰ Justus D. Doenecke, "Toward an Isolationist Braintrust: The Foundation for Foreign Affairs," *World Affairs* 143, no. 3 (1980): 264-77.

¹³¹ Henry Regnery, *Memoirs of a Dissident Publisher* (New York: Harcourt Brace Jovanovich, 1979), 3-25.

¹³² Henry Regnery to William F. Buckley, March 27, 1953, box 10, folder 14; Russell Kirk to William T. Couch, August 4, 1959, folder 400, Couch Papers.

¹³³ Doenecke, "Toward an Isolationist Braintrust," 267.

in 1945 largely as a financial expert, incorporating the newsletter, investing \$1000 in the venture and receiving one third voting stock alongside Hanighen and Morley.¹³⁴ Regnery left *Human Events* to focus on publishing. As a publisher of what became called conservative books Regnery found his calling as a media entrepreneur, networker, and financier of the American right.¹³⁵

Regnery had two big successes in the early 1950s. In 1951 he published *God and Man at Yale* by William F. Buckley Jr. The young Yale grad was the son of an isolationist millionaire and associate of Regnery's. He attacked elite higher education for allegedly inculcating a irreligious relativism and socialist economics into America's youth. Buckley called on Yale alumni to withhold donations to the university to force a cultural change at Yale.¹³⁶ *God and Man* was reviewed widely and critically, including by *New Conservatives*.¹³⁷ The breadth of coverage pleased Regnery, whose books were rarely touched by major publications. Press coverage and an advertising push financed by Buckley's father made the book a sensation and turned the younger Buckley into a minor celebrity.¹³⁸ By early 1953, *God and Man at Yale* had sold 25,000 copies.¹³⁹ After Buckley's sensation, Regnery's second best-seller had been Russell Kirk's *The Conservative Mind* which also enjoyed crucial press coverage and even a much more positive reception than Buckley's missive. Kirk's success went a long way to establishing "conservative" as the descriptor of choice for Regnery and his network.

¹³⁴ Regnery, *Memoirs of a Dissident Publisher*, 30.

¹³⁵ Regnery, *Memoirs of a Dissident Publisher*, 39.

¹³⁶ William F. Buckley Jr, *God and Man at Yale*, (Henry Regnery Company, Chicago: 1951).

¹³⁷ Peter Viereck, "Conservatism Under the Elms," *New York Times*, Nov. 1, 1951, 39; McGeorge Bundy, "The Attack on Yale," *Atlantic*, November, 1951.

¹³⁸ Henry Regnery to William F. Buckley Jr, Nov. 3, 1951, box 10, folder 14, Regnery Papers.

¹³⁹ Henry Regnery to Roger Milliken, December 13, 1951, box 51, folder 13, Regnery Papers; Henry Regnery to William F. Buckley, May 28, 1953, box 10, folder 14, Regnery Papers.

Enjoining one of his most successful writers to broach more controversy, Regnery commissioned Buckley to write a book-length defense of Joseph McCarthy. Buckley obliged with his brother-in-law, L. Brent Bozell.¹⁴⁰ By mid-1954, *McCarthy and His Enemies* sold 28,500 copies, marking another success for Regnery and Buckley.¹⁴¹

Regnery and Kirk were convinced there was good writing to be found between the “liberal orthodoxy” and “the indiscriminate chorus of ‘God Bless America.’”¹⁴² Both men dearly hoped to found a literary-cultural magazine. In an early editorial, Kirk announced his magazine was trying to “save conservatives from the imputation of stupidity.”¹⁴³ *The Conservative Review*’s principles were “respect for religious and ethical ideas,” “conservative social principles,” and “interest in the culture of the heart of America” by which Kirk meant regions beyond the East Coast – the Midwest, South, and West. Kirk and Regnery both believed Eastern publishing houses, intellectuals, and politicians exercised too great an influence on politics and culture, including even the CIA-sponsored anti-communist journal *Encounter*.¹⁴⁴ By conservatism, Kirk meant something more than party politics. Alongside ecumenical religious traditionalism, conservatism meant that “the American Republic and the traditions of our civilization are worth preserving” and that the journal would not “sneer at everything old and venerable.”¹⁴⁵ Elsewhere, Kirk defined the prospective journal’s position as conservation of “the

¹⁴⁰ William F. Buckley to Henry Regnery, June 13, 1953, box 10, 14, Regnery Papers.

¹⁴¹ Henry Regnery to L. Brent Bozell, 1954, box 13, folder 9, Regnery Papers.

¹⁴² Russell Kirk to Henry Regnery, Nov 9, 1952, box 39, folder 9, Regnery Papers.

¹⁴³ Russell Kirk, “Can Conservatives be Saved,” *Modern Age*, 4, no. 4, (Spring, 1958): 114-6.

¹⁴⁴ “The Principles of a Monthly Journal,” box 39, folder 9, Regnery Papers.

¹⁴⁵ *The Conservative Review: A Magazine of Controversy: Apology for a New Review*,” box 39, folder 9, Regnery Papers.

intellectual traditions, the free constitutions, and the old heartiness of our civilized society.” In this mission, he opposed “political collectivism, social decadence, and effeminacy in thought and literature.”¹⁴⁶ Kirk told Regnery the journal needed either a substantial endowment or three years funding. Kirk struggled to find funds until and even after the journal’s launch in 1957.

Where *Freeman*-style individualists could call upon academic economists like the Columbia University’s George Stigler, Chicago’s Friedrich Hayek, or Ludwig von Mises at NYU, and where Strauss and his students developed a network of scholars at elite universities like Chicago, Cornell, and Harvard, Kirk’s allies tended to be at second-tier colleges or in marginal academic roles. This relative lack of institutional academic support and credentialing ultimately hampered Kirk’s cause. He aimed instead for a middle ground between academia and journalism, but risked speaking only to a cult audience.

Kirk continued to write books for a shrinking readership. Regnery pushed him to expand the “themes” of his work and placed some hope in the manuscript Kirk was working on about the “American cause.”¹⁴⁷ Kirk had responded to Chinese intelligence claims that a shocking number of American soldiers in the Korean War had “little knowledge or understanding” of “American political history and philosophy” by writing a primer on American politics.¹⁴⁸

In a Boorstinesque note, Kirk suggested Americans did not obsess with political theory because they were basically pleased with the American order. But in the struggle against communism it was necessary to state those principles. In that vein, *The American Cause* was a Pollyannaish description of America’s “moral,” “political,” and “economic” convictions. Kirk

¹⁴⁶ “The Principles of a Monthly Journal,” box 39, folder 9, Regnery Papers.

¹⁴⁷ Henry Regnery to Russell Kirk, May 24, 1957, box 39, folder 9, Regnery Papers.

¹⁴⁸ Russell Kirk, *The American Cause*, (Chicago: Henry Regnery Company, 1957), 2.

called the United States the successor of Western civilization and suggested it represented “a sober and prudent defense of beliefs and rights and institutions” against “forces that would destroy not just our citizens but also our culture.”¹⁴⁹

Kirk turned his Old Guard Republicanism into normative claims about America’s political regime. Culturally, he called the United States “a Christian nation” and claimed that “Christian morality is the cement of American life.”¹⁵⁰ Since Judeo-Christian precepts created the basis for human dignity and natural rights, he argued, they underpinned America’s political and economic systems. With an eye on contemporary debates, Kirk added that the First Amendment was “intended to shelter religion, not to hamper churches.”¹⁵¹ This was clear since America’s was a “limited government” that left room for a large private sphere. Kirk placed great emphasis on the idea of America as a federal republic, not a centralized democracy. The United States possessed “a system of limited, delegated powers, entrusted to political officers and representatives and leaders for certain well-defined public purposes.” At the heart of this system was the “sovereign states,” voluntarily in union “only for the purposes, and under the conditions, described in the federal Constitution.”¹⁵² This was an abstract expression of a strong stance on federalism or states’ rights. Like most conservative Republicans, Kirk’s federalist stance derived from staunch constitutionalism. In the context of massive resistance to federal injunctions to integrate schools, this statement highlighted Kirk’s abstract view of the era’s fraught racial politics. Kirk’s work appealed to southern segregationists like James Jackson

¹⁴⁹ Kirk, *The American Cause*, 10-11.

¹⁵⁰ Kirk, *The American Cause*, 48.

¹⁵¹ Kirk, *The American Cause*, 33.

¹⁵² Kirk, *The American Cause*, 74.

Kilpatrick and Richard Weaver precisely because it flattered white conceits about the principled rather than prejudicial basis of Jim Crow.

In addition to the federal structure, limited government meant “ordered liberty, designed to give justice and order and freedom all their due recognition and part.”¹⁵³ In Kirk’s view this did not mean “anarchic self-gratification.”¹⁵⁴ Nor did it mean “artificial equality of condition.” Instead, “justice’s purpose is to help men fulfill the particular natures to which they were born.”¹⁵⁵ Limited government moreover meant negative liberties, such as “freedom from interference with religious opinion and worship” but opposed the types of freedom – “freedom from fear, or from want” – Franklin Roosevelt had articulated.¹⁵⁶

Finally, turning to economics, Kirk noted that most Americans believed political, religious, and economic freedom are inseparably linked which was one of the major reasons Americans supported what Kirk preferred to call the “market economy” or “free enterprise system.”¹⁵⁷ Kirk had been quite critical of individualists and Austrian school economist Ludwig von Mises for their allegedly deracinated view of capitalism and human living. To Kirk, an economic system needed to provide more than productivity and freedom. Kirk therefore praised the “American enterprise system,” characterized by “liberty of choice, private ownership of capital, and competition,” because it provided not only material benefits and promoted freedom, but because it encouraged justice and inculcated bourgeois habits.¹⁵⁸ In one of his more

¹⁵³ Kirk, *The American Cause*, 50.

¹⁵⁴ Kirk, *The American Cause*, 62.

¹⁵⁵ Kirk, *The American Cause*, 54.

¹⁵⁶ Kirk, *The American Cause*, 61.

¹⁵⁷ Kirk, *The American Cause*, 87-93.

celebratory discussions of capitalism, Kirk claimed “free enterprise does not lead to servitude and poverty for the masses. By liberating energies, a free economy encourages people to do their best. It is free enterprise, indeed, that has abolished slavery in the Western world.” Totally blind to racial disparities in America, Kirk concluded that the United States was “unjust only to the extent that perfect justice never has been secured anywhere.” It was, Kirk maintained, “improbable that a greater measure of justice ever prevailed in any nation.”¹⁵⁹

Despite aiming for a popular audience, Kirk was disappointed by *The American Cause*'s sales numbers. The lesson he took from it was that “serious” discussion was wasted at the popular level. He predicted that right-wing magazines that aimed for popular audiences, such as *The American Mercury*, were doomed to fail. There was no “semi-serious reading public – only a frivolous public that desires pornography or slogans,” he complained, and later regarded *The American Cause* as a childish book.¹⁶⁰ Instead, the only public worth reaching was “the serious reading public” and if properly pitched, his magazine, now titled *Modern Age*, “could reach the leaders of public opinion, and can exercise a real influence at small expense.”¹⁶¹

Finally, in summer 1957, nearly five years after they began discussions for a conservative journal, *Modern Age* went into print as a quarterly. The type of contributors Kirk hoped to publish, including prominent literary figures like Allen Tate, the southern critic and poet, T. S. Eliot, Wyndham Lewis, and Robert Frost, and religious writers like C. S. Lewis and Reinhold

¹⁵⁸ Kirk, *The American Cause*, 101-2. For an analysis of Kirk's view on capitalism and other conservative critics of capitalism and their accommodations, see Kolozi, *Conservatives against Capitalism*.

¹⁵⁹ Kirk, *The American Cause*, 135.

¹⁶⁰ Birzer, *Russell Kirk, American Conservative*, 187.

¹⁶¹ Russell Kirk to Henry Regnery, August 18, 1958, box 39, folder 9, Regnery Papers.

Niebuhr indicate, the Christian humanist origins of his conception of conservatism.¹⁶² Although he had some success attracting contributions, Kirk relied primarily upon essays by less prominent intellectuals like the Venezuelan émigré philosopher Eliseo Vivas, the Spanish exile Julian Marias, and southern academic Richard Weaver, in part because *Modern Age* could only afford to pay extremely low rates.¹⁶³ The historian Daniel Boorstin, with whom Kirk was friendly, offered moral support for the endeavor, but was skeptical about maintaining standards. Boorstin did not contribute to the review and refused to join its editorial board.¹⁶⁴ Leo Strauss refused to contribute because of Regnery's opposition to the state of Israel.¹⁶⁵ Its first issue featured an article by Richard Weaver and a symposium on the Spanish philosopher Jose Ortega y Gasset. Some of the subsequent issues brought an abstruse perspective to specific themes like education or the American South.¹⁶⁶ Several of the men associated with the New Conservatism contributed to *Modern Age*: Raymond English, Thomas Cook, and Francis G. Wilson.¹⁶⁷ Even August Heckscher, a moderate Republican, wrote about an expansive understanding of welfare for the post-New Deal political world.¹⁶⁸ Another moderate Republican, George Romney

¹⁶² Jacobs, *The Year of Our Lord 1943*.

¹⁶³ Russell Kirk to Henry Regnery, August 29, 1958, box 39, folder 9, Regnery Papers.

¹⁶⁴ Daniel J. Boorstin to Russell Kirk, June 3, 1954; Daniel J. Boorstin to Russell Kirk, July 14, 1954. Daniel J. Boorstin to Russell Kirk, Oct 11 1955; Russell Kirk to Daniel J. Boorstin, June 3, 1955; Daniel J. Boorstin to Russell Kirk, June 10, 1955, box 33, Boorstin Papers; Birzer, *Russell Kirk*, 179.

¹⁶⁵ Birzer, *Russell Kirk*, 178-9.

¹⁶⁶ Symposium, *Modern Age*, 2, no.4, (Fall, 1958).

¹⁶⁷ Raymond English, "Of Human Freedom," *Modern Age*, 3, no. 1 (Winter, 1958/9): 8-20; 8; Thomas I. Cook, "Burke's Early Genius," 2, no. 3, (Summer, 1958): 327-30; Francis Graham Wilson, "From Congressional to Presidential Government," *Modern Age*, (Spring, 1960): 205-9.

¹⁶⁸ August Heckscher, "The True Welfare: America's Continuing Quest," *Modern Age*, 2, no. 3 (Summer, 1958): 234-9.

contributed a boilerplate statement of Republican principles in 1960.¹⁶⁹ Windy and sometimes esoteric, Kirk's *Modern Age* was highbrow but labored.

The journal was a mixed success. Kirk and Regnery had thought it feasible to develop a subscriber list of 30-50,000 (relative to *The Atlantic's* 200,000 and *Harper's* 180,000) composed of professors, clergymen, and religious leaders. Within nine months *Modern Age* had 4,500 subscribers, which Kirk bragged was as large a circulation as *Partisan Review*.¹⁷⁰ By the end of the decade, *Modern Age* had earned some recognition. The *American Political Science* listed five of its articles among its "Selected Articles and Documents on Political Theory" section; the *Times of London* cited the journal three times in 1960, and it had the third largest circulation among American quarterlies.¹⁷¹ At the same time, subscription renewals declined over 1958 and Regnery suggested to Kirk that the journal appealed to professors rather than "the intelligent, non-academic people you originally wanted to reach."¹⁷²

Ultimately, Kirk and Regnery fell out dramatically over editorial control over *Modern Age*. They argued over the religiosity of the journal and the extent which it favored Catholicism.¹⁷³ They argued over the tenor and content of the journal with Regnery making last-minute changes to several issues and attempting to impose an editorial board upon Kirk.¹⁷⁴ The struggle reached a crisis point in 1959 when Kirk alleged that the managing editor, David

¹⁶⁹ George Romney, "The Challenge of the 1960s," *Modern Age*, (Summer, 1960): 229-34.

¹⁷⁰ Russell Kirk, "Can Conservatives be Saved," *Modern Age*, 4, no. 4, (Spring, 1958): 114-6.; Russell Kirk William T. Couch, July 10, 1958, 400, Couch Papers.

¹⁷¹ David Collier to William F. Buckley [undated]; David Collier to William F. Buckley, Sept 20, 1960, box 10, Buckley Papers.

¹⁷² Henry Regnery to Russell Kirk, May 29, 1959, box 39, folder 9, Regnery Papers.

¹⁷³ Henry Regnery to Russell Kirk, 29 July, 1958; Henry Regnery to Russell Kirk, 28 July, 1958, box 39, folder 9, Regnery Papers.

¹⁷⁴ Birzer, *Russell Kirk*, 178-80.

Collier, a political scientist with a PhD from Northwestern, was an aggressive anti-Semite who sought to control the magazine.¹⁷⁵ Regnery backed Collier and Kirk resigned in July 1959; fifteen of *Modern Age*'s twenty-seven editorial advisors followed suit.¹⁷⁶ A year later, Regnery and the Institute for Philosophical and Historical Studies, the new organization under whose auspices *Modern Age* would continue to publish, appointed Eugene Davidson, the former editor of Yale University Press, as *Modern Age*'s new editor.¹⁷⁷

Kirk's resignation from *Modern Age* was a turning point in his career. From a high point in 1956, when *Time* featured Kirk as one of the pre-eminent intellectuals in America, his status had declined. Kirk had been instrumental in popularizing and legitimating the discourse of conservatism in the United States. He had been an important bridge between the New Conservatives like Peter Viereck and a new set of intellectuals and politicians who took hold of the rhetoric of conservatism – especially William F. Buckley and Barry Goldwater. Although Kirk was friendly with Buckley and Goldwater, occasionally writing speeches for the Arizona Senator and supporting him vigorously, his star faded compared to these men. Kirk lost his authoritative position over the language of conservatism. Over the 1950s, Kirk's book sales declined, and his writing efforts were increasingly monopolized by Buckley's *National Review*. Kirk's association with *National Review* reached a peak in 1964 when 88% of his published writing came out in Buckley's magazine.¹⁷⁸ The loss of *Modern Age* was another blow to Kirk. After struggling for five years to get the review going, after his resignation he no longer possessed an editorial vantage point from which to propound his vision of conservatism; he was

¹⁷⁵ Russell Kirk to William T. Couch, July 14, 1959, 400, Couch Papers.

¹⁷⁶ Birzer, *Russell Kirk*, 182.

¹⁷⁷ "Introducing Eugene Davidson," *Modern Age*, (Fall, 1960): 338-9.

¹⁷⁸ Birzer, *Russell Kirk*, 166.

increasingly subsumed into what was becoming “movement conservatism.” Kirk became a touchstone for the movement but less and less relevant as a contemporary thinker and actor. Movement conservatives, from Buckley on, cited Kirk and especially *The Conservative Mind* which stayed in print continuously. But whether the precepts Kirk laid out in 1953 were treated by subsequent conservatives as determinative for their politics was questionable.

Conclusion

During the early- to mid-1950s, the right-wing intellectual landscape was financially impoverished and intellectually divided. The trends of right-wing criticism of the prevailing liberalism discussed in this and the previous chapter – Straussian academics, individualist journalists, and the New Conservatives and the more right-wing conservative Russell Kirk and his allies – challenged liberalism from distinct angles. They existed in intersecting but oftentimes tense relationships with one another. Straussians found Kirkian conservatives anti-philosophical and individualists anti-governance. The individualists also accused Kirk and his conservative allies and the New Conservatives of lacking coherent principles. Kirk fired back that individualists were materialistic radicals. Ecumenically, Kirk was very impressed by Leo Strauss’s learning and scholarship. More liberal New Conservatives like John Hallowell were also impressed by Strauss and his students. These competing circles of right-leaning intellectuals were increasingly aware of one another but, although they shared some criticisms of liberalism and a political orientation against the left, these right-leaning intellectuals were far from united.

One indication of the lack of unity or clear shared identity between these groups was the varied but ambivalent attitude they showed toward the language of conservatism. Kirk and Regnery went ahead embracing and legitimating the term conservative as an intellectual position with greater depth than its popular use as a descriptive term for right-wing politicians implied.

He and his allies gave it a metaphysical and political meaning that connected transcendent truth, religious piety, property rights, and community into a philosophy that in practice opposed New Deal liberalism. As we have seen, the individualist circle around the *The Freeman* occasionally used the rhetoric of conservatism, but usually in a qualified fashion and would clearly have preferred to lay claim to liberal and liberalism. Since in mid-century America “liberalism” was thoroughly associated with the Democratic and Republican left-wings, conservatism became a reluctant second choice for some individualists, although Frank Chodorov insisted individualists were radicals. More diverse, Strauss’s students had a variety of political views. The most rightward, however, admitted sympathy to conservatism but balked at its present articulation. It was clear, however, that the concepts “conservative” and “conservatism” were more and more widely recognized as the antithesis of liberalism in the United States.

These three right-wing outlooks shared criticisms of American liberalism, international communism, and left-wing politics in general. At this stage, the right-leaning scholars among the Straussians criticized American liberalism as procedural and lacking in the moral and philosophic depth of the best political philosophy. By a similar token, Kirk and other conservatives criticized liberalism as relativistic and levelling. Compared to the aristocratic elitist Straussian and conservative critiques of liberalism, the individualist animus toward liberalism was far more grounded in an extreme view of political liberty. Each of these groups had reservations about the aims of the liberal state, although the Straussians were not philosophically opposed to state activism itself as the individualists and Kirkian conservatives were. All three were deeply anti-communist and uniformly saw the Soviet Union and communism worldwide as tyrannical and a threat to America and mankind. Each of the intellectual trends discussed in this chapter was of the right in that they opposed egalitarian politics in the name of a higher good.

The Straussians considered philosophy and justice above equality; the conservatives prioritized tradition and authority; for the individualists, freedom and liberty were values above equality. These were widely divergent views of the good society, showing how variegated right-wing ideas were at the elite level.

However, Kirk's intentionally broad and ecumenical conservatism served as a bridge. In rhetoric, temperament, and stated principles Kirk's conservatism was closer to, although by no means identical with, the Straussian school. Yet in practical matters, including the candidates he supported and the political journals he published, he was surprisingly close to individualist people and institutions, despite his criticism of them.

Each of the three right-wing perspectives had gone some way to justifying itself on the grounds of its basis in the American political tradition. Such Americanism was perhaps most organic for the individualist intellectuals who drew on a longstanding tradition of right-wing anti-government and free market thinking that found its justification in a radical libertarian reading of the Revolution. The Straussians and the metaphysical conservatives' efforts to connect their political and philosophical frameworks to the American past were more labored. Through the work of Harry Jaffa, Walter Berns, and Martin Diamond, and shortly followed by other Straussian scholars like Herbert Storing and Robert Goldwin, Strauss's students made a bold and sustained case that within the Founding, its attendant institutions and America's great leaders was a repository of wise and just political philosophy that demanded attention and consideration. And while it is inarguable that Kirk and his allies published in *Modern Age* were more influenced by a transatlantic Christian humanism, Kirk had come to see his romantic sense of conservatism embedded in the American past. His short book *The American Cause*, published in 1957, was its clearest – if most simplistic – statement.

Each of these right-wing intellectual perspectives critiqued New Deal liberalism in occasionally overlapping ways. However, despite some overtures, the men and women involved in these circles did not see the others as belonging to a shared movement or coherent political identity. To some extent, there were possibilities for alliances or intellectual cross-pollination, but the boundaries between individualists, conservatives, and Straussians were clear, not just in the content of their thought but in the institutions and forums they worked and published in. Certainly, they were not united by a shared engagement in the discourse and politics of conservatism. In intellectual circles in the early 1950s, conservatism largely meant either Kirkian or Rossiter-type conservatism – humane, pious, organic, believing not just in the importance of property rights but also community, authority, and tradition. In its Kirkian formulation, conservatism trended to the free market, anti-statist right; in Rossiter’s it was a moderate, skeptical liberalism. Against “conservatism,” the individualist and Straussian traditions remained distinct. Despite some ad hoc interactions, there were, as of yet, no major sites of identity formation that actively brought these and other right-wing writers, intellectuals, and activists together under a unified banner.

CHAPTER III: AMERICAN HISTORY AND RECONCILING CONSERVATISM, 1955-60

Despite several bestsellers, “conservative” publishing was a painful exercise. For Henry Regnery, book sales had gone up every year, but the company’s finances were dire.¹ Regnery believed the structure of media consumption needed to be changed to promote right-wing ideas and save America.² “This country is still basically sound but that the intellectuals have really sold us out,” he told one donor.³ To Regnery, the key was breaking what he saw as the Northeastern liberal establishment’s stranglehold on publishing, academia, and especially opinion journalism. *Modern Age* was one effort to break the stranglehold.

The view from Manhattan was different. Alfred Knopf dismissed the claim that publishers buried right-wing books. Speaking as “a black reactionary Republican,” he told a conservative journalist that it was not true publishers avoided right-wing books because there was no money to be made. “Our side is unproductive, inarticulate and generally speaking of no use to a book publisher,” Knopf complained. He blamed the quality of “right of center” thought and writing. Men like John T. Flynn were “compromised and a liability.”⁴ Regnery worked with Willi Schlamm, an émigré intellectual with connections to the Henry Luce *Time-Life-Fortune*

¹ Henry Regnery to William F. Buckley, May 14, 1951, box 10, folder 14, Regnery Papers; Henry Regnery to Roger Milliken, Feb 17, 1953, box 51, folder 13; For an excellent study of Henry Regnery as a media entrepreneur for the conservative movement, see Nicole Hemmer, *Messengers of the Right*.

² Nicole Hemmer, *Messengers of the Right*.

³ Henry Regnery to Roger Milliken, Feb 17, 1953, box 51, folder 13; William F. Buckley and L. Brent Bozell, *McCarthy and His Enemies*, (Henry Regnery Company: Chicago, 1954).

⁴ Alfred A. Knopf to James J. Kilpatrick, Jan 3, 1957, box 39, folder 2, Regnery Papers.

empire, to by-pass traditional media and launch a conservative magazine to act as “a spiritual radar beam” to the perceived sizeable audience of “completely and intentionally isolated customers.”⁵

Despite challenges of funding and finding support, Schlamm was convinced that there was enough talent to launch a magazine.⁶ Regnery and Schlamm saw the success of books like Buckley’s *God and Man at Yale*, Kirk’s *The Conservative Mind*, and also Whittaker Chamber’s memoir of Soviet spying and the Hiss trial, *Witness*, as indicative of a critical mass of anti-communist, anti-liberal intellectuals. The anti-liberal writers were fractious and their views of the American right differed considerably. Regnery and Schlamm believed in a cosmopolitan, often Europhilic, and respectable conservatism. The extant American right, however, even at elite levels, did not always comport with this vision. One contact, Theodore Roosevelt’s right-wing son Archibald, got in touch with William F. Buckley and Ralph de Toledano, a right-leaning journalist close to Richard Nixon. Regnery feared Roosevelt wanted to organize around an entirely different group of right-wingers. Similarly, Regnery was concerned about Buckley’s intellectual predilections. Regnery liked Chambers and the hyper-intellectual Cold Warrior James Burnham. He worried Buckley would be stand-offish toward them and promote his mentors, the populist theorist Willmoore Kendall and anarchist Frank Chodorov.⁷ Buckley did not trust Chambers on economic issues and found him insufficiently libertarian, as Buckley styled himself.⁸ When one right-wing intellectual suggested Regnery and Schlamm’s circle was insufficiently American, Chambers attempted to withdraw. For his part, Regnery found Buckley

⁵ Willi Schlamm to Henry Regnery, May 5, 1953, box 67, folder 21, Regnery Papers.

⁶ Willi Schlamm to Henry Regnery, Oct 21, 1953, box 67, folder 21, Regnery Papers

⁷ Henry Regnery to Willi Schlamm, July 31, 1953, box 67, folder 21, Regnery Papers.

⁸ Henry Regnery to Willi Schlamm, April 16, 1953, box 67, folder 21, Regnery Papers.

and Chodorov extremely radical yet thought there was space for “considerable difference of opinion on economic matters without compromising basic principles.”⁹ Ultimately, it was Buckley and Schlamm who led the founding of a new conservative journal, *National Review*.

The vision that Regnery and Schlamm shared and the difficulties they faced were indicative of the right-wing intellectual and media landscape. As a matter of faith, they believed in an audience alienated by the prevailing liberal politics and culture. Likewise, they took for granted that they represented true American principles and ideals: authentic in the sense they were believed by a forgotten majority of Americans and true in and of themselves.

However, although Regnery and Schlamm could identify a bevy of writers opposed to communism abroad and the liberal status quo domestically, what these principles were in practice was unclear. Was it the One Hundred Percent Americanism of Archibald Roosevelt? The Europhile conservatism of Regnery, Schlamm, and Russell Kirk? The libertarianism of Chamberlain or, in an extreme form, Chodorov? Or something else? As a negative program, the writers were united by intense opposition of communism and distrust bordering on hatred for the New Deal order. Regnery thought a capacious right-wing perspective was possible, one that could encompass Chambers and at least Buckley. That this disparate group could unite around a magazine, let alone make coherent statements about principles and politics, was far from certain. The first key factor in the emergence of *National Review* as the acknowledged organ of “respectable conservatism” was the magazine’s structure under Buckley’s sole control and editorship. The second factor was its fostering – and co-option – of the discursive framework of “conservatism” as a unifying and putatively intelligible, coherent, and legitimate ideology that

⁹ Henry Regnery to Willi Schlamm, April 16, 1953, box 67, folder 21, Regnery Papers.

articulated initially esoteric but eventually Americanized iterations of “timeless” truths for the American context.

Buckley, his allies, and *National Review* were able to form “conservatism” as a unifying acceptable discourse to these varied thinkers and writers. At first, conservatism was largely anti-left, but conservative ideological entrepreneurs like Buckley, Frank Meyer, and M. Stanton Evans developed a minimally acceptable framework of Americanized “fusionism” to define conservatism.

These right-wing conservatives took the vogue for the New Conservatism and imposed on it a broad defense of laissez-faire economics, staunch, even McCarthyist anti-communism, and the dominant racial and social prejudices. They turned conservatism from Viereck and Rossiter’s realist defense of liberalism into a fighting anti-liberal program, leveraging American history to attack the New and Fair Deals as illegitimate interruptions to America’s newly discovered “conservative” reading of America’s past. In part, this effort was fostered by the media’s tendency to refer to the Republican opposition to the New Deal as conservative. This preexisting association helped right-wingers like Buckley co-opt the term “conservative” from the more liberal New Conservatives and imbue it with a set and a discernable, albeit sometimes vague, political meaning.

Launching National Review

Buckley and his father were willing to invest \$100,000 but sought an additional \$450,000 to launch their magazine.¹⁰ Buckley and Schlamm organized *National Weekly*’s stock structure to give Buckley total voting control.¹¹ The younger Buckley sought to tap into existing right-wing

¹⁰ Judis, *Buckley*, 119. In 2019 dollars, this was the equivalent of approximately \$950,000 of \$5.5 million total.

¹¹ “Memorandum Re: A New Magazine,” box 10, folder 3, Burnham Papers.

networks to support the venture. Despite this, Buckley was frustrated with the difficulty in raising funds.¹² One sympathetic contact complained it was “sad that with so much talent available, there is so little capital. We might as well be living in Somaliland.”¹³ The conservative radio host Clarence Manion, who hosted Buckley on his Manion Forum in 1956 complained to him that “patriotic enterprises are in a perpetual state of financial embarrassment.”¹⁴

Just like *The Freeman* and Kirk’s prospective *Conservative Review*, Buckley and his consortium of intellectuals intended their magazine for an elite audience. Buckley suggested *National Weekly* would speak with “a combination of profundity, wit, style, and ingenuity” to “a relatively select group of people, the opinion makers, mostly, and the future opinion makers.” Political movements required both types of publication, Buckley thought. Their combined aim was to convince opinion-makers that “the philosophy of freedom is young, and superior to the dreary nostrums advanced by the jaded totalitarians of various stripes.”¹⁵ The reasoning behind this strategy was based on their understanding of the role of magazines in shaping and normalizing the “New Deal revolution” in the 1930s. Conservatives assumed that the boundaries and possibilities of the political climate were shaped by “the nation’s few serious journals.”¹⁶

Buckley tried to absorb *The Freeman* into his venture. In October 1955 at the urging of the publisher of *The Freeman*, Buckley made a nominal offer to purchase *The Freeman*. For a dollar, Buckley would receive *The Freeman* name, its debts, liabilities, and subscription lists,

¹² Nicole Hoplin and Ron Robinson, *Funding Fathers: The Unsung Heroes of the Conservative Movement*, (Regnery Publishing Inc: Washington, DC, 2008), 71. This book is clearly written as a celebratory product of the conservative movement and treats it in an uncritical manner. Nevertheless, its archival thoroughness is evident.

¹³ William F. Buckley to Herbert Hoover, March 1, 1955, box 2, Buckley Papers.

¹⁴ Pat Manion to William F. Buckley, Sept 14, 1956, box 3, Buckley Papers.

¹⁵ William F. Buckley to H. L. Hunt, April 21, 1955, box 2, Buckley Papers.

¹⁶ “Memorandum Re: A New Magazine,” box 10, folder 3, Burnham Papers.

fulfilling remaining *Freeman* subscriptions with *National Weekly*, now titled *National Review*. *The Freeman*'s anarchist editor Frank Chodorov would join *National Review*.¹⁷ However, the directors unanimously rejected the offer, arguing that losing *The Freeman* would be a defeat.¹⁸ Brian Doherty suggests anti-Catholic attitudes among the *Freeman*'s directors stifled the merger as well as financial support for *National Review*.¹⁹

One of the *Freeman*'s directors, Fred Rogers Fairchild, an economist at Yale, wished Buckley's endeavor well, opining that the pro-liberty, free enterprise movement ought to discard the "awkward" term libertarian, in part for its closeness to "libertine." "Our opponents have been far more clever than we in their semantics," Fairchild complained. "Liberal," "progressive," and "New Deal" were all masterful symbols. In particular, "liberal" had been stolen from the free marketeers by "the enemy." Fairchild urged Buckley to abandon libertarian and "appropriate the good word liberal and defend such appropriation against all comers."²⁰ This was a common refrain, especially from defenders of free enterprise, but Buckley instead embraced "conservative" and imbued it with a set of meanings rather than attempt the enormous task of transforming liberalism from its common usage.

The genius of "conservatism" was the malleability and capaciousness of the term. The word itself, in common currency to refer to critics of the New Deal and liberal politics, denoted clear opposition to contemporary Fair Dealers and Modern Republicans. Although long pejorative in the American context, New Conservatives like Peter Viereck and Russell Kirk had

¹⁷ Leonard E. Reed to William F. Buckley, Nov 3, 1955,; National Weekly, Inc to Irvington Pres, Inc, Oct 27, 1955, box 2, Buckley Papers.

¹⁸ J. Howard Pew to William F. Buckley, [undated]; Jasper E. Crane to William F. Buckley, Nov 8, 1955, box 2, Buckley Papers; William F. Buckley to Leonard E. Read, Nov 4, 1955, box 2, Buckley Papers.

¹⁹ Doherty, *Radicals for Capitalism*, 204.

²⁰ Fred Rogers Fairchild to William F. Buckley, Nov 14, 1955, box 2, Buckley Papers.

succeeded in imbuing the term with a degree of venerability, respectability, and a modicum of intellectual content. It stood for order, tradition, anti-utopianism. At the same time, free enterprisers like Buckley were happy to also accept the common usage of conservative as anti-New Deal, individualist, and support for laissez-faire economics. By using the purposefully vague but unmistakably anti-liberal term “conservative,” Buckley and his allies implied there was comity and intellectual coherence between traditionalist academics and old-fashioned free enterprisers. This insistence, coupled with shared domestic and international enemies on the left, was sufficient for disparate anti-liberals to accept the designation conservative. Moreover, the theorizing and social criticism of men like Russell Kirk and Robert Nisbet – and Leo Strauss and Eric Voegelin, albeit secondhand and through their admirers – endowed traditional American right-wing politics and economics with a veneer of esoteric, world historical philosophical significance. Toward this strategy, Buckley pitched *National Review* as a unifying force.

Still, in the initial prospectus for *National Review*, Buckley and his co-authors refrained from solely identifying with conservatism. They listed the magazine’s convictions as both libertarian and conservative in order to maximize their appeal among opponents of the prevailing liberalism. Buckley pitched his magazine as explicitly “libertarian” in its defense of limited government against the “growth of government – the dominant social feature of this century.” The sole purpose of a peacetime government, he asserted in the prospectus, was to ensure “citizens’ lives, liberty, and property.” Anything beyond this diminished freedom and hampered progress.²¹ Alongside this libertarian commitment, Buckley affirmed the anti-relativist “conservative” faith in “Truth” and “organic moral order” against the “scientific utopias” of “Social Engineers.” In this early formulation of *National Review*’s convictions, conservative

²¹ “Memorandum Re: A New Magazine,” box 10, folder 3, Burnham Papers.

essentially meant a distillation of Russell Kirk – and to a lesser extent Whittaker Chamber’s – anti-“ideological,” anti-utopian opposition to social planning and Jacobinism, and an affirmation of a natural law type moral and epistemological reality. These twin pillars were threatened on several fronts, Buckley claimed. Globally, the major threat to liberty and truth was the “satanic utopianism” of “Communism.” Domestically, the threat was liberal intellectuals imposing modish cultural values and acting, Fabian-like, to control both major parties. *National Review* averred that the two-party system was essential to the American political order and sought its restoration; in other words, at the earliest date, they sought to reorganize the Republican Party along ideologically right-wing lines.²² Finally, Buckley committed his magazine to “the competitive price system” that was indispensable to “liberty and material progress.” The major threats to competition were the government and monopolies. By monopolies, Buckley primarily meant labor unions.²³ The earliest semi-public articulation of *National Review*’s politics were a blend of libertarian bromides and free enterprise dogma interspersed with appeals to Russell Kirk-style conservatism held together in joint opposition to liberals and communists.

Not every contributor was entirely pleased with Buckley’s linkage of libertarians with conservatives. Russell Kirk hesitated to add his name to *National Review*’s masthead.²⁴ Still smarting from his run in with Buckley and Frank Meyer in the Frank Chodorov-edited *Freeman*, Kirk’s relationship with Buckley was awkward. In August 1955 he met with Buckley who was “on some mission, perhaps to dissociate himself from the Freemaniacs.”²⁵ Henry Regnery, Kirk’s

²² For an excellent study of the movement to create a responsible and ideologically coherent party system, see Sam Rosenfeld, *The Polarizers*.

²³ “Memorandum Re: A New Magazine,” box 10, folder 3, Burnham Papers.

²⁴ “Parnassus Coast to Coast,” *Time*, June 11, 1955, 67-75; William F. Buckley to Russell Kirk, [undated], box 3, Buckley Papers.

²⁵ Russell Kirk to Henry Regnery, August 13, 1955, box 39, folder 9, Regnery Papers.

publisher and who, with Kirk, was attempting to launch his own conservative literary journal, was skeptical of Buckley and *National Review*. Buckley and Meyer's criticisms "indicate his real attitude toward you," Regnery warned. He suggested Buckley merely sought Kirk's prestige and had little interest in his views or advancing them.²⁶ In addition, Regnery worried Kirk's connection with *National Review* would affect the prospects of their own journal. Others would associate Kirk with Buckley's views and *National Review* might crowd out the market for donors to conservative magazines.²⁷

Kirk expressed some of this concern to Buckley although he was far more concerned about sharing a masthead with Meyer and Chodorov. "Disturbed," Buckley replied that the masthead did not imply a uniform outlook between its contributors, which was impossible, nor was it organized hierarchically. Buckley insisted that he himself was merely a "catalyst."²⁸ Kirk replied that for the sake of conservatives, he could not be associated "as an editor with a magazine in which Meyer's and Chodorov's work will be published."²⁹ Other than personal animosity and professional optics, Kirk perceived Meyer as essentially a nineteenth-century liberal who valued individual liberty over right order. Here was a twentieth-century instance of the type of thinkers Kirk excoriated in *The Conservative Mind* as corrosive forerunners to modern liberalism.³⁰

With much cajoling, Buckley convinced Kirk to join as a contributor, vouching for Frank Meyer's good faith and urging Kirk to note "the transcendent affinities between you and

²⁶ Russell Kirk to Henry Regnery, Nov 14, 1955, box 39, folder, Regnery Papers.

²⁷ Henry Regnery to Russell Kirk, Nov 18, 1955, box 39, folder 9, Regnery Papers.

²⁸ William F. Buckley to Russell Kirk, [undated], box 3, Buckley Papers.

²⁹ Russel Kirk to William F. Buckley, Sept 1, 1955, box 3, Buckley Papers.

³⁰ Russell Kirk to William F. Buckley, Oct 5, 1955, box 3, Buckley Papers.

Meyer.”³¹ Kirk eventually decided writing for *National Review* would not harm his reputation.³² Observing the evolution of the magazine, Regnery registered his amusement at Buckley’s adoption of a conservative identity. “Until fairly recently he called himself a ‘libertarian,’” he remarked to Kirk, “and it was only last July that man Meyer was equating conservatism with collectivism.” Now, all three had “joined forces.”³³ Within *National Review*, Willi Schlamm was pleased with one of Kirk’s essays as a “rare case” in which Kirk expressed approval for “Devil profit.” It should “please some of our coarse investors,” he told Buckley.³⁴ On the other side of the dispute, Buckley played diplomat with Frank Chodorov, reassuring the aging individualist that he would not publish a “libertarian journal without” him and that disagreements over “trivia” were not disqualifying for the larger project.³⁵

On November 12, 1955, the first issue of the *National Review* came out explicitly as a “conservative weekly journal of opinion.” Although it was widely assumed the United States was a “bastion of conservatism,” Buckley claimed America had “rejected conservatism in favor of radical social experimentation.” The United States had abandoned its “fixed postulates” about “the meaning of existence, with the relationship of the state to the individual” that were “so clearly enunciated in the enabling documents of our Republic.” Elite Americans no longer acknowledged the “superiority of capitalism to socialism, of republicanism to centralism,” Buckley complained. He positioned *National Review*’s “vigorous and incorruptible” conservatism against the “irresponsible right,” false conservatives who had made their peace

³¹ William F. Buckley to Russell Kirk, Sept 14, 1955, box 3, Buckley Papers

³² Russell Kirk to Henry Regnery, Nov 23, 1955, box 39, folder 9, Regnery Papers.

³³ Henry Regnery to Russell Kirk, November 28, 1955, box 39, folder 9, Regnery Papers.

³⁴ William S. Schlamm to William F. Buckley, Oct 4, 1955, box 2, Buckley Papers.

³⁵ William F. Buckley to Frank Chodorov, June 7, 1956, box 1, Buckley Papers.

with the New Deal, “Liberals, who run this country,” and communists who dominate the globe.³⁶ From its outset, Buckley and his allies framed conservatism and *National Review* as beleaguered men of principle opposing the prevailing forces of the left and seeking to restore America’s natural law, republican, and capitalist patrimony.

The magazine’s launch received a mixed reaction from conservative intellectuals. Buckley reported he was “quite literally” swamped with subscriptions, including 800 in one day.³⁷ One contributor, Sam Jones, an Arizona-based anti-communist radio host and political reporter who was eventually cut from *National Review* for his open segregationist views and anti-miscegenation writing, praised the magazine for wearing its conservatism “comfortably.” Jones praised Buckley’s stridency for harking back to a “confident, virile” America “imbued

³⁶ Buckley and *National Review*’s relationship with the “irresponsible right,” which ranged from the American Nazi Party and open anti-Semites like Russell Maguire, owner of the American Mercury, through to the extreme anti-communists like H.L. Hunt and Dan Smoot and Robert Welch and the John Birch Society and even Joseph McCarthy is extremely fraught and debated within the historiography. Traditional accounts, such as George Nash, *The Conservative Intellectual Movement in America since 1945* and Jonathan Schoenwald, *A Time for Choosing* and recapitulated in George Hawley, *Right-wing Critics of American Conservatism*, emphasize the role Buckley and *National Review* played in sanitizing the American right, policing its boundaries for explicit racism and anti-Semitism and prioritizing respectability. Scholarship from around 2000 onward, however, has emphasized the “deep roots” of American conservatism in fringe and extreme movements and, occasionally, the extent to which Buckley, *National Review*, and “respectable conservatives” were willing to countenance and support or remain within active social networks with fringe right-wingers, see for instance Kim Phillips-Fein, “Conservatism: A State of the Field,” *The Journal of American History*, Volume 98, Issue 3, December 2011, Pages 723–743. Especially since Donald Trump’s election in 2016, however, there has been considerable historical effort to revisit the narrative of “respectable conservatism” and analyze both its ideas and its personnel, paying greater attention to extreme politics, continued associations, and domestic and transnational connections with extreme political figures. This reassessment will likely plumb the depths of conservative intellectual networks and counterbalance the fragile respectable conservatism thesis. It is necessary to develop a picture of the conservative intellectual movement that was strident and extreme in its politics but saw itself as qualitatively different from the “irresponsible right” and did take steps to discipline the movement, even though these were frequently lacking in vigor due to tactical or, often, personal considerations. Buckley, *National Review*, and the conservative movement – as opposed to the more amorphous mid-century right – were neither simon-pure high-minded idealists nor cynical publicists laundering overt bigotries and prejudices. Rather, they and their ideas were sincere albeit inconsistent and deeply bound up with acceptable and borderline bigotries of the era. Buckley et al’s impulses were typically to let anti-liberals be until they expressed open and unambiguous racism, anti-Semitism, or conspiracy theories and, even then, their objections tended to be tactical. Buckley maintained relations with racists and anti-Semites because he saw these explicit prejudices as moral failings, not politically or socially disqualifying. The extent to which racism informed these conservative intellectuals’ views on constitutionalism is discussed in chapter 5.

³⁷ William F. Buckley to Russell Kirk, December 6, 1955, box 3, Buckley Papers.

with idealistic faith” and not modern “converts to the cult of castrates.”³⁸ William T. Couch, former editor of the University of North Carolina and Chicago Presses, told Buckley the first issues were “excellent.”³⁹ Still at the cloistered University of Chicago, southern academic Richard Weaver pledged his support “in word and deed” for the magazine.⁴⁰ Across campus, Leo Strauss wrote to a *National Review* editor saying “you will not be surprised to hear that I agree with many articles.” Despite his general agreement, Strauss criticized *National Review*’s anti-Israel positions, stopping short of alleging anti-Semitism at the magazine and defending Israel as an eminently conservative nation.⁴¹ *Freeman* contributor Frank Meyer wrote to the magazine to encourage it to publish material that made intellectual demands on its readers.⁴² John Chamberlain removed his name from the masthead after the first issue.⁴³ Russell Kirk followed suit, although, short on funds, he continued to write a regular column on higher education. To Kirk, the magazine did not represent conservatism but in large part a rehashing of *The Freeman*’s free enterprise and anti-communism, a conclusion Regnery expressed to Buckley.⁴⁴

Alongside *National Review*’s political articles, Buckley’s regular columnists developed contradictory frameworks of conservatism. Early in 1956, Frank Meyer joined *National Review* as an editor and began a monthly theoretical column “Principles and Heresies” from which he

³⁸ Sam Jones to William F. Buckley, July 4, 1955; Sam Jones to William F. Buckley, September 12, 1955, box 2, Buckley Papers.

³⁹ William T. Couch to William F. Buckley, Jan 8, 1956, 485, Couch Papers.

⁴⁰ Richard M. Weaver to William F. Buckley, June 14, 1956, box 4, Buckley Papers.

⁴¹ Leo Strauss to Willmoore Kendall, Nov 19, 1956, box 30, Leo Strauss Correspondence w/Willmoore Kendall, Kendall Papers.

⁴² Dwight MacDonald, “On The Horizon: Scrambled Eggheads on the Right,” *Commentary*, April 1956, 368.

⁴³ Dwight MacDonald, “Scrambled Eggheads,” 373.

⁴⁴ Russell Kirk to William F. Buckley, Nov 29, 1955, box 3, Buckley Papers; Henry Regnery to Willi Schlamm, Nov 29, 1955,

engaged in a project of defining modern American conservatism.⁴⁵ In addition, Buckley occasionally published theoretical essays from competing perspectives. For instance, the libertarian author Isabel Patterson wrote several long articles, Russell Kirk critiqued J. S. Mill at length, Richard Weaver wrote esoteric book reviews, and the aged and unreconstructed Southern Agrarian Donald Davidson expounded at length on the conservative tradition and the South.⁴⁶ High-minded right-wingers believed considerable theoretical labor needed to be performed to achieve a synthesis.⁴⁷

Buckley and *National Review* sought to unite conservatives like Kirk and libertarians like Chodorov under the unifying and increasingly popular discourse of conservatism. This project was more than a temporary alliance and required real theoretical work to develop a working framework to appease conservatives and libertarians. The new discourse of conservatism also needed to rebut liberal, socialist and to some extent New Conservative criticisms: that conservatism was incoherent; that it was merely post facto rationalization of prejudice, status anxiety, or discredited laissez-faire economics; that real conservatism entailed the use of the state and defense of the New Deal consensus; that conservatism was a revolutionary threat to the legitimate political tradition epitomized by the progressive tradition and culminating in the New

⁴⁵ The first Principles and Heresies column was published on April, 4 1956 and continued monthly until December 1951. A summary of Meyer's philosophy can be found in *In Defense of Freedom: A Conservative Credo*, (Chicago: Henry Regnery, 1962).

⁴⁶ Isabel Paterson, "The Southern Breakthrough," *National Review*, December 21, 1955, 9-11, "The Oracles Are Dumb," *National Review*, May 23, 1956, 10-12, "Learning to Read: Child's Play," *National Review*, November 30, 1957, 459-491; Russell Kirk, "Mill's On Liberty Reconsidered: Review of On Liberty and Other Writings by John Stuart Mill," *National Review*, January 25, 1956, 23-4; for example, Richard M. Weaver, "Language and the Crisis of Our Time: Review of Speculative Instruments by I. A. Richards," *National Review*, November 19, 1955; Donald Davidson, "The New South and the Conservative Tradition," *National Review*, September 10, 1960, 141-6.

⁴⁷ Gerhart Niemeyer to William F. Buckley, Oct 21, 1960; Gerhart Niemeyer, "A Letter to Young Conservatives," box 11, Buckley Papers.

Deal; and the charge that conservatism was un-American, either importing irrelevant European concepts into a liberal society or rehashing discredited ideas.

***National Review* and the “Radical Right”**

Left and liberal writers reacted to the new magazine critically. In a searing essay for *Commentary*, Dwight Macdonald charged *National Review* was “predictable,” verbose and incompetent. He attacked its readership as “*lumpen-bourgeoisie*, the half-educated, half-successful provincials” who, anxious that politics had left them adrift, had once gravitated “to Huey Long, Father Coughlin, and Senator McCarthy.” Macdonald denied that Buckley and *National Review* were meaningfully conservative. Instead he called them “McCarthy nationalists” organized by “anti-liberalism” without making clear what liberalism was.⁴⁸ Hurt by the article, Buckley and libertarian Murray Rothbard both penned responses defending *National Review*’s intellectual honor.⁴⁹ Macdonald’s acerbity, however, put a fine point on the thrust of the intellectual world’s response. While midcult journals ignored *National Review*, organs like the *Reporter* and *Partisan Review* questioned the journal’s coherence and claim on the discourse of conservatism, linking Buckley and *National Review* with Joseph McCarthy.

Academics and writers sought to explain McCarthy and by extension *National Review* in sociological and psychological terms. Macdonald called the new magazine the McCarthyists’ most “heroic” effort to be “intellectually articulate.”⁵⁰ A major academic analysis, *The New American Right*, edited by Daniel Bell and featuring essays by sociologists and historians,

⁴⁸ MacDonald, *Scrambled Eggheads*, 367-73.

⁴⁹ William F. Buckley to Max Eastman, April 24, 1956, box 2, Buckley Papers; Murray N. Rothbard to the Editor, *Commentary*, June, 1956, 584-5; William F. Buckley to the Editor, *Commentary*, September, 1956, 277; William F. Buckley, “Reflections on the Failure of *National Review* to Live Up to Liberal Expectations,” *National Review*, August 1, 1956, 7-11.

⁵⁰ MacDonald, “Scrambled Eggheads,” 367.

including Richard Hofstadter and, interestingly, Peter Viereck, drew on cutting-edge social science. The authors found that in the context of economic prosperity, social conflict was best understood not in terms of economic class conflict but perceived and real threats to social status.⁵¹ Bell and his fellow academics charged that, far from principled conservatism, the American right was an irrational revolt against order.

Despite some ambivalence from right-wing intellectuals and, as much as they sought to establish *National Review*'s bona fides as an intellectual and journalistic endeavor, Buckley and his magazine were closely connected to the rapidly fading Wisconsin senator.⁵² Buckley and his brother-in-law wrote speeches for McCarthy, defended him in print, used his name to endorse their magazine, and published an article under his name. Other key men associated with the magazine also broadly supported McCarthy. Editor and Buckley advisor James Burnham had fallen out with friends and colleagues at *Partisan Review* and in the liberal anti-communist Committee for Cultural Freedom over his anti-anti-McCarthyism. Another Buckley mentor, Willmoore Kendall, saw the conflict over McCarthy as ultimately indicative of liberalism challenging social orthodoxy. Stan Evans, shortly hired as an editorial assistant, wrote that despite McCarthy's flaws, "on balance" he was "strongly in favor of" him, adding that he represented "a true extension of the American tradition, which includes a vigorous, though reasoned nationalism." Likewise, the man who became the magazine's longtime publisher, William Rusher, shifted rightward from support for Eisenhower in response to the general's handling of McCarthy.

⁵¹ Daniel Bell, ed. *The Radical Right: The New American Right: Expanded Edition*, 2; Hofstadter's essay, "The Pseudo-Conservative Revolt," also published in the *American Scholar* was a particularly influential formulation of the status anxiety argument, Hofstadter, "The Pseudo-Conservative Revolt."

⁵² Nash, *The Conservative Intellectual Movement*, 98-110.

From the left, Franz M. Oppenheimer, in the liberal *The Reporter* found Bell et al's emphasis on status politics too reductive but was convinced by their argument that conservatism was "really a radical mutiny."⁵³ To Oppenheimer, conservatism "cherishes certain values and the institutions necessary for the preservation of these values." McCarthy and Buckley attacked these institutions – the Church, the Army, the Supreme Court, the Presidency, the Foreign Service, the great universities. In the modern context, Oppenheimer argued, the regulatory state may be necessary to preserve institutions. He praised Peter Viereck and Clinton Rossiter for their "true conservative philosophy" and added "it is good that we should be alerted to the paradox and the peril of Manchester laissez-faireism sailing under a stolen conservative flag."⁵⁴

The confusion over the meaning of conservatism was endemic. On a radio broadcast sponsored by the University of Chicago, faculty members Stuart Brown, Aaron Director, and Richard Weaver debated conservatism. Asked to define it, Brown, a liberal political scientist identified Clinton Rossiter's New Conservative outlook. Weaver, a friend of Kirk and a conservative theorist in his own right, offered conservatism as an abstract emphasis on a vision of the good and respect of the human person that militated against government interference. Meanwhile, Director, an economist, suggested conservatism was merely a word for nineteenth-century liberalism. The discussion deteriorated into an argument between Brown and Director about the Tennessee Valley Authority with Weaver chiming in to support the libertarian Director's arguments.⁵⁵

⁵³ Franz M. Oppenheimer, "Rebellion Under a Stolen Flag." *Reporter*, February 9, 1956, 45-6.

⁵⁴ Oppenheimer, "Rebellion Under a Stolen Flag." Kevin Mattson sees this rebellion against liberalism as the central feature of modern conservatism and argues such in Mattson, *Rebels All!*.

⁵⁵ "University of Chicago Roundtable: Who Are Today's Conservatives," box 11, folder 5, Meyer Papers.

Similarly, there was a great deal of confusion about how the emergent Buckley-style conservatism related to the moderate New Conservatism typified by Viereck and Rossiter. Liberal writers like Oppenheimer and Arthur Schlesinger Jr frequently used Viereck and Rossiter's expression of conservatism to discredit Buckley-style conservatism. Viereck, too, engaged in a brief public and private struggle with Buckley over the nature of conservatism.⁵⁶ Russell Kirk's ambiguous position as a New Conservative (a term he repudiated privately) and a contributor to *National Review* further muddied the waters.⁵⁷ At Harvard University two rival conservative clubs formed in the mid-1950s and split over McCarthy. The Harvard Conservative Club, influenced by Kirk and Viereck, repudiated McCarthy. The Harvard Conservative League, also claiming Kirk, supported Tailgunner Joe.⁵⁸

The Constitution and Apologia for Jim Crow in *National Review*

Another early inflection point for intellectual conservatism was the question of southern segregation and Jim Crow. During the 1950s, Buckley defended Jim Crow, editorializing in favor of segregation and white supremacy in the South. Dwight Macdonald mocked *National Review*, suggesting it lacked principles and defended segregation in an opportunistic and mealy-mouthed manner by dodging the issue of discrimination.⁵⁹ Within the magazine, the question of Jim Crow became a site of disagreement over the centrality of the Constitution versus extraconstitutional conservative values. In July 1957, *National Review* published an article by

⁵⁶ Peter Viereck, "Conservatism Under the Elms," *New York Times*, November 4, 1951, 233; Peter Viereck, "The Philosophical 'New Conservatism' in Daniel Bell, ed., *The Radical Right*, 155-74; Henry Regnery to William F. Buckley, December 20, 1951, box 10, folder 14.

⁵⁷ Russell Kirk, "The American Conservative Character," *Georgia Review*, 8, no. 3, (Fall, 1954), 252; Russell Kirk to Henry Regnery, January 20, 1954; Russell Kirk to Henry Regnery, April 4, 1960 in box 39, folder 9, Regnery Papers.

⁵⁸ James Reichley, "Young Conservatives at Old Harvard," *Reporter*, June 16, 1955, 12-15.

⁵⁹ Macdonald, "Scrambled Eggheads."

Richard Weaver arguing that, philosophically, integration and communism were one.⁶⁰ Shortly after, in one of the most infamous *National Review* editorials, Buckley wrote southern whites had the right “to take such measures as are necessary to prevail, politically and culturally, in areas in which it does not predominate numerically” because, “for the time being, it is the advanced race.” This fact was not pleasant, Buckley said. But *National Review* “believes that the South’s premises are correct.” Buckley framed the issue as cultural rather than biologically racial to prevent, in his mind, a bigoted position, and admonished the white South not to take advantage of African Americans or “preserve the Negro as a servile class.”⁶¹ For all his hair-splitting and performative sobriety, Buckley endorsed the supremacy of southern whites over African Americans based on little more than stereotypes and thereby justified the southern states’ denial of black citizens their constitutional and democratic right to vote.

Even within *National Review*, this racist argument was controversial. Buckley’s brother-in-law, Brent Bozell challenged the editorial in “The Open Question,” a section of the magazine intended to thresh out conservative answers to controversial questions. Bozell called the editorial “dead wrong” and deleterious to conservatism. Other than raising skepticism about whether “Southern civilization” rested on black disenfranchisement, Bozell ignored the racist architecture of Buckley’s argument. Instead, Bozell looked at the legal mechanisms required to deny southern blacks the vote and found it an affront to the law and the Constitution. Bozell was careful to protect his conservative bona fides, deriding the concept of universal suffrage and endorsing “interposition” – a legal strategy of state supremacy in constitutionally vague situations pioneered by slaveholding states and resurrected in the 1950s by *National Review* contributor

⁶⁰ Richard M. Weaver, “Integration is Communization: Review of The Negro and Southern Politics, by Hugh Douglas Price,” *National Review*, July 13, 1957, 67.

⁶¹ Editorial, “Why the South Must Prevail,” *National Review*, Aug 24, 1957, 148-9.

James J. Kilpatrick. Nevertheless, Bozell intoned, the Fifteenth Amendment was clear on the right to vote and “the American Constitution is sufficiently on the side of conservative values” to follow it as a matter of principle and practical politics. Buckley’s editorial placed the problematic endurance of “Southern civilization” – Bozell balked at calling it white supremacy – over adherence to the Constitution.⁶² Privately, *National Review*’s publisher Bill Rusher agreed with Bozell, adding that ethically “no minority has the right to over-rule a majority by force” simply because “it considers itself culturally superior.” Rusher gingerly suggested that the “relative cultural levels involved” may not be as “disparate” as often assumed.⁶³

In response to these protests, Buckley stood by the editorial in favor of denying southern blacks the vote and rejected Bozell’s constitutional reasoning. He insisted that a “valid distinction” between the “preeminently white culture” and one dominated by “Southern Negroes in their present stage of development.” To Bozell’s constitutional arguments, he suggested the Fourteenth and Fifteenth Amendments were, at least among white southerners, “inorganic accretions to the original document, grafted upon it by victors-at-war by force.” As a sop to Bozell, he suggested Jim Crow states could equally disenfranchise “marginal” whites as well as blacks. This crude colorblindness shows how Buckley and Bozell, who denigrated universal suffrage in his essay were, in 1957, committed to an extremely elitist vision of conservatism that happily advocated elite rule. In thrall to racist stereotypes, Buckley misinterpreted Jim Crow as a “civilizational” rather than white supremacist construct and erroneously believed poor southern whites could or would be discriminated against in a “colorblind” Jim Crow legal structure. Beyond this argument, which Buckley and Bozell preferred to keep on abstract “constitutional”

⁶² L. Brent Bozell, “The Open Question,” *National Review*, Sept 7, 1957, 209.

⁶³ William A. Rusher to L. Brent Bozell, August 31, 1957, microfilm reel 2, Rusher Papers.

and “civilizational” ground, *National Review* unreflexively trafficked in Lost Cause imagery throughout much of its first decade.

A “Conservative” Journal of Opinion

Buckley maintained a capacious ambiguity about conservatism’s meaning. From 1955 to 1962, conservatism plausibly meant several things: the New Conservative type of “realistic” and cautious liberalism; the resurrection of laissez-faire economics and an assault on the New Deal; a metaphysical philosophy that attacked supposed liberal relativism and “Jacobinism”; or the extreme anti-communist posturing of McCarthy, Dan Smoot, and later the John Birch Society. By self-consciously positioning the magazine as “strongly opposed to the prevailing Liberalism from a right-wing standpoint, but short of fascism or racism,” editor James Burnham reported, the journal presented as diverse outlooks such as “libertarianism, isolationism, hard anti-Communism, traditionalism, McCarthyism, classic laissez-faire, [Daughters of the American Revolutionism], States Rightsism, and various semi-crackpotisms.” What allowed the journal to “muddle along” was the fact that “all the tendencies were negatively united against the prevailing power and ideology.” By pursuing a broad-anti-liberal policy, the magazine’s editors and backers had made *National Review* “the conservative magazine” and its editor-in-chief William F. Buckley “the conservative editor.”⁶⁴

National Review grew quickly for an opinion journal, reaching a circulation of 28,000 in 1959.⁶⁵ Its publisher, Bill Rusher, bragged that the magazine was “the largest secular journal of political and cultural opinion in America,” edging out *The New Republic* and handily beating *The*

⁶⁴ Burnham, “Memo on the ‘Strategic Development of National Review.’”

⁶⁵ “William Rusher Report,” microfilm reel 2, Rusher Papers.

Nation and *New Leader*.⁶⁶ *National Review* had become “the principal US journal of conservative opinion.”⁶⁷ However, the feeling within the magazine was that the strategy of finding and uniting a pre-existing right-wing audience had reached a ceiling of 30-35,000 subscribers.⁶⁸

Critics sniped at the magazine’s broad tent approach. In 1962, Daniel Bell called *National Review* as “a strange mash of Thomistic natural law (Buckley), Manchester economic liberalism ([Henry] Hazlitt and Buckley), Burkean traditionalism ([Frank] Meyer and Buckley), Platonic *virtu* ([L. Brent] Bozell and Buckley), Haushofer geopolitics ([James] Burnham and Buckley), and single-tax, agrarian, libertarian individualism ([Frank] Chodorov and Buckley).”⁶⁹ What *National Review*’s intellectuals needed was a theory of conservatism that unified the respectable anti-liberal right in a manner that presented conservatism as legitimate and principled and plausibly “read out” the too-liberal New Conservatives. Meanwhile, they had to thread the needle of defending right-wing attacks on liberalism without fully embracing or, crucially, repudiating most of the radical right or their supporters, whom Buckley and his allies sought to capture.

As if to express these concerns, Ralph de Toledano, a political reporter with wide interests, questioned the possibility of American conservatism. Could “aristocratic” conservatism, with “roots in Oxford or Salamanca,” have any value for Protestant and pragmatic Americans at all? Toledano dismissed the idea that there was much altogether conservative about

⁶⁶ “William Rusher Report,” Rusher claimed *The New Republic* was declining from 34,000 while *National Review* easily surpassed *The Nation*’s approximately 23,000 circulation and *The New Leader*’s 16,000.

⁶⁷ James Burnham to William F. Buckley, “Memo on the ‘Strategic Development of National Review,’ undated, box 10, folder 3, Burnham Papers.

⁶⁸ Burnham, “Memo on the ‘Strategic Development of National Review.’”

⁶⁹ Daniel Bell, “The National Style and the Radical Right,” *Partisan Review*, 29, no. 4, (Fall, 1962), 530.

the American political tradition. The “Republican Party was no receptacle of conservatism.” Alexander Hamilton was “pernicious” and Thomas Jefferson a “source and symbol of today’s statist Liberalism and the cult of impersonality.” John C. Calhoun was a conservative, Toledano thought, but was “a failure by-passed by his times.” Toledano also attacked the myth of the American South as an organic conservative society. In their search for indigenous conservatism, he complained, conservatives mistook “Southern obstinacy” with principled conservatism. Southern conservatism was an “illusion” and the region was “wedded to a racism directly antithetical to all concepts of human dignity and finds its most adequate representation in the slick business posture of a Herman Talmadge.”⁷⁰ Therefore, in practice, American conservatism had largely been negative reaction to liberal projects. Toledano nevertheless detected a latent and inarticulate conservative impulse. It was yet to discern its core principles and “before it crystallizes, there must be a long, dark night of the soul – a period of examination, ferment, and distillation.” He believed it would exist within two polarities: Divine Law and the sanctity of individual liberty. And although it must be based in American culture and traditions, it had to be more than simply strict constitutionalism or minor issues.⁷¹

Seeking clarity about what conservatism was in 1955, William C. Brady, president of the anti-McCarthy Harvard Conservative Club wrote to M. Stanton Evans, a twenty-one-year old Yale grad and assistant editor of *The Freeman*. Evans, at the start of his career in 1955, was a journalistic wunderkind and the son of a right-wing philosopher. After his start at *The Freeman*, Evans held positions at *National Review*, *Human Events*, and for the Intercollegiate Society of Individualists. At 26, Evans was editor of the right-leaning *Indianapolis News*, making him the

⁷⁰ Ralph de Toledano, “Notes For a Controversy,” *National Review*, Sept 22, 1956, 15-6.

⁷¹ Ralph de Toledano, “Notes for a Controversy.”

youngest editor of a major newspaper. In response to Brady's query, Evans laid out a theory of a unified conservatism that accounted for both conservatism and libertarianism. More than any other writer in the mid-1950s laboring to find intellectual coherence between these traditions, Evans developed his conception of conservatism explicitly by reference to American history.⁷²

Evans' response to Brady was a distillation of the competing impulses within the conservative intellectual movement, of which Evans was a defining figure. He began by paying obeisance to Russell Kirk for his alleged resurrection of the conservative tradition and his critique of liberals and liberalism. However, Evans suggested Kirk could be misunderstood as simply offering a defense of the status quo which meant the New Deal order. The way in which he was associated in the public mind with Peter Viereck and Clinton Rossiter added to this – in Evans's view – misinterpretation of conservatism. Evans argued conservatism must be understood "in accordance with what we understand to be the Conservative tradition, and the principles embodied by that tradition."⁷³

Evans interpreted the American tradition as an "admixture" of "Hamilton and Jefferson, of John Adams and Thomas Paine." From these competing symbolic figures, America had "selected out" a "workable combination of principle" from the "strong centralists" and "wild-eyed egalitarians." The American tradition took the Hamiltonian insight that "man is basically evil" and needs government. But it also accepted the Jeffersonian critique of overbearing government power. The net result, Evans suggested, was political decentralization and distribution of power. This blend of principles "is the American tradition." It was embodied in

⁷² M. Stanton Evans, "The American Revolution: A Study in Conservatism," Intercollegiate Society of Individualists, Inc., 1962, box 19, Buckley Papers; M. Stanton Evans to William C. Brady, Oct 4, 1955, box 10, folder 7, Meyer Papers.

⁷³ M. Stanton Evans to William C. Brady, Oct 4, 1955, box 10, folder 7, Meyer Papers.

James Madison and therefore the Constitution, “while heavily weighted towards the Federalists,” exemplified the “fusion.” Evans discerned this crucial balance as present in America’s past; but the balance between skepticism about humankind and of centralized government was also the basis of his view of the underlying unity between conservative (Hamiltonian) and libertarian (Jeffersonian) thought. The perfection Evans found in Madisonian constitutionalism was captured in the emergent conservative movement’s balance of libertarianism and conservatism.

If Evans saw conservatism as a modern articulation of the American tradition, he saw modern liberalism as its literal inversion: a blend of the deleterious principles previously rejected in the American tradition. Evans charged that American liberals combined the “centralization” and authoritarianism of Hamilton with the “Jacobinism” of Paine and Jefferson. In the world historic usage of the terms liberal and conservative, Evans continued, modern American liberalism and conservatism each contained elements of both. From the historic conservative tradition, modern liberalism took centralization and modern conservatism took a pessimistic anthropology. From historic liberalism, modern conservatism took an emphasis on liberty and fear of government; modern liberalism took its utopian anthropology. Only the modern conservative combination, Evans argued, “can be called ‘conservative’ in the sense that it is conserving the *American tradition*.”⁷⁴

By rooting modern conservatism in the American political tradition, Evans resolved several dilemmas facing Buckley-style movement conservatives. First, he articulated a unifying framework for conservatives like Kirk and libertarians like Chodorov to adhere to and he linked it to American symbols and history. Evans suggested that “Freedom under God” was a good,

⁷⁴ M. Stanton Evans to William C. Brady, Oct 4, 1955, box 10, folder 7, Meyer Papers. Emphasis in the original.

albeit simplified definition of conservatism.⁷⁵ Second, he delegitimized some New Conservatives as alien from American history and politics. He dismissed Viereck as a Metternichian whose European conservatism militated “against the real American tradition” of freedom. Third, he justified continued opposition to the New Deal and liberal consensus from a conservative perspective. The New Deal, Evans argued, was centralized and utopian and therefore an abrogation of the American tradition. It should not be conserved. Moreover, he argued the New Deal was a contradiction in terms. Since it derived from the unprincipled pragmatism of William James and John Dewey, the New Deal enshrined relativism in American politics which ran counter to the “principle embodied in the American tradition.” Conservatives like Rossiter or John Hallowell who believed in conserving the New Deal were therefore speaking “nonsense.”⁷⁶ By forging this link between modern conservatism and America’s authentic political tradition, Evans crafted a narrative that simultaneously unified the divided libertarian and conservative traditions, delegitimized their critics, and justified their revolt against the prevailing “totalitarian” political order on “conservative” grounds.

Evans believed libertarianism and conservatism were varying expressions of the authentic American tradition that had been divided in a “catastrophic schism.” These traditions could be reconciled by a clear understanding of the American tradition. Confusion about America’s past, he told Brady, had “split the Conservative camp right down the middle.” To sum up, Evans defined the American tradition as “freedom,” “laissez faire or ‘Manchesterian’ economics,” derived from the concept of freedom, “a strong body of principle, a belief in God,” and “a sense of mutual obligation as well as mutual freedom.” To bridge the gap between conservatives and

⁷⁵ On the origins of this phrase, see Kevin Kruse, *One Nation Under God*.

⁷⁶ M. Stanton Evans to William C. Brady, Oct 4, 1955, box 10, folder 7, Meyer Papers.

libertarians, Evans implored conservatives and libertarians to apply the American tradition to present crises. He highlighted American sovereignty vis-à-vis the United Nations, the Bricker Amendment, and recognizing Communist China, as well domestic issues such as right-to-work laws and anti-communism. More broadly, Evans suggested overturning relatively settled issues like income tax and Social Security, and constitutional questions like federal and executive power, the Supreme Court, loose construction, and the “general welfare clause.” Evans envisioned a conservative project uniting conservatives and libertarians under the umbrella of conservatism, rooted in the American political tradition, and forged by opposing both present and settled liberal political positions. In conservative hands, this “American tradition” would be an episteme for overthrowing the liberal consensus. But these formulations were not quite accepted by all would be conservatives in 1955.⁷⁷

Freedom versus Tradition in America

Elite right-wing intellectual circles were preoccupied with forging a unified conservative ideology to challenge liberalism. Men like M. Stanton Evans, William F. Buckley, and Frank Meyer, who lived in the emergent network of writers and activists dedicated to the idea of a conservative “movement,” believed, as Evans had framed it, that conservatism was a genuine political and intellectual tradition that unified libertarian and conservative criticisms of liberalism. It only needed clear articulation. Others, chiefly those with clearer libertarian or conservative presuppositions, were unconvinced there was an underlying commonality or even that a reconciliation could be forged. At a minimum serious theoretical work was required to unify libertarian and conservative outlooks under the aegis of the conservative movement.

⁷⁷ M. Stanton Evans to William C. Brady, Oct 4, 1955, box 10, folder 7, Meyer Papers.

Many intellectuals associated with the conservative movement genuinely thought they were mounting a philosophical critique of the metaphysical foundations of liberal society. They found modern liberalism relativistic, godless, and ultimately nihilistic. However, many intellectuals and financial supporters of the movement believed it could be reduced to support for an economic program of free enterprise and that the philosophical dreams of conservative intellectuals would either follow naturally from the establishment of free enterprise economics or were erroneous and irrelevant.⁷⁸

One site of this debate was the Mont Pelerin Society, a trans-Atlantic organization dedicated to the renewal of pre-Keynesian economics and a cornerstones of modern neoliberalism.⁷⁹ Some members of the Mont Pelerin Society admired Russell Kirk and the American conservative movement's effort to unite liberal economics with cultural and metaphysical conservatism. However, the Society as a whole and especially its American members tended to consider themselves to be strongly within the classical liberal or libertarian tradition with little to be gained from Russell Kirk's traditionalism and metaphysical vagaries. Within the Mont Pelerin Society, Kirk and the concept of conservatism had become a shorthand for "Third Way" economics in a struggle about the direction of the society and intellectual purity of neoliberalism broadly.⁸⁰ Kirk characterized the conflict as between "Christians" and "Secularized Jews," with the "civil libertine" and "rigid quasi-Benthamite liberals" hostile to Christianity and therefore conservatism and *National Review*.⁸¹

⁷⁸ Phillips-Fein, *Invisible Hands*; Burns, *Goddess of the Market*; Glickman, *Free Enterprise*, 2019.

⁷⁹ For a history of the Mont Pelerin Society and its place in the history of neoliberalism, see Angus Burgin, *The Great Persuasion* and Daniel Stedman Jones, *Masters of the Universe*

⁸⁰ Burgin, *The Great Persuasion*, 142-3.

⁸¹ Russell Kirk to William F. Buckley, Dec 20, 1961, box 15, Buckley Papers.

At the Mont Pelerin Society's tenth annual meeting in 1957, Friedrich Hayek, an Austrian-American economist and leading light of both the Chicago School of Economics and of economically inflected libertarian thought, used his keynote address to emphasize the differences between his position and conservatism. In a paper titled "Why I Am Not a Conservative," Hayek implicitly rebuked Kirk. Hayek argued there were differences between conservatism and the type of classical liberalism he believed in. Although they could find common cause, especially in the American context, Hayek thought, conservatism and true liberalism could not be reconciled.

Hayek repudiated not only of the soft-New Deal liberalism of the Peter Viereck and Clinton Rossiter, but also conservatism grounded in metaphysical claims about social order. To cut through the linguistic confusion of the American setting, Hayek argued that conservatism was at bottom an opposition to change. Even though contemporary conservatives opposed socialism and frequently made common cause with classical liberals, Hayek thought conservatism was antithetical to liberalism. The differences between liberalism and conservatism, as Hayek saw it, was whereas conservatism was preoccupied with the past and the status quo, liberalism was forward-looking; liberalism opposed state coercion while conservatism embraced it; finally, liberalism contained a positive vision of social order – human freedom and flourishing. Conservatism, Hayek argued, possessed no such vision. Or, if it did, it was predicated upon thick metaphysical claims that were by no means widely shared, especially in a pluralistic society like the United States. Liberalism was therefore a rational, secular ideology while conservatism relied on irrational, pre-modern justifications.

In Hayek's view, however, the American context complicated this division. Although he was clear that conservatism and true liberalism were incompatible, the specifics of American politics suggested the possibility of *conserving* "free institutions." Hayek agreed with Louis

Hartz's thesis that the United States solely possessed a liberal political tradition. Due to the ideological ranging of Franklin Roosevelt, however, the term "liberal" had been corrupted. Hayek half-heartedly proposed restoring Old Whig ideology from the eighteenth-century. He claimed Whig ideology was common to "Anglo-Saxon countries" and the basis of modern "Continental liberalism." In the United States, it was the foundation of the political system. To Hayek, the purest exemplar of the Old Whig tradition was not the "radicalism of Jefferson, nor by the conservatism of Hamilton or even of John Adams, but by the ideas of James Madison, the 'father of the Constitution.'"⁸² Therefore, in the US context, conservatism frequently meant conserving Anglo-Saxon Whiggery. If this is the case, Hayek allowed, "it might not make so much difference if the defenders of freedom call themselves conservatives." But this conservatism-as-Whiggish-liberalism was manifestly not *conservatism* in the Kirkian sense of romanticizing the past. Nor was it tantamount to creating a society in accordance with the metaphysical claims of (as was often the case) Roman Catholicism or some other form of orthodox Christianity.

In effect, Hayek reluctantly legitimated the popular identification of free enterprise economics and classical liberalism with conservatism. This is ironic. Hayek was in an intellectual struggle with conservatives like Kirk and members of the Mont Pelerin Society like Wilhelm Roepke for the future of neoliberal thought, yet reluctantly justified the appropriation of the term "conservatism" for his own position. Like Aaron Director, Hayek argued the resurgent American conservatism must be equated with classical liberalism if it was to have any relevance in America. To Hayek and his allies, conservatism was valid only insofar as it advanced or defended liberalism. His intriguing suggestion that James Madison was the key figure in the

⁸² Friedrich A. von Hayek, *The Constitution of Liberty: The Definitive Edition*, The Collected Works of F. A. Hayek, v. 17 (Chicago: University of Chicago Press, 2011), 519-34.

American political tradition, just as Stan Evans had, suggested an opening for a right-wing intellectual alliance subsumed under broad symbolic touchstones like Madison and the capacious term conservatism.

To do the work and begin to thrash out the foundations of a movement conservatism that coherently united libertarian and conservative views, several men began organizing a conference on conservative theory. Two conservative political theorists from Notre Dame, Stanley Parry and Gerhart Niemeyer, under the auspices of the Intercollegiate Society of Individualists, set up a meeting in Chicago in May 1960. They invited “all the really important people in the conservative world” – by which they meant the intellectual world or the sphere of intellectual production. Initial invitees included representatives from *National Review*, academics associated with *Modern Age*, and burgeoning ideological entrepreneurs William Baroody, president of the American Enterprise Association, and Pierre Goodrich, founder and funder of the Liberty Fund.⁸³ Buckley made his excuses for scheduling reasons but the organizers managed to bring an impressive number of right-wing intellectuals to Chicago on fairly short notice. Traditionalist conservatives made up a majority of the fourteen attendees. They included Niemeyer and Parry, Brent Bozell, Richard Weaver, and Henry Regnery. Friedrich Hayek represented the essentially libertarian view, while Frank Meyer, Stan Evans, and ISI’s E. Victor Milione argued from a position of complementarity. Kirk did not attend, but David Collier, Kirk’s rival for the editorship of *Modern Age* whom Kirk denounced as anti-Semitic, was present, as was Revilo P. Oliver, a classicist who shortly after William F. Buckley prevented from contributing to *National Review* for his persistent truck with anti-Semitism.⁸⁴ The conference organizers sought to

⁸³ Stanley Parry to William F. Buckley, March 16, 1960, box 11, Buckley Papers.

produce some coherence on the right.⁸⁵ From afar, Buckley commended the conference as addressing “a terribly important problem” and one *National Review* should address.⁸⁶

The organizers believed finding unity and coherence in conservative thought was urgent because conservatism would soon become the dominant intellectual framework of the United States. They believed liberalism would likely collapse by 1970 under the “unreality of [liberals’] own position and behavior.” “We have ten years to come up with a conservative position that can become the basis for policy,” Parry wrote. If conservatives and libertarians could not theorize clearly, the “reactionary right” with their “elementary positions on economics and politics” would do irreparable damage to the conservative cause.⁸⁷ By reactionary right, Parry likely meant a combination of the John Birch Society and those who thought conservatism solely consisted of rugged individualism and free enterprise. A Catholic priest, Parry’s sense of conservatism entailed a metaphysical vision of society based on Truth, a view shared by the conservative wing of the conference who believed economic freedom was insufficient as a theoretical concept to be the foundation of a robust conservatism. In Chicago, they confronted Hayek with this argument.

The conference agreed about several propositions. They determined that the question of laissez-faire economics versus “a positive view of political authority” was no longer a debate. The first formal discussion sought clarity on the question of individual autonomy in a society. Did individual freedom, an acknowledge good among those gathered, presuppose the state renounce its moral functions? Niemeyer, one of the organizers, reported “surprising” levels of

⁸⁴ Gerhart Niemeyer, “Report on Chicago ISI Meeting, May 6-8,” box 11, Buckley Papers; Russell Kirk to William T. Couch, August 4, 1959; Russell Kirk to William T. Couch, July 14, 1959, folder 400, Couch Papers; William F. Buckley to Roger Milliken March 10, 1962, box 21, Buckley Papers.

⁸⁵ Stanley Parry to Willmoore Kendall, April 13, 1960, box 20, “Parry,” Kendall Papers.

⁸⁶ William F. Buckley to Stanley Parry, March 22, 1960, box 11, Buckley Papers.

⁸⁷ Stanley Parry to Willmoore Kendall, April 13, 1960, box 20, “Parry,” Kendall Papers.

agreement on this question. None present asserted the “positivistic view that things spiritual have no reality and are not relevant.” Instead they all assumed the “central importance of virtue in the good life.” All present then accepted that “virtue presupposes freedom” and, in some form or another, each affirmed belief in natural law – even Hayek – although they remained divided over whether there was a common good distinct from an aggregation of individual goods. All endorsed the importance of “uncoerced individualism.” It seemed increasingly possible to find formulations that suggested conservative ends through libertarian frameworks.

The following day, the fourteen attendees discussed “industrialism,” a term encompassing not only the nature of the economy, but also the problems of living in the ennui-laden modern society.⁸⁸ “All agreed” that the problems of industrialism were neither “technological” nor “institutional.” Instead, they were ultimately “moral” and could be “controlled by a morally well-ordered society.” All present also agreed that American society was essentially Christian, and that a Christian society was “the only possible basis for our individualism.” Although from this emergent conservative view, society must be “necessarily ordered by the Christian view of man, state, and transcendence,” it must also accommodate other faiths and agnostics. In short, the overwhelmingly Christian conservatives concluded that their fight was a moral and cultural one. And, although good in itself, they believed that, in the conservative-libertarian alliance, Christian faith was the “necessary” basis of individualism. But by accepting that theirs was a cultural struggle, conservatives tacitly accepted the validity of the modern economy and the right-wing economic policies indicated by “individualism.”⁸⁹

⁸⁸ Gerhart Niemeyer, “Report on Chicago ISI Meeting, May 6-8,” box 11, Buckley Papers.

⁸⁹ Gerhart Niemeyer, “Report on Chicago ISI Meeting, May 6-8,” box 11, Buckley Papers.

Conservatives like Niemeyer and Parry came away from the meeting hopeful about the direction of an increasingly unified conservatism. Niemeyer was excited conservatism was no longer seen as “paleolithic.” Once it becomes a legitimate intellectual alternative, “half the battle is won,” he wrote to Buckley.⁹⁰ The men at the meeting agreed that “balance-in-tension between public interests and religious-philosophical truth” was a central facet of the western political tradition. They found this formulation encouraging, because they saw it in their own burgeoning movement.

But their agreement on the individual as the basic moral unit of conservative thought, and especially on the importance of “uncoerced individualism” was a concession by conservatives to classically liberal thought. In a sense, the traditionalist conservatives gave the game away in exchange for an affirmation of belief in natural law without the vaguest sense of how this affirmation might become political practice. In effect, conservatives committed themselves to libertarian political premises – free markets and uncoerced individualism – in exchange for vague cultural promises. However, in many ways this had always been the way of conservative intellectuals. They argued in abstract terms. “The gist of Conservatism is therefore the reclamation of philosophical and ontological knowledge once seen and now forgotten,” Niemeyer wrote. But the political struggle against liberalism was in the here and now. In practical political exchanges they deferred, partly for tactical reasons, partly for principled ones, and partly as a general anti-liberal animus, to libertarian positions which were more practicable and, since they revolved around “freedom,” were more saleable to the American public.⁹¹

⁹⁰ Gerhart Niemeyer to William F. Buckley, May 25, 1960, box 11, Buckley Papers.

⁹¹ Joshua Tait, “Right Stuff,” *The National Interest*, May/June, 2019, 72-82

Frank Meyer became a key player in this effort to force a superficial intellectual coherence onto conservatism. Meyer had studied at Princeton and Oxford University. He had been active in the Illinois Communist Party in the 1930s and 1940s before making a hard-right turn around World War II. He wrote articles for *The Freeman* and after it folded began contributing to Buckley's magazine where he replaced Willmoore Kendall as the Arts & Manners editor. Worried about reprisals from communist activists after his break with the party, Meyer adopted a nocturnal lifestyle in upstate New York.⁹² In the early 1960s, Meyer was at work on a book for Henry Regnery that outlined the centrality of freedom for a conservative politics. He also outlined this framework – often called “fusionism,” although not by Meyer – in his monthly column in *National Review* and in an edited collection sponsored by the increasingly conservative rather than libertarian Intercollegiate Society of Individualists. Buckley enthused that Meyer not only went “further than anything I have seen to develop a conservative metaphysic” but that, although different from Kirk's project, they were “marvelously complementary.”⁹³ Meyer presaged his ideas in a 1960 essay published in *Modern Age* that became part of movement conservative canon.

Meyer argued that “conservatism” referred to the two prominent streams of thought critical of liberalism – libertarianism and traditionalism. They were not competing streams, he argued, but a common “Western” tradition. The tension between libertarianism and traditionalism was the vibrant core of Western politics. According to Meyer, American conservatives were the successors of the nineteenth-century political dispute between classical liberalism and authoritarian conservatism. Like Evans, Meyer argued conservatism was the

⁹² Garry Wills, *Confessions of a Conservative*, (Garden City, NY: Doubleday, 1979), 38-48.

⁹³ William F. Buckley to Henry Regnery, April 25, 1960, box 21, Buckley Papers.

melding of the superior aspects of each tradition. But this tradition had divided in the nineteenth century. Historic conservatives had rightly rejected the agnostic metaphysical underpinnings of classical liberalism but had also erroneously rejected “the political and economic theories of freedom.” Likewise, Meyer argued, “belief in an organic moral order” was the only possible foundation for individualism. And he continued that the mutuality between liberty and conservative metaphysics had deep historical expression in the United States.

Meyer insisted that in America, as nowhere else, the bifurcation of the Western tradition had been resolved and put into practice. He called the *Federalist Papers* a “monument of political wisdom” and implied that the Founders had been as intellectually divided as modern conservative intellectuals but had resolved the dilemma that modern conservative intellectuals faced in 1960. “Washington, Franklin, Jefferson, Hamilton, Adams, Jay, Mason, Madison—among them there existed immense differences on the claims of the individual person and the claims of order, on the relation of virtue to freedom.” The Founders lived in the dialectic between a society ordered toward virtue and ordered toward freedom. The Founders understood “truth and virtue are metaphysical and moral ends, the freedom to seek them is the political condition of those ends.” To Meyer, the separation of powers was best for sustaining this tension. Meyer saw the Founders as the model for modern conservatives: the Constitution they devised was not only ideal, but the conservative solution to the disputations of modern conservatives.⁹⁴

But Meyer was deeply alarmed that, in his view, the United States had broken from the normal trajectory of American politics and disturbed the balance between liberty and tradition. “Thirty years of slow and insidious revolution at home and a half century of violent open revolution abroad” had disrupted the “Western tradition,” of which America was the exemplary

⁹⁴ Frank S. Meyer, “Freedom, Tradition and Conservatism,” *Modern Age*, 4, no. 4 (Fall, 1960), 355-63.

expression. To Meyer, an upshot of the present revolution was that the type of organic, reformist, continuity-focused conservatism advanced by some of the New Conservatives was dangerous. It merely conserved revolution. For Meyer, then, conservatism was not about conserving the present but restoring a legitimate political tradition. He called this “a conscious conservatism,” a “restatement in new circumstances of philosophical and political truth.” Because of the “revolutionary” violence the left had committed to America’s political tradition, modern conservatism must be the counter-revolutionary reestablishment of the traditional political order. In practice, this meant demolishing large parts of the New Deal state, deregulating the economy, and reasserting congressional and state authority against the Federal executive. This argument was the basis of his effort to intellectually cohere conservatism, a position he extended in *In Defense of Freedom: A Conservative Credo*, in 1962 and in *What is Conservatism?*, a 1964 volume edited by Meyer in which a dozen writers sought to find a common conservative line.⁹⁵

Meyer had critics among conservative intellectuals. Obviously, Kirk, for personal as well as intellectual reasons, disliked Meyer’s framework. One of the readers Regnery set up for Meyer’s manuscript likewise found the book disappointing. Stanley Parry, a Catholic priest, student of Willmoore Kendall, and a traditionalist concluded that even after the meeting of good feelings, the key division in conservative circles was along views about individual freedom. Niemeyer and Parry decided that as a tactical matter, it was important to push for “individual freedom” against “government control.” But, they concluded, Meyer’s theoretical position – that virtue was best pursued within a framework of total individual freedom – was so informed by “this pragmatic need” that he “distorted ideas in the search for utility.”⁹⁶ Despite these

⁹⁵ Frank S. Meyer, *In Defense of Freedom*, (Chicago: Henry Regnery Co., 1962); Frank S. Meyer, ed., *What is Conservatism?*, (New York: Holt, Rinehart and Winston, 1964).

⁹⁶ Stanley Parry to Willmoore Kendall, May 11, 1960, box 20, “Parry,” Kendall Papers.

misgivings, the framework more or less agreed upon in Chicago and increasingly spelled out by Meyer became the working definition for conservatism. This marked an effective shift in the term's meaning at the elite intellectual level. Previously conservatism had largely denoted a critique of liberalism from an abstract, metaphysical position. Now, although it had not lost the metaphysical elements, they became very much secondary to a libertarian-inflected emphasis on individual liberty. As far as this shift meant conservatism entailed support for free market economics and anti-government positions, the use of the term in elite discourse was falling into line with popular usage that associated conservatism with the right-wing of the Republican Party. William Buckley had begun his career as an individualist. He had converted to conservatism but in his hands and those of his allies, conservatism increasingly resembled individualism although, if necessary, its proponents could fall back on conservative metaphysical claims for support.

Four months after the meeting, a group of young conservative activists met in Buckley's family home in Sharon, Connecticut to launch Young Americans for Freedom. With support from Buckley and the staff of *National Review* and a sympathetic advertising executive, YAF became a large and ideologically intense, although fractious, organization that launched numerous conservative political careers.⁹⁷ At its genesis, ninety young men and women established the laws of the organization and signed on to a manifesto, The Sharon Statement. Authored by Stan Evans, the Statement condensed the consensus from the Chicago meeting he had attended earlier in the year into a fighting pronouncement. It declared America was at a "crossroads" to protect its "heritage of freedom" from "collectivism." This formulation suggested immense precarity and urgency in the need to react to New Deal-Fair Deal liberalism, which Evans equated with collectivism "alien to the heritage of the West." Evans stated the

⁹⁷ Schneider, *Cadres for Conservatism*.

youth may overturn liberalism as they turned to the emergent “articulate Conservatism.” He emphasized his long-held belief that the conservative fusion can be best effected and presented in American terms with explicit reference to the American political tradition.

The Sharon Statement made a strong and very public claim as to what conservatism stood for in 1960. It maintained that freedom and individualism was the primary aim of conservatism. The Statement called “the individual’s use of his God-given free will” the “foremost” of transcendent values. “Liberty is indivisible,” it declared, and therefore “political liberty” was existentially linked to “economic liberty.” The role of government was to be limited to the protection of freedom, national defense, and “the administration of justice.” According to Evans and the Sharon Statement, the “Constitution of the United States is the best arrangement yet devised for empowering government to fulfill its proper role, while restraining it from the concentration and abuse of power.” It did so by dividing federal powers and empowering the states. In addition, the Sharon Statement connected constitutional government with “the market economy” by insisting it provided for both “personal freedom and constitutional government.” Evans concluded the statement of conservative principles by claiming “international Communism” was the greatest threat to political and economic liberties and, in a banal statement of nationalism, that US foreign policy should focus on national interests. The Sharon Statement became widely recognized as a formative document for a generation of conservatives who worked for the Barry Goldwater and Ronald Reagan campaigns. Evans aimed to synthesize the thought of Russell Kirk, Whittaker Chambers and Friedrich Hayek and strengthen the American, constitutional element. *Human Events* and *National Review* published the statement as a “tough-as-nails” summary of conservative principles. Buckley was especially thrilled. To him the

Statement indicated “conservatism” had been “accepted both by Russell Kirk and Frank Meyer as designating their distinct but complementary, even symbiotic positions.”⁹⁸

All the same, not all conservatives were comfortable or convinced by the Sharon Statement’s crystallization of the supposed conservative synthesis. Gerhart Niemeyer, whose son was present at the YAF founding, was alarmed by the finished statement. Niemeyer was a political scientist and hardline anti-communist. He was also a practicing Episcopalian who identified with the metaphysical, philosophical conservative tradition. He felt the statement leaned heavily toward libertarianism. Although he appreciated *National Review* needed to articulate a clear position, he told Buckley the Sharon Statement made it difficult to associate with the magazine and conservative movement. He considered withdrawing his name from the magazine’s masthead, writing “this formula forces one to take a stand, and my stand is against it.” In response to the statement he composed a long open letter to “Young Conservatives” attacking the Sharon Statement at the philosophical level.

The crux of Niemeyer’s frustration with the Sharon Statement was that it was, in his view, false conservatism. Niemeyer agreed that the government should not be involved with the economy, but he criticized the economic focus of the Sharon Statement. He argued Evans’s Statement treated the economy as a source of morality and an intrinsic good. It elevated choice as something inherently valuable, rather than focusing on the object of choice. Niemeyer thought the philosophy of economic freedom was incoherent and alarmingly materialistic. He objected to the cliché of “limited government” as vaguely defined. But Niemeyer’s primary critique was that the conservatism of the Sharon Statement was in fact classical liberalism. He argued that, as an ideology, liberalism denuded society. Although he distinguished modern liberalism from its

⁹⁸ William F. Buckley, “The Young Americans for Freedom,” *National Review*, Sept 24, 1960.

classical iteration, he blamed classical liberalism for the modern political malaise. Its emphasis on the autonomous individual insisted on “the primacy of the private will,” “destroyed the basis for genuine political community” thereby setting the stage for totalitarianism, divorced public order from natural law, isolated individuals, and “created the dreamworld of international peace organizations.” “This is the condition of utter unfreedom,” he wrote, “the individual standing alone before the state, powerless before the sole possessor of power, normless before the sole creator of norms, a self-centered pigmy before the leviathan of government bureaucracy.” To Niemeyer, real conservatism was the restoration and extension of pre-liberal values deeply encoded in the Western philosophical tradition. The Sharon Statement begged many questions and placed near total emphasis on American liberalism and constitutionalism. “Are today's Conservatives nothing but last century's Liberals?” he pondered aloud. Until this question was resolved, conservatives were not ready for manifestoes.⁹⁹

Niemeyer saw his argument as a recapitulation of the position reached at the Chicago meeting and as an important contribution to the ongoing dispute about the nature of conservatism. He sent the long open letter to Buckley, hoping it would be published in *National Review* as a representation of not only his views but also conservatives like Buckley’s brother-in-law Brent Bozell, Richard Weaver, and Raymond English.¹⁰⁰ His criticism of the Sharon Statement found some support in the *National Review* offices. James Burnham agreed it was metaphysically “false and contradictory” and an inadequate guide for YAF.¹⁰¹ Likewise, Bill Rusher found libertarianism “a sophisticated child of the 19th-century liberal effort to find a

⁹⁹ Gerhart Niemeyer, “A Letter to Young Conservatives,” box 11, Buckley Papers.

¹⁰⁰ Gerhart Niemeyer to William F. Buckley, Oct 21, 1960, box 11, Buckley Papers.

¹⁰¹ James Burnham to William F. Buckley, March 17 [1962], box 20, Buckley Papers.

substitute for God.” He wrote privately that he had “never been entirely at ease with Meyer’s (and Evans’, and the Sharon Statement’s, and my own) rather too breezy assumption that a large amount of individual freedom somehow tends to maximize the opportunities to lead a virtuous life.” Both extremes of traditionalist and libertarian thought needed to be tempered and Rusher believed “conservatism” did so. He remained committed to the fusionist project of uniting conservatives and traditionalists on both philosophically and tactically pragmatic grounds.¹⁰²

In response to these types of criticisms, Meyer remarked to *National Review*’s editors that efforts to forge a conservative movement devoid of classical liberal components – that is, “stress upon the liberty of the individual person, on the sharply limited state, and on an economy free of state direction” – were “as a matter of objective fact” alien to America. “A conservatism deriving purely from 19th-century European conservatism, statist and societarian in its emphasis, can have no standing in America – nor should it,” Meyer charged.¹⁰³ For conservatism to have any validity or success in America, it must be in large part libertarian.

For his part, Buckley decided Niemeyer’s Open Letter was too abstract for a controversy. He and Meyer agreed the Sharon Statement was a political manifesto, not a theoretical statement.¹⁰⁴ In any case, it would have been difficult for Buckley and *National Review* to begin publishing critiques of a high-profile statement they had previously endorsed. Even if the editors and contributors did not agree on the philosophical depth of the Sharon Statement, it was a succinct declaration adopted by a political organization they supported and one that prima facie unified the competing factions of serious right-wing thought. Moreover, despite serious conflict

¹⁰² William A. Rusher “Memo on ‘Freedom or Virtue,’” box 20, Buckley Papers.

¹⁰³ Frank S. Meyer to William F. Buckley, cc. L. Brent Bozell, James Burnham, Willmoore Kendall, William A. Rusher, “Memo RE: Letter from Gerhart Niemeyer,” Sept 3, 1961, box 14, Buckley Papers.

¹⁰⁴ Frank S. Meyer to William F. Buckley, October 19, 1960, box 11, Buckley Papers.

at the leadership level, YAF became a fast-growing and active organization on many campuses.¹⁰⁵ By 1966, it boasted 28,000 members.¹⁰⁶ As an indicator of its momentum, YAF sponsored a rally at Madison Square Garden in 1962. Around 18,000 people filled the arena to hear speeches by conservative figures and in particular Senator Barry Goldwater.¹⁰⁷ Regardless of its intellectual coherence, fueled by anti-communist and libertarian sloganeering and grandiose claims about Western civilization and the American founding, conservatism had become a popular rhetorical language.

The Sharon Statement was one formative expression of the meaning of conservatism in 1960; a second was Barry Goldwater's best-selling *The Conscience of a Conservative*.¹⁰⁸ Goldwater, a Senator from Arizona, had become *the* political representative of conservatism in politics. His convictions were rock-ribbed Republican support for free markets and antipathy toward the federal government conjoined with aggressive anti-communism.¹⁰⁹ Despite his southwestern libertarian instincts, Goldwater agreed to lend his name to a manifesto penned by *National Review*'s "hardest of hardliners," Brent Bozell, a deeply Catholic conservative.¹¹⁰

¹⁰⁵ William A. Rusher to William F. Buckley, March 12, 1962, microfilm reel 4, Rusher Papers; William A. Rusher to William F. Buckley, cc Frank S. Meyer, L. Brent Bozell, Marvin Liebman, March 18 1962, microfilm reel 4, Rusher Papers; William A. Rusher to William F. Buckley, February 20, 1962, microfilm reel 33, Rusher Papers.

¹⁰⁶ Nash, *The Conservative Intellectual Movement*, 287.

¹⁰⁷ "The Rally at Madison Square Garden," *New Guard*, April 1962, 6-7.

¹⁰⁸ On the conservative activists who pushed for Goldwater publicly identify with movement conservatism, especially through *Conscience of a Conservative*, see Nicole Hemmer, "The Dealers and the Darling: Conservative Media and the Candidacy of Barry Goldwater," in Elizabeth Tandy Shermer, ed., *Barry Goldwater and the Remaking of the American Political Landscape* (Tucson: University of Arizona Press, 2013) 114-26.

¹⁰⁹ On Goldwater and his place in conservative history and American politics, see Shermer, *Barry Goldwater*; Shermer, *Sunbelt Capitalism*; Rick Perlstein, *Before the Storm: Barry Goldwater and the Unmaking of the American Consensus*, 1st ed (New York: Hill and Wang, 2001).

¹¹⁰ Daniel Kelly, *Living on Fire: The Life of L. Brent Bozell Jr* (Wilmington, Delaware: ISI Books, 2014).

Under Goldwater's signature, Bozell argued conservatism meant both freedom and order and that this balance was beautifully captured in the Constitution. The Founders understood that government was the chief threat to liberty, he claimed. They wrote the Constitution to protect liberty through the division of powers, its slow amendment process, and the Tenth Amendment, which, as Goldwater understood it, reserved most powers to the states. Goldwater believed that in 1960 the social order was secure, but freedom was threatened. Liberals neglected the still-binding Constitution and eroded freedom by extending the federal government.¹¹¹ Throughout *Conscience of a Conservative*, Goldwater and Bozell argued the Constitution enshrined the philosophy of limited government into the American political tradition.¹¹² Their United States was a constitutional "republic," not a democracy, whose principal bulwark against "Big Government" was the states.¹¹³ Despite these threats, Goldwater felt America was "a Conservative nation." He believed the people wanted the restoration of the "ancient and tested truths that guided our Republic through its early days." Goldwater (and Bozell) believed in the "givenness" of the American system: created fully formed by the Founders and perfect, yet comprehensible through "common sense" readings of the foundational texts.

The title *Conscience of a Conservative* evoked a compassionate image against the stereotype of conservative politicians as heartless individualists. But libertarian assumptions underpinned Goldwater's conservatism and constitutional interpretation. Many of Goldwater's specific policy proposals aimed to shrink the federal government and the break strength of "Big Labor." There was a strongly gendered component to Goldwater's politics. He saw it in part as

¹¹¹ Barry Goldwater, *The Conscience of a Conservative* (Shepherdsville, KY: Victory Publishing Co, 1960), 18.

¹¹² Goldwater, *Conscience of a Conservative*, 16, 18.

¹¹³ Goldwater, *Conscience of a Conservative*, 19.

the heroic and masculine individual – the cowboy, the entrepreneur, the fighter pilot – in opposition to the state. Goldwater said global communism and domestic “welfarism” threatened liberty. The post-war economic boom proved the “free enterprise system” could eliminate class conflict and defang socialism in the United States. But welfarism was insidious. By relying on the state for “social security,” welfarism transformed the striving individual into a feminized dependent, emasculating America at a critical moment in the Cold War.¹¹⁴ As was becoming typical in the alliance between conservative and libertarian thought, Bozell conjured theological support to Goldwater’s libertarian convictions. Conservatism was not an economic theory, Bozell argued, but the proper structuring of man in society. Because of their dignity as “spiritual beings,” men must be treated as individuals. Increasingly, in conservative discourse, human dignity was explicitly connected with, if not equated with, “economic liberty.”

Well-reviewed in major media publications like the *Washington Post*, *Chicago Tribune*, and *Wall Street Journal*, and backed by wealthy right-wing financial supporters, including Fred Koch and Robert Welch, the president of the John Birch Society, *Conscience of a Conservative* sold some 600,000 copies in a year.¹¹⁵ Goldwater became the political face of conservatism.

Another indicator of the growing extent to which the various right-wing traditions were being brought together as a unified conservative philosophy was the trajectory of the Intercollegiate Society of Individualists, which started providing subsidized *National Review* copies to students in 1956.¹¹⁶ Under the management of executive vice president E. Victor Milione, ISI framed itself as *conservative* rather than *individualist* and split from the Foundation

¹¹⁴ Goldwater, *The Conscience of a Conservative*, 72.

¹¹⁵ Richard J. Whalen, “Here Come the Conservatives,” *Fortune*, December 1963, 106-9, 238-43; Nicole Hemmer, “The Dealers and the Darling: Conservative Media and the Candidacy of Barry Goldwater,” in *Barry Goldwater*, 120.

¹¹⁶ E. Victor Milione to William F. Buckley, July 31, 1956, box 2, Buckley Papers.

for Economic Affairs.¹¹⁷ ISI claimed to “analyze important economic and social problems objectively, and from the point of view of limited government, private property, and a free market.” In short order, it moved away from the radicalism of its founder Chodorov by developing a conservatism shaped by individualism but rooted in the symbols of the American past. Milione emphasized that free markets and limited government ideas “motivated the Founding Fathers of this republic.”¹¹⁸ In 1960, Milione began motions to change ISI’s name to the Intercollegiate Studies Institute to avoid association with individualism and the unintentional comedy of the original name.¹¹⁹

Finally, in ISI’s student journal *Intercollegiate Review*, Stan Evans brought the conservative arguments about the American political tradition to their culmination. He argued with acknowledged irony and against progressive historiography that America’s was “a study in conservatism.” Specifically, Evans aimed to refute the claim American conservatives have “no place to stand” if they want to conserve “the ideas embodied in the American revolution and the launching of the American nation.” He rejected the idea that since the nation was founded in a revolution, conservatives must therefore conserve a liberal tradition. The liberal narrative of the American past, advanced by polemicists and historians, claimed that “America was born in the crucible of radicalism” that had “many overtones of ‘democracy,’ levelling, and disdain for tradition.” The “Thermidor” of the Constitution was defeated by the Jeffersonian Revolution and Andrew Jackson and conservatives in America were thoroughly dispatched. Against this

¹¹⁷ Doherty, *Radicals for Capitalism*, 202-3.

¹¹⁸ E. Victor Milione to William F. Buckley, Sept 27, 1955, “Prospectus of The Intercollegiate Society of Individualists,” box 2, Buckley Papers.

¹¹⁹ William F. Buckley to E. Victor Milione, Sept. 1, 1960, box 2, Buckley Papers.

narrative, Evans argued that the Revolution was conservative, “constitutional and legalistic, divining its principles from the accumulated precedent of the ages.”

Evans drew a stark contrast between the American and French Revolutions. Where the French Revolution represented modern liberalism with “innovating,” abstract, and violent, Evans presented the American Revolution as a “defensive” development of English liberty and constitutionalism. Citing Clinton Rossiter and the conservative lodestar Edmund Burke, Evans argued the colonists were essentially Englishmen. As John Adams had written, “the true nature of the British Constitution” made “independence necessary.” Instead of truly revolutionary demands, Evans maintained, the American revolutionaries were “scrupulously moderate.” They opposed innovation; revered tradition; supported “common law, British custom, and colonial practice”; respected property rights, for which “the entire revolution was fought”; were suspicious of centralizing government; and were legalists preoccupied with rights. They sought independence, not revolution. And, if modern readers looked past the egalitarian phrases modern liberals repeated, Evans argued, it was clear the Declaration of Independence was a “manifesto fully in the tradition of British constitutionalism.” The basis of the American political tradition, Evans concluded, was “thoroughly constitutional, libertarian, and in the fullest sense conservative.” Modern liberals were wrong: the “legacy of Anglo-Saxon freedoms is one which American conservatives, as conservatives, may unblushingly profess as their own.”¹²⁰

Conclusion

By the 1960s, the New Conservatives had either abandoned their conservative project or moved toward the Buckleyite right. Viereck largely withdrew from conservative disputes to

¹²⁰ M. Stanton Evans, “The American Revolution: A Study in Conservatism,” Intercollegiate Society of Individualists, Inc., 1962, box 19, Buckley Papers.

focus on poetry and academic history and his academic star fell.¹²¹ August Heckscher, John Hallowell, and McGeorge Bundy all moved toward supporting or working for John F. Kennedy.¹²² In 1964, Clinton Rossiter clarified in *Time* that he was “not now” and never had “been a conservative.”¹²³ Meanwhile, Russell Kirk, Francis Wilson, Richard Weaver, Will Herberg, and Raymond English engaged the emergent conservative movement, identifying *Modern Age*, *National Review*, and Goldwater more-or-less with their philosophical outlooks.

Viereck had seen American conservatism as a moderate, blended philosophy that took the best from liberalism and conservatism. It was “Mill plus Burke; Jefferson plus John Adams; civil liberties and open-mindedness plus a noblesse-obligated, traditional, and very American aristocracy.”¹²⁴ America’s roots were moderate conservatism and moderate liberalism working in concert. To him, the “liberal-conservative synthesis” was itself the “deep-rooted American tradition.” In practice, Viereck argued, the best exemplars of this moderate tradition were Lincoln, Franklin Roosevelt, and Adlai Stevenson. True conservatives assimilate whatever they find good in liberalism and the New Deal.¹²⁵ He critiqued the *National Review* circle for an “unhistorical appeal to history and a “traditionless worship of tradition.”¹²⁶ Instead, in Hartzian tones, Viereck argued American “conservatism, in the absence of medieval feudal relics, must grudgingly admit it has little real tradition to conserve except that of liberalism – which then

¹²¹ Alan Simpson to Daniel J. Boorstin, April 11, 1961, box 60, Boorstin Papers.

¹²² John H. Hallowell to William F. Buckley, Oct 17, 1960, box 18, Buckley Papers.

¹²³ Clinton Rossiter to the Editor, *Time*, July 24, 1964, 13.

¹²⁴ Viereck, *Conservatism Revisited: Revised and Enlarged Edition*, 155.

¹²⁵ Viereck, *Conservatism Revisited: Revised and Enlarged Edition*, 126, 155-6.

¹²⁶ Viereck, *Conservatism Revisited: Revised and Enlarged Edition*, 124-5.

turns out to be relatively conservative liberalism.”¹²⁷ Therefore, the so-called conservative right was not based in reality but rather in abstract doctrine.

The irony in Viereck’s conclusions was the extent to which they matched those of the leading movement conservatives. Like Viereck, movement conservatives like Stan Evans and Frank Meyer believed the American tradition resolved the contradictions of liberalism and conservatism. Viereck and many movement conservatives also agreed that Louis Hartz was essentially correct and conservatism was in reality the conservation of a form of liberalism. The New Conservatives and movement conservatives frequently used the same rhetoric, deployed the same icons, and frequently spoke about the same principles. This commonality was especially true of the New Conservatives and the traditionalist wing of movement conservatism. The real division between the New Conservatives and movement conservatives was not so much the philosophy of conservatism as it was contemporary political commitments and economics. The rhetoric and symbols of conservatism proved as open to interpretation in policy terms as they were attractive as slogans. Viereck believed Franklin Roosevelt was an authentic flowering of America’s political traditions; movement conservatives, whose fundamental politics opposed the New Deal, saw FDR’s presidency as the catastrophic departure from the vision of the Founders, one that justified a cultural and political counter-revolution. To movement conservatives, Viereck and the other New Conservatives Democratic voting records, defense of the New Deal, and belief in welfare and Keynesian economics made them deluded liberals.

Ultimately the New Conservative project failed. Its leading lights either moved on to different academic or political endeavors or merged with the nascent conservative movement as

¹²⁷ Viereck, *Conservatism Revisited: Revised and Enlarged Edition*, 143.

its traditionalist wing. When it became clear by the late 1950s that conservative had come to mean Buckley-style politics, the New Conservatives essentially folded and moved on.

Meanwhile, the right-wing “conservative movement” on the other hand was always a political venture composed of professional political writers alongside sympathetic academics. They were able to connect with, albeit haphazardly at times, existing pro-“free enterprise,” anti-communist, and anti-New Deal networks and financial backers whose origins dated back at least to the 1930s.¹²⁸ Men like Regnery and Buckley and even young-gun M. Stanton Evans were second-generation right-wingers. For these disparate right-wing groups and interests, the discourse of conservatism was valuable because it provided a unifying rhetoric and, theoretically, underlying philosophy. Moreover, it was a discourse with an increasingly positive perception. It was considered more moderate and legitimate than “reactionary” and more principled and bipartisan than “Republican stalwart.” By 1960 conservatives increasingly treated “conservatism” as a thoroughgoing alternative to the prevailing liberalism even where, as Gerhart Niemeyer pointed out, the extent to which it broke from the basic philosophical precepts of Lockean liberalism were unclear.

Despite their fade to irrelevance, the New Conservative movement is important for the history of the discourse of conservatism in the United States because they were integral to popularizing and validating conservatism in the mid-twentieth century. Their effort to establish conservatism as a moderate political faith ultimately failed, but they were the earliest and most articulate intellectuals involved in the postwar discourse of American conservatism. The New Conservatives’ writing talents and impressive academic credentials lent legitimacy to the idea of

¹²⁸ On the intergenerational connections with the pre-1945 American right especially the free enterprise right, see Hemmer, *Messengers of the Right*; Kruse, *One Nation Under God*; Schneider, *The Conservative Century*; Phillips-Fein, *Invisible Hands*; Glickman, *Free Enterprise*, 2019.

conservatism. And their insistence that it was a deep philosophy that went beyond association with truculent politicians and with roots in the United States spoke to the anxieties of the post-war era. The New Conservatives' positive presentation of conservatism went a long way toward launching conservatism as a potent discourse for the latter half of the twentieth century.

And by end of 1960, movement conservatism had crystalized. Between Goldwater, the success of *Conscience of a Conservative*, and the launch of YAF and the Sharon Statement, and within intellectual circles, Frank Meyer's efforts at finding a "conservative metaphysic" that united libertarianism and traditionalism had become clear. It meant free market economics, typically associated with the Republican right-wing, coupled with staunch anti-communism given justification by various esoteric philosophical formulations. Its proponents eagerly insisted on the respectability and soundness of conservatism. As a cohesive body of thought, conservatives insisted, conservatism was deeply embedded in the America and, in fact, was the long-denied authentic tradition in need of restoration. Ten years previous, the right of the Republican Party like Robert Taft begged off the designation conservative as a slur and liability. By 1960 it was a boast for some politicians. Goldwater told *Fortune* that there had been a total change in how conservatives were perceived. Even students recognized that conservatives "didn't have horns" and "weren't trying to resurrect McKinley."¹²⁹ Building on the efforts of the New Conservatives, intellectuals like Kirk, Meyer, Evans, and Buckley had made conservatism into a positive political identity. Conservatism was increasingly taken seriously as not just rugged individualism, laissez-faire or opposition to the New Deal or, shortly after, the New Frontier, but as a thorough-going critique of liberalism and a rival political ideology. The extent to which conservatism was a meaningful ideology, coherent and distinct from the traditional

¹²⁹ Whalen, "Here Come the Conservatives."

Republican right, was unclear. But in discursive terms, the project to unite the respectable right around a concept of conservatism, and to equate Republican positions with a tradition with deep roots in the American past, was successful.

Conservatives argued their theoretical disagreements were broadly resolved in the constitutional structure. By identifying the politics of the Republican right with the American founding, conservatives claimed a considerable degree of legitimacy. Similarly, they charged their political enemies and the prevailing political order descended from the New Deal were alien and illegitimate disruptions. By 1960, intellectual conservatism meant broadly the same as popular usage: the Republican right – laissez-faire, stridently anti-communist, and eager to dismantle the New Deal – and effectively counter-revolutionary.

The discourse of conservatism still traded on the moral and intellectual respectability brought to it by New Conservatives like Rossiter and Viereck but had all but discarded their insights. Even Russell Kirk, who would be praised as a founder by the conservative movement, was increasingly marginalized. The organic, high culture conservatism he had outlined in *The Conservative Mind* became a touchstone and cliché of modern conservatism but had no real import in terms of shaping the movement's intellectual direction or favored policy. Kirkian conservatism became a veneer for the type of right-wing policies he had once critiqued as the desiccated right. Kirk wrote speeches for Goldwater and actively campaigned for him in 1964. Gerhart Niemeyer became a foreign policy advisor to the campaign, even working for the Arizonan at the 1964 Republican convention.¹³⁰

By assenting to the Meyer-Evans-Goldwater formulation of conservatism emphasizing individual liberty, conservatives all but closed the possibility that conservatism might be an

¹³⁰ Stanley Parry to Willmoore Kendall, Oct 30 [no year, but likely 1964] box 20, "Parry," Kendall Papers.; Birzer, *Russell Kirk*, 245-7, 273-82.

alternative to the type of liberalism Louis Hartz diagnosed in 1955. In general, on domestic politics the conservative movement committed itself to enacting essentially libertarian political policy and fighting for conservative social issues fought on a cultural – rarely legislative – basis. The fight over school prayer was an exception to this tendency. But after the issue was decided by the Supreme Court in the early 1960s, school prayer became a secondary consideration for conservatives. Conservative intellectuals perceived the school prayer decisions as symbolic of the liberal agenda but did not mount an energetic legislative push to reinstate it.

The pre-existing institutional strength on the right was largely laissez-faire and libertarian, including important sources of funding.¹³¹ The Republican Party, committed to Main Street and Wall Street, was uninterested in emulating the British-style Conservative Party. Meyer and Evans seemed right to hold that a conservatism of order and top-down religiosity was foreign to the American political tradition and it was telling that many adherents of that view were European emigres or Europhiles. Similarly, the aversion to federal power evinced by almost all conservatives ruled out overt access to the coercive power of the federal state as a conservative institution. Communist regimes and the contrast they presented made the connection between liberty and conservatism seem natural to these intellectuals.

Beyond structural factors, the tenets of conservative thought lent itself to defending market economics. Both the New Conservatives and traditionalist conservatives insisted property and the Lockean relationship between property and liberty were central to conservatism. It was the fourth of Kirk's canons of conservatism. Meyer, Evans, and libertarian thinkers could use this basic commitment to individual freedom and private property to overcome objections and instill individual choice as the basis of conservatism. For all their talk of challenging liberalism

¹³¹ Phillips-Fein, *Invisible Hands*; Nicole Hoplin and Ron Robinson, *Funding Fathers: The Unsung Heroes of the Conservative Movement*.

as the dominant ideology, mid-century conservatives reinforced the American right's commitment to classical liberal doctrine, as Hartz predicted.

Other aspects of conservatism were similarly amenable as theoretical tools for promoting libertarianism. Conservatives justified hierarchy, a defense of privilege that was easily transformed into a justification of economic elites. The conservatives' "realism" regarding structures led them to accept inequalities and disruptions caused by free market economics as natural as well as, often, accepting racial disparities as natural. For all their talk of a transcendent order, on economic issues, conservative intellectuals conflated "is" with "ought," treating hard-boiled economic "realities" as immutable laws and therefore good. Above all, conservatives shifted morality out of the economic sphere, ignoring structural factors. By treating virtue as a cultural problem, they made it incumbent on individual actors to maintain sober habits while promoting an economic order that relied on spending and consumption.

For all its grand flourishes, in political terms movement conservatism was difficult to distinguish from the pre-war free enterprise movement and the strident anti-communism of the Republican right. In part, this was because in their anti-communist fear of totalitarian states, conservative intellectuals like Kirk, Niemeyer, and Bozell had excoriated the authority of the state. Their peculiarly American efforts to launch a conservatism that was philosophically if not always in practice anti-statist had allowed them to ally with individualists, but it hampered the creation of a conservative philosophy. By ruling out recourse to the federal government to preserve anything but the institutions of free enterprise and free government, conservatives were left to hope their favored cultural practices endured. At most, as we see with segregation, they supported *local* defenses of Jim Crow and opposed federal attacks on segregation. By a similar token, by enshrining property rights and individual liberty at the heart of conservatism,

conservatives made themselves beholden to the socially corrosive logic of free choice they deplored in liberalism. They may have insisted on a natural and transcendent order to society, but by agreeing in the fusionist bargain that this order must be attained under conditions of political freedom, they were effectively wagering on an invisible social hand which left them bereft of philosophical tools to oppose the cultural upheavals of the 1960s. Conservative intellectuals insisted on – and continued to insist on – the importance of religion and tradition in the cultural sphere. It was quasi-privatized religion. But by enshrining individualism, liberty, and private property alongside the Constitution as the basis of American conservatism, conservative intellectuals effectively reproduced classical liberal philosophy in the rhetoric of conservatism.

Louis Hartz was essentially correct: the mid-century conservative intellectuals committed themselves to bourgeois liberalism. Unable to recognize it as such, they called it conservatism. Russell Kirk's hope for an authentic conservative alternative to liberalism was stillborn. However, the once discredited philosophy of Old Guard Republicanism had a potent new branding and an incoherent but compelling rhetoric to attack the New Deal state.

CHAPTER IV: CONSTITUTIONALISM AND ANTI-LIBERALISM IN THE AMERICAN POLITICAL TRADITION, 1955-1965

There were many things that Willmoore Kendall admired about James Burnham. One was his ability to limit himself to one martini.¹ Both were former radicals, academics, and men with sidelines in military intelligence who found purpose in conservative politics. During the 1950s both theorized the American political tradition. In response to the political exigencies of the era, both emphasized Congress as the central structure of the constitutional order. Both also theorized conservatism as an ideology defined by its opposition to liberalism (although they would have rejected “ideology” as a description of their thought). Kendall and Burnham’s contemporaries and their successors and biographers have considered them among the deepest and most important conservative thinkers. At times, their work demonstrates impressive thought and analysis. But both fueled the apocalypticism of conservative thought and rhetoric and contributed to the narrative of liberal destruction of America’s political tradition.

Parallel Lives

The American conservative intellectual movement has been superb at self-mythologizing. Perhaps because as conservatives they are interested in the past, including their own past, conservative institutions like ISI, *National Review*, and the Heritage Foundation and conservative historians like George Nash, Lee Edwards, and Jeffrey Hart have attentively crafted

¹ Jeffrey Hart, *The Making of the American Conservative Mind*, 20-1.

a pantheon of heroes and thinkers.² Some are true hagiographies. Most overstate the importance of the men and women they study. Most whitewash unsavory aspects from the narrative.

Two of the most storied figures in the conservative intellectual pantheon are James Burnham and Willmoore Kendall. Although temperamentally and philosophically very different, there are striking parallels in their careers. They were impressively educated and taught at elite universities. Both were Trotskyists in the 1930s before turning hard to the right. Both worked for US intelligence agencies. In different ways, Kendall and Burnham also damaged their academic careers through their political activism. In 1955, William F. Buckley appointed these well-credentialed but professionally damaged academics as senior editors of *National Review*. Kendall was Buckley's teacher at Yale and a formative influence on the young conservative in the 1950s. Over time, Burnham became Buckley's chief lieutenant at *National Review* and a decisive figure within the magazine. Burnham was a natural organizer comfortable working within an institution toward a long-term project; Kendall was volatile and almost completely incapable of committing sustained energy to an endeavor.

It can be difficult to ascribe influence to specific intellectuals in the development of conservative discourse, but both Burnham and Kendall shaped elite conservative discourse in important ways. Kendall developed an intellectual defense of "social consensus" that conservatives relied upon for cultural battles in the 1950s and 1960s. Burnham's emphasis on power politics and political structures (as well as his geopolitical analysis) informed *National*

² For instance, William F. Buckley, "The Founding Editors," *National Review*, December 31, 1980, 1636-41; Nash *The Conservative Intellectual Movement*; Lee Edwards, *William F. Buckley Jr.: The Maker of a Movement* (Wilmington, Del: ISI Books, 2010); Hart, *The Making of the American Conservative Mind*. See also ISI's ongoing project, including its Unsung Conservative Heroes series, <https://isi.org/intercollegiate-review/unsung-conservative-heroes-an-introduction/>.

Review editorial policy. Both were also important for intellectualizing the common idea that conservatives were united by a cultural and political struggle with pathological liberalism.

James Burnham was a senior editor at *National Review* from its founding in late 1955 until his retirement in 1978. In the 25th anniversary edition of the magazine, Buckley wrote that “beyond any question,” Burnham had “been the dominant intellectual influence in the development of this journal.”³ When Ronald Reagan awarded Burnham the Presidential Medal of Freedom, he remarked that he owed Burnham “a personal debt” for the frequency with which he quoted him on the conservative lecture circuit.⁴ Nearly 50 when he joined the magazine, Burnham was “anti-bohemian” in demeanor.⁵ From a well-off Eastern family, Burnham had been educated at Princeton and Oxford. His refined manner belied a tendency for intense political commitment. As a philosophy professor at New York University, he became close to Marxist thinker Sidney Hook and almost joined the Communist Party of the United States. Hook noted Burnham “had a flair for organization, and his Roman Catholic background reinforced his feeling for the importance of institutional allegiance and discipline.”⁶ Instead, Burnham co-founded the American Workers Party in 1932 and spent eight years active in Trotskyist circles.⁷ He corresponded frequently with Trotsky, “wrote extensively for the radical and revolutionary press, edited various publications, wrote pamphlets,” and engaged in factional struggles.⁸

³ William F. Buckley, “The Founding Editors,” 1640.

⁴ “Remarks at the Presentation Ceremony for the Presidential Medal of Freedom,” February 23, 1983, (accessed April 3, 2017) <https://www.reaganlibrary.archives.gov/archives/speeches/1983/22383c.htm>.

⁵ James Burnham, “Personal History Statement,” James Burnham Papers, box 1, Hoover Institution Archives; Hart, *The Making of the American Conservative Mind*, 18; William Barrett. *The Truants: Adventures Among the Intellectuals* (Garden City, N.Y.: Anchor Press/Doubleday, 1982), 88..

⁶ Sidney Hook, *Out Of Step: An Unquiet Life In The 20th Century* (New York: Harper & Row, 1987), 192.

⁷ Hook, *Out of Step*, 203-4.

Burnham turned against Marxism by the end of the 1930s.⁹ In 1939, he decided “the idea of dialectical materialism, at least as understood by Engels,” was flawed. Its principles were really “metaphors.”¹⁰ Trotsky reprimanded Burnham’s backsliding and the dispute led to Burnham’s permanent break with Marxism. Burnham told the CIA that after 1940 he “had no connection with any subversive, communist or Marxian political organization.”¹¹

As part of his political rethinking, Burnham wrote two “empirical,” “scientific” political studies, *The Managerial Revolution* and *The Machiavellians*, in the early 1940s. Both books developed the idea that a new class of “managers” dominated production and political authority. Burnham perceived this new reality in the Soviet Union and Nazi Germany and, to a lesser extent, in Roosevelt’s New Deal. Just as capitalists came to dominate the means of production 500 years earlier and inaugurated liberal ideology, Burnham predicted the managerial class and a new managerial ideology would soon replace the capitalist-liberal system. He gave it five years.¹²

The Managerial Revolution was a minor sensation and after it was published Burnham discovered the parallels between his thought and a collection of European “elitist” theorists including Vilfredo Pareto and Gaetano Mosca. Burnham linked these European thinkers together as “Machiavellians”: men who saw through the noise of political discourse to the realities of power politics. In general, the elitists articulated a version of “the Iron Law of Oligarchy.” It held

⁸ James Burnham, “Personal History Statement,” box 1, Burnham Papers. See also Daniel Kelly, *James Burnham And The Struggle For The World: A Life* (Wilmington, Del.: ISI Books, 2002), 41-90; Daniel Oppenheimer, *Exit Right: the People who Left the Left and Reshaped the American Century* (New York: Simon & Schuster, 2016), 69-145; for a thoughtful account of Burnham’s Trotskyism and subsequent conservatism, see John Patrick Diggins, *Up from Communism*.

⁹ Barrett, *The Truants*, 87.

¹⁰ James Burnham, “A Belated Dialectician,” *Partisan Review*, 6 No.3, (Winter, 1939): 120-3.

¹¹ James Burnham, “Personal History Statement,”; James Burnham, “Lenin’s Heir,” *Partisan Review*, 12, no. 1 (Winter, 1945): 61-72.

¹² James Burnham, *The Managerial Revolution: What is Happening in the World*, (New York: John Day, 1941).

that in any society a minority will necessarily make decisions, shape public opinion, and administer authority. Any elite, Burnham argued, aims to sustain its power and prestige, traditionally by force and fraud, but also by fostering myths, religion, or ideology.¹³

Burnham's engagement with the elitists made him extremely skeptical of mass politics. He became convinced that politics must be oriented toward consciously understood and attainable goals. Democracy is impossible, Burnham concluded, because it breaks the Iron Law of Oligarchy. The discourse of democracy could act as a useful constraint on elites, but recent history showed that the masses could be manipulated by rival elites through appeals to binding myths. On the other hand, liberty, equality before the law, and the right to a political opposition were empirically attainable goals and correlated with an "advanced level of 'civilization.'"¹⁴ In practice, Burnham concluded that "unresolved conflicts" among the elite created space in society for political freedom.¹⁵ Although elites necessarily remained in authority, their need to maintain mass support created a triangular check as rival elites exposed abuses and forced governing elites to make concessions. To sustain liberty, therefore, society needed autonomous "social forces" such as churches, magazines, clubs, unions, industries, and parties to check accretions of power. Burnham concluded that the internal pressures of liberalism would create greater and greater political centralization and bring the competing social forces under state control.¹⁶ Finally, although Burnham believed politics was ultimately about naked power, he nonetheless held that "leaders must profess, even foster, beliefs" in society's governing myths, otherwise "the fabric of

¹³ James Burnham, *The Machiavellians: Defenders of Freedom* (London: Putnam, 1943).

¹⁴ Burnham, *The Machiavellians*, 182.

¹⁵ Burnham, *The Machiavellians*, 189.

¹⁶ Burnham, *The Machiavellians*, 174-89.

society will crack and they will be overthrown.”¹⁷ This “Machiavellianism” informed Burnham’s opposition to “rights” movements and motivated his own writings about American history.

If Burnham’s political philosophy was always shaped by his assumptions about world-historical forces and material structures, Willmoore Kendall’s politics relied upon his faith in the American people. Born in Oklahoma in 1909, Kendall attended various colleges and worked as a reporter in the early 1920s, graduating in 1927. During the 1930s he did graduate work at Oxford as a Rhodes Scholar and the University of Illinois under Francis Wilson. For a time, Kendall worked as a journalist, a career that included covering the Spanish Civil War, and as a college instructor at variety of southern and midwestern colleges.¹⁸

Kendall announced himself as a theorist of note in 1941 with a provocative study of John Locke. Kendall argued Locke was not the “prince of individualists” but a communally minded thinker. Locke favored rights, to be sure, but not “disembodied” rights that carved through social customs. Instead, Kendall argued that it was communities that defined the meaning and extent of “natural” rights. The central tenant of this majoritarianism, Kendall added, was that through deliberation man is rational and just.¹⁹ *John Locke and the Doctrine of Majority-Rule* ran against prevailing assumptions but provoked serious consideration; it interrogated the problems at the heart of majoritarianism and suggested a resolution (although the New Conservative political scientist Thomas Cook criticized Kendall for his idiosyncratic prose and lack of unity).²⁰ Kendall

¹⁷ Burnham, *The Machiavellians: Defenders of Freedom*, 201.

¹⁸ Who’s Who: Willmoore Kendall,” box 16, Kendall Papers.

¹⁹ Willmoore Kendall, *John Locke and the Doctrine of Majority-Rule*, Illinois studies in the social sciences; v. 26, no. 2 (Urbana, IL: The University of Illinois Press, 1941).

²⁰ Thomas I. Cook, “John Locke and the Doctrine of Majority Rule. By Willmoore Kendall. (Urbana, Illinois: University of Illinois Press. 1941. Pp. 141. \$1.50, Paper, \$2.00 Cloth.),” *American Political Science Review* 35, no. 6 (December 1941): 1165–68.

promised a series of books on majoritarianism with a text on Rousseau next. This series never materialized as Kendall struggled with financial insecurity, mental health problems, alcoholism, and a tumultuous personal life. Kendall spent his intellectual talents in unfinished projects and long private letters. But the themes laid out in 1941 dominated Kendall's work for the rest of his life, reaching their most developed form in the late 1960s.

For Kendall peoples and societies, especially “this ‘*people of the United States*, ’” were built on a social consensus, and any such consensus ought to be represented in a society's political arrangements.²¹ He thought representative democracy was the best system to translate the social consensus into a political reality. A consensus could change, but it would change organically through argument, deliberation, compromise, and “legitimate” forms of activism. The essence of Kendall's conservatism was that politics should reflect the slowness of social transformation by preventing the political arrangements getting ahead of the social consensus and thereby undermining social stability.²² George Nash argues plausibly that Kendall's experiences during the Spanish Civil War not only disabused him of communism but demonstrated the consequences of the total failure of a society's consensus. A friend and colleague of Kendall's remarked that Kendall left Trotskyism, “because the Communists in Spain went beyond blowing up the newspapers, and had assassins out to kill the news boys who distributed the Nationalist newspapers. That was too much for Willmoore.”²³

²¹ Kendall, *The Conservative Affirmation*, 74.

²² Kendall, *The Conservative Affirmation*; Willmoore Kendall, “Civil Rights and the Coming Constitutional Crisis,” *Intercollegiate Review* 1, no. 2 (1965).

²³ Nash, *The Conservative Intellectual Movement*, 212; American Political Science Association Oral History Project: transcripts of tapes Recording Conversations with Charles S. Hyneman, box 16, Kendall Papers.

After serving in various foreign policy and military intelligence positions during the war and immediately after, Kendall joined Yale University as an associate professor in 1947.²⁴ He felt as though he had “made it.” The university could have had “any specialist in political philosophy in the entire country: it chose me.”²⁵ His position at Yale quickly deteriorated, due to Kendall’s personality and politics. He claimed his supervisors told him his “political opinions” and “admitted effectiveness as a classroom teacher” made him a “baneful” influence on the students and tried to force him out by withholding promotions and pay-rises. The department responded that Kendall’s very slight publishing record prevented his promotion.²⁶

Kendall believed that most Americans – white, “Judeo-Christian,” and beyond the liberal centers – were basically conservative on racial, sexual, economic, and foreign policy questions.²⁷ He explicitly rejected as Cold War liberal “propaganda” the claim of people like Clinton Rossiter and Gunnar Myrdal that the conservative approach to the American tradition was liberal.²⁸ Instead, he insisted that “the American political tradition is a profoundly Conservative tradition, with a profoundly Conservative content.”²⁹ As a matter of fact, Kendall argued, the lack of organized cultural conservatives in politics before the 1950s suggested cultural strength, not weakness: the conservative way of life did not need to be articulated because it was assumed by

²⁴ “Who’s Who: Willmoore Kendall,” box 16, Kendall Papers. James Burnham wrote that Kendall’s “posts were high, responsible levels, and he filled them with distinction.” James Burnham to James W. Fesler, April 10, 1957, box 5, Burnham Papers.

²⁵ Willmoore Kendall to W.L. Duncan, September 27, 1964, box 20, Kendall Papers.

²⁶ Leo S. Paul de Alvarez, “Willmoore Kendall: American Conservative,” box 16, Kendall Papers. Charles S. Hyneman, said he had heard that Yale bought his contract “was because the faculty just found him impossible to live with.” American Political Science Association Oral History Project: transcripts of tapes Recording Conversations with Charles S. Hyneman, box 16, Kendall Papers.

²⁷ Willmoore Kendall, “Three on a Line,” *National Review*, August 31, 1957, 179-181.

²⁸ Willmoore Kendall, “Three on a Line.”

²⁹ Willmoore Kendall, “Three on a Line,” 180.

most Americans. Conservatives defended the unspoken consensus in response to the modern liberal assault upon it. Liberal attacks, Kendall argued, begat conscious conservatism.

From its outset, Kendall wrote in a book on conservatism, America announced that “We hold these *truths*.”³⁰ This meant that not all questions were “open questions.” Some were held as truth and emphatically closed. Communists were beyond the pale of thought and practice. Similarly, the nation was Judeo-Christian and this fact should be respected in school with prayer. He insisted elsewhere that “only an avowedly Christian society can be truly civil.”³¹ Of course, there could be debate of social mores, but this should be limited to discussion between the forty-yard lines of the public consensus. Anything else would be cultural anarchy.³² Kendall was fighting back against the fact that the legal status of the public orthodoxy had declined as a result of liberal challenges. He warned that should America ever become an “open society,” the result would be that America would “overnight become the most *intolerant* of all possible societies.” Any society in which all questions are open cannot tolerate “*those who disagree with it. It must persecute – and, on its very own showing, so arrest the pursuit of truth.*”³³ Kendall predicted that liberal politics would have catastrophic effects. By attacking the social consensus, he feared liberals would cause the successive breakdown of the “common premises” of society, leading to the end of public arbitrament of them and eventually to civil war.³⁴

So, Kendall’s conception of conservatism was both democratic and illiberal. He believed the constitutional system was tailored to reflect the social consensus. But liberals sought to

³⁰ Willmoore Kendall, *The Conservative Affirmation*, 74.

³¹ Pamphlet, “Willmoore Kendall: Author, Editor, Lecturer,” box 6, Kendall Papers.

³² Kendall, *The Conservative Affirmation*, 74-5.

³³ Kendall, *The Conservative Affirmation*, 114, 116.

³⁴ Kendall, *The Conservative Affirmation*, 100-121.

overthrow the social consensus in the name of equality. Against the liberal threat, Kendall believed the majority had the right to maintain the political arrangements of the social consensus until that consensus had legitimately changed. Congress, he argued, could reasonably suppress radical challenges. In practice, this position meant that because a perceived majority agreed that school prayer was good for society, that McCarthy was an important red-hunter, that censorship of explicit materials was necessary, then it was legitimate to enforce them by law.

Part of Kendall's conservatism was motivated by cultural resentment toward the "Liberal Establishment." Liberals, Kendall wrote, have "proposals born of their instinctive dislike for the American way of life and for the basic political and social principles presupposed in it."³⁵ He spoke "sometimes with an Oklahoma accent and sometimes in clipped British tones left over from his Rhodes scholarship," refusing "to share in the pessimism of many Conservatives who saw only a steady degeneration in the capacity of today's Americans to govern themselves."³⁶ One colleague recalled that "Kendall's America was the America of the silent people" that "continued to live the tradition 'in their hips.'"³⁷ Another noted Kendall "had an enormous respect for a kind of innate wisdom in the common man and very little ... for wisdom in the intellectuals."³⁸

Kendall thought this trust in the people was present in the central symbol of America's political tradition, the preamble to the Constitution. In a sense, Kendall developed an intellectualized version of William Jennings Bryan-Dwight Eisenhower combination of "old time

³⁵ Kendall, "Three on the Line," 180.

³⁶ Hart, *The Making Of The American Conservative Mind*, 6; Leo S. Paul de Alvarez, "Willmoore Kendall: American Conservative," box 16, Kendall Papers.

³⁷ Leo S. Paul de Alvarez, "Willmoore Kendall: American Conservative," box 16, Kendall Papers.

³⁸ American Political Science Association Oral History Project: transcripts of tapes Recording Conversations with Charles S. Hyneman, box 16, Kendall Papers.

religion” and “little people politics” prominent in the 1950s but scrutinized in the courts in the 1960s.³⁹ Kendall adopted for himself the role of the “‘select minority’ who assume responsibility for the people’s culture” to “‘keep alive’ ‘historical memory,’” which he defined as the people’s “own traditions – lest in ignorance of them, they forget, like madmen, what and who they are.”⁴⁰

Kendall’s thought was important for conservative intellectuals as they sought a logic and rhetoric to oppose rights, or at least rights they disagreed with, during the “Rights Revolution” in the late 1950s and early 1960s. In practice, opposing declared rights proved difficult because the concept of rights seemed enshrined at the highest levels of the American political tradition. Since many key conservative intellectuals were Catholic, for a time Natural Law seemed a plausible framework for opposing liberal rights. The vagaries of Natural Law, however, and the philosophy’s sectarian connection with Catholicism made it unviable as an intellectual strategy.⁴¹ Russell Kirk’s bare traditionalism did not have much purchase in a public discourse that emphasized progress either. During the late 1950s and early 1960s, it seemed Kendall’s religiously informed but secular majoritarianism in defense of conservative mores and folkways could succeed as an anti-liberal logic, especially since Kendall linked it to the highest symbol of the American political tradition – the Constitution.

Kendall’s idea of social consensus clearly informed arguments William F. Buckley employed in the 1950s and early 1960s to argue on social issues. At one stage, Buckley attributed “whatever political and philosophical insights” he had to Kendall.⁴² Buckley’s

³⁹ Kruse, *One Nation Under God*, 47, 58.

⁴⁰ Willmoore Kendall, “How to Read Richard Weaver: Philosopher of We the (Virtuous) People,” *Intercollegiate Review*, 2, no. 1, (September 1965): 77-86, quote on 86.

⁴¹ Allitt, *Catholic Intellectuals and Conservative Politics in America, 1950-1985*, 163-204.

⁴² William F. Buckley to Henry Regnery, [undated], box 11, folder 14, Regnery Papers.

argument in *God and Man at Yale* that Yale alumni could enforce curricular standards on the university was an application of Kendall's argument that a society, in this case the Yale alumni, could enforce its consensus.⁴³ Kendall and Buckley partially interpreted McCarthyism through the lens of the social consensus. Buckley and his brother-in-law, Brent Bozell, another former Kendall student and McCarthy staffer, defended McCarthy as a necessary part of the Cold War in a book for Henry Regnery. Kendall worked alongside his former students on the final draft.⁴⁴ He later argued that the real reason McCarthy divided conservatives and liberals was because he raised the question of whether the United States was an "open society" or not. Kendall suggested the open society was central to liberalism and liberals could not abide evidence to the contrary. Subsequently, Bozell argued in *The Warren Revolution: Reflections on the Consensus Society*, that from *Brown v. Board of Education* in 1954 on, the Supreme Court had elevated itself unconstitutionally above Congress and the states. By making itself the supreme interpreter of the law, the Warren Court had forced its will on controversial issues, particularly religion and "the race problem," in ways that damaged the fabric of society.⁴⁵ There are even elements of the social consensus view in Buckley's defense of traditional sexual morality in his *Firing Line* debate with *Playboy* founder Hugh Hefner.⁴⁶ In 1955 Kendall began investing serious time working at *National Review* where he became a senior editor while his marriage fell apart, he

⁴³ Buckley, *God and Man at Yale*.

⁴⁴ William F. Buckley and L. Brent Bozell, *McCarthy and His Enemies: The Record and Its Meaning*, (Chicago: Henry Regnery Co., 1954).

⁴⁵ Bozell, *The Warren Revolution: Reflections on the Consensus Society*, (New Rochelle, NY: Arlington House, 1966), 15-41.

⁴⁶ Transcript, "The Playboy Philosophy, a debate with Hugh Hefner and William F. Buckley," https://digitalcollections.hoover.org/images/Collections/80040/80040_026_trans.pdf

experienced financial difficulties, and had a “profound religious experience,” converting to Buckley and Bozell’s Catholicism.⁴⁷

Meanwhile, after his break with Trotskyism, James Burnham became a vociferous anti-communist. In 1949, Burnham’s college connections led him to take a position in the Office of Policy Coordination (OPC), a psychological warfare division of the burgeoning US Cold War intelligence apparatus. By virtue of his organizational abilities, political and intellectual contacts, and OPC funds, Burnham was instrumental in founding the Congress of Cultural Freedom (CCF), an international organization of anti-communist intellectuals. Burnham envisaged the CCF as a “unified front” of left and right-wing anti-communists. But key CCF members in the United States and abroad opposed making common cause with right-wing European anti-communists, many tainted by wartime collaboration with fascist governments. When the CIA absorbed the OPC in 1951, the new leadership found Burnham too right-wing and withdrew his control of the CCF’s purse-strings and phased him out of the OPC by 1952.⁴⁸

It was McCarthyism that led to Burnham’s permanent break with liberal anti-communism. The editors of *Partisan Review* requested his resignation from the magazine’s advisory board in 1953 over the issue. Burnham agreed, but rejoindered that he did not believe McCarthy was different from other politicians and that McCarthyism was “an invention of the Communist tacticians, who launched it and are exploiting it.” In the same year Burnham also quit his position at NYU.⁴⁹

⁴⁷ See the undated correspondence with Kendall’s sister, Yvona Kendall Mason, in box 6, “WK to YKM, 1955-1958,” Kendall Papers.

⁴⁸ Sarah Miller Harris, *The CIA and the Congress for Cultural Freedom in the early Cold War: the Limits of Making Common Cause*, Studies in intelligence (New York: Routledge, 2016), 74-99.

⁴⁹ James Burnham to the Editors of *Partisan Review*, Sept 25, 1953, box 1, folder 4, Burnham Papers; Office of Vice Chancellor and Secretary to James Burnham, June 18, 1953, box 1, folder 1, Burnham Papers.

Burnham met William F. Buckley through Willmoore Kendall in 1951.⁵⁰ By 1954, having written several explicitly anti-communist books, one of which was summarized prominently in *Life* magazine, Burnham was enmeshed in the nascent right-wing intellectual network. He was one of several credentialed and effective writers that conservative activists turned to for intellectual firepower. The following year Henry Regnery solicited Burnham to write “a thorough study of the Congressional Investigating Committee.”⁵¹ Regnery felt an urgent need to defend Congress from the backlash against McCarthy. Writing to Roger Milliken, a major conservative donor, Regnery warned that Cornell University Press had been given a “large grant” from “one of the big foundations” to “discredit the Congressional Committee.” “A sound book by a responsible man” was “most needed.” The Kansas City based Volker Fund declined to grant Burnham \$10,000 for the two-year project and Regnery’s own Foundation for Foreign Affairs lacked the funds to sponsor the work. Regnery requested \$3,500 from the Deering Milliken Foundation for Burnham to get started. Milliken produced the check immediately, congratulating Regnery’s “fine job” in “supporting the cause of freedom!”⁵²

Regnery and Milliken’s correspondence shows the extent to which right-wing intellectual activists and their financial supporters believed they had the right and the responsibility to shape the future of the United States. Regnery, Milliken, and their allies believed America was in tremendous peril. They framed conservatives as the right-thinking and honest defenders of “freedom,” increasingly united against the vast powers of liberal collectivists. Their tone indicated their certainty and belief in their deep moral connection to the nation’s legitimate

⁵⁰ Kelly, *James Burnham and the Struggle for the World*, 212.

⁵¹ Henry Regnery to Roger Milliken, January 26, 1955, box 51, folder 13, Regnery Papers.

⁵² Roger Milliken to Henry Regnery, Jan 29, 1955, box 51, folder 31, Regnery Papers.

tradition. H. B. Earhart, the industrialist whose bequeathments established the Michigan-based Earhart Foundation and Relm Foundations, left a succinct statement of his conservative creed to guide his foundations' donations. Earhart stipulated that the Founding Fathers, "guided by the Christian altruistic ethic," gave Americans "the Constitution and Bill of Rights under which we have had the opportunity and the responsibility to uphold, protect and defend the freedom and the dignity of each individual citizen of the Republic." These responsibilities included providing for one's own economic security and "the proper economic and moral support of the government."⁵³

Regnery and Milliken considered themselves under-gunned in an existential conflict for the political and cultural future of America. In short, they believed the ideological conflict that they were involving themselves in was not a typical political argument. It was a fundamental clash of epochal proportions. Burnham had a history of overwrought predictions and visions of massive societal transformation. As such, he was the perfect candidate to flatter Regnery and Milliken's outlook. He gave credence to right-wing fears through the prima facie objectivity and syllogistic style of argumentation by which Burnham imported his own assumptions into ostensibly neutral analysis. Burnham published the initial results of this assignment in *The Freeman* as "Tribunes of the People" in 1955. He analogized Congress's investigatory powers with tribunes of the plebs. He suggested the Founders consciously modeled congressional investigations on the Roman republic. Burnham called congressional investigations "irreplaceable champions of our liberty," which were precedented, necessary, and effective.⁵⁴

⁵³ Richard A. Ware to William J. Baroody, July 30, 1963, box 62, William J. Baroody Papers, Manuscript Division, Library of Congress, Washington, D.C. (hereafter Baroody Papers).

⁵⁴ James Burnham, "Tribunes of the People," *Freeman*, February, 1955, 309-11.

Recruiting Burnham for this project illustrates how as early as 1954 the conservative strategy included aping the perceived liberal efforts to dominate the shaping of opinion and belief about society and the past. Regnery solicited conservative donors to fund a quasi-academic conservative response to “one of the big foundations” and an Ivy League academic press.⁵⁵ Conservatives who felt themselves denied from access to traditional sources of cultural and intellectual prestige, as well as major financial sources, sought to create their own counter-institutions. Of course, conservative institution builders were unable to manufacture intellectual capital completely independently from traditional sources of intellectual prestige. Burnham’s status as a defector from traditional institutions of knowledge production made him especially valuable to early conservatives. As a relatively prominent intellectual who moved from left to right, Burnham gave old believers the affirmation that converts provide. More importantly, his education, academic standing, reputation, and connections with the New York intellectual elite, although severed, granted him the traditional markers of prestige and credibility that conservative activists and their financial backers craved.

But the limitations of the conservative ability to compete with liberal intellectual institutions in the 1950s were also very clear in Burnham’s congressional project. Conservatives lacked the resources of the major charitable foundations. The Rockefeller Foundation gave nearly \$7 million in grants to humanities and social science projects in 1955, a year in which half a million dollars went to McGill University’s Institute for Islamic Studies.⁵⁶ The Carnegie Corporation of New York too had an important history of liberal grant-giving. It had provided funded Gunnar Myrdal’s important *An American Dilemma*.

⁵⁵ James Burnham, *Congress and the American Tradition*, (Chicago: Henry Regnery Co., 1959), acknowledgements.

⁵⁶ The Rockefeller Foundation Annual Report, 1955, <https://assets.rockefellerfoundation.org/app/uploads/20150530122212/Annual-Report-1955.pdf>

Conservatives were particularly concerned by the Ford Foundation's creation of the Fund for the Republic.⁵⁷ On October 1, 1951, the Ford Foundation granted \$200,000 and an initial appropriation of \$1,000,000 to establish the independent Fund presided over by Robert M. Hutchins. Its mandate was "the elimination of restrictions on freedom of thought, inquiry, and expression in the United States, and the development of policies and procedures best adapted to these rights."⁵⁸ Two years later, the Ford Foundation appropriated an additional \$14,800,000 for the Fund, announcing that the chief threat to freedom was "the menace of Communism and Communist influence in this country" but also, in a clear reference to McCarthyism and House investigatory powers, "the grave danger to civil liberties in methods that may be used to meet this threat."⁵⁹ Congress certainly perceived the Ford Foundation as a liberal influence. In April 1952, the House created a seven-man committee to investigate the "un-American activities" of the major foundations. Led by Georgia Democrat Eugene Cox, the committee found that the foundations favored the internationalist policies championed by liberals in both parties.⁶⁰

Despite some access to funds, conservatives lacked the academic titles and institutional support to give their publications credibility. William Buckley became convinced conservative scholars faced great challenges. "Advancement comes hard. They are victimized by their departments," he told *National Review* publisher William Rusher. But their "their principal

⁵⁷ The Ford Foundation boasted an endowment of \$463,213,842 in 1954 and gave \$150,000 to the American Historical Association in 1955. The Ford Foundation Annual Report, 1954, <https://fordfoundcontent.blob.core.windows.net/media/2415/1954-annual-report.pdf>; The Ford Foundation Annual Report, 1955, <https://fordfoundcontent.blob.core.windows.net/media/2416/1955-annual-report.pdf>.

⁵⁸ The Ford Foundation Annual Report, 1952, <https://fordfoundcontent.blob.core.windows.net/media/2413/1952-annual-report.pdf>, 29, 59.

⁵⁹ The Ford Foundation Annual Report, 1954, <https://fordfoundcontent.blob.core.windows.net/media/2415/1954-annual-report.pdf>, 41.

⁶⁰ Thomas C. Reeves, "The Foundation and Freedoms: An Inquiry into the Origins of the Fund for the Republic," *Pacific Historical Review* 34, no. 2 (1965), 207.

tribulation is the difficulty in getting modest grants” to pursue conservative research. Although Henry Regnery Company and conservative journals like *National Review* and *Modern Age* emphasized writers with doctorates, few politically committed conservative academics held positions at major universities. The most active conservatives were in even more awkward positions: Willmoore Kendall resigned from Yale in 1961 in exchange for a lump sum. Richard Weaver was an instructor rather than tenured professor.⁶¹ In the mid-1950s, there was some discussion between conservative activists about establishing a Conservative Studies program under Russell Kirk at the small Ripon College in Wisconsin, but opposition from within Ripon College prevented the attempt advancing.⁶² The size and caliber of the prospective home of the program illustrates conservatives’ lack of influence in major universities.⁶³

Kendall felt his political commitments hampered his academic career. Kendall had difficulty publishing a critique of J.S. Mill in the *American Political Science Review* because of the politics he advanced in it. He wrote to Leo Strauss in 1960 to say that he begged its editor, Harvey Mansfield Sr, to read his work “as something other than egg-head McCarthyism (though I am not so naïve as to suppose that I can have my [*National Review*] connection and not pay for it now and then).” Mansfield replied that Kendall was “a symbol and stereotype and your commitment is so strong” which made his scholarship difficult to evaluate.⁶⁴ By 1958, Kendall was warning others that *National Review* was “the ‘point of no return’ for a writer.”⁶⁵ Instead

⁶¹ “Conservatism-Liberalism - Cons. 2,” box 3, folder 37, Burnham Papers.

⁶² Russell Kirk to Henry Regnery, Nov 22, 1955, box 39, folder 9, Regnery Papers.

⁶³ See Buckley’s *God and Man at Yale* and the related storm and also Russell Kirk’s *Academic Freedom: An Essay in Definition*, (Chicago: Henry Regnery Co., 1955).

⁶⁴ Willmoore Kendall to Leo Strauss, August 10, 1960; Willmoore Kendall to Leo Strauss, 29 August, 1960, box 30, “Strauss, Leo, Correspondence w/WK,” Kendall Papers.

⁶⁵ Henry Regnery to Russell Kirk, February 21, 1958, box 39, folder 9, Regnery Papers.

Kendall came to rely on conservative grant money to fund his frequent sabbaticals from Yale. He received multiple grants from the Relm Foundation, which gave him “everything but the kitchen sink,” in 1959, 1960, and 1965. He also received year-long grants from the Henry Regnery Foundation (1953), and the Volker fund (1955).⁶⁶ Between editing *National Review*, receiving research grants, and lecturing to conservative audiences, Kendall began shifting from existing in a traditional academic world to the burgeoning conservative alternative.

By contrast, conservatives perceived that liberals dominated the centers of cultural and intellectual prestige. Burnham claimed “a majority, and a substantial majority, of those who control or influence public opinion is liberal.” He included “teachers in the leading universities—probably the most significant single category,” publishers; “editors and writers of the most influential publications”; college administrators; PR experts; most professional writers; TV, cinema, theater, and radio directors, writers and commentators; many clergy; government employees; and “the staffs of the great foundations.”⁶⁷ This perception was not unique to the right. When Burnham moved rightward in the early 1950s, Philip Rahv, the radical editor of *Partisan Review* told a colleague that “since Liberals now dominate all the cultural channels in this country,” Burnham had effectively “committed suicide.”⁶⁸ Burnham was not shocked by his exile. He believed he was a dissident from world historical forces – the managerial revolution – that was nearly inexorably transforming the social and political relations of states around the globe into societies governed by bureaucratic elites. In the sweep of this revolution, liberals were

⁶⁶ “Who’s Who: Willmoore Kendall,” box 16, Kendall Papers; Willmoore Kendall to Leo Strauss, August 10, 1960, box 30, “Strauss, Leo, Correspondence w/WK,” Kendall Papers.

⁶⁷ Burnham, *Suicide of the West: An Essay on the Meaning and Definition of Liberalism*, (New York: Encounter Books, 2014), 22-3.

⁶⁸ Barrett, *The Truants*, 195.

mouthpieces for a newly ascendant class in the same way John Calvin, Adam Smith, and Baron Montesquieu had given voice to the rising bourgeoisie.

Power, Deliberation, and Congress

During the late 1950s and early 1960s, Burnham and Kendall both concluded that Congress was the authentic core of the constitutional system and that liberalism threatened both Congress and the Constitution. There is no inherent historical connection between historic conservatives or the right and Congress. The conservatives Russell Kirk had analyzed from the First Party system had an aristocratic distrust of Congress as a potentially popular organ.⁶⁹ During the late nineteenth century and parts the 1930s, conservative Republicans and Democrats looked to the Supreme Court to strike down progressive legislation.⁷⁰ But the modern conservatives in the 1950s and early 1960s identified their interests and status with Congress and against the liberal executive and Supreme Court. This conclusion tracked with the political development of movement conservatism.

On the one hand, the conservative right deeply resented the powers of the presidency which they associated structurally and historically with liberalism. The executive wielded the powers of the federal government and therefore sought to expand them. Recent history, conservative intellectuals argued, bore this assumption out. They blamed Woodrow Wilson and especially Franklin Roosevelt for aggrandizing the presidency and expanding the role of the federal government.⁷¹ They bristled at nineteen years of Democratic control of the presidency and then felt frustrated and betrayed by Eisenhower. “The mandate the right wing had helped”

⁶⁹ Kirk, *The Conservative Mind*, 77-82, 88-9.

⁷⁰ See, for instance, *Lochner v. New York* (1905), *Retirement Board v. Alton Railroad Co.* and *Schechter Poultry Corp. v. United States* (1935); Sehat, *The Jefferson Rule*, 123-155.

⁷¹ Burnham, *Congress and the American Tradition*, 107, 147, 155.

Eisenhower win, Brent Bozell fulminated, and now he treated it as “a mandate to exterminate the right wing.”⁷² John F. Kennedy’s subsequent victory all but confirmed conservative antipathy to the executive branch. Successive presidents, conservatives believed, were driven by liberal ideology to increase government interference in the economy, encroach upon the states, and push cultural change. The president also enforced the decisions of the Supreme Court. It is impossible to overstate how frustrated conservative intellectuals were by the Warren Court and the “Rights Revolution,” a series of Supreme Court decisions that expanded civil rights. Starting with the landmark *Brown v. Board of Education* on school segregation in 1954, but continuing with voter reapportionment in *Baker v Carr* (1962), the school prayer decision *Engel v Vitale* (1962), and culminating in the legalization of abortion in the 1973 decision *Roe v Wade* (decided under the Burger Court but relying on *Connecticut v Griswold* (1965)), conservatives saw these decisions as instances of high-handed liberal fiat imposed on existing folkways.⁷³ Kendall’s anti-rights theory of conservatism and anti-executive interpretation of the Constitution was a response to this political and legislative context.

By contrast Congress, was, along with some state governments, the most conservative political institution in the nation. In the late 1930s and 1940s the “Conservative Alliance” of Republicans and southern Democrats opposed elements of the New and Fair Deals. Due especially to the seniority system and the disproportionate strength of white southern Congressmen, Congress was slow moving and politically and culturally traditional.⁷⁴ In 1947, the

⁷² Quoted in Michael Bowen, “Getting to Goldwater: Robert A. Taft, William F. Knowland, and the Rightward Drift of the Republican Party,” in Shermer, *Barry Goldwater*, 108.

⁷³ See Daniel K. Williams, *Defenders of the Unborn: The pro-Life Movement before Roe v. Wade* (New York, NY: Oxford University Press, 2016); Benjamin Eric Sasse, “The Anti-Madalyne Majority: Secular Left, Religious Right, and the Rise of Reagan’s America” (Dissertation, Yale University, 2004). See also Walter Berns, “School Prayers and Religious Warfare,” *National Review*, April 23, 1963, 315-7.

Senate majority leader Robert Taft oversaw the passage of the Taft-Hartley Act to amend the National Labor Relations Act and gut labor union protections. The conservative Ohioan carried the Republican right's banner in Congress and nationally until his death in 1953.⁷⁵ The conservatives at *National Review* favored his successor, California Senator William Knowland, who had helped connect Buckley to California industrialists and led Senate Republicans until 1959.⁷⁶ *National Review* proclaimed that Knowland defied New Deal norms by acting "in accord with our older constitutional tradition," asserting his independence from the president despite their shared party affiliation. "For those who are concerned with the preservation of our form of government," the magazine editorialized, "the difference is fundamental."⁷⁷ In the earliest stages of founding *National Review*, James Burnham even proposed endorsing Knowland for president in the magazine's inaugural issue.⁷⁸

The Republican and southern Democrat alliance in the late 1930s and the ongoing Democratic Party split over civil rights in the 1950s and 1960s raised the possibility of a competitive conservative party composed of newly independent southern Democrats and dissident conservative Republicans. Eisenhower had already broken the Solid South by winning six southern states. To conservatives, the potential conservative alliance looked like a path to political power.⁷⁹ To some extent, the alliance was already being built in Congress and

⁷⁴ Ira Katznelson, *Fear Itself: The New Deal and the Origins of Our Time*, First Edition (New York: Liveright Publishing Corporation, 2013).

⁷⁵ Bowen, *The Roots of Modern Conservatism*.

⁷⁶ See Bowen, "Getting to Goldwater," 100-104.

⁷⁷ "The Week," *National Review*, May 11, 1957, 441. Likely written or added to by James Burnham who wrote similar analysis in Burnham, *Congress and the American tradition*, 176-9.

⁷⁸ James Burnham to William F. Buckley, September 25, 1955, box 2, Buckley Papers.

⁷⁹ C. Dickerman Williams, "What Elects Republicans," *Freeman*, November 30, 1953, 162-3; Isabel Paterson, "The Southern Breakthrough," *National Review*, December 21, 1955, 9-11; William A. Rusher, "Crossroads for the GOP," *National Review*, February 12, 1963, 109-112.

conservative intellectuals were aware of this possibility and actively cultivated it, including working with and praising segregationist Democrats.⁸⁰

James Burnham was initially skeptical about taking on the proposed project on congressional investigatory committees. Nevertheless, he accepted the job and expanded the scope of the project from a defense of congressional investigations to a study of the decline of Congress itself. Published by Regnery Co. in 1959, Burnham turned *Congress and the American Tradition* into a case study in Machiavellian political philosophy and a doomsday prediction about American politics.⁸¹ Burnham argued that governments are naturally arbitrary and required legitimation. America's constitutional system had been legitimized through myth and practice. "I accept it as right," he wrote, "that Congress, the President and the Courts shall govern me because they have been honored by observance and prior tradition."⁸² Conservatives, Burnham claimed, acknowledged the central truth that government is a combination of reason and irrationality. Without accepted constitutional limits, the result is tyranny. Burnham cited Daniel Boorstin's popular argument that the Founding Fathers were pragmatists who implemented successful colonial experiments and restored traditional English rights.⁸³ The practicality in this narrative of the Founding appealed to the materialist Burnham who was an extreme product of the Cold War culture that rejected ideology and lionized pragmatism.⁸⁴

⁸⁰ Sam M. Jones, "A Voice in the South," *National Review*, July 27, 1957, 105; William A. Rusher to Gerrish Milliken, September 26, 1960, microfilm reel 27, Rusher Papers; William A. Rusher to Gerrish Milliken, Oct 24, 1964, microfilm reel 27, Rusher Papers; Strom Thurmond to William F. Buckley, May 12, 1960, box 12, Buckley Papers.

⁸¹ Burnham, *Congress and the American Tradition*.

⁸² Burnham, *Congress and the American Tradition*, 28.

⁸³ Burnham, *Congress and the American Tradition*, 24-7.

⁸⁴ Robert Booth Fowler, *Believing Sceptics*, 3-70.

Kendall and Burnham both suggested that the underlying structures of “liberalism” and “conservatism” lent themselves to opposing branches of the federal government. They both argued the executive was specifically attractive to liberals while Congress tended to be conservative.⁸⁵ Kendall claimed benighted liberals were motivated by a cult of action and managerial expertise increasingly represented by the Presidency. He saw these traits in the Eisenhower administration’s Moderate Republicans and especially in Kennedy’s New Frontier led by McGeorge Bundy, Dean Rusk, Robert McNamara, and Abraham Ribbicoff. By contrast, Congressman and Senators, closer to actual communities of constituents with divergent views, preferred to *oppose* rather than *do*. They were natural conservatives.⁸⁶

Burnham concluded that the Founders believed Congress was first among the branches of government, but that the “ineradicable core” of the American tradition was the autonomy – even clash – between the branches of the government.⁸⁷ Burnham held that the division of power generated the competing “social forces” necessary sustain liberty. Historic shifts in relative strength of the branches of government did not upset the basic tradition. Burnham suggested the government of 1779 was recognizably that of 1932, the constitutional principles had been “stretched and adapted but not violated.”⁸⁸ Deviations from the core tradition only occurred when a branch of government overrode the others and eliminated the division of power.

Burnham argued that Franklin Roosevelt had broken from tradition in 1933 and the rupture continued into the 1960s. A slow decline in the constitutional system culminated in

⁸⁵ Burnham, *Congress and the American Tradition*, 61; Burnham, *Suicide of the West*, 101.

⁸⁶ Kendall, *The Conservative Affirmation*, 21-49.

⁸⁷ Burnham, *Congress and the American Tradition*, 37. This diffusion of power also included the states, parties, and the “fourth” and “fifth” branches of government, the permanent bureaucracy and lobbying organizations.

⁸⁸ Burnham, *Congress and the American Tradition*, 66.

Roosevelt's "major and abrupt changes" to the scope and function of the federal government. Burnham specifically charted Congress's deteriorating status. Burnham read Arthur Schlesinger's rendition of American history as an accurate but unnatural evolution of liberal principles. During the early republic, Washington, Adams, and Jefferson had strong presidencies, but Congress asserted itself sharply during the Madison and Monroe administrations. In this narrative, it was Andrew Jackson that initially shifted the focus of democratic intent from Congress to the Presidency. Jackson presented of himself as the embodiment of popular will, independent from corrupt "interests." But, Burnham argued, strong presidencies led to polar swings back in favor of Congress. Despite Jackson's strengthening of the executive office, Webster, Clay, and Calhoun dominated the mid-nineteenth century. During the Civil War Abraham Lincoln found "extreme powers" in "extraordinary circumstances," enlarging "the permanent reservoir of presidential power." But the shift of power from Congress to the Presidency halted with the end of the war. In the 1910s, Woodrow Wilson reinforced the primacy of the Presidency. Ultimately, Burnham concluded, the precedents and apparatus for "the shift to executive-bureaucratic supremacy that set in with Franklin Roosevelt" were partially established in the century before 1933.⁸⁹ Burnham highlighted increases in presidential vetoes, in the rate the Supreme Court struck down legislation as "unconstitutional," and a post-New Deal norm of congressional subservience to the presidency. The erosion of Congress had been compounded by attacks on Congress's investigatory powers, of which McCarthy was the "symbolic target."⁹⁰ To Burnham, Congress's humiliation was the canary in the coalmine for the entire constitutional system and American liberty.

⁸⁹ Burnham, *Congress and the American tradition*, 326.

⁹⁰ Burnham, *Congress and the American Tradition*, 240.

Burnham's narrative was one that, with some variations, conservatives rehearsed with remarkable consistency. Fundamentally, it held that the constitutional regime of the Founders was good. But it had been undermined by a sustained liberal assault that reached peaks during the presidencies of Jackson, Lincoln, Woodrow Wilson, and ultimately Franklin Roosevelt, whose New Deal was a catastrophic rupture from America's traditional political arrangements. Later Burnham noted that "the attitude toward tradition probably furnishes the most accurate shibboleth for distinguishing conservatives from liberals" suggesting, in the American context, conservatives recognized and defended a good political order against dangerous attacks.⁹¹

Although the narrative was familiar, Burnham's hard-headed interpretation was unique. He depicted the Founders as flawed thinkers who "wrought better than they knew in detail."⁹² He did not care about Constitution out of filial piety. His claim that conservatives favored tradition was a descriptive point, not a normative one. Burnham favored tradition because it had been legitimated by practical success and broad acceptance. In *Congress and the American Tradition*, Burnham identified the primacy of the executive over Congress and the states as a key threat of liberal ideology. It paved the road to "democratism." Given Burnham's argument that divided powers was key to the functioning of government, had Congress been riding roughshod over the other federal branches, Burnham may have defended the presidency as a necessary bulwark for liberty against a global trend of democracies devolving into dictatorships. But Burnham and other conservatives also saw the imperial presidency as uniquely associated with liberalism.

The final third of *Congress and the American Tradition* sheds light on Burnham's shift from revolutionary communist to champion of the American constitutional system. Burnham is

⁹¹ Burnham, *Congress and the American Tradition*, 30.

⁹² Burnham, *Congress and the American Tradition*, 37.

typically understood as an arch anti-communist hawk – his ongoing column in *National Review*, “The Third World War,” focused on foreign policy – and his politics have been interpreted largely as a corollary of his anti-communism.⁹³ But Burnham returned to the framework of bureaucratic centralization and democratism as a threat to liberty repeatedly over a twenty-five year period. Regnery advertised *Congress and the American Tradition* as a sequel to *The Managerial Revolution* and Burnham later wrote that it “restated” key parts of his earlier work.⁹⁴ His ultimate aim was a defense of “scientifically” achievable liberty, by which he meant generally measurable freedoms, in particular “the right of opponents of the currently governing elite to express publicly their opposition views and to organize to implement those views.” Burnham claimed this sort of liberty correlated with “civilization,” by which Burnham meant, unreflectively, modern western culture.⁹⁵

Burnham believed that democracy understood as “the will of the people” was the major threat to liberty. Following the elitist critiques of democracy, Burnham argued that democracy was deeply problematic. Since unanimity was impossible, the “will of the people” inevitably became the “will of the majority.” Democracy thus created the problem of minority rights. Moreover, democracy generally meant a plebiscitary vote, which relied on the assumption that complex issues could be reduced to binary questions. It also reduced individual human beings to

⁹³ See Nash, *The Conservative Intellectual Movement*, 139-148. In his biography of Burnham, Kevin Smart while acknowledging that *Congress* fits into the argumentative sweep of *The Managerial Revolution* and *The Machiavellians* argues that the book’s aim was primarily aimed at fostering stronger anti-communist positions in the federal government. Smart argues that Burnham saw the threat of executive power especially in presidential capitulation to the Soviets and communist China. He does not provide archival evidence for this speculation and it seems unlikely that Burnham would not add this to his explicit analysis of the executive in Kevin J. Smart, *How Great the Triumph: James Burnham, Anticommunism and The Conservative Movement* (Lanham: University Press of America, 1992).

⁹⁴ George B. Galloway, "Review: Congress and the American Tradition by James Burnham," *The Journal of Politics* 21, no. 4 (1959): 731-2; James Burnham to Silva Norkela, November 19, 1972, box 1, folder 2, Burnham Papers.

⁹⁵ Burnham, *The Machiavellians*, 244-5.

“masses.” Therefore, Burnham argued, the will of the majority became “the Divine Right of Demos,” an irrefutable moral claim that overrode reason, tradition, Natural Law, or any other constraint. Once the democratic principle overcomes the remnants of classical liberal restraints on democracy in America, Burnham warned, everything will be politicized, and bureaucratic centralization will be inevitable. The expansion of the franchise in America has only furnished “the premises for government by television.”⁹⁶ The end result of this global process would be the abolition of intermediary institutions and popularly elected despotism.⁹⁷

Against this trend, Burnham contended that the American public still considered the Constitution an “objective standard.” Because of the public’s faith in the Constitution, it could be a “doctrinal bulwark of liberty.”⁹⁸ He argued that the Founders took for granted the need for divided powers. In Burnham’s view, the “diffusion and limiting of power” was the essence of “the American system of government.”⁹⁹ The Founders were muddled in articulating this principle but “very clear about the operation.”¹⁰⁰ The Constitution created numerous independent institutions and checks on popular will. “By all this maze of political ramparts,” Burnham wrote, “the nation is provided with juridical defense in depth” against the tide of democratism.¹⁰¹

Congress was central to Burnham’s concept of juridical defense. (Previously the states had also been an important check but, according to Burnham, the Civil War had proven that the

⁹⁶ Burnham, *Congress and the American Tradition*, 282, 293, 296.

⁹⁷ Burnham, *Congress and the American Tradition*, 294-6.

⁹⁸ Burnham, *Congress and the American Tradition*, 308.

⁹⁹ Burnham, *Congress and the American Tradition*, 309.

¹⁰⁰ Burnham, *Congress and the American Tradition*, 307.

¹⁰¹ Burnham, *Congress and the American Tradition*, 308.

federal government had priority over the states.)¹⁰² “Congress gives operative meaning to the rule of a law that is not identical with the decree of the Supreme Executive.” Where the Presidency represented the reductive construct of the “masses,” the Congress was a deliberative “assembly of the people.”¹⁰³ *Congress and the American Tradition* was Burnham’s realization that the American political system was realistic and well-constructed. He made a “realist” defense of the Founding, not because it was enshrined in tradition, but because it functioned well. The Constitution protected empirically realizable liberty by enshrining competing “social forces.” In Burnham’s view, the combined effect of the Constitution and founding documents, and their attendant mythology, were a strong bulwark of practical liberty.

Burnham could not help but make bold predictions about future trends and argued Congress’s survival as a political force was possible but unlikely. Congress had abdicated its responsibility by allowing the bureaucratic and executive branches of the federal government to grow. Against this trend, Congress needed to assert its will with an historic congressional “No.” If Congress collapsed, Burnham concluded apocalyptically, then so would liberty.¹⁰⁴

Burnham had concerns about the book’s salability. They proved accurate. Sponsored directly and indirectly by Henry Regnery, Burnham published the book through his small, openly right-wing publishing house. Regnery proudly called it “one of the best books we have ever published” five years after its initial printing.¹⁰⁵ Nevertheless the reception was poor. Among *National Review*’s editorial staff, it became accepted that *Congress and the American Tradition* had done “rather badly from the point of view of sales” and failed to generate “the discussion it

¹⁰² Burnham, *Congress and the American Tradition*, 46.

¹⁰³ Burnham, *Congress and the American Tradition*, 317-332.

¹⁰⁴ Burnham, *Congress and the American Tradition*, 350.

¹⁰⁵ Henry Regnery to James Burnham, November 24, 1964, box 11, folder 9, Regnery Papers.

should have.”¹⁰⁶ In the *New York Times*, a leading public law scholar dismissed Burnham’s conclusions, citing his inaccurate predictions in *The Managerial Revolution*.¹⁰⁷ Nor were reactions in the scholarly quarterlies especially glowing. George Galloway, whose work on Congress Burnham had criticized, called it “challenging and scholarly,” adding that Burnham “brings wide learning, fresh insights, and a lucid style.”¹⁰⁸ But the influential Harvard professor of Government, Arthur N. Holcombe concluded that Burnham’s evidence is “carefully selected but unconvincing,” arguing that his treatment of the Supreme Court indicated “the inadequacy of Burnham’s concept of conservatism.”¹⁰⁹ With some irony, another reviewer wrote that “the inconsistency of Burnham’s personal philosophy has not interfered with the consistency with which his writings forcefully and cogently express his prevailing point of view. This fact sets Burnham’s books refreshingly apart from those of authors beset by the debilitating disease of self-doubt. At the least Burnham gives one something with which to disagree.”¹¹⁰

Regnery pursued several options available to him from within the emerging conservative counter-institutions to promote Burnham’s work and to turn a profit. He entertained releasing it as a paperback as part of Regnery Press’s *Great Debate* list, a selection of books attempting to capitalize on the developing conservative-liberal ideological clash.¹¹¹ He also offered it, along with several books from his catalogue, to the Conservative Book Club. The club picked up

¹⁰⁶ Willmoore Kendall to Frank S. Meyer, undated [c. 1960], box 21, “F. Meyer,” Kendall Papers, 21.

¹⁰⁷ Lindsay Rogers, “Is Capitol Hill Losing Its Rightful Powers,” *New York Times*, May 31, 1951, BR14.

¹⁰⁸ Galloway, “Review: Congress and the American Tradition by James Burnham,” 731-2.

¹⁰⁹ Arthur N. Holcombe, “Review: Congress and the American Tradition,” *The Annals of the American Academy of Political and Social Science*, vol. 325 (1959): 162-3.

¹¹⁰ S. Sidney Ulmer, “James Burnham: Congress and the American Tradition (Book Review),” *Western Political Quarterly* 31, no. 1 (1960): 208.

¹¹¹ Henry Regnery to Willmoore Kendall, August 22, 1963, 38, folder 2, Regnery Papers.

Congress and the American Tradition as part of its April 1964 offering. Regnery suggested the club might move 20,000 copies. A skeptical Burnham was “delighted,” adding that he hoped the book would eventually reach a sizeable audience.¹¹²

The lesson seemed to reinforce the need for conservatives to develop conservative institutions. Conservative intellectual activists had financed and published Burnham’s text. It was published by a conservative press and promoted through conservative magazines. Selling the book through the Conservative Book Club suggested that one of the more effective methods for right-wing organizations to stay financially viable and by-pass the traditional avenues of intellectual production – the journals and magazines that had criticized Burnham – was creating their own and selling their message directly to a popular audience. Still, the research did not have a direct political impact.

Congress as a Deliberative Alternative to Democracy

Kendall desperately wanted to be the chief theorist of American conservatism. He struck out at “doctrinaire” libertarians. His conservatism had “sworn no vow of absolute fidelity either to free enterprise a la von Mises, or to a certain list of ‘rights’ a la John Chamberlain, or to a certain holy trinity of government functions a la Frank Meyer, or to a revolving door mistrust of political authority as such a la Frank Chodorov.”¹¹³ Kendall believed conservatism was “principled but not doctrinaire.”¹¹⁴ Kendall, Kirk, and Burnham all made similar claims, although from very different frameworks, while others like Frank Meyer and Harry Jaffa rejected this skeptical-realist tradition of conservatism as relativistic and nihilistic. Ultimately, Kendall

¹¹² Henry Regnery to James Burnham, November 24, 1964; James Burnham to Henry Regnery, December 7, 1964, box 11, folder 9 Regnery Papers.

¹¹³ Kendall, *The Conservative Affirmation*, xxvii.

¹¹⁴ Kendall, *The Conservative Affirmation*, xi.

thought many conservatives were misguided for emphasizing rights and especially “the very Bill of Rights that the Liberals are using in their attempt to undermine our social order.” Kendall believed Meyer’s philosophy was static, literary, and rooted in J. S. Mill’s liberalism, not America. He attacked “Russell Kirk, Frank Meyer, and Stanton Evans” for over-emphasizing religious belief as necessary for conservatism. He accused the libertarian John Chamberlain of glorifying the “late nineteenth century Supreme Court Justices who sought to hammer Congress over the head with the Bill of Rights.”¹¹⁵ He bemoaned conservatives’ failure to support Congress, a necessity “if they are going to keep on winning.” Finally, Kendall complained that “the near-neurosis” many conservatives had “about government power” lead “to the cult of ‘weak government.’”¹¹⁶ He recognized much of the conservative appeal was cultural. He told Regnery the libertarian outlook was a “minoritarian” one among conservatives. Most of *National Review*’s readers “are pretty certainly Roman Catholics,” Kendall argued, and are therefore far from individualists.¹¹⁷ To him, these non-individualist readers were the true conservatives and the true Americans.

Kendall rejected the idea of “conservatism” as a transhistoric philosophy. He privately ridiculed Russell Kirk as well as Clinton Rossiter, whom he, like most *National Review* conservatives, considered a crypto-liberal, as “ignoramus” and misleading “authorities” on conservatism.¹¹⁸ It “is idle to speak of conservatism without at least tacit adjectival reference to a particular time and place,” Kendall wrote. We should speak about “American Conservatism,” not

¹¹⁵ Kendall, *The Conservative Affirmation*, 84-5.

¹¹⁶ Kendall, *The Conservative Affirmation*, 84-85.

¹¹⁷ Willmoore Kendall to Henry Regnery, July 16, 1962, box 38, folder 2, Regnery Papers.

¹¹⁸ Willmoore Kendall to Henry Regnery, [undated]; Willmoore Kendall to Henry Regnery, July 16, 1962, box 38, folder 2, Regnery Papers.

Kirk's notion of "Conservatism in America."¹¹⁹ Diplomatically, Henry Regnery suggested that "Russell Kirk's book could be described as the statics of Conservatism," while Kendall's thought was "concerned with Conservatism as a dynamic force."¹²⁰ Intrigued, Kendall replied his view was "essentially 'dynamic'" but that his "statics" beneath his dynamics were "very remote from Kirk's – if only because they are American and not Burkean."¹²¹ Since the American tradition was basically democratic, "American Conservatism" had "no axe to grind for 'aristocracy.'" There should be "no flirtation with the idea that the way to have a government of laws is to somehow get men out of the picture." Nor should conservatives celebrate "the pre-1789 John Adams," the "vast reaches of the argument of Burke's *Reflections of the Revolution in France*," or "the pre-*Federalist* writings of even Alexander Hamilton." American conservatism can "do no business with Calhoun." "Its highest political loyalty," he concluded, "is to the institutions and way of life bequeathed to us by the Philadelphia Convention."¹²²

To establish his status, Kendall had to write a book-length statement of his position. A friend told him in the mid-1960s that Kendall's rivals all had books "to which one can turn and say Here is the position. You haven't, as yet."¹²³ In 1963, Regnery Co. published the most complete articulation of Kendall's thought until after his death. Initially Kendall did not want to publish with the Regnery, worried they would "muff the promotion, as you did with..."

¹¹⁹ Kendall, *The Conservative Affirmation*, 1-21; In Kendall, "Three on a Line," he argued that the process was ahistorical: listening for conservative principles in the past requires someone construct them in the present first.

¹²⁰ Henry Regnery to Willmoore Kendall, July 30, 1962, box 38, folder 2, Regnery Papers.

¹²¹ Willmoore Kendall to Henry Regnery, August 14, 1962, box 38, folder 2, Regnery Papers.

¹²² Kendall, *The Conservative Affirmation*, x.

¹²³ Jeffrey Hart to Willmoore Kendall, December 17, 1965, box 17, Kendall Papers.

Burnham's *Congress*," and recognizing the limits of Regnery's reach. Kendall wanted a major eastern publisher, the sort to which William Buckley had graduated. However, Kendall also felt a "deep sense of gratitude" to Regnery, both personal and "movement-wise."¹²⁴

The staff at Regnery tried to pitch Kendall's work to the widest possible audience. Kendall wanted to call the book *What Is Conservatism?* (an evocation of Leo Strauss's *What is Political Philosophy?*). But his editor Jameson Campaigne warned him against such an "awful title." To write a book for Regnery with conservatism in the title was "enough to circumscribe its audience at the outset," Campaigne warned. He wanted Kendall to frame the book to attract a general audience. He urged Kendall to emphasize the Americanness of his thought: "Conservatives have to find ways to talk to liberals and other sorts of people."¹²⁵ Campaigne hoped an emphasis on Americanness would help sell Kendall's book, especially since the Jesuit intellectual John Courtney Murray's *We Hold These Truths* was a recent bestseller. Campaigne envisaged Kendall's work sitting alongside "Rossiter, Kirk, Burnham, Meyer, Burns, Morley, Burlingame, Lippman [sic], White, Dahl, Hofstadter, and so on with that peculiar breed of writing that is true political science."¹²⁶

But the American emphasis was also tactical. Campaigne thought Kendall could "show them that conservatism is right because it is characteristically American: both an ad hominem victory as well as one of logic." Kendall preferred the title *The Conservative Affirmation*, believing that the hot topic of "conservatism" would sell copies.¹²⁷ Campaigne was skeptical

¹²⁴ Willmoore Kendall to Henry Regnery, February 24, 1962, box 38, folder 2, Regnery Papers.

¹²⁵ Jim Campaigne to Willmoore Kendall, October 22, 1962, box 38, folder 2, Regnery Papers.

¹²⁶ Jim Campaigne to Willmoore Kendall, October 22, 1962; Jim Campaigne to Willmoore Kendall, October 25, 1962, box 38, folder 2, Regnery Papers.

¹²⁷ Jim Campaigne to Willmoore Kendall, October 25, 1962, box 38, folder 2, Regnery Papers.

whether there was an audience “interested in conservatism per se.” He thought audiences were more interested “in an answer to the dreadful disease and its effects that America suffers from.”¹²⁸ He suggested Buckley’s popularity was due to his ability to perform and because he explained America’s ills. Kirk’s success was not a model, Campaigne warned. The surprise success of *The Conservative Mind* eight years earlier was due to a positive five-page review in *Time*. It would not happen again. And “as far as influence goes,” he added “who talks of it outside conservative circles?” Most people he spoke to regarded Kirk as the definitive statement on conservatism, Kendall’s title would seem “anti-climactic.”¹²⁹

Kendall stuck to his guns. He told his sister that he hoped “the book might ‘take off’” and become the “‘college kids’ equivalent” of Goldwater’s *Conscience of a Conservative*.¹³⁰ If the book won Kendall the “intellectual leadership of the young Conservatives out over the country,” he wrote, it would force “a New Deal for me inside the *National Review* universe,” having fallen out hard with Buckley, he was tired “of being shoved around.”¹³¹ Published as *The Conservative Affirmation*, Kendall’s book was not a synthetic expression of Kendall’s outlook but a collection of essays on Kendall’s major preoccupations. It included, bizarrely, 25 reviews of other books. *The Conservative Affirmation* sold poorly. After nearly four years it had moved 3,500 copies from a 6,000-book print run.¹³² However, *The Conservative Affirmation* is important as an expression of Kendall’s thought due to his influence on early conservatism. The book has been

¹²⁸ Jim Campaigne to Willmoore Kendall, October 25, 1962, box 38, folder 2, Regnery Papers.

¹²⁹ Letter, Jameson Campaigne to Willmoore Kendall, Oct 22, 1962, box 38, folder 2, Regnery Papers.

¹³⁰ Willmoore Kendall to Henry Regnery, July 16, 1962, box 38, folder 2, Regnery Papers; Willmoore Kendall to Yvona Kendall Mason, [undated], in box 6, “WK to YKM, 1962,” Kendall Papers.

¹³¹ Willmoore Kendall to Yvona Kendall Mason, [undated], box 6, “WK to YKM, 1963,” Kendall Papers.

¹³² Willmoore Kendall to Henry Regnery, “Monday,” box 38, folder 2, Regnery Papers.

reprinted several times because subsequent conservatives and historians of conservatism have emphasized Kendall's importance so self-identifying conservatives have sought out the text like one of the Church Fathers.

Kendall argued the basic problem with conservative theory was its misidentification with John Locke. Influenced by Leo Strauss, Kendall revised his interpretation of Locke from a communitarian to a Machiavellian who taught that the end of government was the "self-interest of the members of society, rather than to the perfection of man's nature or to the attunement of human affairs to the will of God." Partially rejecting Louis Hartz's thesis, Kendall concluded that America's Lockeans, both liberal and conservative, "must learn to understand themselves as the anti-Lockeans."¹³³ Kendall presented a non-Lockean American political tradition. He argued "the Founders of our Republic bequeathed to us a form of government that was *purely* representative."¹³⁴ The United States "must and should be governed by the 'deliberate sense of the community.'"¹³⁵ However, this salutary political arrangement had been damaged by liberals who had, in pursuit of egalitarianism, "grafted on to the Framers' tradition" a "plebiscitary tradition" that empowered the presidency and Supreme Court.¹³⁶

From his majoritarian position, Kendall argued deliberative and representative politics were only possible at the local level. Local representatives could be sent to the national level. But to have "national" politics was a category error. National issues were artificial, necessarily reduced to empty bromides. The recent election between the gray-flannel-suited Kennedy and Nixon seemed to support Kendall's claim. Echoing James Burnham's analysis of the

¹³³ Kendall, *The Conservative Affirmation*, 99.

¹³⁴ Kendall, *The Conservative Affirmation*, 16.

¹³⁵ Kendall, *The Conservative Affirmation*, x.

¹³⁶ Kendall, *The Conservative Affirmation*, 40.

constitutional structure, Kendall suggested American politics was governed by rival majorities: a conservative, representative one in Congress and a liberal, plebiscitary one in the presidency. Kendall argued that the Framers' only intended the congressional majority and therefore the conservative Congress was the only truly legitimate political body in the United States. The presidency was structurally beholden to liberal ideology and therefore suspect. Moreover, in Kendall's view, the liberal ideology clashed with the established and culturally conservative mores of America's "public orthodoxy."¹³⁷

In other words, for Kendall, the public orthodoxy and the constitutional structure were America's political tradition and conservatism was an explicit defense of that tradition. The liberals that conservatives resisted demanded "the substitution of novel principles for inherited principles": relativism for "absolutism"; "government-imposed egalitarianism for equality; the 'open society' for the kind of society that we in America have always maintained."¹³⁸ In saying this, Kendall suggested conservatism was only intelligible as cultural struggle against liberals and decline. Conservatives were those who resisted and even reversed the liberal revolution.

Public Orthodoxy, Constitutionalism, and Conservatism as Anti-Liberalism

There were obvious contemporary implications of Burnham and Kendall's thought. James Burnham's belief in the importance of competing elites, structures of power, and functional myths informed his approach to intra-conservative struggles. So did his clear vision of *National Review*, and by extension, the American right, as a respectable entity with a broad audience. Others within the magazine saw both the magazine and movement as a crusading force. Within the magazine Burnham alongside Buckley's sister, Priscilla, the managing editor,

¹³⁷ Kendall, *The Conservative Affirmation*, 21-49.

¹³⁸ Kendall, *The Conservative Affirmation*, xi.

had an outsized influence, especially since Buckley travelled for large parts of the year leaving Burnham as acting editor.¹³⁹ It is Burnham's editorial and domestic centrism that has sometimes led him to be characterized as an establishmentarian alternative for American conservatism.¹⁴⁰ Burnham argued conservatism had to reach a larger and more mainstream audience by linking mainstream Republican politicians like Richard Nixon with the conservative darling Barry Goldwater. That way, a unified right could counter liberal elites and puncture their rhetoric. To find this audience the editors needed to change "aspects of the magazine," including its "rhetoric and axioms." He counselled dropping "the percentage of plainly doctrinaire copy" and allowing "wider limits of ideological tolerance."¹⁴¹

Other editors found Burnham overbearing and an unconvincing conservative.¹⁴² The idea of transforming *National Review* grated Frank Meyer. He wrote a monthly column that expounded fusionist conservatism and a hardline against all forms of "collectivism." Meyer believed it was essential that *National Review* articulate considered conservative theory. There is some irony in these two former communist theorists arguing right-wing dogma – or lack thereof. Meyer replaced dogmatic Marxism with dogmatic libertarianism burnished by his cultural predilections. Burnham supplanted Trotskyism with a similarly dogmatic scientific framework that led him to conceive of conservatism on such a grand scale that political theory beyond an allegiance to liberty, sustaining independent institutions, and defeating the Soviet Union was pointless formalism.

¹³⁹ William F. Buckley to Suzanne LaFollette, September 9, 1957, box 2, Buckley Papers; Judis, *Buckley*, 172-3.

¹⁴⁰ Ross Douthat, "What the Right's Intellectuals Did Wrong," *New York Times*, October 26, 2016, <https://www.nytimes.com/2016/10/26/opinion/campaign-stops/what-the-rights-intellectuals-did-wrong.html>

¹⁴¹ "Strategic Development of National Review," box 10, folder 3, Burnham Papers.

¹⁴² Frank S. Meyer to Willmoore Kendall, July 27, 1962, box 21, "F. S. Meyer," Kendall Papers.

The disagreement between Meyer and Burnham simmered over whether *National Review* would endorse Richard Nixon for president in 1960 or the dark horse candidate, Barry Goldwater. Meyer believed that the burgeoning prominence of *National Review* as a conservative journal of opinion and of Barry Goldwater as an explicitly “conservative” politician made the development of clear conservative principles even more important. Goldwater’s *Conscience of a Conservative* was a fine start, but Meyer lamented to Brent Bozell, the book’s ghostwriter, that Goldwater “does not know how to discuss concrete issues without making massive inroads into his principles.” Meyer argued that the conservative struggle was “to maintain the clarity of the movement while at the same time working to organize forces wherever it is possible.” Goldwater, not Nixon, would be their man for the latter.¹⁴³ Meyer concluded that the disagreements indicated “fundamental” differences between Burnham’s philosophy and Meyer’s conservatism.¹⁴⁴

Burnham, along with Whittaker Chambers and Priscilla Buckley, the magazine’s managing editor and frequent Burnham ally, pushed Buckley to publicly criticize Robert Welch, the head of the intensely anti-communist John Birch Society. Many within the magazine opposed the move as capitulating to liberal pieties and alienating to the many *National Review* subscribers who were members of the Society or sympathetic to it.¹⁴⁵ Although Buckley’s relationship with Welch had been cordial, the two disagreed early about conservative style, analysis, and strategy and had several increasingly tetchy encounters between 1959 and 1965.¹⁴⁶

¹⁴³ Frank S. Meyer to L. Brent Bozell, March 7, 1961, box 21, “F. S. Meyer,” Kendall Papers.

¹⁴⁴ Frank S. Meyer Willmoore Kendall, April 19, 1960, box 21, “F. S. Meyer,” Kendall Papers; Frank S. Meyer to L. Brent Bozell, March 7, 1961, box 21, “F. S. Meyer,” Kendall Papers; George Orwell, “Second Thoughts on James Burnham,” *Polemic*, May, 1946, http://orwell.ru/library/reviews/burnham/english/e_burnh.html

¹⁴⁵ Hart, *The Making of the Conservative Mind*, 157-8.

In 1960, a Gallup poll found 39 million Americans had heard of the John Birch Society and 47% had an unfavorable compared to 8% who viewed the Society favorably.¹⁴⁷ The Society's notoriety reflected poorly on *National Review* and Burnham's effort to cultivate a respectable audience and reputation.¹⁴⁸ Although he called the press coverage of the Society as "scandal," Buckley confidentially told Barry Goldwater that Welch was doing "our cause much damage."¹⁴⁹ Buckley and other conservatives, including Burnham, began pushing for a public disavowal of the John Birch Society.¹⁵⁰

The problem conservative intellectuals at and associated with *National Review* faced was that the John Birch Society was integrated into the conservative intellectual and activist network.¹⁵¹ By 1961, the Society's prominent supporters included three people from the dais of *National Review*'s 5th Anniversary celebration, three people from its masthead, their early supporter Archie Roosevelt, a congressman, a general, and several ranking churchmen.¹⁵² If

¹⁴⁶ Robert Welch to William F. Buckley, July 2, 1959, box 9, Buckley Papers; William F. Buckley to Robert Welch, July 21, 1959, box 9, Buckley Papers; William F. Buckley to Robert Welch, June 1, 1960, box 12, Buckley Papers.

¹⁴⁷ Westin, "John Birch Society," 93.

¹⁴⁸ There is a reasonable historiography about the conservative intellectual disavowal of the John Birch Society. The traditional narrative argues conservative intellectuals became fed up with the increasingly paranoid and authoritarian rhetoric of Welch *and especially* the way the JBS undermined conservative respectability and made the tough but necessary decision to exorcise the JBS from ideological conservatism, See Nash, *The Conservative Intellectual Movement*, 272-6; Schoenwald, *A Time for Choosing*, 62-99; Alvin Felzenberg, *A Man and His Presidents: The Political Odyssey of William F. Buckley Jr* (New Haven: Yale University Press, 2017), 131-54. These narratives underestimate the extent to which conservative audiences continued to embrace Birchite anti-liberalism and the extent to which mainstream conservative rhetoric encouraged it. Nicole Hemmer, *Messengers of the Right*, 91-106, emphasizes the ongoing links between the JBS and movement conservatism and the fraught decision to break with the Society.

¹⁴⁹ William F. Buckley to Barry Goldwater, March 13, 1961, box 14, Buckley Papers.

¹⁵⁰ Hugh Kenner to William F. Buckley, April 2, 1961, box 15, Buckley Papers; Hart, *The Making of the Conservative Mind*, 157-8.

¹⁵¹ Hemmer, *Messengers of the Right*, 93; Westin, "John Birch Society," 99; William F. Buckley, "The Uproar," *National Review*, April 22, 1961, 241-3.

¹⁵² MNB to William F. Buckley, March 28, 1961, box 14, Buckley Papers.

Buckley criticized the John Birch Society from the right, it opened *National Review* up to allegations of splitting the anti-liberal cause.¹⁵³ Early in 1962, Buckley published a critical editorial specifically on Welch.¹⁵⁴ Buckley then had to mollify his board of directors, financial backers, and faced hundreds of critical letters from subscribers.¹⁵⁵ Finally, in 1965, after Goldwater's defeat, Buckley and *National Review* blasted not just Welch but the John Birch Society itself.¹⁵⁶ "I do not care whether it is a mistake, I know only that it ought to be done," wrote Buckley to a supporter.¹⁵⁷

This episode has entered conservative folklore as an instance of responsible leadership from Buckley and an important example of institutional discipline and guardrail building. To some extent this is true: Buckley and *National Review* risked financial and political ramifications for criticizing putative allies. However, at every juncture, conservatives within and adjacent to *National Review* were slow moving in their criticism of the John Birch Society and more animated with concern for the right's reputation than the Society's views. The "reading out" narrative also overstates the institutional strength of *National Review*. Their 1963 editorial did not "break the back of the movement." As Buckley told Burnham, "we came very close to doing so, but let's face it, we didn't, and it is growing in strength."¹⁵⁸ Moreover, the episode revealed to

¹⁵³ For instance, William A. Rusher to William F. Buckley, April 6, 1961, microfilm reel 4, Rusher Papers.

¹⁵⁴ William F. Buckley, "The Question of Robert Welch," *National Review*, February 13, 1962, 83–88.

¹⁵⁵ William F. Buckley to Roger Milliken, March 10, 1962, box 21, Buckley Papers; William A. Rusher to William F. Buckley, February 20, 1962, microfilm reel 33, Rusher Papers; William Rickenbacker to Brent Bozell, William F. Buckley, Priscilla Buckley, James Burnham, Willmoore Kendall, Frank Meyer, William Rusher, William F. Rickenbacker. April 14, 1962, microfilm reel 12, Rusher Papers.

¹⁵⁶ "Special Feature Section: The John Birch Society and the Conservative Movement", *National Review*, October 19, 1965, 914-28. The section featured contributions by "The Editors," Buckley, Frank S. Meyer, and James Burnham.

¹⁵⁷ William F. Buckley to Harry V. Jaffa, box 35, Buckley Papers.

¹⁵⁸ William F. Buckley to James Burnham, July 25, 1963, box 26, Buckley Papers.

Bill Rusher that a great part of *National Review*'s appeal was less conservative theory and leadership and more skewering liberals. Although the intellectual circle around *National Review* aspired to construct and promote a theory of conservatism – and they did, although primarily to an elite audience – their audience at both an elite and base level was especially motivated by their castigation and pathologizing of liberalism.¹⁵⁹ Perhaps more than the burgeoning consensus around fusionist conservatism, anti-liberalism bound conservatives of different stripes together as warriors in a cultural and political war against the domestic and international left that was less about policies and more about visions of America and even the world.¹⁶⁰

In Kendall's case, his conception of the American political tradition specifically informed his response to the civil rights movement. In 1963, Kendall candidly told William F. Buckley that he was "at this point, for segregation of the bulk of the American Negroes" and more in favor of segregation than he had been in 1954. He favored a return to pre-*Brown v. Board of Education* race relations. He certainly opposed all desegregation measures currently in discussion. This was not, he told Buckley, a prejudice against African Americans, but partly a result of his developing political thought about community deliberation and against rights.¹⁶¹

Kendall developed this view into an article. He argued that the American system was robust enough to absorb drastic social changes, like prohibition and women's suffrage. But the civil rights movement was unique. Because African Americans framed their "revolutionary"

¹⁵⁹ Carl Schmitt, *The Concept of the Political*, Expanded ed (Chicago: University of Chicago Press, 2007). Schmitt's framework of the "political," defined by the distinction between friend and enemy, is a useful framework for interpreting movement conservatives' view of liberals – fundamentally as enemies.

¹⁶⁰ As Jesse Curtis argues, this included a racial dimension, linking opposition to civil rights with opposition to decolonization through a racialized discourse of civilization. Jesse Curtis, "Will the Jungle Take Over?" *National Review* and the Defense of Western Civilization in the Era of Civil Rights and African Decolonization," *Journal of American Studies*, 53, no. 4: 1–27.

¹⁶¹ Willmoore Kendall to William F. Buckley, Tuesday, rec'd June 27, box 26, Buckley Papers.

demands as the fulfilment of longstanding promises, they possessed a moral certainty and urgency that made it impossible for them to wait in the “political anteroom” until the social consensus caught up to their demands. Kendall worried that the unstoppable force of the civil rights movement would collide with the immovable object of the segregationist South and precipitate a constitutional crisis. Or, as he put it nakedly to Buckley, segregation was for blacks’ own good, since it was “just a question of time now, with Roy Wilkins and the Liberals always getting the Negroes further and further out in front, before they trigger the latent anti-Negro, really anti-Negro, sentiment in the white proletariat itself, and then that is going to be hell to pay.”¹⁶² In the event, Kendall thought such a crisis could only be resolved by judicial fiat or democratic tyranny forced through by the executive branch. If the civil rights movement forced the issue in the courts or through the presidency, it would seriously damage America’s “constitutional morality” and further undermine the republic.¹⁶³

Kendall attempted to get this argument published in academic venues. He “sweated” over its submission to the Southern Political Science Association conference and, though he was confident it was among his best work, he worried it was unpublishable “because its tendency is anti-Civil Rights.” No journals would “take me at my word when I say that the argument proceeds exclusively in terms of constitutional prudence, reflecting no bias on my part on civil rights, or states’ rights, or even the binding force of tradition.”¹⁶⁴ Narrow constitutionalism was the classic conservative intellectual response to the civil rights movement and the opposition to white supremacy in the South. Because of his overwhelming emphasis on the constitutional

¹⁶² Willmoore Kendall to William F. Buckley, Tuesday, rec’d June 27, box 26, Buckley Papers.

¹⁶³ Willmoore Kendall, “Civil Rights and the Coming Constitutional Crisis,” *Intercollegiate Review*, 1, vol 2, (Feb. 1, 1965): 53-66.

¹⁶⁴ Willmoore Kendall to Henry Regnery, Oct. 29, 1964, box 38, folder 2, Regnery Papers.

system, Kendall could only ever interpret the civil rights movement as a threat to it. He favored stability above justice and his concept of the “public orthodoxy” gave intellectual cover to white segregationists, just as it had a decade earlier for McCarthyites. Kendall’s theory of “Social consensus” gave the most recalcitrant parts of society a virtual veto over political and social questions until they were overwhelmingly outvoted in Congress. It was, to some extent, a political theory for the filibuster and southern white domination of the congressional seniority system. Eventually *Intercollegiate Review*, ISI’s journal for college students, published the article. Two years later, Kendall drunkenly told an Arizona audience that Lyndon Johnson was “the greatest conservative President” in his lifetime because he had “passed the civil rights laws only to get the Negro out of the South.” Now, as the civil rights movement looked toward de facto segregation, African Americans “must fight American society” and this was a fight they would inevitably lose.¹⁶⁵

In *National Review*, Frank Meyer synthesized Burnham and Kendall’s analysis of the “attack on Congress” in a breathless column in early 1964. Meyer suggested, like Burnham, that liberal criticism of Congress had reached fever pitch.¹⁶⁶ This attack was partly due to frustration with the increasingly effective political conservatism, but also because for the first time since the 1930s the civil rights movement gave “ideologues” a “militant extra-legal mass movement” with which to “beat the Congress into submission.”¹⁶⁷ Following Burnham and Kendall, Meyer believed the Constitution was the only thing holding back a state “where the Executive decides, the bureaucracy acts, and the blueprints of the Liberal ideologues are imposed upon the

¹⁶⁵ “CR Cause is ‘Dead’ Editor Says,” *Tucson Arizona Star*, May 13, 1966.

¹⁶⁶ Frank Meyer, “Attack on Congress,” *National Review*, Feb. 11. 1964, 109-110.

¹⁶⁷ Frank Meyer, “Attack on Congress,” *National Review*, Feb. 11. 1964, 109.

citizen.”¹⁶⁸ Meyer believed liberals were motivated by an alien “majoritarian doctrine masquerading as American constitutional democracy.” Like Kendall, Meyer couched white supremacy, segregation, and the denial of voting rights to black citizens in abstract constitutional terms. Characteristically, he assumed political questions reduced to a question of expanding or contracting the state power. To Meyer, only a naked grab for power could explain liberal opposition to the congressional seniority system or the filibuster.¹⁶⁹

Conclusion

By the early 1960s, leading conservative intellectuals like Burnham and Kendall had published books or major essays grounding the meaning of conservatism explicitly in the American political tradition. They emphasized constitutionalism and what Kendall called “the great documents that lie at the root of the American political tradition: the Declaration of Independence, the deliberations of the Philadelphia convention, the Constitution itself, and, above all, the *Federalist [Papers]*.”¹⁷⁰ Burnham dismissed Founder worship, but nevertheless argued that the constitutional order was a good regime. During the 1950s and into the 1960s, conservative activists felt estranged from presidential power and resentful of the Democratic New and Fair Deals and outraged by liberal Supreme Court decisions, starting with *Brown v. Board of Education* and continuing in the 1960s. It is unsurprising then that conservative thinkers emphasized the importance of the most conservative-leaning parts of constitutional government, Congress and the states. Burnham and Kendall both argued Congress was the only branch of the federal government not advancing a liberal agenda. Their historical narratives were

¹⁶⁸ Adding “(This is not to deny the right of Negroes to equal treatment and dignity before the law. But no clause in that bill is concerned with such old-fashioned American rights” only “special group privileges.”

¹⁶⁹ Frank Meyer, “Attack on Congress”, *National Review*, Feb. 11. 1964, 109-110.

¹⁷⁰ Kendall, *The Conservative Affirmation*, 19.

intended to show that their conservatism was rooted in America. Other conservative intellectual popularizers, like Frank Meyer, Stan Evans, or the radio host Clarence Manion, repeated the argument that conservatism was fundamentally a defense of constitutionalism and the American political tradition.¹⁷¹ This narrative became what Ken Kerch calls a “deep story” of the conservative movement and conservative discourse.¹⁷² It was a potent rhetoric that drew on pre-existing patriotic tropes and linked right-wing politics with love of country.

While constitutionalism increasingly became conservatives’ favored frame of political rhetoric, a “deep story,” and a useful binding discourse for the still disparate movement, anti-liberalism proved equally, perhaps more, important as a discourse around which to unify the respectable American right. Even Kendall and Burnham, two of the most high-minded thinkers of the modern American right, not only recognized the importance of anti-liberal rhetoric in forming conservatism, but actively framed their political philosophy in anti-liberal terms. Conservatives held that their interpretation of the Constitution was inviolable and essential to the survival of the United States. Embedded in this argument was the claim that America was fundamentally conservative and liberalism was a deviation that constantly undermined the just and legitimate regime of the Founders. The narratives of liberal corruption of the American political tradition explained the conservative exile from power by framing them as the innocent victims of a liberal attack on the authentic tradition. Conservatives were the aggrieved party constantly on the defensive in a political – and cultural and geopolitical – existential struggle. Like all organizing stories, the conservative narrative of the American past was a public and comprehensive statement intended to subvert opposing political narratives and fortify

¹⁷¹ On Manion’s career and influence, see Hemmer *Messengers of the Right*.

¹⁷² Kerch, *Conservatives and the Constitution*.

conservative adherents. It held that the constitutional system – and the true American political tradition – was simultaneously supported by the public and constantly on the verge of collapse. This narrative encouraged maximum political mobilization, the message being “now is the time for urgent action.” The conspiratorial arguments propagated by Robert Welch and the John Birch Society or in the best-seller *None Dare Call It Treason* were extreme examples of the metanarrative that treated liberals as threats to America’s survival.

In a 1957 article Kendall analyzed the structures of political conflict in the United States. He argued liberals and liberalism represented a coherent and ideological challenge to the conservative but inarticulate American consensus. When liberals attacked an element of the consensus, for example the “Judaean-Christian basis” of American society, disparate defenders emerged. But they did not “vote together, do not support each other, indeed, do not particularly like each other; they do not go down the line with a corpus of Conservative doctrine, because there is no line to go down, no corpus of Conservative doctrine to be faithful to.”¹⁷³ Although conservatives possessed cultural strength, it manifested in a public insouciance and lack of conscious identity or political action. He praised Senator Bricker’s yeoman work alongside Joseph McCarthy, Pat McCarran, Harry Byrd, and Bill Knowland. Six years later, in defining conservatism, Kendall attacked Kirk-style literary conservatism. Kendall’s conservatives were entirely the “men who have taken a *stand*, on issues that are a) important, and b) relevant.” He proposed a battle-line metaphor of American conservatism. It was a war between liberals on the left and conservatives on the right. In this war, the left were the aggressors dating back to the 1860s. Modern liberals were “a disciplined and battle-wise enemy, with crystal clear war-aims and a grim determination to win.” What was at stake was whether America’s future was “the

¹⁷³ Willmoore Kendall, “Three on a Line,” *National Review*, August 31, 1957, 180.

Liberal Revolution” or “the destiny envisaged for it by the Founders of our Republic.” Kendall counselled conservatives to form stronger practical political alliances with congressional resisters and develop a conscious identity to halt the egalitarian revolution.¹⁷⁴

Kendall was a Midwesterner and a democrat: he believed most Americans remained conservative against liberal attacks. Burnham, the aristocratic easterner believed liberals already dominated the high ground of American culture and therefore dominated America. The difference between these outlooks was clear in the titles of their books, published a year apart. Kendall offered *The Conservative Affirmation*; Burnham diagnosed the *Suicide of the West*. Building on the past two decades of his thought and his growing alarm at American foreign policy and the ongoing decolonization of Africa and Asia, Burnham wrote what he called his “final and I think complete analysis of what we Americans call ‘liberalism.’”¹⁷⁵ William Buckley called it a “a pathologist’s report” of liberalism and enthusiastically wrote to well-connected intellectuals to laud it.¹⁷⁶ *Suicide of the West* was Burnham’s “agonizingly slow” (according to one critic) description of liberalism as, if not the cause of western decline, the “ideology of Western suicide.”¹⁷⁷

Burnham argued liberalism was the dominant ideology in the United States. He identified several tenets to the liberal ideology: man was perfectible; the world was rational; that, as a result, social problems were solvable with reform and education; and that traditions replicated past ignorance and prejudice. He argued because of liberals’ faith in rationalism and desire to

¹⁷⁴ Willmoore Kendall, *The Conservative Affirmation*, 10.

¹⁷⁵ James Burnham to Silva Norkela, November 19, 1972, box 1, folder 2, Burnham Papers.

¹⁷⁶ William F. Buckley, “Suicide of the West” Correspondence, box 29, Buckley Papers.

¹⁷⁷ Irving Howe, “Bourbon on the Rocks,” *New York Review of Books*, May 14, 1964, 7; Burnham, *Suicide of the West*, 15.

transform society, they favored political centralization under technocratic governance. Moreover, he argued liberals were universalists and unpatriotic. “It is certainly a fact that the average liberal, for good or ill, is not a patriot in the sense of fifty years ago.”¹⁷⁸ As an ideology, Burnham argued that liberalism in the United States had transformed from one interested in freedom and liberty to one intent on enacting peace and justice through coercion and welfarism. According to Burnham, liberalism was a secular faith, ultimately motivated by the need to assuage guilt by enacting paternalistic programs. Deleterious domestically, liberalism was as existentially dangerous on the global stage. If on some level Burnham believed all ideologies were fictions created to legitimize the status and power of elites, his specific complaint with liberalism was that it was fundamentally a critical ideology that lacked fortitude and failed to justify its own elites. The dominant liberal culture offered no resistance to communist or anti-colonial attacks on Western civilization. Ultimately, Burnham concluded that liberalism was ascendant precisely because America and the West was in decline. Liberalism justified – even celebrated – Western demise.¹⁷⁹

For all his personal, political, and tactical moderation, Burnham’s analysis of liberalism reached similar conclusions as Robert Welch. Where Welch concluded that explicit communist traitors were undermining America, Burnham argued that liberals caused the same results unintentionally. When he summarized *Suicide of the West* in one of his weekly radio broadcasts, Clarence Manion of the *Manion Forum* pronounced that “Communism has now taken all but complete command of mankind” with the “unwitting help of our modern Liberal leadership.” Liberal ideology “made a mockery” of the “spinal column” of America’s “structured balance of

¹⁷⁸ Burnham, *Suicide of the West*, 200.

¹⁷⁹ Burnham, *Suicide of the West*.

civil government” limited by “Constitutional law,” Manion thundered. He was convinced that modern liberals and especially “devotees of Civil Rights” directly threatened the constitutional order. If and when liberalism overwhelmed the bulwark of constitutionalism, he warned listeners, “the suicidal self-destruction of the United States will have taken place and Liberalism will proceed to make way for Communism, here and all over the world.”¹⁸⁰

Worldviews commit adherents to praxis. The conservative narrative of sustained liberal attack on America, all the way from its “simplistic fringes” to its most sophisticated intellectuals, demanded conservatives commit themselves to anti-liberalism on all fronts. Anti-liberalism became the key unifying logic of conservatism and conservative intellectuals constructed conservatism in explicit opposition to liberalism. By opposing liberal positions, conservatives found that previously disparate issues – national debt, desegregation, immigration reform, regulation, academic freedom, voting rights, HUAC, and foreign policy – were part of a unified conservative outlook.¹⁸¹ Both Burnham and Kendall were careful to argue these disparate and sometimes contradictory positions were not a coherent ideology, but because they were treated as conservative views in conservative publications, they were increasingly naturalized and assumed to cohere. In the conservative discourse, these various anti-liberal stances became bound up with the conservative deep stories of constitutionalism and tradition within freedom to the point that it became accepted on the right (and even left) that conservatism was a coherent philosophy.

This is not to say that conservatives were not sincere about one issue or another or many. Rather, the discourse of anti-liberalism divided politics along binary fault lines. By drawing a friend/enemy distinction against liberals, conservative intellectuals created a framework in which

¹⁸⁰ Clarence Manion, “Surrender of Suicide: The United States Moves Toward Both at the Same Time,” April 18, 1965, JB Papers, Hoover.

¹⁸¹ Kendall, *The Conservative Affirmation*, 1-20; Burnham, *Suicide of the West*, 31-7.

it was easy for ideological allies to choose a side in complex and tangentially related political debates.¹⁸² The conservative position was always against the liberal one because, as Kendall argued, liberalism was against the American tradition, and as Burnham argued, it was a threat to liberty, the Constitution, and the West.

Anti-liberalism was essential for conservative unity, but it fostered troubling dynamics in movement conservatism. Despite Burnham and Kendall's injunctions in favor of moderation or deliberation, their dire warnings of imminent liberal-collectivist-Caesarist triumph forbade true believing conservatives from moderating or engaging with the center or left. Movement conservatives have since tended toward anti-governance and "rule or ruin" politics.¹⁸³ Ironically, Burnham's apocalyptic predictions made his hope for a broad-based center-right impossible. The conservative narratives and the worldview they indicated primed the pump for total polarization and rage both at "liberals" and with any politician that compromised the conservative position. Burnham dismissed his colleagues' desire to make *National Review* into a crusade, but *Suicide of the West*, which remains in print, encouraged crusading anti-liberalism. Finally, the logic of anti-liberalism that treated liberals as a threat to America encouraged the American right to overlook, defend, or downplay bad actions within their own ranks. It became too important to retain conservative unity against the left to truly police the conservative ranks unless, as in the case of the John Birch Society, the net effect of bad actors ultimately weakened the conservative position. Conservatives are not alone in being shaped by political alliances and tribal thinking.¹⁸⁴

¹⁸² Schmitt, *The Concept of the Political*.

¹⁸³ Kabaservice, *Rule and Ruin*; in many ways Kabaservice's argument is extended in the journalistic account of the Modern GOP in Tim Alberta, *American Carnage: On the Front Lines of the Republican Civil War and the Rise of President Trump* (New York: Harper, 2019).

¹⁸⁴ Jonathan Haidt, *The Righteous Mind: Why Good People Are Divided by Politics and Religion* (New York: Vintage Books, 2013); Donald R. Kinder and Nathan P. Kalmoe, *Neither Liberal nor Conservative: Ideological*

Nor have they been without earnest guardrails.¹⁸⁵ But the heightened rhetoric of liberal perfidy and threat informed the modern American conservative movement at the deepest levels.

Innocence in the American Public, Chicago Studies in American Politics (Chicago ; London: The University of Chicago Press, 2017).

¹⁸⁵ Schoenwald, *A Time for Choosing*.

CHAPTER V: “CIVIL RIGHTS & LEGAL WRONGS”: RACE, CIVIL RIGHTS, AND THE CONSTITUTIONAL TRADITION, 1960-1965

In 1964, the conservative standard-bearer Senator Barry Goldwater was torn between his constitutional conservatism and the great moral and political movement for black civil rights. Goldwater was a relative racial moderate in his home state of Arizona. He had voted for the Civil Rights Acts of 1957 and 1960, but had questioned Kennedy’s use of the federal troops to integrate the University of Mississippi in 1962. Goldwater firmly believed that the foundational principles of the United States expressed in the Constitution were being forsaken. On June 18, 1964, he announced that he would reluctantly vote against the Civil Rights Act on constitutional grounds. Speaking quickly and flatly, he told a sparsely attended Senate chamber that the public accommodation and Equal Employment Commission articles of the bill flew “in the face of the Constitution.” He could not “in good conscience” vote yea. Goldwater knew this vote was crucial for his legacy. “Let it be,” he said, “and let me suffer the consequences. Just let me be judged by the real concern I have voiced here and not by words that others may speak or by what others may say about what I think.”¹

From his emergence as the conservative darling in 1958 until his withdrawal from movement conservatism, Goldwater turned to conservative intellectuals to articulate his political views.² In 1963, a group of conservative businessmen, writers, and political operatives formed a

¹ Joseph Hearst, “Barry ‘No’ On Rights Bill,” *Chicago Tribune*, June 19, 1964, 1, 10.

² On Goldwater as part of a succession of leading politicians struggling internally for the future identity of the GOP, see Michael Bowen, “Getting to Goldwater: Robert A. Taft, William F. Knowland, and the Rightward Drift of the

“Draft Goldwater” organization.³ Led by strategist F. Clifton White, the draft movement brought inside-baseball ruthlessness to the nomination campaign.⁴ Conservatives were delighted when Goldwater won the Republican Party’s nomination.⁵ He made his constitutional convictions the centerpiece of his “campaign of ideas.”⁶

During this period, most conservatives endorsed the right of the states to maintain segregation. As the civil rights movement convinced increasingly large sections of the white public, especially in the north, of the injustice of segregation, the conservative position became complicated. In addition to cultural arguments in favor of southern white society, conservatives used three primary constitutional anti-civil rights arguments. The first defended states’ rights on Tenth Amendment grounds, the argument closest to segregationist massive resisters. The second argument was a related but more holistic strict construction of the Constitution that denied the federal government’s capacity to legislate integrationist measures through existing constitutional provisions. The third argument held that the Constitution and the American political tradition mandated legal equality. As such, any racially conscious legislation, whether segregationist or requiring integration, was forbidden by the nation’s foundational documents. The overarching

Republican Party,” in Elizabeth Tandy Shermer, ed. *Barry Goldwater and the Remaking of the American Political Landscape*, 87-113.

³ Brent Bozell ghostwrote *The Conscience of a Conservative*; Russell Kirk also wrote two speeches for Goldwater and sent him material, Birzer, *Russell Kirk*, 273-4, 277; Goldwater praised Buckley as a conservative “egg head,” Barry Goldwater to J.O. McMurray, July 5, 1961, box 14, Buckley Papers; others from the conservative intellectual circles that contributed to Goldwater’s campaign, included Harry Jaffa, Gerhart Niemeyer, Stanley Parry, Robert Bork, and Milton Friedman, Perlstein, *Before the Storm*, 418.

⁴ Perlstein, *Before the Storm*, 171-200.

⁵ “Lee Edwards interviews William A. Rusher on 22 Feb 1992,” Lee Edwards Papers, box 213, 2010c14_a_0007020, Edwards Papers.

⁶ Perlstein, *Before the Storm*, 500.

conservative argument was that civil rights threatened to destroy the constitutional order. Barry Goldwater articulated each of these arguments across the early 1960s.

The shift from the states' rights argument toward colorblind constitutionalism shows how conservative intellectuals responded to the strategic, moral, and intellectual challenges of the civil rights movement. They sought to reframe opposition to civil rights from a sectional issue to a national one. In response to the civil rights movement, as well as internal conservative critics, conservative intellectuals found their own moral high ground. They did so in their sincere admiration of the authoritative Founding and Constitution. Inevitably, the conservative intellectuals imbued the American political tradition with their own philosophies shaped by their contemporary concerns and racial outlook.

Colorblind constitutionalism was a complex exculpatory discourse with presentist concerns. Conservatives' profoundly white reading of the American political tradition downplayed black suffering as subordinate to constitutional rigidity as a universal good. Grounded in their reading of history, racial imagination, and assumptions about their supporters, conservative intellectuals used the colorblind Constitution as a tool against civil rights activism and to maintain political and psychological innocence on racial issues. They insisted on their own innocence on America's racial history and on the innocence of the American political tradition.

Conservatives and the Strict Construction of the Constitution

Goldwater walked a fine line between personal support for desegregation and his belief in states' rights. "The conscience of the Conservative is pricked by anyone who would debase the dignity of the individual human being," he said in his 1960 manifesto. In Phoenix, Goldwater had generally supported integration. He donated to the Urban League, integrated the Arizona Air

National Guard and his family's department store, and was involved in an effort to de-segregate Phoenix theaters.⁷ As Senator, he supported the lightweight Civil Rights Acts of 1957 and 1960. Nevertheless, when his racial moderation conflicted with strict constitutionalism, Goldwater chose a reading of the Constitution that had its origins in southern defenders of segregation and conservative fears about liberal attacks on the constitutional order.

Goldwater believed states' rights prevented the accumulation of federal power and kept government close to the governed. In high dudgeon he criticized liberal Republicans for calling states' rights a "general presumption." The Tenth Amendment was not "a general assumption" to be ignored whenever States obstructed "the needs of the people." It was "a prohibitory rule of law."⁸ Certainly massive resistance was "the most conspicuous expression of the principle," but Goldwater argued that if properly defined, civil rights did not conflict with states' rights. Strictly speaking, civil rights were conferred by law. In terms of race, this included the Fourteenth Amendment that guaranteed equal legal protection and "certain legal privileges," and the Fifteenth Amendment which guaranteed the right to vote.⁹ By embracing this argument by definition, Goldwater, in his mind, avoided making the difficult decision between the principles of integration and states' rights.

In a similar vein, Goldwater professed agreement with the aims of *Brown v. Board of Education* but denied its constitutionality. Relying on a theory of the Framers' original intent, Goldwater believed the Constitution did not grant the federal government jurisdiction over education. In his view, the Warren Court ignored this commonsense approach to the nation's

⁷ "Memorandum to William Mittendorf, Draft Goldwater Committee, Subject: Sen. Barry M. Goldwater's record on integration of minority races," May 6, 1963, box 25, Buckley Papers."

⁸ Goldwater, *The Conscience of a Conservative*, 27-30.

⁹ Goldwater, *The Conscience of a Conservative*, 33.

foundational document and avoided original intent through casuistry. In effect, the liberal Supreme Court supplanted the Founders and “engrafted” their own views onto “the established law of the land.”¹⁰ In his book, Goldwater gave an enormous platform to the argument that *Brown* was a radical blow to the Constitution. He called its abrogation of states’ rights a great loss in “priceless liberty.”¹¹ Occasionally, Goldwater referred to Russell Kirk’s conservative principle of regional diversity or begged off imposing his moral judgment “on the people of Mississippi or South Carolina.” But his reasoning on states’ rights was ultimately constitutional in nature.¹²

Goldwater reiterated his ambivalence about the subject and ultimate loyalty to the Constitution in 1962. In response to Kennedy’s deployment of federal troops at the University of Mississippi, Goldwater told reporters that, although he “unalterably opposed” racial segregation, he did not believe that *Brown* was “the law of the land.” “I don’t like segregation,” he added, “but I don’t like to see the Constitution kicked around, either.”¹³ Goldwater sought advice from lawyers in Arizona. He asked his close ally Denison Kitchel and a Phoenix-based Republican lawyer William Rehnquist to draft memoranda about the subject. These briefs changed Goldwater’s mind about the constitutionality of federal troop deployments, a fact the Goldwater campaign eagerly publicized in his presidential campaign.¹⁴

¹⁰ Goldwater, *The Conscience of a Conservative*, 35. Italics in the original.

¹¹ Goldwater, *The Conscience of a Conservative*, 30.

¹² Barry Goldwater, “What Does America Stand For” – a talk given at Notre Dame [n.d], [written, by Russell Kirk], box 20, Buckley Papers; Goldwater, *Conscience of a Conservative*, 37.

¹³ Clay Gowran, “Dixie Troop Use Hit By Goldwater,” *Chicago Daily Tribune*, October 5, 1962.

¹⁴ Perlstein, *Before the Storm*, 363. Elements of Goldwater’s campaign seemed eager to promote this fact, it recurs in numerous stories reported about Goldwater’s campaign staff. See Evans and Novak, “The Men Around Goldwater,” *The Saturday Evening Post*, Oct 24, 1964; Charles Mohr, “Goldwater Gets Ideas From Many: Educators and Others Aid His Political Campaign,” *New York Times*, March 31, 1964, 20; Allen L. Otten, “Barry’s Boys: GOP Nominee’s Advisers are Staunchly Conservative,” *Wall Street Journal*, July 17, 1964, 6.

Goldwater was friendly with William Buckley and *National Review* in the early 1960s. Despite some miscommunications between the two, Goldwater called Buckley's magazine "the Bible to Conservatives" and suggested the editor seriously consider running for Congress.¹⁵ When *National Review* surveyed its readers in 1965, Goldwater said he favored the magazine's "whole approach," indicating "strong approval" for Buckley, Burnham, and Kirk's columns, although indifference toward Frank Meyer's.¹⁶

After *National Review*'s constitutional expert, Brent Bozell, repaired to Francoist Spain, Buckley and *National Review* relied on James J. Kilpatrick for constitutional commentary.¹⁷ Kilpatrick was on the very edge of acceptable opinion in his defense of southern segregation and white supremacy. His work in Virginia and for *National Review* developed key conservative interpretations of the Constitution.

Named after Thomas "Stonewall" Jackson, Kilpatrick moved to Richmond, Virginia, from Oklahoma in 1941. At 20, he joined the conservative *Richmond News-Leader*, which reinforced his strict constructionist, anti-New Deal instincts and commitment to the white supremacist politics of Oklahoma and Virginia. Kilpatrick was the paper's chief political and legal reporter and he became close to the Byrd political machine and familiar with the Virginian Court system. In 1949, he became the *News-Leader's* opinion editor-in-chief.¹⁸ Buckley began publishing Kilpatrick's work in *National Review* in 1957, usually several pieces a year

¹⁵ Barry Goldwater to J.O. McMurray, July 5, 1961, box 14, Buckley Papers.

¹⁶ "Subscriber Questionnaire," box 35, "Barry Goldwater," Buckley Papers.

¹⁷ Daniel Kelly, *Living on Fire*, 61-77; William P. Hustwit, *James J. Kilpatrick: Salesman for Segregation*, (Chapel Hill: University of North Carolina Press, 2013), 1-40.

¹⁸ Hustwit, *Kilpatrick*, 29.

throughout the early 1960s.¹⁹ One indication of how closely Kilpatrick believed constitutional interpretation and segregation were connected was that when he hired an associate editor for the *News-Leader* in 1957, he asked Buckley for someone “right” “on the school question” and “on matters of constitutional government.” Buckley suggested M. Stanton Evans or Karl Hess.²⁰ Four years later, the young conservative writer Garry Wills went from *National Review* to intern at the *News-Leader*. As *National Review*’s southern and constitutional expert, Buckley called Kilpatrick a “very valuable national asset.”²¹

Kilpatrick had read Russell Kirk closely and found Kirk’s conservatism amenable to defending southern white supremacy.²² Through his engagement with the Southern Agrarians, whose manifesto *I’ll Take My Stand* presented the South as a distinct cultural entity, Kirk inherited a tradition of treating the antebellum and post-war South as an indigenous conservative society and continuing bulwark against modernity.²³ Despite Kirk’s occasional condemnations of bigotry, the implication of his thought about organic society was that the South’s white supremacist order was the accretion of communal wisdom – naturally the best system for organizing the southern community beset by the euphemistically-veiled problem of race. In a 1958 issue of *Modern Age* that Kirk dedicated to race and integration, he penned a long editorial

¹⁹ 2 in 1957; 3 in 1958; 3 in 1959; 1 in 1960; 5 in 1961; 0 in 1962; 5 in 1963; 2 in 1964; 1 in 1965.

²⁰ James Jackson Kilpatrick to William F. Buckley, January 9, 1957; William F. Buckley to James Jackson Kilpatrick, January 11, 1957, box 3, Buckley Papers.

²¹ William F. Buckley to James J. Kilpatrick, Jan 16, 1961, box 15, Buckley Papers.

²² Hustwit, *Kilpatrick*, 31-32.

²³ Kirk was a friendly interlocutor with the most “unreconstructed” Agrarian, Donald Davidson. See Paul V. Murphy, *The Rebuke of History: The Southern Agrarians and American Conservative Thought* (Chapel Hill: University of North Carolina Press, 2003). Kirk was also friends with Richard M. Weaver, a successor to the Agrarians whose *The Southern Tradition at Bay*, George Core and M. E. Bradford, eds. (New Rochelle, NY: Arlington House, 1968) articulated this tradition.

on the subject.²⁴ He spent most of the meandering seven-page essay explicating and justifying “norms.” He concluded with a succinct statement of the southernism that underpinned his conservatism and view of the civil rights movement. “The South has long been the Permanence of the American nation,” Kirk intoned. It has been “strongly attached to Christian belief, bound up with the land and the agricultural interest, skeptical of the visions of Progress and human perfectibility, imbued with the tragic sense of life.” The South had historically defended “convention and continuity,” positive concepts for Kirk and his audience. Because of this conservatism, the white South angered liberal ideologues who detested and dreaded their intransigence against “simple abstract remedy.” Although he was indirect about it, Kirk called the movement for school and social desegregation a threat to the very idea of social norms. “Without conventions, the civil social order dissolves,” he warned. And “Without the South to act as its Permanence, the American Republic would be perilously out of joint.” And so, regarding Jim Crow and specifically school segregation, “the South need feel no shame for its defense of beliefs that were not concocted yesterday.”²⁵ When taken with *National Review*’s stated support for southern white supremacy in the mid-to-late 1950s, this nostalgic and theoretical defense of Jim Crow shows that, although often living outside the South, some conservative intellectuals were on the side of white supremacy which they treated as part of a unified struggle against liberalism.

When it came to the Constitution, Kilpatrick, who lived in segregated Richmond, was a popularizer rather than original theorist. At the *News-Leader*, Kilpatrick read states’ rights theorists like Thomas Jefferson, John C. Calhoun, and John Randolph of Roanoke, as well as

²⁴ Russell Kirk, “Norms, Conventions and the South,” *Modern Age*, 2, no. 4, (Fall, 1958): 338-345.

²⁵ Kirk, “Norms, Conventions and the South,” 345.

Tocqueville's warnings about democracy. He absorbed these sometimes competing frameworks and used them in polemical editorials and debates.²⁶ By rigorously adhering to middle class standards and barely staying within the bounds of acceptable racial discourse, Kilpatrick became a leading "respectable" segregationist as he honed what his biographer called the "lingua franca for the segregationist South's conservative political discourse."²⁷

A major step in the development of respectable segregationist rhetoric was *The Sovereign States*, a defense of states' rights and the doctrine of interposition.²⁸ Published by Henry Regnery Company in 1957, Kilpatrick pitched the book as advancing the "cause of the States" in the conflict between the states and the federal government. To do so, he urged the revival of the doctrine of interposition.²⁹ Fittingly, Kilpatrick prefaced the book with a long quote from John C. Calhoun, the South Carolinian senator who figured prominently in Kirk's *The Conservative Mind*. *The Sovereign States* made standard conservative arguments against "centralization" grounded in historical precedent. Kilpatrick mined the Articles of Confederation, Constitution, and debates in the early Republic to show that the United States was founded as a Union of *States*. He connected the segregationist cause with the Jeffersonian anti-state tradition. Alongside Calhoun, he emphasized the Kentucky and Virginia Resolutions of 1798 and 1799 and called his opponents the "heirs of" of historical Big Government men Alexander Hamilton and John Marshall.³⁰ Regnery ordered a run of 5,000, Harry Byrd Sr, gave his endorsement and pre-

²⁶ Hustwit, *Kilpatrick*, 31-33.

²⁷ Hustwit, *Kilpatrick*, 40.

²⁸ James Jackson Kilpatrick, *The Sovereign States*, (Chicago: Henry Regnery Company, 1957).

²⁹ James J. Kilpatrick to Henry Regnery, Feb 29, 1956, box 39, folder 2, Regnery Papers.

³⁰ Kilpatrick, *The Sovereign States*, ix, xi.

orders of the book were strong, largely in the South.³¹ Reviews varied regionally and politically. The *Richmond Times-Dispatch* was glowing, the *Chicago Sun-Times* heavily critical. Regnery and Kilpatrick were overjoyed that the *New York Times* had even acknowledged the publication. The Gray Lady praised Kilpatrick's prose but called his constitutional theory divorced from history's realities.³² The only blackspot for Regnery was *Time* and *Newsweek*'s continued silence on this and all his books.³³ The Southern Agrarian Donald Davidson read Kilpatrick's book enthusiastically and told Regnery that interposition could be the means by which the southern states could resist desegregation and a call for a "return to American first principles" after "the long political riot of New Dealism, Trumanism, and One Worldism."³⁴ Regnery ordered a second printing in 1962.

The Virginian legislature, too, believed Kilpatrick's arguments could be fruitful for resisting desegregation. In March, 1958, the General Assembly created the Virginia Commission on Constitutional Government (CCG) to "develop and promulgate information concerning the dual system of government, federal and state, established under the Constitution of the United States and those of the several states."³⁵ Kilpatrick was appointed Vice-Chairman. That September, the Commission published a statement that drew heavily on *The Sovereign States*. It argued that diverse states required diverse government. Rightly or wrongly, the southern states did not believe it was immoral to segregate schools by race and the southern states were "fully

³¹ Henry Regnery to James J. Kilpatrick, January 10, 1957, box 39, folder 2, Regnery Papers.

³² James J. Kilpatrick to Henry Regnery, April 29, 1957; Henry Regnery to James J. Kilpatrick, May 10, 1957, box 39, folder 2, Regnery Papers; William S. White, "The Nature of the Union," *New York Times*, April 28, 1957, T4.

³³ Henry Regnery to James J. Kilpatrick, May 10, 1957, box 39, folder 2, Regnery Papers.

³⁴ Donald Davidson, "A Comment on James Jackson Kilpatrick's *The Sovereign States*," box 39, folder 2, Regnery Papers.

³⁵ Hustwit, *Kilpatrick*, 90.

within their constitutional rights” to do so. The Commission claimed that in *Brown vs. Board of Education* the Court overstepped its authority and “substantively” rewrote law. In support, the Commission cited Washington and Lincoln and numerous Supreme Court Justices.³⁶ Southern white politicians relied on CCG pamphlets to justify their opposition to civil rights and Goldwater’s *Conscience of a Conservative* echoed their arguments.³⁷ Kilpatrick and Regnery also considered a pro-segregation book based on articles from *Modern Age*’s issue on desegregation, potentially sponsored by the CCG, but nothing came of the idea. Late in 1961, Kilpatrick began a second book on segregation to counter a popular condensation of Gunnar Myrdal’s “marvelously skillful job of propaganda,” *An American Dilemma*.³⁸ The publisher Crowell-Collier solicited Kilpatrick for a paperback on segregation. “Sick of this whole subject,” Kilpatrick was reluctant to agree. However, he thought it important to make the segregationist case to college students and ultimately assented.³⁹ In *The Southern Case for School Segregation*, Kilpatrick concluded that African Americans were inferior to whites, but that the Supreme Court’s ruling in *Brown* had been decisive. Massive resistance, including legal interposition, had failed. Despite this, Kilpatrick argued that segregation had been legitimate and that blacks would miss the paternalism of Jim Crow.⁴⁰ *Time* called the book’s “extremist” views “Kilpatrick’s last roar of defiance in what even he now concedes is a lost cause.”⁴¹

³⁶ “Virginia Commission on Constitutional Government: A Statement on the Fixing of Boundary Lines,” box 6, “James J. Kilpatrick,” Buckley Papers.

³⁷ Hustwit, *Kilpatrick*, 93-106

³⁸ James J. Kilpatrick to Henry Regnery, January 20, 1960, box 39, folder 2, Regnery Papers.

³⁹ James J. Kilpatrick to Henry Regnery, October 19, 1961, box 39, folder 2, Regnery Papers.

⁴⁰ James Jackson Kilpatrick, *The Southern Case for School Segregation*, (New York: Crowell-Collier, 1962).

⁴¹ “Petulant Plea,” *Time*, October 26, 1962, 52.

Around the same time Kilpatrick wrote *The Southern Case for School Segregation*, he produced a pamphlet for the Virginia Commission on Constitutional Government about the Civil Rights Bill. He argued the Civil Rights Bill repudiated “the Jeffersonian dictum that the best government is the least government.” Kilpatrick said he did not “defend racial discrimination,” but rather the “citizen’s right to discriminate” which is “vital to the American system” and “individual liberty.” Kilpatrick suggested his argument was race neutral. By damaging the nation’s “fundamental” law the bill would hurt all Americans. The CCG let *National Review* republish the essay free of charge.

One of Goldwater’s major supporters was Roger Milliken, a New York transplant and textile magnate in South Carolina. The Milliken brothers were critical financial backers of *National Review*. Milliken was chairman of the South Carolina Republican Party in 1960 when it pledged its delegates for Goldwater.⁴² He reported to William F. Buckley that *National Review* was crucial in convincing South Carolinian Republicans to pledge for Goldwater. According to Milliken, Goldwater “created the bridge over which many South Carolina Democrats are going to walk” to join – or at least vote for – the Republican Party.⁴³

The South Carolina Republican Platform drew on Kilpatrick’s arguments and similar themes to *Conscience of a Conservative*, emphasizing states’ rights first and foremost. The platform framed states’ rights as a constitutional legal issue and downplayed the racial component. “The great American tradition,” it read, was “a government of laws and not of men.” According to the platform, the South Carolina Republican Party stood for “the original and

⁴² Joseph Crespino, “Goldwater in Dixie,” in Shermer, *Barry Goldwater*, 149-50.

⁴³ On Goldwater’s connections with the southern Republican Party, see Laura Jane Gifford, *The Center Cannot Hold: The 1960 Presidential Election and the Rise of Modern Conservatism*, (DeKalb: Northern Illinois University Press, 2009), 146-167 and Joseph Crespino, “Goldwater in Dixie: Race, Region, and the Rise of the Right,” in Shermer, *Goldwater*, 144-69.

inherent powers of the various sovereign United States,” including “the concurrent sovereignty of the states.” Any effort to “arouse class and race strife for political purposes,” was wrong. “Such matters” were local and sectional issues.⁴⁴ This constitutionalist framing became the leading conservative strategy to oppose civil rights during this period.

Straussians, States Rights’, and Conservatism

In 1962, Robert Goldwin, a student of Leo Strauss at the University of Chicago, invited both Kilpatrick and Kirk to a Public Affairs Seminar on federalism and states’ rights. Goldwin began organizing intense seminars on questions of politics and political theory the previous year. He continued the practice first at the University of Chicago, then Kenyon College, then for Gerald Ford’s White House, and finally at the American Enterprise Institute. Over the 1960s and 1970s, Goldwin brought an impressive list of dozens of leading politicians together with select academics and journalists to discuss issues with a Straussian-inspired seriousness and depth.⁴⁵ Still in its infancy in 1962, Kirk and Kilpatrick considered the three-day program unusually diverse, with “about as many conservatives as liberals,” although Straussians predominated.⁴⁶

Many conservative intellectuals, although by no means all, felt the Straussians could be potent allies in academia and in public discourse. Like conservative intellectuals, the Straussians had grievances with the professoriate. There were indications that some students of Strauss – and even Strauss himself – were beginning to make common cause with movement conservative intellectuals.⁴⁷ Some of the Straussians tentatively engaged with conservative enthusiasm for

⁴⁴ “The 1960 Platform of the Republican Party of South Carolina,” box 10, “Roger Milliken,” Buckley Papers.

⁴⁵ Public Affairs Conference Center information, box 77, Baroody Papers.

⁴⁶ James J. Kilpatrick to William F. Buckley, February 1, 1961, box 15, Buckley Papers.

their work. Strauss was a reader of *National Review*.⁴⁸ In the 1950s, Walter Berns had irascibly told Willmoore Kendall that he “disagreed with most of what the *National Review* advocated” before walking back the “gross exaggeration.” Berns said his main disagreements with conservatism were its embrace of states’ rights, despite his dislike of liberal integrationists, and that he saw no “connection between God, virtue, decency and *laissez faire*.” “When someone says *laissez faire*,” he wrote, “I think of Herbert Hoover and rugged individualism (another non-Christian doctrine).”⁴⁹ By 1961, however, Berns was contributing to Buckley’s magazine.⁵⁰ Buckley had also published Harry Jaffa in the early 1960s, and a deep review of his *Crisis of the House Divided* in 1959.⁵¹ Jaffa became friendly with Frank Meyer. The two were frequent telephone conversationalists.⁵² Kendall, still one of the intellectual right’s main conduits into academic circles, considered Leo Strauss a genius and sought Strauss’s mentorship, measuring his own philosophical depth against Strauss’s students.⁵³

The Public Affairs Conference on federalism was an early instance of direct Straussian and movement conservative interaction. Both groups venerated the Founding but had different

⁴⁷ Willmoore Kendall, “The Liberal Line: Freedom is a Problem,” *National Review*, Nov 16, 1957, 448; “The Test that Is No Test,” *National Review*, Nov 23, 1957, 468; Frank S. Meyer, “Principles and Heresies: A Specter is Haunting Yale, Feb 15, 1958,” 1960.

⁴⁸ Leo Strauss to Willmoore Kendall, November 19, 1956, box 30, Leo Strauss Correspondence w/Willmoore Kendall, Kendall Papers.

⁴⁹ Walter Berns to Willmoore Kendall, December 17, 1956, box 18, Kendall Papers.

⁵⁰ Walter Berns, “The Fantasy of World Government,” *National Review*, April 22, 1961, 245-47; “School Prayer and ‘Religious Warfare,’” *National Review*, April 23, 1963, 315-7; “Sources of the Law,” *National Review*, August 11, 1964.

⁵¹ Harry Jaffa, “A Celebration of Tradition,” *National Review*, Oct 22, 1963, 360-1; Willmoore Kendall, “Source of American Caesarism,” *National Review*, Nov 7, 1959, 461-62.

⁵² Harry Jaffa to Willmoore Kendall, October 27, 1963, box 17, Kendall Papers.

⁵³ Willmoore Kendall to Leo Strauss, January 29, 1960, box 30, Leo Strauss Correspondence w/Willmoore Kendall, Kendall Papers.

interpretive strategies and drew contrasting lessons. The seminar rehearsed important debates between these non-liberal thinkers and presaged a shift in influence as Straussian scholars began to move rightward and compete for right-wing funding sources and access to politicians. Goldwin told the seminar that federalism was the vital issue of the day. The United States was a constitutional republic. As such, “officials must turn constantly to a reconsideration of [its] origins and foundations.” Yet the body politic was grossly ignorant about their “essential character.”⁵⁴ Federalism was heavily loaded in 1962, with the question of states’ rights as a segregationist doctrine against the pressures of the civil rights movement and liberal legislators at the forefront.

Kirk and Kilpatrick presented two of the main movement conservative arguments for states’ rights. Kirk focused on “regional diversity” and the proximity of government to the governed. He claimed that the federal state was composed of small local democracies and that “territorial democracy” was superior to centralizing “Jacobin democracy.” Kirk argued centralization had few supporters in American history – primarily Alexander Hamilton – while John Adams, Thomas Jefferson, and John Randolph of Roanoke favored territorial democracy. Catastrophes like the Civil War, World War II, and the Cold War created the dangerous centralizing tendency that the Supreme Court facilitated.⁵⁵

Kilpatrick made the conservative constitutionalist case for states’ rights. Like Goldwater, Kilpatrick emphasized the givenness of the Constitution and the wisdom of the Founders who intended the federal government to be limited by the states. The Constitution referred constantly to the states, he noted, but to union only three times, land once, and never to the nation. Clearly

⁵⁴ Robert A. Goldwin in Robert A. Goldwin, ed. *A Nation of States: Essays on the American Federal System*, (Chicago: Rand-McNally, 1963), v-vi.

⁵⁵ Russell Kirk, “The Prospects for Territorial Democracy in America,” in Goldwin, *A Nation of States*, 42-65

power flowed upward from the states. The Tenth Amendment, the “polar star of our fundamental charter,” made this fact “clear beyond peradventure.” To argue that the “general welfare” clause in the Preamble empowered the Congress to unenumerated powers, as liberals did, reduced “the Constitution to blank paper.” Instead, Kilpatrick urged the Constitution be read literally.⁵⁶

In contrast to Kirk and Kilpatrick’s standard conservative arguments, the Straussians’ contributions were sustained criticisms of the states’ rights and textual-literal approach to the Constitution. Five years earlier Walter Berns had laid out his position on conservatism and states’ rights in a candid exchange with Kendall. Berns admitted that he was politically opposed to the liberals who “have clasped the cause of the negroes to their bosoms and believe that the solution to the negro problem in the United States lies in a policy of forcing desegregation on the Southern states.”⁵⁷ However, Berns told Kendall that conservatives had damaged the conservatism by associating with “the very dubious so-called states’ rights cause.” Conservatives had, Berns claimed, been concerned with governance. The doctrine of states’ rights that developed after the Founding to defend slavery was an anti-governance doctrine “put forward by slave-holders and liberals.”⁵⁸ Addressing contemporary politics, Berns argued flatly that the Fourteenth Amendment had been intended to outlaw segregation. Therefore, the Supreme Court had not usurped authority in *Brown v. Board of Education*. Even Calhoun acknowledged the “bankruptcy of the states’ rights argument” by calling for an amendment to the Constitution. No doubt *Brown v. Board* had deprived “white southerners of their freedom,” Berns acknowledged. But “candor requires one also to admit that white southern policy has for years deprived negroes

⁵⁶ James J. Kilpatrick, “The Case for ‘States’ Rights,” in Goldwin, *A Nation of States*, 88-108.

⁵⁷ Walter Berns to Willmoore Kendall, December 31, 1956, box 18, Kendall Papers.

⁵⁸ Walter Berns to Willmoore Kendall, December 17, 1956, box 18, Kendall Papers.

of their freedom” and, in a Straussian turn of phrase, “freedom is not justice.”⁵⁹ As we have seen, Straussians were extremely interested in justice and governance. These poles informed Straussian constitutional and historical interpretation. Berns was not concerned so much with the Founders’ intent. Instead, he considered “the Constitution as a set of principles according to which justice was to be established in the United States (and the Preamble agrees with me).”⁶⁰ Berns is indicative of the more conservative Straussians’ approach to the American past. The American tradition was important, yes, but important not on its own terms but because it established or sought to establish justice in the American regime.

At the seminar, Martin Diamond reconstructed the Framers’ understanding of federalism. He argued that the conflict at the Federal Convention had been between adherents to the Articles of Confederation and those who, shaped by the Revolutionary War, believed that defense, liberty, and general welfare could only be secured by a supreme national government. The national government faction won, and Madison’s *Federalist 10* was key in their argument. *Federalist 10* reversed the traditional logic that maintained republicanism was only possible in small states. Madison argued that far from ideal republic states, small republics were prone to factional domination. However, large republics created natural counterbalances to local factions. The upshot was that Madisonian republicanism meant national governments must ensure private rights and justice over and against local, faction-dominated state governments.⁶¹ Herbert Storing of the University of Chicago echoed Diamond’s claim that the Founders chose an active national government, adding that the Presidency was crucial “to reconcile the wants of the people and the

⁵⁹ Walter Berns to Willmoore Kendall, December 31, 1956, box 18, Kendall Papers.

⁶⁰ Walter Berns to Willmoore Kendall, December 31, 1956, box 18, Kendall Papers.

⁶¹ Martin Diamond, “What the Framers Meant by Federalism,” in Goldwin, *A Nation of States*, 24-41.

needs of the Republic.” Straussians believed good government required statesmen acting virtuously. Fittingly, Storing emphasized the moral education of the president. He concluded by appealing to the “best conservative tradition” of government as a rightly ordered force, not an antagonist to be obstructed.⁶²

Harry Jaffa of Ohio State challenged the view that strict constructionism was the orthodox American political tradition. He argued that strict constructionism could not be found in the Constitution. It was a tradition with roots in the First Party System, but only alongside a “liberal” tradition of broad construction. Jefferson’s opposition to John Adams turned strict construction into a political force, reaching its classic expression in the Virginia and Kentucky Resolutions and Madison’s Report on the Virginia Resolution in 1799. These texts are “highly authoritative” on the constitutional reasoning of “*one of the two chief parties of the day,*” Jaffa said, but the other was the federal party of Washington, Hamilton, and John Marshall. Moreover, in practice, states’ rights was only an oppositional strategy: “*No American statesman has ever attempted to govern in accordance with the doctrine.*”⁶³ In his essay on the Tenth Amendment, Walter Berns agreed. He argued that by 1819, the United States was committed to a Hamiltonian vision of the Constitution.⁶⁴

The edited collection produced by the seminar was, in Kendall’s words, “disrobing” for movement conservatives. It revealed the limitations of two of their prominent historical thinkers⁶⁵ The man reviewing the book for *National Review*, George Benson, an expert on federalism and president of Claremont McKenna College, was especially harsh on Kirk and

⁶² Herbert J. Storing, “The Problem of Big Government,” in Goldwin, *A Nation of States* 65-87.

⁶³ Harry Jaffa, “The Case for a Stronger National Government,” in Goldwin, *A Nation of States*, 109-125

⁶⁴ Walter Berns, “The Meaning of The Tenth Amendment,” in Goldwin, *A Nation of States*, 126-148.-

⁶⁵ Willmoore Kendall to Henry Regnery, January 18, 1964, box 38, folder 2, Regnery Papers.

Kilpatrick.⁶⁶ Willmoore Kendall recommended the collection to Henry Regnery with the warning that the Straussians demolished the “flat, uncritical Tenth Amendment position” and made Kirk and Kilpatrick “look like complete fools.”⁶⁷ An academic reviewer said Kirk’s “aimless wanderings” and Kilpatrick’s “fantastic antidemocratic sentiments” posed “little contest” to the anti-states’ rights argument.⁶⁸ Another compared their “thin and threadbare appeals to old prejudices” with the Straussians’ “balanced and scholarly” work.⁶⁹ Defensively, Frank Meyer said Kirk’s essay was one of his “better pieces” and Kilpatrick’s essay, “while not deep, is forceful.”⁷⁰

The book posed several problems for the *National Review* circle and their friends in academia. These essays, dismantling received conservative views, raised serious questions about the reliability of Straussians as conservative allies and undermined arguments for states’ rights. By telephone, Meyer told Jaffa “how disappointed” he was with his essay, hoping he had since changed his mind. Jaffa replied that his “principled approach had fundamentally not.” The problem, Meyer said, was that the Straussians were too “Hamiltonian and Lincolnian” to be “good” on states’ rights. Their project was “destroying” behavioral political science and restoring “political philosophy,” not “understanding the proper relation between the individual and government or in vindicating freedom against authority.” They were not, Meyer thought,

⁶⁶ Frank S. Meyer to William F. Buckley, February 8, 1964, box 30, Buckley Papers.

⁶⁷ Willmoore Kendall to Henry Regnery, January 18, 1964, box 38, folder 2, Regnery Papers.

⁶⁸ WJDB, “Federalism: A Nation of States,” *National Civic Review*, 52, no. 9, (October 1963): 523.

⁶⁹ William Anderson, “A Nation of States,” *American Political Science Review*, 58, no. 1, (March 1964): 131-2.

⁷⁰ Frank S. Meyer to William F. Buckley, February 8, 1964, box 30, Buckley Papers. Kilpatrick’s essay parodies midcentury scholarly writing while constantly rejecting academic authority. Kirk recited his favored authorities in a near mystical litany.

“useful on matters of the American tradition,” which he believed to be essentially libertarian.⁷¹ “I guess I don’t really understand Strauss’ position totally,” Buckley admitted.⁷² Although he admired their thought, Kendall called the Straussians “indistinguishable from the Liberal Line except better documented.”⁷³

Straussian unreliability on political and historical issues also concerned conservative intellectuals because they were increasingly rivals for limited grant money and political influence. The Lilly and especially Relm foundations were “off the deep end about the Straussians.”⁷⁴ Strauss and his students commanded a large share of grants to political scientists from the Relm Foundation, one of the few foundations that reliably gave to conservative scholars.⁷⁵ Early in 1964, the Foundation’s director Dick Ware invited Harry Jaffa to a select strategy meeting to shape Foundation policy. Jaffa insisted that American government was neglected and poorly taught in the academy, with an emphasis on the executive and the perception that legislators are “obstructionists.” He urged a “re-examination of the American tradition and its application to contemporary problems.”⁷⁶ The right-wing foundations found the Straussians’ credentials and scholarship extremely attractive. But what had drawn conservatives to the Straussians in the first place – their impressive institutional affiliations, titles, and

⁷¹ Frank S. Meyer to William F. Buckley, February 8, 1964, box 30, Buckley Papers. Jaffa did

⁷² William F. Buckley to Frank S. Meyer, February 25, 1964, box 30, Buckley Papers.

⁷³ Willmoore Kendall to Henry Regnery, January 18, 1964, box 38, folder 2, Regnery Papers.

⁷⁴ Willmoore Kendall to Henry Regnery, January 18, 1964, box 38, folder 2, Regnery Papers.

⁷⁵ Dick Ware to William J. Baroody, Peter T. Bauer, W. Glenn Campbell, Henry Hazlitt, James D. Koerner, Harry Jaffa, and Richard L. Walker, March 14, 1963; “Summary of Relm’s Activities, 1955-62,” box 62, Baroody Papers.

⁷⁶ Richard A. Ware to William J. Baroody, January 17, 1964, “Copy of Meeting Minutes,” box 62, Baroody Papers.

publications – made them especially threatening to other, often less academically well-connected, conservatives in the competition for funds and prestige.

Race and the Constitution at *National Review*

It was no coincidence that conservative intellectuals fixed on states' rights and the Constitution as an issue. The strict constructionist doctrine was key in opposing civil rights legislation. A changing but nonetheless racist outlook underpinned conservative constitutionalist thought during this period. Between 1960 and 1965, *National Review* published numerous articles about civil rights. Its editorial line was critical of the civil rights movement but moved away from its earlier defense of Jim Crow as part of southern “civilization” and national diversity. They euphemistically acknowledged that African Americans faced historic and contemporary discrimination and stopped supporting explicitly racial legislation. But while the largely northeastern conservatives at *National Review* gradually accepted legal segregation was unconstitutional and against the American political tradition, they advanced a multifaceted opposition to the civil rights movement and its legislative successes. *National Review* and conservatives associated with it argued that integrationist legislation was contrary to state and congressional prerogatives and to property rights. They advanced a “colorblind” constitutional interpretation that equated legal references to race with segregation. Their framework of judicial, historical, and racial assumptions undermined black-led challenges to the white supremacist legal and social order, and exculpated conservatives from charges of bigotry.

A 1963 column by senior editor Frank Meyer exemplified this approach to civil rights. Meyer claimed the “ideology and sentimentality” surrounding civil rights prevented an honest discussion. Anyone who refused to use “egalitarian clichés” was called a “‘segregationist,’ a ‘racist,’ or ‘worse.’” “I know that the Negro people have suffered profound wrongs,” he wrote,

carefully blaming both “Northern merchants and Southern plantation owners.” But “those wrongs cannot be righted by destroying the foundations of a free constitutional society.” By treating “Negro rights” as the supreme aim of the law, the civil rights movement and its supporters undermined property rights, neutered the police, and damaged the educational system. Worst of all, it risked the separation of powers and the sovereignty of the states by granting “unlimited power to a Presidency served by an ideological Supreme Judiciary.” Meyer compared activists with the abolitionist William Lloyd Garrison, who called the Constitution “a covenant with death and agreement with hell.”⁷⁷ Conservative intellectuals appropriated the idea that the American political tradition was a “promise that all men would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness” from the civil rights movement.⁷⁸ But assuming the general justness of the American political system, conservatives interpreted this injunction narrowly. Conservatives concluded that on race, the American political tradition sanctioned a strictly colorblind Constitution that forbade any legislation – positive or negative – based on race.

National Review criticized *Brown v Board of Education* well into the 1960s. Buckley and his editors characterized the decision as bad law and bad sociology.⁷⁹ One contributor privately called it a “monumental blunder” that wedded the Court to “pseudo-science.”⁸⁰ By 1964, as Kilpatrick’s trajectory shows, conservative intellectuals were beginning to accept it as political fact. Brent Bozell called the decision a “judicial Gettysburg” that prohibited legal defenses of

⁷⁷ Frank S. Meyer, “The Negro Revolution,” *National Review*, June 18, 1963, 496.

⁷⁸ Martin Luther King Jr, “I Have a Dream...,” 1963, <https://www.archives.gov/files/press/exhibits/dream-speech.pdf>.

⁷⁹ Unsigned editorial, “The Week: Distingamus,” 193.

⁸⁰ DGMC [Donald G. M. Coxe] to William F. Buckley, Interoffice Memo Re: JJK’s “The Southern Case for School Segregation,” 1962, box 20, Buckley Papers.

segregation.⁸¹ Bill Rusher, a relative racial moderate, told Buckley that although the magazine “has always had frank reservations” about *Brown*, the editors should consider it “settled.”⁸² Nevertheless, on the tenth anniversary of the decision, *National Review* editorialized that *Brown* was extraordinarily significant because it created a precedent for the Court to usurp authority whenever “natural” processes failed to produce desired outcomes. The editorial called *Brown* “an abysmal failure” on its own terms, as illustrated by the “ludicrously named ‘civil rights movement’ – that is, the Negro revolt which springs in part from the universal conditions of our epoch.”⁸³

Frank Meyer had the grimmest view of the civil rights movement and, over the 1960s, an increasingly racist outlook.⁸⁴ Meyer said conservatives should uphold “the maintenance of constitutional order and the equality of American citizens before the law.” He warned that “Freedom Summer” could “become a revolutionary attack” on the American system and *National Review* must prioritize order, including “extraordinary measures to preserve peace and suppress violence in our cities.” Meyer thought “the defense of the Congress” from the executive branch and “mobs” may become the defining issue of the era.⁸⁵ Fear pervaded conservative reactions to the civil rights movement, dovetailing with their fixations on revolution – both communist and otherwise – and order. Conservatives were primed to read civil rights activism

⁸¹ L. Brent Bozell, “To Mend the Tragic Flaw,” *National Review*, March 12, 1962, 199.

⁸² William A. Rusher to William F. Buckley, June 18, 1963, box 40, Buckley Papers.

⁸³ Unsigned editorial, “The Week: The *Brown* Decade,” *National Review*, June 2, 1964, 433-4.

⁸⁴ See Meyer’s collection of cuttings on “The Negro-Genetic Question,” box 1, Frank S. Meyer. Also Wills, *Confessions of a Conservative*, 48.

⁸⁵ Frank Meyer to William F. Buckley, June 28, 1963, box 40, Buckley Papers.

domestically and anti-colonial movements as criminal and revolutionary threats. James Burnham reached similar conclusions in *Suicide of the West*, composed during the same period.

In Albert Hirschman's terms, conservatives deployed all three of the primary "rhetorics of intransigence" against the civil rights movement. They argued that *perversely* liberal efforts to integrate would damage race relations in America. They argued that federal efforts would be *futile*, since bigotry resided in men's heart and could not be legislated away and because it was possible inequality was genetically or culturally inherent. And, conservatives especially deployed the *jeopardy* thesis against judicial moves like *Brown v. Board of Education* and legislative efforts like the Civil Rights Act and Voting Rights Act. Conservative intellectuals frequently claimed the constitutional order – the very basis of American government and society – was threatened by the civil rights movement, either by tearing at the fabric of society, as Willmoore Kendall argued, or by distorting the constitution.⁸⁶

The central claim that conservative intellectual opponents to civil rights activism – from *National Review* all the way up to Goldwater – made was that it threatened the Constitution, either by challenging specific provisions or by undermining the legitimacy of American government. The southern traditionalist Richard Weaver said *National Review* was the only northern journal that understood that integration involved "the fundamental structure of our government."⁸⁷ Initially, the bedrock of this view was that the Tenth Amendment governed the relationship between the federal government and the states and that constitutional interpretation

⁸⁶ Albert O. Hirschman, *Rhetoric of Reaction*.

⁸⁷ Richard M. Weaver to William F. Buckley, October 31, 1962, box 23, Buckley Papers.

derived from original intent. As Kilpatrick put it, “in constitutional cases, clocks must always be turned back.”⁸⁸

A combination of racism, fear, and opposition to the civil rights movement underpinned much conservative antipathy to the Supreme Court’s constitutional reasoning, but conservatives were also motivated and outraged by Court decisions on religious issues. Their frustration with the Warren Court originated with *Brown v. Board of Education* but grew with *Baker v. Carr* (1962) that ordered the reapportionment of Georgia, and *Engel v. Vitale* (1962) and *Abington v. Schempp* (1963) that forbade prayer and Bible reading in public schools.⁸⁹ “How can the integrationist side ask for peace in the name of respect for the law when, for its part, it so brazenly refuses to play by the rules of the constitutional game?” asked the extremely devout Bozell.⁹⁰ To conservative opponents of federal overreach, the Supreme Court seemed to be undermining settled racial, religious, and political views. Liberal dominance of the Supreme Court and the doctrine of the Living Constitution that apparently justified whatever social ends liberal judges preferred became central to movement conservative demonology.

For all their emphasis on original intent, however, the editorial staff and writers at *National Review* were beginning to revise their constitutional interpretation to an explicitly colorblind one less dependent on the Tenth Amendment to oppose civil rights. In 1963, William Rickenbacker wrote to his fellow editors to confirm their agreement that “our legal structure should take no specific notice of a man’s race.”⁹¹ Meyer described the “innate value of every created being and the right of every American citizen, enshrined in the Constitution, to equal

⁸⁸ Kilpatrick, *The Southern Case for School Segregation*, 131.

⁸⁹ Walter Berns, “School Prayers and Religious Warfare,” *National Review*, April 23, 1963, 315-7.

⁹⁰ L. Brent Bozell, “To Mend the Tragic Flaw,” *National Review*, March 12, 1963, 199.

⁹¹ William F. Rickenbacker to William F. Buckley, June 21, 1963, box 40, Buckley Papers.

treatment before the law.”⁹² *National Review*’s first black staffer, a young Hunter College graduate and Young Americans for Freedom activist named Myrna Bain, hired in 1962, told *The Village Voice* “you can’t believe in our Constitution and be a segregationist.”⁹³

Several factors drove the conservative turn from a cultural defense of southern segregation to an emphasis on states’ rights and then to the invocation of the colorblind Constitution. The *National Review* editors and other northern conservative intellectuals and politicians had been moved somewhat by the claims of the civil rights movement to disdain explicit legal racial segregation. Some conservative intellectuals, Buckley in particular, were also beginning to accept the arguments of Straussian scholars like Harry Jaffa who taught that Abraham Lincoln had shown the foundational documents of the American political tradition, especially the Declaration of Independence, created natural rights that applied to all citizens regardless of race.⁹⁴ Finally, conservative intellectuals were starting to recognize that the legal realities of the post-*Brown* era limited the effect of cultural and states’ rights arguments for segregation.

Despite the obvious liberalization from a cultural defense of Jim Crow to the colorblind Constitution, the colorblind doctrine supported conservative political aims. It mandated the end of Jim Crow, but by 1963 conservatives knew this was a foregone conclusion. But colorblindness also forbade efforts to *enforce* integration through the federal government. Equality before the law was “a function of American government, social customs and attitudes,” Meyer pronounced. “Concretely that means that segregation laws and integrating laws are equally wrong.” In

⁹² Frank S. Meyer, “The Negro Revolution,” *National Review*, June 18, 1963, 496.

⁹³ Mary Perot Nichols, “The Negro Conservative: Legal Integration Does Not Make Negro a ‘Visible’ Man,” *The Village Voice*, December 6, 1962, 15.

⁹⁴ William F. Buckley to Harry Jaffa, [undated], box 20, Buckley Papers.

practice, Jim Crow laws and coercive Fair Employment Practice Committee were “an equal monstrosity.”⁹⁵ By embracing colorblindness, conservatives reconciled themselves with the moral power of the civil rights movement while claiming high moral principle for their opposition to civil rights legislation.

While making this intellectual development, conservative intellectuals assumed they and their supporters were equally dedicated to maintaining the constitutional order. This assumption allowed conservative intellectuals to maintain a self-image of conservatism as non-bigoted. As Buckley put it, “we have been extremely articulate, non-racist while not attempting a dogmatic racial egalitarianism either.”⁹⁶

Racist assumptions still underpinned the *National Review* editorial staff’s dedication to constitutionalism and analysis of racial issues. Although increasingly unwilling to state so baldly, the editors and contributors considered the idea that people of African descent were, if not theologically and philosophically inferior, at least intellectually or culturally so acceptable. They deployed familiar tropes, raising questions about black intelligence, emphasizing “delinquency” in black communities, and questioning black contributions to “civilization.”⁹⁷

One implication of conservative assumptions of black inferiority – or black intellectual inferiority – was that it exonerated the United States especially, beyond the South, for ongoing black economic and political inequality. Conservative writers were chronically unable to discuss

⁹⁵ Frank Meyer to William F. Buckley, June 28, 1963, box 40, Buckley Papers.

⁹⁶ William F. Buckley to Jeffrey Peter Hart, September, 1964, box 30, Buckley Papers.

⁹⁷ DGMC [Donald G. M. Coxe] to William F. Buckley, Interoffice Memo Re: JJK’s “The Southern Case for School Segregation,” 1962, box 20, Buckley Papers; Willmoore Kendall, “Light on an American Dilemma?,” *National Review*, November 5, 1960, 281-82; Frank S. Meyer to Willmoore Kendall, May 28, 1960, box 21, “F. S. Meyer,” Kendall Papers; Ernest van den Haag, “Intelligence of Prejudice?,” *National Review*, December 1, 1964, 1059-1063. Frank S. Meyer, audio recording, https://phillysoc.org/tps_meetings/the-future-of-freedom-the-problems-and-the-prospects/ and in author’s possession. See also Jesse Curtis, “Will the Jungle Take Over,” 20-25.

slavery, discrimination, or Jim Crow without shrouding the discussion in euphemism or resorting to naïve and tortured analogies. The assumption of black inferiority rescued conservatives' faith in "organic society" and the market from the challenge posed by persistent black poverty. It allowed conservative intellectuals to implicitly blame African Americans for failing to earn their status in the Jim Crow South and elsewhere.

Somewhat contradictorily, conservatives tacitly acknowledged racism as part of a "realistic" approach to race relations. Conservative intellectuals had racialized assumptions that they took for granted and believed were widely shared, although deliberately ignored by liberals in government and the media in defiance of uncomfortable realities.⁹⁸ At least part of the cultural impasse, conservative intellectuals seemingly understood, was due to white prejudice.

Conservative intellectuals implicitly acknowledged white racism when they spoke about how the government could not coerce integration. This tacit recognition suggests conservatives' public and private emphasis on constitutional arguments was, at least partly, wishful thinking. Still, conservatives rarely confronted white prejudice. Instead, they routinely presented their supporters as principled constitutionalists.

The logic of strict constitutionalism on racial issues was straightforward. Conservative intellectuals believed that, despite vaguely defined injustices toward African Americans, the civil rights movement could not effect real changes to the racial dynamics of the nation. What it threatened to do – and in *Brown* had already done – was damage the constitutional order that was vital to the health of America and under threat in other spheres. The answer both to the conservative intellectuals' soft turn against Jim Crow and to their opposition to the broader civil

⁹⁸ James Jackson Kilpatrick, "The South Sees Through New Glasses," March 11, 1961, 141. In many ways this prediction proved accurate, especially in municipalities that did not legislate against white flight. See Kevin M. Kruse, *White Flight*; Crespino, *In Search of Another Country*; Lassiter, *The Suburban Majority*.

rights movement in the early 1960s was to deploy their deep devotion to the colorblind but narrowly construed Constitution. Conservatives used this strategy most directly in 1964 against the Civil Rights Act and for Barry Goldwater's presidential campaign.

Strict Construction and the Civil Rights Act of 1964

The Senator was conflicted about the Civil Rights Act of 1964 bill and sought advice from William Rehnquist, then engaged in opposing accommodation laws in Phoenix, and the libertarian legal scholar Robert Bork at Yale.⁹⁹ Bork had written in *The New Republic* that the bill struck at “personal liberty,” confirming Goldwater's fears. Despite the “justifiable abhorrence of racial discrimination,” Bork said, the bill smuggled natural law reasoning into the Constitution. It “will result in legislation by which the morals of the majority are self-righteously imposed upon a minority.”¹⁰⁰ He sent Goldwater a lengthy brief criticizing the bill.¹⁰¹ Convinced, Goldwater voted against the legislation.

In *National Review* and middle-of-the-road magazines like *Saturday Review*, James Kilpatrick emphasized the tension between Goldwater's “active and emphatic” opposition to bigotry and “active and emphatic” opposition to corrupting the Constitution. He insisted that Goldwater almost alone was consistent. The government could not use the Interstate Commerce Clause to prevent “a small town Soda fountain” from discriminating against customers. Nor should Congress create a new apparatus – the Equal Employment Opportunities Commission – to “extend a federal bureaucracy” into matters best handled by “moral suasion” and “state regulation.”

⁹⁹ Joseph Hearst, “Barry ‘No’ On Rights Bill: Says 2 Parts Violate the Constitution,” *Chicago Tribune*, June 19, 1964; Perlstein, *Before the Storm*, 363.

¹⁰⁰ Robert Bork, “Civil Rights – A Challenge,” *The New Republic*, August 31, 1963, 21-4.

¹⁰¹ Perlstein, *Before the Storm*, 363.

Giving the “southern conservative” perspective in an essay published alongside the spokesman of the moderate “Modern Republicanism,” Arthur Larson, Kilpatrick said the key issue of the Goldwater campaign was Goldwater’s opposition to the “slow decay of the Constitution.” There were dramatic differences between liberal and conservative views on the scope of the General Welfare clause, Kilpatrick argued. And the extent of liberal broad construction would have shocked James Madison. Kilpatrick instead valorized the intentions of the Framers. The “original architects” gave “the Constitution a sense of grand design and perfect proportion” and “provided for orderly expansion through the amendment process.” Kilpatrick drew on the authority of Patrick Henry, George Mason, James Monroe, and Edmund Pendleton on the importance of liberty and localism against the threat of centralization. Conservatives, Kilpatrick claimed, insisted on the “vitality” of “old principles” and the enduring, but oft-forgotten reasons for limiting the federal government and reserving “all other powers to the states.”¹⁰²

In another essay, Kilpatrick explicitly connected Goldwater with the Founders. According to Kilpatrick, Goldwater “articulated for the Twentieth Century the basic doctrines of the Eighteenth: Life, liberty, and the pursuit of happiness, the right of every individual to those personal and political freedoms.” Shifting away from the language of states’ rights, Kilpatrick argued that one of the framers’ core principles was “federalism.” He warned the proposed Civil Rights Bill would neuter this part of the constitutional system. To support this claim, Kilpatrick quoted – and, out of context, intensified considerably – a recent dissent by Supreme Court Justice John Harlan warning about the “monolithic society which our federalism rejects.” Still,

¹⁰² James J. Kilpatrick, “What a Southern Conservative Thinks,” *Saturday Review*, April 25, 1964, 15-18.

after the Civil Rights Act's passage, Kilpatrick believed that as President, Goldwater would enforce it as legitimate law.¹⁰³

The Goldwater Campaign

When Goldwater became the Republican Party's presidential candidate, he announced that his was "going to be a campaign of principles, not of personalities."¹⁰⁴ One of his challenges was to present himself as a thoughtful politician. With his cowboy image and lack of college degree, Goldwater was perceived as an intellectual lightweight. It was an open secret that his books and columns were ghostwritten. The economist John Kenneth Galbraith said that "just from reading [his] speeches, I can't think of a man who needs professors more."¹⁰⁵ The campaign released lists of Goldwater's advisers to the press, citing scholars and their academic affiliations. One adviser, an Ivy League professor, told the press that despite Goldwater's "incomplete education" he was very "sensitive to ideas." At the same time, Goldwater sought to avoid the impression that he was beholden to a cabal of ideologues. Although he spoke to "a body of conservative intellectuals," he made it clear to the press that he disliked large staffs and fashioning positions in committee, preferring his own judgment.

Goldwater's intellectual advisors were led by a 48-year-old Lebanese American, William J. Baroody, the director of the American Enterprise Institute for Public Policy Research (AEI), a policy-shop in Washington, DC. The research department included Harry Jaffa, the Straussian political philosopher; Warren Nutter, an economist at the University of Virginia; Glenn

¹⁰³ James J. Kilpatrick, "Some Proposals to a Goldwater Administration Concerning Domestic Affairs," *National Review*, July 14, 1964, 586-9. The dissent is in *Malloy v. Hogan* (1964). Harlan raised it as a possibility in a specific sphere, Kilpatrick implied that Harlan was decrying a national trend.

¹⁰⁴ Perlstein, *Before the Storm*, 316.

¹⁰⁵ Charles Mohr, "Three of the Men Who Serve as Goldwater's Advisers; Goldwater Gets Ideas from Many; Educators and Others Aid His Political Campaign," *New York Times*, March 31, 1964, 20.

Campbell, the president of the Hoover Institute, a foreign policy-focused think tank in California; Washington lawyer Ed McCabe, who was the official “Head of Research”; and AEI staff Chuck Lichenstein and Karl Hess.¹⁰⁶ Baroody also sought contributions from Stanley Parry and Gerhart Niemeyer, traditionalist Cold Warriors at the University of Notre Dame (but not, they were surprised to learn, from Willmoore Kendall).¹⁰⁷ Most of these men were known to or connected to William Buckley and *National Review* in some capacity, an example of the smallness of the conservative intellectual world in 1964, although Baroody kept Buckley and *National Review* at arm’s length. However, the brain trust had little opportunity to strategize with Goldwater.¹⁰⁸

Jaffa was important in framing Goldwater’s conservatism as the logical extension of America’s political tradition. The unhappy Jaffa felt frozen out of Ohio State, which hardened his anti-communism into explicit conservative identity in opposition to campus liberals.¹⁰⁹ “Shedding Jaffa’s is the ritual sacrifice” in Columbus, he complained. Like most Straussians, Jaffa had been a Democrat through the 1950s. He admired *Conscience of a Conservative* but thought it relied too heavily on Calhounian states’ rights in key parts, accurate since it is likely Bozell drew on James Kilpatrick’s Calhounian-influenced research. Jaffa supported Kennedy in 1960 but changed his registration after the Bay of Pigs. He put his heart behind Goldwater. Jaffa met Baroody through Dick Ware, president of the Earhart Foundation, a right-wing foundation

¹⁰⁶ Stephen C. Shadegg, *What Happened to Goldwater? The Inside Story of the 1964 Republican Campaign*, (New York: Holt, Rinehart, Winston, 1965), 67; “Lee Edwards interviews Harry Jaffa on 3 Aug 1993,” box 330, 2010c14_a_0003977, Edwards Papers.

¹⁰⁷ Stanley Parry to Willmoore Kendall, October 30, box 20, “Parry,” Kendall Papers.

¹⁰⁸ Perlstein, *Before the Storm*, 481.

¹⁰⁹ Harry Jaffa to Willmoore Kendall, January 21, 1964, box 17, Kendall Papers.

based in Michigan.¹¹⁰ In 1964, he left Ohio State to join his friend Martin Diamond at Claremont Men's College and to work for the Goldwater campaign. One of Goldwater's Arizonan aides said Jaffa was hired because of his "recognized excellence." The aide called him "by far the most competent student of political science in the 'think tank'" and highlighted his recognition in the "hostile" academic world. Despite contributing to several of Goldwater's major addresses, including the convention speech, Jaffa never met with Goldwater to discuss them.¹¹¹

Rationalizing Backlash

Courting southern white voters had long been the electoral dream of conservative intellectuals. They perceived a natural alliance between midwestern Republicans and southern Democrats that would unite the "energies of that great majority of Americans who are innately conservative."¹¹² They saw Goldwater's success in the South as a key step in building this alliance. Moderate and liberal Republicans responded that courting segregationist voters was a forfeiture of the Republican tradition.¹¹³ Nelson Rockefeller, Governor of New York and Goldwater's rival for the party's nomination, said "the Republican Party is the party of Lincoln," founded to "make men free and equal in opportunity." For the Republican Party "to turn its back on its heritage and birthright" was an act of historic "political immorality."¹¹⁴

Despite the Confederate flags in the crowds at Goldwater rallies, as a candidate Goldwater did not make explicit racial appeals. His intellectual supporters tried to show that his

¹¹⁰ "Lee Edwards interviews Harry Jaffa on 3 Aug 1993."

¹¹¹ Shadegg, *What Happened to Goldwater?*, 213

¹¹² William A. Rusher, "The Draft-Goldwater Drive: A Progress Report," *National Review*, September 10, 1963, 185-7; "We've sold 21,000 copies...and the pros are reading it," "Barry Surge Sparked by Magazine," microfilm reel 17, Rusher Papers.

¹¹³ Quoted in "Goldwater and the Race Issue," *National Review*, July 30, 1963, 50.

¹¹⁴ Quoted in "Goldwater and the Race Issue," *National Review*, July 30, 1963, 50.

southern support was not founded on racial bigotry. This project was complicated. On the one hand, with willful blindness, they believed Goldwater's backers supported him because of his Cold War and constitutional stands. Buckley solicited an article from Kilpatrick about southern support for Goldwater in 1963. He asked Kilpatrick to stress, if he could "in good conscience," that Goldwater's popularity was due to "something more than his laissez-faire position on the Negro problem."¹¹⁵ Kilpatrick obliged, reporting that Goldwater was the anti-Kennedy and stood for "everything the conservative South reveres: States' Rights, strict construction, limited government, private enterprise, and America first, last and always." Kilpatrick implied that southern voters were principled traditionalists; unstated was how southern politicians used these principles to oppose and evade desegregation.¹¹⁶

On the other hand, some articles in *National Review* admitted that "backlash" would benefit conservatism's prospects. Arlene Croce's investigation into busing in New York found that it drove urban white Democrats "living on the periphery of Negro neighborhoods" to "lash back" and "Switch to Goldwater."¹¹⁷ Buckley commissioned another article on whether "Negro factionalism, and the backlash" would destroy the Democratic majority. He chose an author who had "maintained the proper sympathy for the Negroes without confusing that sympathy with Negro extremism."¹¹⁸ The author concluded that in a shrinking labor market, white ethnics felt "menaced by Negro expansionism" and "improperly drawn civil rights statutes." Urban white Democrats were in the same place as southern whites after the New Deal: primed by the

¹¹⁵ William F. Buckley to James Jackson Kilpatrick, January 21, 1963, box 26, Buckley Papers.

¹¹⁶ James Jackson Kilpatrick, "Goldwater Country," *National Review*, April 9, 1963, 281-2.

¹¹⁷ Arlene Croce. "Backlash in New York," *National Review*, September 22, 1964, 816.

¹¹⁸ William F. Buckley to Ralph de Toledano, August 13, 1964, box 25, Buckley Papers.

Democratic leadership's obsession with civil rights to bolt, hence their votes for George Wallace.¹¹⁹

In a July 1963 issue of *National Review* on "Goldwater and the Race Issue," Buckley used standard conservative rhetorical strategies to combat charges of racism. He maintained it was "undiscriminating" to presume constitutional arguments against civil rights were "anti-Negroism." Shifting from his support of segregation on the grounds of "white civilization" seven years earlier, Buckley alluded to a day when African Americans would be "truly free." Such freedom, however, was not imminent. He connected segregation with all race-conscious legislation and called overweening government the real menace to all races. He rejected the claim that appealing to the white South was "racial opportunism." Even if Goldwater's popularity in the South did not "transcend" the "Negro problem," it did not "converge directly upon" it. He suggested Goldwater's real attraction was his desire not to deprive the states of their powers and his positions on foreign policy and Big Government. To close, Buckley quoted Republican icons to demonstrate Goldwater's fidelity to the principles of the Republican Party. He cited the 1860 Platform that called states' rights "inviolable" and essential for the union's political fabric and contrasted two insensitive remarks by Abraham Lincoln about racial inequality with two of Goldwater's professions of equality.¹²⁰ Shorn of historical context, this method of contrasting quotations betrays a shallow polemicism in Buckley's historical analysis.

Goldwater was stung by the rejection of his party's leaders and drew on the American tradition to defend himself. At the Convention in July, William Scranton, Governor of Pennsylvania, sent Goldwater a memo telling him that he had "come to stand for a whole crazy

¹¹⁹ Ralph de Toledano, "A Negro Minority vs. a White Majority," *National Review*, September 22, 1964, 814-5.

¹²⁰ Editorial, "Goldwater and the Race Issue," *National Review*, July 30, 1963, 50.

quilt collection of absurd and dangerous positions that would be soundly repudiated by the American people in November.”¹²¹ Goldwater called Scranton’s remarks an insult to Republicans everywhere and responded in his acceptance address. Jaffa drafted the speech based on a memorandum he had written about extremism. In it, Goldwater lauded equality, as the Founding Fathers understood it, limited government, and law and order. At its close, Goldwater cited Lincoln to the effect that the Republican Party had formed from “strained, discordant, and even hostile elements” united toward a just cause. The struggle against communism made unity more urgent than ever. Then Goldwater concluded that “extremism in the defense of liberty is no vice” and “moderation in the pursuit of justice is no virtue.” Later, Jaffa told his mentor Leo Strauss that both Lincoln and Aristotle “had their innings” and the speech was “the closest thing to a lecture in political philosophy” in modern history.¹²²

In mid-September, Goldwater spoke to the American Political Science Association’s annual conference in Chicago. A professor circulated a call to boycott Goldwater’s speech, but the APSA president reminded the conference that Goldwater was a dues-paying member of the Society and that Lyndon Johnson had spoken in 1963. The speech, written by Harry Jaffa, was the Goldwater campaign’s effort to take their interpretation of the American political tradition into academia.¹²³

Goldwater told the APSA that the constitutional order and liberty itself was gravely threatened. The system was the foundation of American greatness, combining “the size and power of a great empire, with the freedom of a small Republic.” In particular, Goldwater

¹²¹ Hayward, *Patriotism is Not Enough*, 178-9.

¹²² Harry Jaffa to Willmoore Kendall, August 7, 1964, box 17, Kendall Papers.

¹²³ “Political Science I,” *Chicago Tribune*, September 12, 1964, 12; George Tagge, “High Court Hit by Barry,” *Chicago Tribune*, September 12, 1964, 1, 4; “Text of Speech by Goldwater to Meeting Here: Blasts Trend to Centralize Power,” *Chicago Tribune*, September 12, 1964, 4.

attacked the Kennedy and Johnson Administrations' emphasis on the executive "power to govern." "To a constitutionalist, it is at least as important that the power be legitimate as that it be beneficial," Goldwater said. The division of powers between the state and federal governments, "carefully enumerated in the Constitution, and the Tenth amendment," was key to this legitimacy. Standing on the Tenth Amendment was an about face for speechwriter Jaffa, who manhandled James Kilpatrick's Tenth Amendment argument at the seminar in Chicago. The shift highlights the problems conservative intellectuals found in speechwriting. They had to subsume their voice beneath the politician's – in this case, Goldwater, a firm believer in the Tenth Amendment – and simplify their complex arguments into stump slogans.

The gravest threat to the constitutional order, Goldwater told the APSA, came from the Supreme Court and liberal jurisprudence. Once a model of restraint, the Supreme Court had become "the least faithful to the constitutional tradition of limited government." Although conservatives believed *Brown* precipitated this turn in jurisprudence, Goldwater avoided mentioning the decision. Instead he cited the school prayer and reapportionment decisions. If the United States lost the traditional balance of power, it would "no longer be a true constitutional Republic, or even a truly representative government." The Court usurped congressional authority and made little effort to justify its decisions beyond strained readings of the Fourteenth Amendment and Commerce Clause, a trend Goldwater the Civil Rights Act followed. If this was the new norm, he warned that in effect "all legislative power in the country is held at the pleasure of the Supreme Court." As far as Goldwater was concerned, the problem was the Court's threat to liberty.¹²⁴ Jaffa's fear was slightly different. Jaffa believed that if politics was not governed by clear political philosophy, it would collapse into nihilistic relativism. In Jaffa's view, a Court that

¹²⁴ "Text of Speech by Goldwater to Meeting Here."

decides cases based on prevailing mores was morally unhinged and denied the philosophic heart of the American regime.

The political scientists had a mixed reaction to the speech. A “distinct minority” applauded Goldwater’s remarks a dozen times and about half gave the speech a standing ovation. But the Society also clapped at references to Nelson Rockefeller, Lyndon Johnson, Hubert Humphrey, and occasionally indicated “derisive skepticism.”¹²⁵

Just over two weeks before the election, Goldwater spoke directly about civil rights. At the Conrad Hilton Hotel in downtown Chicago, Goldwater addressed an audience of 2500, including Senate minority leader Everett Dirksen.¹²⁶ Goldwater positioned himself as an opponent of segregation and defender of “free association.”¹²⁷ The speech, written, as was the campaign’s manner, in isolation from the candidate, was titled “Civil Rights and the Common Good.”¹²⁸ It largely articulated the constitutional thought of Jaffa, the speech’s primary author, with contributions from William Rehnquist.

“Only when we compare the present with the past can we form reasonable plans and hopes for the future,” Goldwater told his audience. And on civil rights, this meant the Constitution interpreted in light of the Declaration of Independence. The center of the American political tradition is the self-evident truth that “all men are created equal.” The Founders enshrined this principle in the Declaration of Independence and sought to realize it in the Constitution. Although the Founders made “many compromises”– “even with the evils of

¹²⁵ George Tagge, “High Court Hit by Barry,” 4.

¹²⁶ “Barry’s Dinner Here Tonight A 2,500 Sellout: Some Unable to Get \$100 Tickets,” *Chicago Tribune*, October 16, 1964, 7.

¹²⁷ “Text of Sen. Goldwater’s Chicago Speech on Civil Rights: Compromises Made,” *The Washington Post*, October 18, 1964, A34.

¹²⁸ Shadegg, *What Happened to Goldwater?*, 250.

slavery” – these compromises were necessary for national survival. They were not definitive and did not supersede the core principle of the Declaration. Indeed, the United States had bled for equality in the Civil War.

This argument was a simplified version Jaffa’s *Crisis of the House Divided*. Jaffa argued that Abraham Lincoln read the natural rights of the Declaration of Independence into the Constitution and, in doing so, transforming the American political tradition.¹²⁹ Goldwater bypassed the claim about Lincoln’s re-formulation of the American political tradition. Instead, he directly asserted that the Declaration defined the Constitution. The natural rights Jaffa saw enshrined in the Declaration became key to his constitutional interpretation. Without the Declaration, he believed the Constitution was a positivist document, which made America a nihilistic regime with no moral foundation. This approach, which came to be the “West Coast Straussian” position, contrasted with Robert Bork, another of Goldwater’s advisors, ultimate denial of natural law reasoning in constitutional interpretation that informed the rival conservative originalist position. This conflict became a simmering tension in the conservative legal movement.¹³⁰

Goldwater claimed the Declaration of Independence meant colorblind law and the civic order. It was important to enforce the rights guaranteed by Constitution, including the right to vote and Fourteenth Amendment protections. But the American political tradition did not mandate a “leveling” equality. It prescribed equality before the law compatible with liberty. “It is wrong – morally wrong,” he said, “because it reintroduces through the back door the very principle of allocation by race that makes compulsory segregation morally wrong and offensive

¹²⁹ Harry V. Jaffa, *Crisis of the House Divided*.

¹³⁰ See chapter 8.

to freedom.” Programs like school busing that enforced integration damaged the fabric of society and reduced equality of opportunity to “racial quotas.”

The speech justified the conservative standpoint of professed opposition to legal segregation and an intense opposition to government enforced integration. Jaffa and Goldwater couched their argument in the American political tradition but moved beyond Tenth Amendment and states’ rights grounds. They added appeals to the Declaration of Independence, which Jaffa believed gave meaning to the American regime, and the unifying and homogenizing ideals encapsulated in the philosophy of *E Pluribus Unum* and the mid-century idea of the melting pot that made the nation’s diverse population “ever more perfectly” a people under God.¹³¹

At some point Goldwater’s staff punched up the speech to hammer the Johnson Administration on civil rights. The “social issue” played well with large portions of the white population. Although Goldwater was tepid about explicitly courting George Wallace voters, he countenanced aggressive, borderline racialized rhetoric in defense of the Constitution. The revised speech condemned “terror in the streets” and encouraged “every community in this nation to enforce the law,” strong words in the context of sit-ins and direct-action protests. Goldwater blamed Johnson for inciting protestors to break laws for Democratic gains.¹³²

Goldwater’s Chicago speech followed the script for dealing with civil rights that *National Review* conservatives had pioneered over the previous four years. It was a profoundly white perspective: conservatives spoke from a white standpoint, assumed their audience was white, and universalized the priorities of the white middle and upper classes. They largely ignored black experiences and arguments (although *National Review* engaged relatively closely with James

¹³¹ “Text of Sen. Goldwater’s Chicago Speech on Civil Rights: Compromises Made.”

¹³² Shadegg, *What Happened to Goldwater?*, 250.

Baldwin in 1963).¹³³ Conservatives assumed that liberty and sustaining the “political tradition” were society’s highest priorities. In making this case, Goldwater relied on the moral equivalence of all racial legislation, whether segregationist or integrationist. This strategy allowed conservatives to oppose civil rights legislation while also rejecting charges of bigotry. Conservatives also assumed an equivalence of prejudice, equating racism toward blacks with historic prejudice against Catholics and white ethnics. Goldwater recounted his family’s experience of anti-Semitic prejudice in Poland. These equivocations implied that the black experience in the United States was neither exceptional nor as bad as claimed. Once again, conservatives tacitly blamed blacks for failing to succeed, indirectly invoking black inferiority.

As Election Day neared Goldwater’s chances of victory were dire. The campaign’s supporters developed several Hail Marys to turn the election around. Two of the efforts relied on presenting Goldwater as the answer to a moral and political betrayal of the American political tradition. On October 27, wealthy Californian Goldwater donors insisted on broadcasting a speech by one of their political charges, Ronald Reagan. Baroody opposed putting the former actor on television. It went against his idea of a campaign of ideas and he worried about untoward references to Social Security in Reagan’s speech, a modified version of an address he gave to National Association of Manufacturing audiences. The financiers prevailed and Reagan’s “A Time for Choosing” speech aired as part of a pro-Goldwater program. Reagan attacked the Johnson Administration as a tax-and-spend disaster and derided the welfare state instituted by Franklin Roosevelt. As a former Democrat, he lambasted Roosevelt for “taking the Party of

¹³³ See especially Garry Wills, “What Color Is God,” *National Review*, May 21, 1963, 408-16. Also William F. Buckley “The Call to Color Blindness,” *National Review*, June 18, 1963, 488; Myrna Bain, “A Wind at Their Backs: Review of The New World of Negro Americans, by Harold R. Isaacs,” *National Review*, September 24, 1963, 243; L. Brent Bozell, “To Mend the Tragic Flaw,” *National Review*, March 12, 1963, 199; Robert J. Dwyer, “I Know About the Negroes and the Poor,” *National Review*, December 17, 1963, 517-521.

Jefferson, Jackson, and Cleveland down the road under the banners of Marx, Lenin, and Stalin.” Reagan appealed directly to America’s past, imbuing it with an anti-elitist message. He told viewers that the election was a choice between “our capacity for self-government or whether we abandon the American revolution” for “a little intellectual elite in a far-distant capitol.”¹³⁴

Another late campaign gambit was *Choice*, a thirty-minute film produced by Clif White, the architect of the Goldwater draft. Not an official campaign film, White remembered it as a “powerful” “Willie Horton type film.”¹³⁵ The film suggested Goldwater could reverse a cultural decline. It sketched a history of the United States as a republic committed to the belief that “all men are created equal” and founded as “a free nation, under God, for free men.” But prosperity, comfort, and government corruption had eroded authority into licentiousness and criminality. The film depicted crime in a racialized manner. It lingered on race riots, angry black activists, and implied muggings. It decried the shackling of the police on false civil libertarian grounds. But the film had a broad sense of moral decay. Young white women were simultaneously depicted as under threat, as victims, and as participating indicators of moral collapse. White teenage males were likewise portrayed both as hoodlums and victims. The film appealed to “good, decent, honest Americans” to stand for “law and order” and vote for Goldwater.¹³⁶ Two weeks after the film’s limited release, Goldwater ordered it withdrawn for what he saw as its racist argument.¹³⁷

¹³⁴ Perlstein, *Before the Storm*, 500-1; Ronald Reagan, “A Time for Choosing,” October 27, 1964, <https://americanrhetoric.com/speeches/ronaldreaganatimeforchoosing.htm>.

¹³⁵ “Lee Edwards interviews Clif White on 6 Apr 1992.”

¹³⁶ “Choice,” <https://www.youtube.com/watch?v=xniUoMiHm8g>.

¹³⁷ “Lee Edwards interviews Clif White on 6 Apr 1992.”

During this period, Garry Wills, a classical scholar, Buckley protégé, and public intellectual wrote several features in *National Review* about race. One well-received essay engaged with James Baldwin, sympathetically reviewing his work but taking him to task for rejecting western civilization.¹³⁸ Another, in 1965, suggested that anti-black prejudice derived from a southern need to justify slavery. By Wills's accounting, slaveholders had ripped a people from a foreign land, brutalized them, and destroyed their social fabric and dignity. "Having so successfully brutalized the Negro, the Southerner did not feel he could civilize him."¹³⁹ The present South, Wills argued, lived with these "historically conditioned attitudes" but they can change. Wills knew he was "'soft' on the Negro issue, by NR's standards," but Buckley nevertheless published his work, including a long essay that challenged those who believed Goldwater's election would "make Negroes stop asking for redress from this nation or force them to couch their requests."¹⁴⁰

Wills criticized his fellow conservatives' treatment of racial issues in a column in the Catholic press. He expressed puzzlement at conservatives' denial of the "complicity of society in these acts." Conservatives celebrated the fact that communities passed on traditions and values. Obviously this included negatives as well as positives, Wills reasoned. Moreover, Wills attacked conservative intellectuals' willingness to form political alliances "with people whose adherence to conservative principles is weak or non-existent – the Southern racist, the paranoid Bircher, the fundamentalist theological authoritarian." These people coopted conservatism for "selfish or silly purposes." When it came to Goldwater, it was possible to agree with his "constitutional scruples

¹³⁸ Garry Wills, "What Color Is God," *National Review*, May 21, 1963, 408-16; also Garry Wills, "Who Will Overcome?," *National Review*, September 22, 1964, 818-20.

¹³⁹ Garry Wills, "The Structure of Hate," *National Review*, September 21, 1965, 814-20.

¹⁴⁰ Garry Wills to William F. Buckley, March 9, 1963, box 28, Buckley Papers; Wills, "Who Will Overcome?"

over the transparently opportunistic use of the ‘interstate commerce’ idea in civil rights legislation.” But “in existential terms” this may be a lesser evil “than the continued discrimination against the Negro that was sought by Southern opponents of the legislation.” To Wills’s eye, conservatives had failed “to maintain simultaneous concern for the Constitution and for the Negroes who must be governed by it.”¹⁴¹

Debating Abraham Lincoln and the Meaning of America

There was a reprise of the conflict between the states’ rights tradition and the colorblind Declarationist view a year after the election. In a series of arguments about Abraham Lincoln, Frank Meyer and Harry Jaffa debated the Lincoln’s place in the American past and his effect on its political institutions and norms. Meyer planned a book about “the dynamics of American history” to synthesize critiques of the Progressive school of history. He wanted scholarship that “maintained a true sense of history and of destiny and meaning of the Republic.”¹⁴² Meyer intended the book as an analytical essay in the mode of Daniel Boorstin’s *The Genius of American History* or Louis Hartz’s *The Liberal Tradition in America*. He wanted to challenge the political faith in “security” and restore “freedom” in the American political tradition. As he saw it, America was the culmination of Western civilization. The colonial period and early republic had created the “structure of freedom,” which, although tested in the nineteenth century, really came under fire in the progressive era. As a result, the present was undergoing a “crisis of freedom.” Meyer equated his interpretation with the Founding Fathers. He wrote grant applications to fund this project, but funds were not forthcoming.¹⁴³

¹⁴¹ Garry Wills, “Indignation About Shooting an ‘Unconservative’ Attitude?,” *Catholic Sentinel*, July 15, 1966, 7.

¹⁴² Frank S. Meyer to Henry Regnery, “Prospectus for The Dynamics of American History,” February 11, 1964, box 51, folder 5, Regnery Papers.

¹⁴³ Frank S. Meyer to William J. Baroody, April 29, 1963, box 61, Baroody Papers.

Having conceptualized history this way, Meyer concluded that Abraham Lincoln had been decisively damaged America's authentic tradition. Lincoln had long been Meyer's "*bête noir*." In a short review of a book on civil liberties during the Civil War, Meyer called Lincoln "the most ruthless" blow to freedom in US history.¹⁴⁴ Two weeks later Meyer extended this critique. The "Constitution in its original form" dispersed sovereignty to secure liberty in a state of tension, he claimed. Among the checks and balances, the final limit on federal overreach was the states' threat of secession. "Under the spurious slogan of Union," Lincoln prevented state secession, foreclosing the vital check on federal accretion of power. By crushing the autonomy of the states, Lincoln created the conditions for the Roosevelt revolution and the "coercive welfare state."¹⁴⁵ Several readers wrote in support of Meyer.

But other conservatives leapt to Lincoln's defense. Buckley made it clear that he disagreed with Meyer. He lamented that "some conservatives have a Thing on Lincoln" and it was a shame the embarrassing argument had escaped its "ghetto."¹⁴⁶ Naturally, as a Lincoln scholar Harry Jaffa took up the issue and sent Buckley an essay in response. He told Buckley that "neo-Confederate" tendencies must be purged from the conservative movement, otherwise it would "end up in the same category as Jacobitism."¹⁴⁷ Buckley called Jaffa's essay "wonderful" and promised to publish it shortly, adding that Jaffa had many admirers at *National Review*.¹⁴⁸

¹⁴⁴ Frank S. Meyer to Willmoore Kendall, Oct 16, 1959, box 21, "F. S. Meyer," Kendall Papers. Frank S. Meyer, "Freedom Under Lincoln," *National Review*, June 15, 1965, 520.

¹⁴⁵ Frank S. Meyer, "Lincoln Without Rhetoric," *National Review*, August 24, 1965, 725.

¹⁴⁶ William F. Buckley to the Editor, *National Review*, July 27, 1965. 661.

¹⁴⁷ Harry Jaffa to William F. Buckley, Aug 30, 1965, box 35, Buckley Papers.

¹⁴⁸ William F. Buckley to Harry V. Jaffa, box 35, Buckley Papers.

Jaffa rejected Meyer's strict constructionism and claimed that Lincoln and the conservative movement were heirs of the "dominant tradition of American statesmanship" expressed by Washington, Hamilton, Madison, John Marshall, Andrew Jackson, and Daniel Webster. He ridiculed Meyer's argument that secession was essential to the operation of government and detected allusions to Calhoun's concept of "concurrent majorities." Unstated in his political theory, Jaffa noted, was Calhoun's support for slavery, the ultimate unlimited government. Far from "negative to the genius of freedom," Lincoln, unlike Calhoun and his present-day supporters, understood the connection between "free, popular, constitutional government, and the mighty proposition 'that all men are created equal.'" The crux of Jaffa's defense of Lincoln was that constitutional construction was "absolutely subordinate" to this animating principle that gave "life and meaning to the whole regime." Understood in this way, slavery had been the ultimate affront to the authentic constitutional order.¹⁴⁹

Disgusted, Meyer called Jaffa's arguments "hymning for the enforcement of equality by central authority."¹⁵⁰ He worried about Jaffa's lack of concern with centralized power. And while he allowed that while Jaffa was "entitled" to the loose-construction position held by Franklin Roosevelt and Lyndon Johnson, reminded him that there was also a venerable strict-constructionist position dating back to Madison's opposition to the Bank of the United States in 1791. The position of Jefferson and Edmund Randolph, Meyer claimed, had predominated until FDR, despite the actions of centralizers like Andrew Jackson and Abraham Lincoln. Several *National Review* readers disagreed with Jaffa's cooption of Andrew Jackson. One took exception

¹⁴⁹ Harry V. Jaffa, "Lincoln and the Cause of Freedom," *National Review*, September 21, 1965, 827-8, 842.

¹⁵⁰ Frank S. Meyer to Willmoore Kendall, September 13, 1965, box 21, "F. Meyer #2," Kendall Papers.

to Jaffa's claim that governments must be ordered by a moral purpose, instead arguing "Jefferson's opinion that 'it should be bound by the chains of the Constitution.'"¹⁵¹

The argument turned on competing visions of the American political tradition and their contemporary resonances. Meyer and Jaffa disagreed on three levels. They disagreed over the construction of the Constitution. They disagreed on how to order a regime – either by procedural rules or by an animating goal. Finally, they disagreed about the purpose of America. Meyer believed it was freedom; Jaffa believed it was a specific vision of equality. At the height of the Cold War, Jaffa's claim that human equality was central to the American political tradition antagonized anti-communist conservatives. Meyer insisted that equalitarian presidents like Lincoln would inevitably shatter "the constitutional tension" and undermine freedom.¹⁵² Meyer's strict-construction constitutionalism that prioritized states' rights and the Constitution "as it was originally written" was far more common among conservatives. Jaffa pitched his reading of the American political tradition, emphasizing the moral purpose of the Declaration of Independence, against the positivism of both conservative constitutionalism and the liberal "living Constitution." The Straussian idea of politics led by magnanimous statesmen – like Lincoln – and moral purpose – like the Declaration – was clearly a departure from other conservative frameworks: literal constitutionalism, Russell Kirk's organic society, Willmoore Kendall's majoritarianism, or James Burnham's Machiavellianism. Nevertheless, Buckley endorsed Jaffa's work on Lincoln, suggesting the beginnings of a shift in conservative thought.

This debate did not refer to the civil rights movement or the civil rights legislation recently passed – Johnson signed the Voting Rights Act into law as Meyer's primary essay on

¹⁵¹ "To the Editor," *National Review*, October 19, 1965, 898, 900-1.

¹⁵² Frank S. Meyer, "Again on Lincoln," *National Review*, January 25, 1966, 71-2.

Lincoln went into print. Nevertheless, the argument was informed by civil rights and massive resistance.¹⁵³ Meyer's editorials and private remarks show that he perceived the civil rights movement as a threat to the constitutional order and, like Lincoln, a challenge to the states' ability to counter the federal government. His arguments against Lincoln derived directly from his resentment of the New Deal and his anger with civil rights activism and legislation.

The same was true of Jaffa. In an essay explaining historiographical developments in Civil War and Reconstruction history to *National Review* readers, Jaffa contrasted Reconstruction with the decisive clarity of the Civil War. Recent works like Kenneth Stampp's *The Era of Reconstruction* overturned the myth of black "corruption and irresponsibility" during the "one period when a serious effort was made to guarantee" equal rights for African Americans "in the states of the old Confederacy." But Reconstruction was inconclusive. Jaffa was agnostic about the effects of the Reconstruction Amendments on race relations. The Jim Crow South had ignored them for so long it raised questions about their significance. And the Warren Court seemed to not need the Amendments to decide cases as they pleased.¹⁵⁴ Instead, Jaffa believed the Declaration of Independence, with its guarantee of equality, was the surest guide to race relations in the United States just as they had been for Lincoln's opposition to slavery.

Conclusion

The early 1960s had long-term implications for conservatism and conservative thought. Alongside opposition to *Brown v. Board of Education* and the Warren Court's religious and

¹⁵³ The law was effective on August 6, 1965, Meyer's essay appeared in the August 25 issue of *National Review* which means the essay was published around August 11. More to the point, civil rights legislation had been the issue du jour the entire time Meyer was theorizing his book on freedom and US History and the common themes between it, his essays on civil rights, and his analysis of Lincoln cohere clearly.

¹⁵⁴ Harry V. Jaffa, "Reconstruction, Old and New," *National Review*, April 20, 1965, 330-1. Jaffa praised the morally clear turn against the evil of slavery in post-WWII Civil War historiography. On Reconstruction, Jaffa found it no more corrupt than other periods of history but lacking the moral clarity of Lincoln in the Civil War.

reapportionment decisions, the battle against the Civil Rights Act entrenched strict constructionism in conservative thought and defined conservatism in opposition to the Supreme Court. From the conservative perspective, the Court and liberal jurisprudence betrayed the constitutional order and needed to be brought to heel. The 1964 Election in particular wedded intellectual conservatism and the Republican Party to opposition to civil rights, something conservative intellectuals courted even as they denied its racial implications.

There were important intellectual developments during this period. Conservatives found it difficult to sustain opposition of civil rights along regional diversity grounds. Direct action protests and the moral eloquence of the civil rights movement undermined claims that segregation was a beneficial social structure for the South. The civil rights movement and massive resistance made a mockery of the organicism preached by Russell Kirk and the valorization of southern “civilization” by southern traditionalists. Instead, when conservative intellectuals attacked the civil rights movement they did so on constitutional grounds. This criticism derived from fears about black revolution and conservatives’ conviction that, in the hands of liberal politicians and the Supreme Court, the civil rights movement undermined the “constitutional order.” Several racial assumptions underpinned these fears, as did the conservative intellectuals’ tendency to universalize their white, upper-middle class concerns and priorities.

It became important that conservative constitutionalism was “colorblind.” The earliest form of this argument was a strong stand on Tenth Amendment states’ rights, but this position was too closely linked to massive resistance. In short order, conservative intellectuals began advancing a strict interpretation of the Constitution that precluded civil rights legislation, both by limiting the jurisdiction of the Supreme Court and by forbidding racially conscious legislation.

Although it was not universally accepted among conservatives, Goldwater advanced Harry Jaffa's "West Coast Straussian" argument which taught America was defined by equal rights. The conservative intellectuals emphasized the colorblind Constitution for intellectual, pragmatic, and strategic reasons. It justified their political project by reference to the past, it made a compelling argument against their political opponents while avoiding explicit racial appeals, and it allowed conservatives to construct themselves as principled defenders of the American political tradition. It also allowed conservatives to protect their ideology and identity by encoding Goldwater voters as principled constitutionalists, not bigots.

There was an unresolved disagreement about the defining documents of America's founding, encapsulated by Robert Bork and Harry Jaffa's contrasting views of the Constitution. Was it primarily defined by the Constitution, per Bork, or by the Constitution *read through the Declaration of Independence*, as Jaffa suggested? The disagreement was not decisively resolved and shaped longstanding debates in the burgeoning conservative legal movement between the value and legitimacy of strict construction against "substantive due process."¹⁵⁵

The way this transition took place in conservative thought, from a celebration of the southern regime to a national, colorblind and even egalitarian argument, conforms to Corey Robin's theory of dialectical right-wing thought. When inequalities are challenged, Robin argues, conservatives rearticulate their positions in the terms of their challengers. In this case, conservatives reframed their opposition to civil rights in terms of equality and colorblindness.¹⁵⁶

The civil rights movement caused conservative intellectuals to begin reckoning with the place of African Americans in the American political tradition. Other than Garry Wills, who took

¹⁵⁵ On this question, see scholarship by Ken I. Kersch, especially "Beyond Originalism: Conservative Declarationism and Constitutional Redemption," *Maryland Law Review*, 71, 1, (Dec. 2011): 229-282.

¹⁵⁶ Corey Robin, *The Reactionary Mind*, 3-40.

the question to heart (and moved to the left in the late 1960s), the conservative intellectuals had ambivalent views about African Americans in relation to the United States. Because conservatives believed they were protecting the good American political tradition, they could not countenance historical black suffering at American hands to undermine the tradition's perfection. In their historical imagination, conservatives treated blacks as inconvenient victims of vague injustice, now past, whose only present problems were the explicitly racial laws that conservative intellectuals had begun to oppose. Ongoing white prejudices, which conservatives occasionally recognized, and the conservative belief in the exculpatory possibility of black inferiority complicate this view, but do not overturn this trend. Some, like Jaffa, freely admitted the injustice of slavery, but argued that the morality of the victorious Union in the Civil War showed the United States was a good regime committed to equality.

Ultimately, the conservative intellectuals agreed that the civil rights movement was dangerous because it undermined either the constitutional provisions drafted by the Founders, or their true meaning – colorblind equality before the law that did not coercively enforce equality.

CHAPTER VI: AMERICAN RUPTURES: CONSERVATIVE INTELLECTUALS IN TRANSITION

Robert Bork was dismayed. Speaking to an audience in 1966 about the “prospects of freedom,” the legal academic and sometime Goldwater adviser reported there was no “immediate hope” for a libertarian movement “of any strength.” It was unfortunate, Bork thought, that “so many friends of freedom accept the label of conservative.” Conservatives are beholden to special interests. Bork had hoped Goldwater’s candidacy would spark a national debate about American values on libertarian terms and was disappointed by the Goldwater campaign’s conservative rhetoric.¹

Bork was not alone feeling unease on the right in the mid-to-late 1960s. Many right-leaning and even moderate intellectuals began to feel that something, somewhere had gone wrong in American politics, in civic society, and in the conservative movement. There were many causes of this feeling. Goldwater’s defeat pulled the carpet from under conservative confidence about the essential conservatism of the American public. Meanwhile, the civil rights movement, especially in its Black Power forms, the emergent Student Movement, and the beginnings of women’s liberation and gay rights, struck at the basic assumptions and institutions of American life.² American institutions appeared to be failing. As conservatives understood it, the Great Society programs enacted by President Lyndon Johnson were a serious rupture from

¹ Robert H. Bork, Untitled [Talk about the prospects of Freedom, 1966], box 13, folder 7, Robert H. Bork Papers, Manuscript Division, Library of Congress, Washington, D.C. [hereafter Bork Papers].

² Kevin Michael Kruse and Julian E. Zelizer, *Fault Lines: A History of the United States since 1974*, First edition (New York: W.W. Norton & Company, 2019).

the intended function of the federal government. Although conservatives by-and-large supported the Vietnam War effort, the quagmire in Indochina raised questions about American military might and national resolve. Throughout the 1960s and 1970s, conservative intellectuals had an ambivalent relationship with Richard Nixon whose presidency frustrated conservative intellectuals and co-opted conservative movement energies before Watergate. The Pentagon Papers and Watergate profoundly challenged the very center of the constitutional structure by exposing executive duplicity and undermining public faith in the presidency. Underpinning much of this was an economic downturn precipitated by oil shocks and the dissolution of the United States' post-war economic and industrial advantages.

For many conservatives, this was not just a reckoning with new social and economic realities. Many detected a deeper cause of cultural and political unrest beneath the onslaught of contemporary events. For many this cause was some sort of national failure or betrayal of America's founding principles. In politics, education, law, and religion, right-leaning intellectuals sought to diagnose the roots of the present discontent and begin to develop an alternative. In most cases this meant a reaffirmation of "traditional" values and a reaffirmation or restoration of those values against all challenges. Such reaffirmations included the constitutional order and the constitutional reasoning of the Founders, "bourgeois" culture, academic standards, even, for a small minority of conservative intellectuals, the dream of a reestablished Christendom.

Four years after Robert Bork despaired for the future of libertarianism in the United States, he pitched a series of stories to *Fortune*. For one he proposed the "growth of a brand of conservatism among working and lower middle classes due to racial and student unrest." "It's an

awfully big topic,” Bork told his editor, “but, I think, a fascinating one.”³ During this period of uncertainty, conservatives found new allies, not just among the working and lower middle-classes but among sectors of the nation’s academic and intellectual establishment. The crises of the 1970s and the right-wing response to them affirmed conservatives’ commitment to the United States and the “Americanness” of conservatism. They also suggested new avenues for conservatism as a quasi-populist reaction to a crisis of liberalism during a decade in which Bruce Schulman and Julian Zelizer argued that the right triumphed “at the ballot box and broadly across American society.”⁴

Despite the electoral success of Republican politicians and the talk of Nixon’s “counterrevolution,” the late 1960s and 1970s were a time of flux for conservative intellectuals. On the one hand, movement conservatives felt foreclosed from power. Goldwater’s defeat deprived conservatives of a public figurehead until Ronald Reagan’s gubernatorial victory in 1966. Even then, the rapprochement of the right, including William F. Buckley, with Nixon, and Nixon’s electoral success in 1968 and especially 1972, split the hard right’s political energies

³ Robert H. Bork to William Bowen, November 18, 1969, box I:3, Bork Papers.

⁴ Bruce J. Schulman and Julian E. Zelizer, eds., *Rightward Bound: Making America Conservative in the 1970s* (Cambridge, Mass: Harvard University Press, 2008), 4. There is an emergent consensus that the 1970s represents a key decade in the political and economic history of the United States. *Rightward Bound* contains essays on the variegated factors in this cultural and political rightward shift, including emergent white ethnic identities, the intersection of southern religiosity and segregation post-*Brown v. Board of Education*, the construction of ‘family values,’ and the energy crisis. Jefferson Cowie argues that the exceptional period of New Deal order collapsed in the 1970s as a result of the compromises made by the New Deal coalition in the 1930s and the United States returned to a more traditional – although by no means “natural” structure in Cowie, *The Great Exception*. Less sweepingly, Sean Wilentz also sees the 1970s as the dawn of the “Age of Reagan,” in which neoliberal and neoconservative dogmas came to dominate politics until at least 2008 (and likely beyond) in Sean Wilentz, *The Age of Reagan: A History, 1974-2008*, First Harper Perennial edition (New York: Harper Perennial, 2009). Kevin Kruse and Julian Zelizer trace the widening of four “fault lines” – economic, political, racial, and gender – from 1974 in Kevin Michael Kruse and Julian E. Zelizer, *Fault Lines: A History of the United States since 1974*, First edition (New York: W.W. Norton & Company, 2019). Monographs that have contributed to the focus on the 1970s as an important transformative moment include Robert O. Self, *All in the Family: The Realignment of American Democracy Since the 1960s*, First edition (New York: Hill and Wang, a division of Farrar, Straus and Giroux, 2012); Lassiter, *The Silent Majority*; Moreton, *To Serve God and Wal-Mart*; Formisano, *Boston Against Busing*; Waterhouse, *Lobbying America: The Politics of Business from Nixon to Nafta*; Stahl, *Right Moves*.

between supporters of Nixon and critics from the right. In general, conservative intellectuals disliked Nixon but could not ouster him for a more conservative candidate until Nixon's political suicide. Similarly, the seemingly endless series of scandals, violence, and crisis reinforced conservatives' sense that something was profoundly wrong. On the other hand, those same crises undermined the cultural dominance of post-war liberalism, in both its cultural and economic formulations. Members of the white working classes and lower middle class suffered in economic downturn in the 1970s and resented both competition from black workers and the racial violence of the "urban crisis" and "New Politics" of student and black power movements. In the academy, there was a small but significant highbrow parallel to working-class conservatism in response to student and black activism on campuses. These new constituencies proved fruitful and powerful allies for movement conservatives in the mid-to-late 1970s.

The first sections of this chapter briefly discuss movement conservative intellectuals' ambivalence toward Nixon and frustration with the direction of their movement. The subsequent sections take up the careers and ideas of four intellectuals broadly associated with conservatism – Willmoore Kendall, L. Brent Bozell, Daniel Boorstin, and Robert Bork – and contrasts their ideas and careers in the late 1960s and 1970s and the ways their partially parallel careers illuminate the prospects of movement conservatism as parts of its original vision faltered while others gained new respect and allies.

The term "conservative" implies at least a modicum of interest in the past. Conservative intellectuals explained the crises of the 1960s and 1970s as failures: as departures from the norm established by history. Frank Meyer saw the late 1960s as the product of liberal "dreaming and ruling," a pattern unleashed by Abraham Lincoln and the Civil War. M. Stanton Evans called the Great Society an "inversion" of the Founders' intentions. Willmoore Kendall and George Carey

too blamed the Great Emancipator for distorting the basic symbols of the American political tradition. Likewise, Robert Bork believed the breach in constitutional interpretation had come as jurists departed from the intentions of lawmakers, preferring judicially determined substantive rights over traditional jurisprudence. Although they asked different questions and read history in distinct ways, these men all concluded that vaguely defined “rights” and the notion of egalitarianism were contradictory to the American political tradition. Against the claims of not only the civil rights movement but emergent feminist, chicano, and queer claims to rights, conservative intellectuals routinely denied their origin in the American political tradition. Rather, conservative intellectuals were convinced that the past justified their socially conservative, small government politics and that the imprimatur of history was decisive. Even the cheerful Daniel Boorstin regarded modern egalitarianism as a betrayal of the “equality of opportunity” and social “flow” that made the American political tradition unique.

Crisis within the Conservative Movement

The circle of writers and intellectuals around *National Review* were somewhat prepared for Goldwater’s defeat. Some, like editor Bill Rickenbacker and contributor Gerhart Niemeyer, had convinced themselves Goldwater could win.⁵ But William F. Buckley and James Burnham dampened enthusiasm within the magazine’s offices. As early as June 1964, William Rusher, the magazine’s publisher took it for granted that “Johnson is the likely winner.” He thought *National Review* should acknowledge this fact but not belabor it.⁶ On election day, Rusher circulated a memorandum on the assumption Goldwater would sustain “a monumental defeat.” He listed the benefits of the campaign even in the face of a loss. These positives included stating the

⁵ Gerhart Niemeyer to William F. Buckley, July 22, 1964, box 31, Buckley Papers; “Lee Edwards interviews William Rickenbacker on 23 Apr 1992,” 2010c14_a_0007729, box 214, Edwards Papers .

⁶ William A. Rusher to The Editors, June 30, 1964, microfilm reel 11, Rusher Papers.

conservative case, pulling the Democratic Party right, “bleeding” conservative activists, and making Republican gains in the South.⁷

Nevertheless, the extent of Goldwater’s defeat shook the conservatives and slowed *National Review*’s momentum. The editors took stock of the loss. It undermined faith in one of their central myths: that most Americans were truly conservative and were waiting for its honest articulation.⁸ In particular, the editors decided it was necessary to do something concrete about the John Birch Society and its leader Robert Welch. Despite their belief that most of the Birchers were decent conservatives, Buckley and the other editors agreed Welch’s views and the organization of the Society made it a liability to “respectable conservatives.”⁹ In August 1965, Buckley published a long editorial attacking the Society. *National Review* received numerous furious responses from subscribers and allies and lost revenue as a result of the editorial. One strategy the *National Review* editors wanted to pursue was siphoning off Birchers into new organizations with responsible leadership. “We cannot prevent, or control... the organization of the American Right solely by means of well-phrased editorials in *National Review*,” warned publisher Bill Rusher.¹⁰

Conservative activists formed several organizations following the election. Alongside the already existent Americans for Constitutional Action and the John Birch Society, these included the American Conservative Union (ACU), with close ties to *National Review*; the Free Society Association, sponsored by Barry Goldwater; and the United Republicans of America, founded by

⁷ William A. Rusher to “The Editors,” “On The Election,” microfilm reel 31, Rusher Papers.

⁸ John M. Ashbrook to William F. Buckley, December 10, 1968, box 7, Rusher papers.

⁹ William Rickenbacker to L. Brent Bozell, William F. Buckley, Priscilla L. Buckley, James Burnham, Willmoore Kendall, Frank S. Meyer, William A. Rusher, William F. Rickenbacker, April 14, 1962, microfilm reel 12, Rusher Papers.

¹⁰ William A. Rusher to William F. Buckley, Sept. 14, 1961. Microfilm reel 4, Rusher Papers.

Bruce Evans and closely related to Willis Carto's far-right Liberty Lobby. To organize was "the natural impulse of Goldwater's supporters." The organizations aimed to keep Goldwater's most enthusiastic supporters involved in politics, both as activists and as conservatives within the Republican Party. At *National Review*, the hope was that particularly the ACU would provide a responsible alternative to the John Birch Society.¹¹

The results were poor. "Responsible conservatives" distrusted the hard-right United Republicans of America. Its leader retired early in 1967 and it lost momentum. The Free Society Association (FSA) began with Goldwater's personal support as a vehicle for his career after foregoing his Senate seat in 1964. Loyal to the Republican Party, Goldwater forbade the FSA from involving itself in GOP struggles. It deteriorated into a generic supporters' club and Goldwater lost interest. The staff at *National Review*, especially Bill Rusher and Frank Meyer, were most invested in the ACU. For the first two years the organization was riven with internal strife and financial difficulties. By 1966 the ACU was under the surer leadership of conservative Congressman John Ashbrook but remained poor and peripheral.¹² One outspoken conservative called the ACU's performance during its first two years "disgraceful."¹³

The conservatives' ill-ease had many causes: the series of political defeats, punctuated by Ronald Reagan's success in California, personnel issues, and what seemed like the constantly shifting culture. Frank Meyer's background in communist activism meant he retained the belief that praxis follows ideology. He felt conservatism's lack of intellectual rigor hampered its

¹¹ Schoenwald, *A Time for Choosing*, 233-43.

¹² William A. Rusher to The Editors, May 22, 1967, box 43, Buckley Papers; John Ashbrook to William F. Buckley, September 1, 1966, box 38, Buckley Papers; Schoenwald, *A Time for Choosing*, 233-43.

¹³ Neil McCaffrey to William F. Buckley, William A. Rusher, Jim McFadden, April 19, 1966, box 39, Buckley Papers.

success. Conservatives had “constructed a demonology to contemplate rather than an *avant garde* to move forward, theorize, and explore.”¹⁴ “Scholars and thought leaders” associated with conservatism had been meeting on an *ad hoc* basis for several years. An organization founded just before the 1964 election aimed to formalize these networks.¹⁵

Early in 1964 Donald Lipsett and E. Victor Milione, the leadership of the Intercollegiate Studies Institute (formerly Intercollegiate Society of Individualists), began pitching a semi-academic society, initially formed of ISI alumni, to leading conservative activists and funders. Lipsett and Milione modeled “The Philadelphia Society” on the Mont Pelerin Society, a transnational organization of scholars dedicated to preserving and advancing classical liberal economics. The founders of the Philadelphia Society and its earliest members believed they were preserving the patrimony of Western civilization in its American form. Lipsett and Milione chose the name because of Philadelphia’s association with the Founding Fathers and the creation of “the Declaration of Independence, the Constitution, and the American Republic.”¹⁶

Conservative intellectuals were enthusiastic about the Society. It held its first meetings in April 1964 and ninety people attended at least one of three meetings held in Indianapolis, Philadelphia, and San Francisco.¹⁷ Lipsett and Milione brought together representatives of distinct but overlapping circles in conservative writing and activism.¹⁸ Don Lipsett ran the Society, initially on a voluntary basis until he became executive secretary in 1965.¹⁹ The

¹⁴ Guy Davenport, “The Need to Maintain a Civilization,” *National Review*, April 6, 1965, 283-4.

¹⁵ Don Lipsett & E. Victor Milione to William F. Buckley, March 3, 1964, box 40, Buckley Papers.

¹⁶ Don Lipsett & E. Victor Milione to William F. Buckley, March 3, 1964, box 40, Buckley Papers.

¹⁷ Don Lipsett to Members of the Organization Committee, July 27, 1964, box 40, Buckley Papers.

¹⁸ Don Lipsett to All Members, May 28, 1965, box 40, Buckley Papers.

founders chose to keep membership in the Society low and strict to police the boundaries of conservative intellectualism and maintain the Society's credibility. By mid-1965, the Society was fully functioning and in early 1967 had 75 members.²⁰ By 1979 its membership had risen to 239.²¹

Lipsett had M. Stanton Evans, the principle author of *Young Americans for Freedom's* Sharon Statement, write a statement of purpose. In Evans's draft, the Society's purpose was to advance "ordered freedom" through "a deeper comprehension of the American experience." To Evans this meant America was "inheritor of the Western achievement" and specifically the conservative slogan of "the liberty of the person under moral law." As a leading "fusionist," Evans attempted to unite conservatives around libertarian and traditionalist beliefs as well as nationalistic patriotic impulses.²² His language proved too specific and the organizing committee settled on the "interest of deepening the intellectual foundation of a free and ordered society, and of broadening the understanding of its basic principles and traditions." Milton Friedman compared the Philadelphia Society with the Mont Pelerin, but not all agreed. One Mont Pelerin member accused the Philadelphia Society of trading on the economic society's name and representing the "mystic wing" of the "free enterprise movement," not "the libertarian, truly intellectual wing."²³

¹⁹ Frank S. Meyer to William F. Buckley, Jan 21, 1965, box 35, Buckley Papers; William F. Buckley to Frank S. Meyer, February 2, 1965, box 35, Buckley Papers; William F. Campbell, "Tribute to Don Lipsett: Founder of the Philadelphia Society," <https://phillysoc.org/collections/tributes/tributes-to-don-lipsett/tribute-to-don-lipsett-by-william-f-campbell/>.

²⁰ Don Lipsett to Board of Trustees, January 14, 1967, box 45, Buckley Papers.

²¹ John A. Howard to Member, July 21, 1979, box 66, Buckley Papers.

²² Don Lipsett to Henry Regnery, January 24, 1964, box 61, folder 3, Regnery Papers.

²³ Edward L. Nash, VP to Don Lipsett, April 8, 1964, box 40, Buckley Papers.

In the first meeting after Goldwater's defeat, the Philadelphia Society took stock. Warren Nutter, a Goldwater adviser and economist, despaired about the status of conservative ideas, especially in the academy. Russell Kirk saw signs for optimism despite Goldwater's defeat. Summing up the meeting, Meyer said it had cleared much ground, indicating "fairly general agreement" on several questions, but also the "very real sense" that they had "everything to do." As a movement, he recognized they were united by "opposition to a palpable and empirically horrible development in the world – which takes the various forms of communism, fascism, socialism, American welfare liberalism" and "a few very general propositions." He cautioned against the sentiment that conservatism was clearly defined and now action was necessary. In his view, "the best defense against ideologization" was to combine political action, programmatic development, and ongoing philosophical endeavor. Conservatism was still awaiting its "Plato, Augustine, or Thomas," Meyer told the attendees. But great theorists emerge from milieus and an emergent second generation of conservatives was the most encouraging thing.²⁴

By 1966 the Society shifted from throat-clearing definitional questions to contemporary political issues from a conservative perspective. The national meeting in 1966 took on "Civil Rights and Individual Responsibilities."²⁵ The national meeting the following year focused on "The American Tradition and the Great Society," a topic president Glenn Campbell called "obvious" for the times.²⁶ As Frank Meyer presided over a panel on the "premises" of the American political tradition, he restated the conservative declension narrative of the American political tradition: the Square Deal, the New Freedom, the New Deal, the Fair Deal, the New

²⁴ Frank S. Meyer, "1965 Meeting Summary," recording https://phillysoc.org/tps_meetings/the-future-of-freedom-the-problems-and-the-prospects/ and in author's possession.

²⁵ "Civil Rights and Individual responsibilities," box 40, Buckley papers.

²⁶ W. Glenn Campbell, Introductory Remarks to the Philadelphia Society, 1967, recording in author's possession, https://phillysoc.org/tps_meetings/the-american-tradition-and-the-great-society/.

Frontier, “and now the Great Society” were all steps away from the Founders’ intentions and toward tyranny.²⁷ Stan Evans reiterated the conservative claim that liberals and liberal programs betrayed America. Evans asserted the conservative narrative of the founding and portrayed the Great Society as a “black mass” inversion of the American tradition. Evans defined the fundamental features of the American constitutional order as the anti-statist and states’ rights traditions and the priority of “the individual” and limits on the federal government. The conservative Founders believed government was necessary but “dangerous. Traditionally, the Federal government had clear and limited functions: national security, maintenance of peace, and so on. Crucially, these were few and defined. Other powers were reserved to the states. This consensus, Evans maintained, was “encapsulated in our Constitution, in the Federalist papers, and the debate at the constitutional convention in Philadelphia in 1787.” The Great Society reversed this consensus. It made the Federal government and especially the Presidency a “catchall... repository for all the powers.” Moreover, the Founders assumed the existence of republican virtue in the citizenry. In another inversion, the Great Society reversed this assumption as well. Instead of relying on “internal liberty from value restraints,” Lyndon Johnson turned to “external discipline imposed by the state.”²⁸ Evans effectively expounded on the common conservative trope that liberals had distorted the American political tradition, corrupted the nation’s politics, and cut at the soul of America.

The themes the Philadelphia Society leadership assigned for each national meeting are a record of conservative emphases and anxieties during the late 1960s and 1970s. In general, they

²⁷ Frank S. Meyer, Philadelphia Society address, 1967, in author’s possession, https://phillysoc.org/tps_meetings/the-american-tradition-and-the-great-society/.

²⁸ M. Stanton Evans, Philadelphia Society Address, 1967, in author’s possession, https://phillysoc.org/tps_meetings/the-american-tradition-and-the-great-society/.

portended a sense of crisis in multiple sectors of society, usually begotten by deviations from traditional norms. The meeting in 1968 captured this multifaceted crisis. The understated title “A Free Society in Ferment” asserted the conservative norms of American history, especially through the idea of a free society, and identified dangerous “ferment” caused by civil disorder, the protracted war in Vietnam, and “disorder in the house of intellect.”²⁹ The subsequent meetings expounded on this ferment. In 1969, predictably, higher education was the Society’s focus, as it asked, “who’s in charge?” and “have we lost our faculties?” The meeting in 1970 looked forward into the new decade and reiterated the United States’ allegedly conservative heritage under the title “Enduring Values in a World of Change.” However, most of the meetings in the 1970s stressed – and stressed about – the political and cultural crises, whether crime rates, presidential overreach, or the rule and role of law.

Men associated with *National Review* had been important in founding the Philadelphia Society, but by 1966 its management were troubled by the “vague but extremely important question, ‘where is *National Review* going?’”³⁰ The election undermined confidence in conservatism. The beginnings of the counterculture raised questions about the plausibility of traditionalism.³¹ Losing Goldwater as a standard-bearer in office was another blow to conservative intellectuals. Meyer saw the loss as “the last chance to unite” right-wing populists and “know-nothing elements” with movement conservatives “under responsible leadership.” He

²⁹ “Philadelphia Society Program: A Free Society in Ferment, March 29-30, 1968, Chicago, Illinois,” https://phillysoc.org/tps_meetings/a-free-society-in-ferment/; “Philadelphia Society Program: The Dearth of Higher Education, March 28-29, 1969, Chicago, Illinois,” https://phillysoc.org/tps_meetings/the-dearth-of-higher-education/; “Philadelphia Society Program: Enduring Values in a World Of Change: Directions for America in the 1970’s,” https://phillysoc.org/tps_meetings/enduring-values-in-a-world-of-change-directions-for-america-in-the-1970s/

³⁰ William A. Rusher to The Editors, December 8, 1966, box 39, Buckley Papers.

³¹ Frank S. Meyer to All Concerned, May 25, 1966, Memorandum Re Editorial Conference, box 39, Buckley Papers.

came to believe that in the Republican Party the best responsible conservatives could hope for was “opportunistic politicians” – presumably Nixon – to nullify the “extreme right.”³² Buckley and several conservative intellectuals led a (never complete) embrace of Nixon in the late 1960s. Conservative intellectuals found themselves supporting the government, a position their restorationist rhetoric and anti-statist dogmas made them unsuited for until they were ultimately outraged by Nixon’s foreign policy moves and supported an abortive primary from the right.³³

National Review suffered financially after the 1964 election and struggled to find direction in the late 1960s and early 1970s. The post-election slump inevitably took a toll on the magazine’s finances. The lack of purpose, a libel suit, and the attack on the John Birch Society had hurt subscription renewals.³⁴ By 1973, subscriptions had declined nearly 30,000 from a peak of 135,000. The publisher saw *National Review* as “synecdoche” for movement conservatism. In the late 1950s conservatism had been “a Cause Militant.” But in the 1970s, conservatism and its leaders were “faltering.”³⁵

Meanwhile, Buckley grew in stature as the public face of conservatism. In 1965 he ran for mayor of New York on the Conservative Party ticket.³⁶ In 1966 Buckley became, on top of his role as a syndicated columnist, editor, and public figure, a television star. He hosted *Firing Line*, an interview-cum-debate show that ran for 33 years. *Firing Line* was niche programming but it had far greater reach than *National Review*. On television, Buckley’s languid style and

³² Frank S. Meyer to All Concerned, May 25, 1966, Memorandum Re Editorial Conference, box 39, Buckley Papers.

³³ Mergel, *Conservative Intellectuals and Richard Nixon*, 2.; Len Colodny and Tom Shachtman, *The Forty Years War: The Rise and Fall of the Neocons, from Nixon to Obama*, 1st ed (New York: Harper, 2009).

³⁴ William A. Rusher to The Editors, December 8, 1966, box 39, Buckley Papers..

³⁵ Hemmer, *Messengers of the Right*, 229-51.

³⁶ Judis, *William F. Buckley*, 235-60; Sam Tanenhaus, “The Buckley Effect,” *New York Times Magazine*, Oct 2, 2005, <https://www.nytimes.com/2005/10/02/magazine/the-buckley-effect.html>.

polite albeit backhanded demeanor earned him a cult status.³⁷ Buckley's performative intelligence and willingness to debate liberal figures, especially from academia, signaled to viewers that the political and cultural left did not have a monopoly on intelligence. By acting as its public face, Buckley helped rescue the discourse of conservatism after Goldwater and during the Nixon years.

Buckley's ascent suggested one trajectory for conservative intellectuals in the 1960s and 1970s. The remainder of this chapter traces the careers of four other intellectuals. Born within sixteen years of one another, Willmoore Kendall (1909), Daniel Boorstin (1914), Brent Bozell (1926), and Robert Bork (1927) had related preoccupations but vastly different careers. Each, to some extent or another, reckoned with a perceived collapse or break in the American political tradition. Each attempted to navigate the intellectual and academic worlds while becoming increasingly conservative. Their wildly different experiences demonstrate important dynamics in conservative intellectual production. Kendall and Bozell's careers also suggest elements of the discourse of conservatism and their attendant beliefs about American culture that waned in the late 1960s: in Bozell's case, arch-Catholicism and for Kendall a fighting cultural orthodoxy. Boorstin and Bork represented emergent currents, namely academic anti-leftism and legal conservatism that drew on American history to defend Republican politics. When read together, these four lives represent roads not taken by conservative intellectuals (or perhaps dead ends), and the arrival of a new class of intellectuals that both joined and supplanted movement conservatives.

³⁷ Heather Hendershot, *Open to Debate: How William F. Buckley Put Liberal America on the Firing Line*, First edition (New York, NY: Broadside, an imprint of HarperCollins Publishers, 2016).

Conservatives Beyond the Movement I: The American Political Tradition Derailed

One of the problems that movement conservatives had to explain was why they were outsiders to political power and cultural authority. Why were they, the legitimate interpreters and heirs to the American political tradition and spokesmen of an inarticulate majority, operating on the relative fringes, while the liberal “establishment” wielded the levers of power? Narratives charting the decline of the United States and the rise of illegitimate liberalism – and its progeny the New Left – were central to conservatives’ self-identity and sense of lost authority. During the mid-1960s the conservative political theorist Willmoore Kendall drew on the methodologies and conceptual frameworks of Leo Strauss and Eric Voegelin, a German political scientist interested in the development of symbols in cultures, to develop an idiosyncratic narrative of the corruption, or “derailment,” of America’s political history from before the Founding to the 1960s.

Chronically unable to commit to any intellectual project, Kendall gave a concise expression of his argument as a lecture series at Vanderbilt University. Kendall failed to develop the lectures into a book despite the urging of his friends and admirers. Jeffrey Hart, a professor of English literature and later a *National Review* editor, insisted that by not publishing books Kendall was forfeiting the philosophical definition of American conservatism to Frank Meyer and Russell Kirk. Libertarianism can only be a critical philosophy, Hart told Kendall. Conservatives need a governing philosophy which the Vanderbilt lectures could achieve. Moreover, Hart insisted Kendall’s thought could reconcile existing conservative positions: “hostility to abstraction and universalism, stress on locality, anti-egalitarianism, the aesthetic components, the transcendent rather than the immanent eschatology.”³⁸ When Kendall died

³⁸ William F. Buckley to Willmoore Kendall, April 23, 1963, box 26, Buckley Papers; Jeffrey Hart to Willmoore Kendall, Dec 17, 1965, box 17, Kendall Papers.

suddenly in 1967, the lectures remained unpublished, victims of other writing projects and his efforts to establish a PhD program at the traditionalist University of Dallas. One of Kendall's closest associates, George Carey, a political science professor at Georgetown, completed the work. Carey suggested the advent of the New Left and the New Politics faction in the Democratic Party lent Kendall's thesis greater resonance than ever. In 1970, Louisiana University Press (where Kendall's influence Voegelin had taught for sixteen years) published Kendall and Carey's *The Basic Symbols of the American Political Tradition* with funding from the Relm Foundation.³⁹

When Kendall gave the Vanderbilt Lectures in the summer of 1964, the political claims of the civil rights movement were on his mind. Especially as they pertained to executive action and Supreme Court decisions like *Baker v. Carr*. The lectures fit into Kendall's project in several ways. As his critics and other historians have noted, Kendall attempted to downplay the importance of "rights"-based politics in the American political tradition.⁴⁰ Kendall's 1963 collection *The Conservative Affirmation* outlined his theoretical objections to individual political rights. It also argued America's authentic political tradition was the constitutional structure governed by the "*Federalist* morality." In effect, according to Kendall, this meant deliberative, majoritarian democracy. *The Basic Symbols* sought to explain why contemporary expressions of the American political tradition emphasized liberty, equality, and political rights, not deliberative majoritarianism.

It had been unnecessary to restate and reclaim the political tradition until recently, Kendall said. Americans "took it for granted that there was a traditional American way of self-

³⁹ Willmoore Kendall and George Carey, *The Basic Symbols of the American Political Tradition*, (Baton Rouge: Louisiana State University Press, 1971).

⁴⁰ Nash, *The Conservative Intellectual Movement*, 218-221.

government,” one that reached “back over the decades to the generation that produced the Declaration of Independence, the Constitution, the Federalist Papers, and the Bill of Rights.”⁴¹ But there was a confusion about the nature of the tradition and contemporary appeals to equality and rights brought the contradiction into sharp relief. When Kendall initially wrote the lectures, it was the civil rights movement’s calls for equality and the specific claims of rights like “one man, one vote.” By 1970 when *The Basic Symbols* was published, George Carey, the co-author, focused on the rights language of the New Politics.⁴²

Kendall sensed that civil rights activists and the representatives of the New Politics could make appeals to the American political tradition. A year before Kendall’s lectures, Martin Luther King intoned at the March on Washington for Jobs and Freedom that “the architects of our republic” signed “a promissory note to which every American was to fall heir. The promise, life, liberty, and the pursuit of happiness.”⁴³ On this question, Kendall acknowledged the academic literature, particularly Ralph Gabriel, Merle Curti, V. L. Parrington, and Clinton Rossiter, supported this interpretation. Professional interpreters defined the tradition as “‘freedom’ and ‘equality,’ the tradition of ‘rights of the individual,’” as proclaimed by “our Declaration of Independence and as glorified and protected by our Constitution and our Bill of Rights.”⁴⁴

But this was incorrect, Kendall argued. The leading Founders opposed the Bill of Rights and America’s lived experience was not one of flourishing equality. The prevailing narrative,

⁴¹ Kendall and Carey, *The Basic Symbols*, 3-4.

⁴² George Carey, “The ‘New’ American Political Tradition,” *Modern Age*, 15, (Fall, 1971): 358-69.

⁴³ Martin Luther King Jr, “I Have a Dream...,” 1963, <https://www.archives.gov/files/press/exhibits/dream-speech.pdf>.

⁴⁴ Kendall and Carey, *The Basic Symbols*, 8-9.

too, established by Edmund Burke and, more recently, the historian Daniel Boorstin, was that the revolutionaries were not radicals but conservatives fighting for traditional English rights.

To explain the disjuncture, Kendall experimented with Eric Voegelin's concept of cultural symbols. Voegelin was a German scholar and refugee from the Nazi regime. He developed a meta-causal history of Western civilization and its decline in the mode of Spengler and Toynbee. One of Voegelin's primary claims was that societies possess richly meaningful symbols. These symbols were historically determinative and shaped Western culture's rise from ancient Babylonia. A new political science would interrogate this process in action. Although Voegelin criticized Christianity's role in the historical process, many conservatives embraced him, citing his work, funding visiting professorships, organizing seminars based on his thought – even coining the comically obscure slogan “Don't Immanentize the Eschaton” based on his theories. Voegelin happily engaged with conservative intellectuals like Kendall but balked at identifying himself with movement conservatism.⁴⁵ Nevertheless, Kendall told Voegelin in 1959 that the first volume of *Order and History* “has become the major turning-point in my modest intellectual history – as it has for all the people closest to me in the profession (Stanley Parry, Gerhart Niemeyer, Frederick Wilhelmsen).”⁴⁶ Mark Lilla suggests Voegelin's appeal to conservatives was that he provided a world-historical framework of cultural decline and totalitarianism for American conservatives who rejected Marx or Hegel.⁴⁷ The conservative editor and theorist Frank Meyer bears this interpretation out. He connected Voegelin with major

⁴⁵ Nash, *The Conservative Intellectual Movement*, 256-9, 267-73; Lilla, *The Shipwrecked Mind*, 25-42; Eric Voegelin, *The New Science of Politics*, (Chicago: Chicago University Press, 1952); Eric Voegelin, *Science, Politics and Gnosticism*, (South Bend, IN: Gateway Editions, 1968).

⁴⁶ Willmoore Kendall to Eric Voegelin, March 26, 1959, Eric Voegelin papers, box 20, folder 39, Hoover Institution Archives (hereafter Voegelin Papers).

⁴⁷ Lilla, *Shipwrecked Mind*, 37-8.

thinker Hegel, Marx, Spengler, and Vico who proposed dialectical or metanarrative interpretations of history. Meyer claimed that Voegelin introduced “new, fundamentally conservative considerations” to the philosophy of history.⁴⁸

To Kendall, a political tradition is a matter of national “self-interpretation.” It defines, according to Kendall, what a society “calls upon itself to be and do.” By identifying and analyzing the “symbols” – by which American society “represents or interprets itself to itself” – Kendall constructed an authentic American political tradition and diagnosed the cause of its “derailment.”⁴⁹

Kendall was a textualist by training and inclination. He had little to say about social history. Instead, his historical argument was that the central documents of the American political tradition did not emerge in a vacuum. They were the products of a broader political culture, that already possessed a tradition. In light of this realization, Kendall gave a close exposition of older American constitutional documents beginning with the Mayflower Compact in 1620. In these documents, Kendall discerned – or as his critics alleged, reverse-engineered – a pre-existing tradition of the virtuous people deliberating under God and the law. The Founding, Kendall argued, must be understood as a development of this tradition and within its bounds. Once this is established, the Declaration of Independence is clearly concerned with establishing independence and good governance, the Constitution is a deliberative, majoritarian document, and the Bill of Rights establishes negative rights focused on government, not absolute individual rights.

⁴⁸ Frank S. Meyer, Proposed Project: Shape History, box 61, Baroody Papers.

⁴⁹ Kendall and Carey, *The Basic Symbols*, 22, 46.

In Voegelin's schema, symbols emerge in "compact" forms without clear political implications. Over time through a culture's interpretive process, these symbols become ornate, even contradictory. In Kendall's view, the American Founding was the natural development of good symbols that had the correct relationship between man and the transcendent. Over time, however, these symbols developed alternative meanings. The decisive break was Abraham Lincoln's Gettysburg Address. In the speech, Lincoln implied the United States was founded in 1776 – later than Kendall's understanding of the tradition – and that the nation was dedicated to the "overriding proposition that 'all men are created equal.'" As a result of Lincoln's rhetorical sleight of hand, Kendall argued, the Declaration now erroneously holds "constitutional status." There is now a rival tradition, an equalitarian one, that derives from a distorted, or "derailed," interpretation of the basic symbols of the American political tradition.⁵⁰

The new tradition is based on the positive "right" of equality, not the authentic tradition of deliberation. This transformation is why, Kendall thought, liberals in the 1950s and 1960s made such hay out of civil rights. And why they were so willing to empower the Courts and Executive over the Congress. With the explosion of rights talk and especially the "Rights Revolution" under the Warren Court, Kendall's narrative explained to conservatives why this discourse emerged, why it was effective, and most of all, why it was illegitimate. The false tradition had its own counter-tradition of judges and presidents deriving from Lincoln's heresy. Moreover, following Voegelin's position that secularized politics become a utopian crusade to create on earth the "Kingdom of Heaven," Kendall warned of the revolutionary intent of the tradition.

⁵⁰ Kendall and Carey, *The Basic Symbols*, 84-9.

Carey repurposed Kendall's civil rights era argument in a 1971 essay for *Modern Age* and found it just as germane. Perhaps more so. There are two American political traditions, Carey said. Liberals exacerbated this tension. They have enacted "a concerted effort to 'capture' it by sluicing into it new values and ideals and by distorting or taking out of context the tradition's original elements." Although this effort has not been conscious, Carey argued, liberal attempts to control the American political tradition have been one of their "chief preoccupations" in the twentieth century. They did this by undermining the legacy of the Founders, especially Charles Beard's economic interpretation, and by treating the Constitution as a living rather than authoritative document.⁵¹

Kendall and Carey argued the "New" tradition replaced America's commitment to deliberation with a commitment to rights. The "authentic" tradition allowed communities to define their own values and future. The ersatz tradition allows liberals to impose their wills on the community and undermine its social fabric. The New Tradition, Carey alleged, offers simplistic answers to society's "most perplexing questions" and thereby fosters polarization and damages institutions. Kendall had long been a proponent of the conservative function of the American two-party system. Carey was perturbed by the threat to the party system posed by "responsible" party reformers in 1968. Adherents of the New Tradition – which, Carey said, was not a tradition at all but a loose collection of ideas that give partisan liberals "a sense of moral superiority and arrogance" – saw the constitutional structure, developed in the Old Tradition, as illegitimate. In the New Left's view, Carey wrote, America's political "structure and procedures reflect a decadent tradition and 'reform' is impossible within their context." Carey was pessimistic about sustaining or restoring the authentic tradition. He also aimed a barb at

⁵¹ George Carey, "The 'New' American Political Tradition," *Modern Age*, 15, (Fall, 1971): 358-69.

conservatives like Frank Meyer who based their conservatism on liberty and rights rather than community deliberation.

Willmoore Kendall was a political theorist but also an anti-elitist culture warrior. The value of controlling the narrative of the American political tradition in cultural conflicts is immense. According to Carey, it set the boundaries of political debate, delineated who was in the political mainstream and who was an extremist, and it asserted the aims of American politics. Carey and Kendall were obviously attempting to wrest control of the narrative and reap its political benefits. Not only did they believe their political preferences were correct, but that their historical interpretation was true. Like most conservatives, they believed finding their presentist principles in the American political tradition was irrefutably normative. In the conservative worldview, the prelapsarian tradition was always authentic and demanded to be reasserted.

When it came to the American political tradition, conservatives were restorationists as much as preservers. What varied wildly was where they located the point of decline. Kendall and Carey's identification of the pre-Founding tradition was idiosyncratic. And while there was a strong current of anti-Lincoln sentiment among conservatives, their anti-rights approach concerned some conservatives. One activist, Neil McCaffrey, wrote to Kendall asking where his argument leaves conservatives. "The Bill of Rights has long since become part of the American myth," McCaffrey wrote. He did not think they could "turn back the clock now" and was not sure conservatives would want it to be. If anything, "ritualistic" concern for the Bill of Rights was "beleaguered" conservatives' main protection "against the omniscient State."⁵²

When *The Basic Symbols* came out, the conservative response was muted. *National Review's* coverage was critical and provoked an angry response from Kendall's supporters.

⁵² Neil McCaffrey to Willmoore Kendall, Sept 15, 1965, box 36, Buckley Papers.

George Carey wrote testily to William F. Buckley, who denied editorial oversight over book reviews.⁵³ He offered a slight apology and said he intended to read the book. Garry Wills, in the midst of his own bitter break with *National Review*, said the reviewer “got the main thesis of Willmoore’s book exactly backwards,” offering nothing but “plain insult.”⁵⁴ Kendall’s widow echoed the bitterness that Kendall had developed for Buckley late in his life as a result of Kendall’s break with *National Review*. She blamed Buckley for ostracizing Kendall from movement conservatism for being a “thorn in their careful, politic collective side.”⁵⁵ In truth, the fall-out, which was largely the result of Kendall’s alcoholism and mental health issues, was tremendously painful for Buckley. Buckley eulogized Kendall as an important conservative thinker. Likewise, Jeffrey Hart compared Kendall with the influential English conservative philosopher Michael Oakeshott. The upshot of the good will that came with Kendall’s early death, George Carey’s long career, the efforts of Kendall’s widow to publish his work, and the high regard that early historians of conservatism, namely Garry Wills, Jeffrey Hart, and George Nash, has meant that Kendall has become considered a great conservative might-have-been whose works became minor classics.⁵⁶ In 1995 Catholic University of America republished *The Basic Symbols*.

⁵³ William F. Buckley to George Carey, Dec 7, 1970, box 109, folder 431, Buckley Papers.

⁵⁴ Garry Wills to Nellie Kendall, January 31, box 16, Kendall Papers.

⁵⁵ Nellie Kendall to Garry Wills, 7 Feb. 1971, box 16, Kendall Papers.

⁵⁶ Garry Wills to Nellie Kendall, ans. Oct 7, box 16, Kendall Papers; American Political Science Association Oral ; History Project: transcripts of tapes Recording Conversations with Charles S. Hyneman, 6, box 16, Kendall Papers; Nash, *The Conservative Intellectual Movement*, 386-7; George H. Nash, “The Place of Willmoore Kendall in American Conservatism,” in *Reappraising the Right*, (Wilmington, DE: ISI Books, 2009), 60-71; Jeffrey Hart, “Two Paths Home: Kendall and Oakeshott,” *Triumph*, October 1967, 28-34; Jeffrey Hart, *The Making of the American Conservative Mind*, 29-41.

However, the central themes of Kendall's work were anachronistic by the time they were published. Kendall's focus on constitutional machinery was suited to the non-ideological party system—the product of complicated and often coercive historical happenstance—that gave way in the 1960s and 1970s.⁵⁷ Likewise, Kendall's belief that consensus derived from local communities and the broader concept of social orthodoxy were seriously undermined by the civil rights movement and massive resistance in favor of white supremacy. The rights revolution of the 1960s and 1970s filtered its way into conservative discourse and, combined with the concepts of consumer choice and property rights, became central parts of right-wing discourse.⁵⁸ That sympathetic historians looked toward Kendall as a “might have been” indicates the ongoing incoherence of the conservative project's melding of cultural traditionalism and transcendent values with the individualist tradition and defense of the free market.

Conservatives Beyond the Movement II: Christendom First

Where Willmoore Kendall saw a distorted tradition that needed reconstruction, Brent Bozell, a longtime and hardline conservative activist, responded to the cultural shifts of the 1960s by rejecting America itself because of corruption present at its Founding.⁵⁹ Bozell had been deeply involved in movement conservatism. He was William Buckley's debate partner and best friend at Yale. He married Buckley's sister Patricia, in late 1949, before attending Yale Law School.⁶⁰ With Buckley and Willmoore Kendall, Bozell co-wrote a qualified defense of Joseph

⁵⁷ Rosenfeld, *The Polarizers*.

⁵⁸ On the conservative response to rights and liberation, see Hartman, *A War for the Soul of America*; on the market as an organizing symbol, see Rodgers, *Age of Fracture*, 41-77; on white emphasis on private property right as a response to desegregation, see Kruse, *White Flight*; Lassiter, *The Silent Majority*; Sugrue, *The Origins of the Urban Crisis*.

⁵⁹ Bozell and other Catholics response to the changing United States is analyzed in Allitt, *Catholic Intellectuals And Conservative Politics In America, 1950-1985*.

⁶⁰ Daniel Kelly, *Living on Fire*, 19-20.

McCarthy emphasizing McCarthy's legitimate anti-communism and the importance of social consensus. When McCarthy's popular support began to crater following the Army Hearings, McCarthy hired Bozell as a speechwriter.⁶¹ After McCarthy's death, Bozell wrote for *National Review* as its Washington correspondent and then a senior editor. Barry Goldwater used Bozell as an occasional speechwriter and, in 1960, Bozell wrote Goldwater's *Conscience of a Conservative*.⁶² Palling around with Senators fueled Bozell's political aspirations. He ran on a very conservative platform for a Maryland congressional seat in 1958 which he lost. In 1964, Bozell primaryed Charles Mathias, a liberal Republican, in Maryland's sixth congressional district and lost again by a wide margin.⁶³

Interspersed with Bozell's political career, was a stint living in Francoist Spain. A Catholic convert, Bozell was intensely pious. His oftentimes apocalyptic worldview informed his anti-communism, his Catholicism, and his perspective on the United States. Bozell's mentor, Willmoore Kendall, lived in Spain, as did one of his brothers-in-law. Under the dictator Francisco Franco, it was a hyper-conservative Catholic country with a low cost of living. There the mythic histories of the *Reconquista* and romance of Carlist rebels captured Bozell's imagination. His wife later said Spain was where Bozell was "swept away" by "the concept of Christendom."⁶⁴ The beginnings of Bozell's break with *National Review*-style conservatism were clear in a debate in the magazine with Frank Meyer over the merits of virtue and liberty in the early 1960s. Bozell argued the "end" of society was to produce virtue; Meyer retorted that virtue

⁶¹ Kelly, *Living on Fire*, 23-35.

⁶² Kelly, *Living on Fire*, 47-61.

⁶³ Kabaservice, *Rule and Ruin*, 80-3; Kelly, *Living on Fire*, 82-86.

⁶⁴ Quoted in Kelly, *Living on Fire*, 67.

without liberty was meaningless.⁶⁵ The political and cultural events of the late 1960s exploded this argument. Bozell came to reject conservatism and the United States as irredeemable.

Bozell's last major contribution to *National Review*-style conservatism was his long-labored-over criticism of the Warren Court. Bozell had trained as a lawyer and practiced law for a year in San Francisco. Like many conservatives he was outraged by a series of high-profile decisions made by the Supreme Court under Chief Justice Earl Warren. Starting in 1957, Bozell worked on a book on the Court. Published in 1967, *The Warren Revolution* argued the Warren Court had abandoned the Constitution for egalitarianism and effectively established judicial supremacy. He treated the Court's use of substantive due process as a radical break from historic Court practices and, as a former student of Willmoore Kendall, as an egalitarian assault on the prevailing social orthodoxy.⁶⁶

The Warren Revolution sold poorly and the conservative press was critical. In *Modern Age* southern law professor James McClellan contended that Bozell's emphasis on the Warren Court was wrong. Earlier Courts had provided the precedent for the Court's breadth of authority. In McClellan's view, the real threat was not "judicial supremacy," but the Fourteenth Amendment.⁶⁷ A review in *Intercollegiate Review* by the legal scholar Alfred Avins, an opponent of anti-discrimination laws, took Bozell to task for his clear lack of expertise and meanderings about "social consensus" with no basis in constitutional law. In Avins's view, Bozell ignored the most important issue: "whether the Court is at liberty to ignore the original understanding and intent of the framers and instead to construe the Constitution according to current notions of

⁶⁵ L. Brent Bozell, "Freedom or Virtue?," *National Review*, September 11, 1962, 181–87; Frank S. Meyer, "Why Freedom?," *National Review*, September 25, 1962, 223–25; Nash, *The Conservative Intellectual Movement*, 264-72.

⁶⁶ L. Brent Bozell, *The Warren Revolution*, (New Rochelle, NY: Arlington House, 1966).

⁶⁷ James McClellan, "On Judicial Subversion: The Warren Revolution," *Modern Age*, (Spring 1967): 207-10.

policy.” Avins lamented Bozell’s poor book since there were few conservative legal writers.⁶⁸ Even though *National Review* covered *The Warren Revolution* with a major review, Martin Diamond, a Straussian expert on American political thought, found Bozell’s analysis of judicial review unconvincing and his arguments about social consensus similar to the “sociological jurisprudence” Bozell opposed.⁶⁹

Despite working on the book for a decade, Bozell had moved on. Its arguments were rooted in secular politics. Bozell had founded a conservative Catholic magazine, initially to be called *Future* but ultimately named *Triumph*. Buckley thought there was a “crying need” for a conservative Catholic magazine.⁷⁰ He gave it a prominent “salute” in August 1966 and paid for 100 subscriptions.⁷¹ Even Barry Goldwater commended *Triumph*, edited by his “old and dear friend,” to his mailing list. Goldwater’s form letter praised *Triumph* in suspiciously Bozellian language, calling it an antidote to the “moral crisis of unprecedented proportions” caused by “Secularism, Materialism and Liberalism.”⁷²

Despite these overtures, Bozell was intellectually and personally estranged from the dominant currents of movement conservatism. Bozell and Buckley had disagreed repeatedly over conservative strategy toward the John Birch Society and abortion.⁷³ Struck by Bozell’s intense

⁶⁸ Alfred Avins, “A Case Against the High Court,” *Intercollegiate Review*, (March/April 1967): 190-99.

⁶⁹ Martin Diamond, “Challenge to the Court,” *National Review*, June 13, 1967, 642-44.

⁷⁰ L. Brent Bozell to William F. Buckley, May 17, box 34, Buckley Papers.

⁷¹ “At Last: A Conservative Catholic Magazine,” *National Review*, Sept 6, 1966, 870-3; William F. Buckley to L. Brent Bozell, August 25, 1966, box 38.

⁷² Barry Goldwater to Fellow Conservative [Form letter], undated, box 43, Buckley Papers.

⁷³ L. Brent Bozell to The Editor, Oct 28, 1965; William F. Buckley to L. Brent Bozell, November 1, 1965; L. Brent Bozell to William F. Buckley, Nov 4, 1965; William F. Buckley to L. Brent Bozell, Nov 4, 1965 all in box 34, Buckley Papers; William F. Buckley, “The Catholic Church and Abortion,” May 19 or 20, 1966, https://cumulus.hillsdale.edu/Buckley/index2.html#1575949632959_10; on opposition to abortion see Williams, *The Pro-Life Movement before Roe v. Wade*.

dogmatism, Buckley told him “I don’t envy you your future, which is sure to be a protracted state of outrage.”⁷⁴

In its first year *Triumph* gained 16,000 subscribers, largely from the Catholic subset of *National Review* subscribers and similar conservative lists. But Bozell sharply criticized not only liberalism in America but America itself. In short order Bozell’s anger with the state of American Catholicism and American politics alienated readers. Neil McCaffrey, another conservative Catholic, asked Bozell why the American Church’s liberalism meant it “should desert traditional American values.” Bozell replied that he did not “rejoice” at *Triumph*’s deviations from “conventional conservatism.” “We too are patriots,” but “our calling is to assert Christianity, not Americanism.” On fundamental issues the two “are not always compatible.”⁷⁵ The gulf between Bozell’s conceptions of Christianity and “Americanism” grew stark. Between 1968 and 1970, Bozell published a series of articles attacking the United States and conservatism. He dreamed of establishing an American Christendom.

The first published statement of the incompatibility between Christianity and America was in February 1968. At root, Bozell argued, the United States was based on mankind; the Founders drew authority from the consent of the governed. By contrast, the Christian position, he proclaimed, derived all authority from God. Bozell cited Pope Leo XIII’s *Immortal Dei* to the effect that all societies must be governed by an authority and that authority is determinative. The Founders had forged a secular society. As such, “the constitution has not only failed; it was bound to fail.” In light of this Damascene realization, Bozell counselled readers that “the time has come to leave” the American regime “and head for home.”⁷⁶ Unconvinced, Buckley

⁷⁴ William F. Buckley to L. Brent Bozell, box 38, Buckley Papers.

⁷⁵ L. Brent Bozell to Neil McCaffrey, Dec 14, 1967, box 42, Buckley Papers.

⁷⁶ L. Brent Bozell, ““The Death of the Constitution,” *Triumph* 3 (February 1968): 383–90

protested his brother-in-law's claims. Ritual allegiance to God does not guarantee a good society, Buckley argued. "I for one," would "prefer the profanation of our Founding Fathers to the (inevitable) profanation of God." In addition, as the influential American Jesuit John Courtney Murray had argued, American values were "the product of Christian history."⁷⁷ Bozell reiterated his charge the following year. Phenomena such as the New Left, Vietnam War, and abortion liberalization were "not 'new,' but rather an elaboration and fulfillment of the original deposit." As men who believed themselves "unanswerable" to external authority, the "leading American founders, and America itself, quite legitimately thought of themselves as 'liberal.'"⁷⁸ The rot in the American regime went to the core of its tradition.

Bozell published his decisive statement about conservatism early in 1969 in a "Letter to Yourselves." As a political project, conservatism failed in 1964, Bozell wrote. Its failure was based on two mistaken beliefs: that "conservatism" and "liberalism" were fundamentally different, and conservatism was not explicitly theocentric. As a result of these contradictions, Bozell predicted conservatives would "swell the ranks of a proto-fascist reaction to the collapse of secular liberalism."⁷⁹ The only alternative Bozell imagined was a society in which politics was subsumed under the teaching – although not political authority – of the Catholic Church.

Even the most sympathetic among Bozell's old allies found his position spurious. The ardently anti-abortion Neil McCaffrey complained that Bozell's "Letter" was really to Buckley. He rejected Bozell's equation of conservatism and liberalism. "Of course they have common links," McCaffrey wrote. But conservatism also drew on "British pragmatic Toryism," "the

⁷⁷ William F. Buckley to the Editor, Feb 20, 1968, box 48, Buckley Papers.

⁷⁸ L. Brent Bozell, "Autumn of the Country," *Triumph*, (June 1968): 7-9

⁷⁹ L. Brent Bozell, "Letter to Yourselves," *Triumph* (March 1969): 11-14

Continent's reactionary attitudes," "*noblesse oblige*," "the Founding Fathers and their common sense," and "forces that go back to Greece and Rome and Jerusalem." He accused Bozell of presentism for assuming the 1960s were an especially awful moment in Christian history and of presumptuously attempting to establish the Kingdom of Heaven on earth. Finally, McCaffrey found Bozell's talk of Christianizing society "almost disingenuous" in its lack of pragmatism. Like Buckley, McCaffrey argued that religious freedom was the "only possible approach to a pluralistic society."⁸⁰ *National Review*'s publisher Bill Rusher, too, worried Bozell was heading toward a "revolutionary program" at war with America, adding "I tend to be a little uneasy with your view of the Christian republic."⁸¹

Bozell preached Catholic separatism from American society. He began developing a network of "guilds" based on the John Birch Society model to enact the Christian society. Alongside these guilds, Bozell founded an anti-abortion organization whose youth wing wore uniforms based on Spanish "Carlists," Catholic monarchist rebels, and a summer school in El Escorial, Spain.⁸² Beyond his small circle of followers, Bozell's rejection of the United States was politically ineffective.⁸³ A former contributor to *Triumph* found Bozell's anti-abortion demonstration counter-productive and his summer school borderline "treasonable." One attendee of the summer school reported its "grim" anti-Americanism that equated *The Federalist Papers* with Ayn Rand's odes to private greed.⁸⁴ From a possible peak of 30,000 subscribers the

⁸⁰ Neil McCaffrey to L. Brent Bozell, March 4, 1969, microfilm reel 21, Rusher Papers.

⁸¹ William A. Rusher to L. Brent Bozell, Feb 9, 1968, microfilm reel 22, Rusher Papers.

⁸² Kelly, *Living on Fire*, 155-72.

⁸³ Stephen J. Tonsor to L. Brent Bozell, July 13, 1970, box 59, Baroody Papers.

⁸⁴ Christopher Derrick to Stephen J. Tonsor, December 12, 1970, box 59, Baroody Papers; William F. Buckley, *Cruising Speed: A Documentary*, (New York: G.P. Putnam's Sons, 1971), 236-9.

magazine hemorrhaged subscribers, bottoming out around 5,000. In 1975 the financial pressures proved too great and *Triumph* folded.

But between 1955 and 1975 Bozell anticipated two major oncoming conservative issues, the Supreme Court and a religiously motivated culture war. These became linked by legal abortion. On the Court, Bozell was, despite his law degree, an amateur and a polemicist attempting to mount a challenge to experts. There were critics of the Warren Court he could have drawn from, including Alexander Bickel, a liberal Democrat but legal conservative in the mold of Felix Frankfurter. Lacking the expertise and institutional support – and by 1967, the enthusiasm – Bozell’s attack on the Court withered. On abortion and a wider sense of culture war, Bozell brought a convert’s zeal to Catholicism during a period where American Catholicism was in flux. The Catholic subculture was collapsing, a result of the combined forces of ethnic Catholics’ arrival in the middle-class and post-war suburbanization, the dramatic changes of the Second Vatican Council, and, in 1968, the widespread rejection of Pope Paul VI’s decree on contraception.⁸⁵ It was not a fighting faith. In the late 1960s and 1970s, too, the anti-abortion movement was attempting to avoid being pigeonholed as a religious interest.⁸⁶ Anti-abortion and cultural struggle against secularism would both eventually become causes for conservative evangelicals – as well as Catholics – but framed in terms of a defense or restoration of American values rather than their rejection.⁸⁷

The conservative response to Bozell’s arch-Catholicism was revealing. In the 1950s, many traditionalist conservatives made arguments founded on the universal applicability of

⁸⁵ Allitt, *Catholic Intellectuals and Conservative Politics in America*, 83-162.

⁸⁶ See Williams, *Defenders of the Unborn*.

⁸⁷ See Williams, *God’s Own Party*; Molly Worthen, *Apostles of Reason: The Crisis of Authority in American Evangelicalism*, (New York: Oxford University Press, 2014), 213-4, 246-7.

natural law. They treated the United States as a flourishing of Western Civilization which was largely synonymous with Christendom. The conservatives' rejection of a series of papal encyclicals, first *Mater et Magistra* on economic justice in 1961 and then *Humanae Vitae* on contraception in 1968, severed the Catholic conservatives' claim to represent the Church in America. Conservative American Catholics believed there was no tension between Catholicism and Americanism. Their conviction, much to Bozell's dismay, led them to embrace and celebrate religious pluralism in America above the totalizing claims of traditional Catholicism. Catholic faith was subsumed under or, more generously, equated with adherence to American values, including religious pluralism.⁸⁸ Buckley's appeal to religious freedom to dissuade Catholic political activism on abortion in 1966 illustrates this trend. As does the stated preference of several of Bozell's most sincerely Catholic critics for a "*respublica* in which most of the citizens happen to be *Christiani*" over a "*respublica Christiana*."⁸⁹ Although highly sympathetic to traditional interpretations of Christianity, most conservative intellectuals were Americans before they were transnational zealots.

Conservatives Outside the Movement I: Celebrating America Against the New Left

Conservative academics had long felt marginalized in academia. When Richard Nixon won the Presidency in 1968, the center-right also won control over several avenues of academic patronage. Namely, the newly formed National Endowment for the Humanities (created in 1965) and the Woodrow Wilson Center (created in 1968) as well as the Library of Congress, the Justice Department, and federal judgeships. These sources of funds and prestige proved attractive to moderate or conservative academics willing to work with or for the Nixon and Ford White

⁸⁸ Will Herberg, *Protestant-Catholic-Jew*, (New York: Anchor Books, 1960); John Courtney Murray, *We Hold These Truths: Catholic Reflections of the American Proposition*, (Kansas City, MO: Sheed & Ward, 1960).

⁸⁹ Christopher Derrick to Stephen J. Tonsor, December 12, 1970, box 59, Baroody Papers.

Houses. Because of the narrow pool of moderate or conservative academics and the need for Republican presidents to fill the relatively new federal academic-adjacent positions, these appointments could be something of an inside track for academics willing to take advantage of them.

The later career of historian Daniel Boorstin is an example of an emergent conservatism among moderate or center-right intellectuals and its connection to Republican administrations. In the late 1960s and early 1970s, Boorstin became a more willing participant in politics. He sharply criticized the New Left and became active in Republican circles. Boorstin became one of the favored historical experts among Republican politicians and right-leaning think tanks. He was the ideal type of intellectual for the center-right: highly educated and credentialed but pleasingly popular. His conservatism was grounded in American history rather than religious or philosophical esoterica. Moreover, Boorstin's often buoyant vision of the past, and reaffirmation of the tradition in the face of the counterculture, had useful political overtones.

Boorstin was interested in the American experience with a focus on the confluence of communities and technology. In the 1950s, Boorstin was most well-known as one of the conservative interpreters of the "consensus" school of history, the result of his *The Genius of American Politics*.⁹⁰ Boorstin subsequently wrote a three-volume history of "The Americans," subtitled, "The Colonial Experience" (1958), "The National Experience" (1965), and "The Democratic Experience" (1973). *The Americans* trilogy emphasized social snapshots – technology, types of work, and community mores such as divorce and air conditioning – and

⁹⁰ See John Higham, "The Cult of the 'American Consensus,'" *Commentary*, Jan 1, 1959, 93-100; John Higham, "Beyond Consensus: The Historian as Moral Critic," *The American Historical Review* 67, no. 3 (1962): 609-25; John Higham, "Changing Paradigms: The Collapse of Consensus History," *The Journal of American History* 76, no. 2 (1989): 460-66; Leo P. Ribuffo, "What Is Still Living in 'Consensus' History and Pluralist Social Theory," *American Studies International* 38, no. 1 (February 2000): 42-60.

won Boorstin major historical awards and a popular audience (although less praise from academic historians). Taken together the trilogy had what one critic called, a “boosterish” tone about the American past. By the 1970s, however, Boorstin’s communitarian nostalgia led him to critique the emergence of the commercialism he perceived was replacing “face-to-face” interaction.⁹¹ Boorstin’s most enduring cultural criticism was his 1961 book, *The Image or What Happened to the American Dream*. In this early instance of media theory, Boorstin diagnosed the emergence of “pseudo-events,” events generated by the media rather than events in-themselves, the cult of celebrity, and the way media simulacra replaced “real” objects.⁹²

In the late 1960s, Boorstin became entangled, for the second time in his life, in conflicts with the left. He deployed his historical learning to define the New Left as a new and dangerous turn in the American political tradition. Like many campuses, Boorstin’s University of Chicago was a site of student protest and direct action during the 1960s. In 1966 Boorstin was indirectly involved in a student protest. When the department fired the radical historian Jesse Lemisch for producing politically charged scholarship, Lemisch argued Boorstin and other Cold Warrior historians had their own political agenda for their scholarship. Boorstin had in fact told the House Committee on Un-American Activities that his work attempted to “discover and explain to students... the unique virtues of American democracy” as a form of “opposition” to communism.⁹³ Boorstin resigned his professorship in 1969, frustrated with student activism and

⁹¹ John P. Diggins, “Consciousness and Ideology in American History: The Burden of Daniel J. Boorstin,” *The American Historical Review* 76, no. 1 (February 1971): 99-118; David Donald, “The Americans: The Democratic Experience, by Daniel J. Boorstin,” *Commentary*, April 1974, 86-90.

⁹² Daniel J. Boorstin, *The Image: A Guide to Pseudo-Events in America*, 1st Vintage Books ed (New York: Vintage Books, 1992).

⁹³ “Communist Methods of Infiltration (Education): Hearings before the Committee on Un-American Activities, House of Representatives, Eighty-Third Congress, First Sessions, February 25, 26, and 27, 1953,” 51-2; Jon Wiene, *Professors, Politics and Pop*, (London and New York: Verso Books, 1991), 55-62.

faculty acrimony over the Vietnam War. Boorstin was then appointed Director of the National Museum of History and Technology at the Smithsonian Institute in Washington, DC. There his cultural conservatism and proximity to the Capitol brought him into contact with high level Republicans.

The first signal of Boorstin's conservative politics was "The New Barbarians," an anti-New Left essay published in *Esquire* in October 1968.⁹⁴ Boorstin insisted that the New Left was not an "expression Of American vitality" but a new and dangerous phenomenon. One of Boorstin's favored polemical and analytical devices was to develop a contrast between a true concept and an illusory or empty one. In *The Image* he contrasted "celebrities" with truly notable figures and "events" with "pseudo-events." In 1968, Boorstin held up true "radicalism," especially as it existed in the American tradition, against the "barbarism" of the Student and Black Power movements. Boorstin's excoriation of the New Left led to his only apologia for his youthful radicalism and subsequent apostasy from Marxism.⁹⁵

Just as the neoconservative editor Norman Podhoretz would in his right-turn in 1970, Boorstin saw a parallel between the 1960s and the 1930s.⁹⁶ In Boorstin's view, this parallel was profoundly negative. To Boorstin, the radicals of the 1930s were thoughtful and intellectual, if misguided, reformists. They belonged to a longer American radical tradition "from the Antinomians of Massachusetts Bay, through the Quakers of Pennsylvania, the Abolitionists and the Mormons down to the Jehovah's Witnesses and the Communists in our own day." Befitting his legal training, Boorstin distinguished radicals - affirmative, thoughtful, and grounded in

⁹⁴ Daniel J. Boorstin, "The New Barbarians," *Esquire*, October 1, 1968, 159-62.

⁹⁵ Boorstin, *The Image*, 45-76.

⁹⁶ Merle Miller, "Why Norman and Jason Aren't Talking," *New York Times*, March 26, 1972.

communities - from the Student “Powerites” and Black “Powerites.” Therefore, the New Left were not radicals but “barbarians.” Unable to “understand or value” society they were driven to destroy it. The basis of the New Left’s self-centered power-seeking was the result of another conceptual decline, from “experience” to “sensation.” Anticipating elements of the neoconservative concept of the “New Class” critique, Boorstin accused the New Left of focusing on power and deviating from the American political tradition. Boorstin expanded his essay into a short book in 1970.⁹⁷

Boorstin published a second, pseudonymous, essay in *Esquire* satirizing the young, left-wing minority in his faculty. This essay, too, was expanded, with Boorstin’s name attached, into a short book called *The Sociology of the Absurd*. Boorstin mocked “New Democracy” concepts like ethnic representation and social equality by pushing them to absurd conclusions. The New Conservative Peter Viereck, an old friend of Boorstin’s, complimented his satirical pen. It was “so important to reach [the] *Times* audience with your viewpoints,” Viereck wrote to Boorstin. “There are so few of us who oppose left-greenings” without falling into the “trap of [the] rad[ical] right.”⁹⁸

In general, Boorstin preferred to keep conservative activists at arm’s length, as he had done with Russell Kirk in the 1950s. In 1975, Henry Regnery attempted to describe Boorstin as a “man of the right” in print, which Boorstin politely but firmly rejected.⁹⁹ Nevertheless, the response among conservatives to Boorstin’s criticism of student activism was predictably

⁹⁷ Boorstin, *The New Barbarians*; Daniel J. Boorstin, *The Decline of Radicalism: Reflections on America Today*, (New York: Vintage, 1970).

⁹⁸ Daniel J. Boorstin, *The Sociology of the Absurd or: The Application of Professor X*, (New York: Simon & Schuster, 1970); Peter Viereck to Daniel J. Boorstin, October 27, 1971, box 60, Boorstin Papers.

⁹⁹ Daniel J. Boorstin to Henry Regnery, November 24, 1975, box 43, Boorstin Papers.

popular and Boorstin was drawn into personal friendships with Bill Rusher and William F. Buckley, as well as appearing on *Firing Line*.¹⁰⁰

Living in the capital brought Boorstin into close quarters with high-level lawmakers. When Buckley introduced Boorstin on *Firing Line*, he called him “Spiro Agnew of the Highbrows.” This was coincidental, since Boorstin became close to Agnew in 1970. He supplied ideas for speeches as well as commenting on their shared views. He was particularly close to Nelson Rockefeller, whom he considered a friend.¹⁰¹ On October 29, 1971, Henry Kissinger lunched with Boorstin. Kissinger reported on the “brilliant” historian to Nixon and suggested he might be brought to China to document the historic summit with a credibility the Administration lacked.¹⁰² “He isn’t so good on foreign policy,” Kissinger advised. “But about the American image of itself, what America’s role in the world should be, he’s one of the most brilliant people around. Exceptionally thoughtful and basically on our side.”¹⁰³ In conversation with Russell Kirk, Nixon expressed his concern that Americans were losing their sense of destiny and confidence in the nation. Boorstin’s histories not only explained this ennui but depicted the United States as an exceptional and meaningful nation.¹⁰⁴

¹⁰⁰ William A. Rusher to Daniel J. Boorstin, Oct 9, 1968, microfilm reel 22, Rusher Papers; Daniel J. Boorstin to William A. Rusher, Oct 26, 1968, microfilm reel 22, Rusher Papers; Daniel J. Boorstin to William A. Rusher, March 18, 1969; William F. Buckley to Daniel J. Boorstin, April 10, 1969, box 37, Boorstin Papers; “Dissent and Society,” January 06, 1970, *Firing Line* broadcast records, Hoover Institution Archives, <https://digitalcollections.hoover.org/objects/6119>.

¹⁰¹ See correspondence between Daniel J. Boorstin and Spiro Agnew in box 8, Boorstin Papers; Daniel J. Boorstin to Mrs. Nelson A. Rockefeller, Feb 13, 1979, box 151.

¹⁰² “Recording of Richard Nixon and Henry Kissinger,” Oval 608-2, White House Tapes; Richard Nixon Presidential Library and Museum, Yorba Linda, California (hereafter Nixon Tapes).

¹⁰³ “Recording of Richard Nixon and Henry Kissinger,” Oval 876-004, Nixon Tapes.

¹⁰⁴ “Recording of Richard Nixon and Russell Kirk,” Oval 702–9, Nixon Tapes.

In fact, Boorstin had already been involved with Republican leaders. He spoke at the Republican Governors Association meeting in May of 1972 and presented to the Platform Committee at the Republican National Convention that August. Nelson Rockefeller invited Boorstin to the Governor's Meeting after reading *The Image*. He asked Boorstin to speak about "extravagant expectations" and populism. Boorstin recapitulated his book's arguments and concluded that "democratizing" is "the great American achievement." Democracy expands access but dilutes experience. To sustain democracy "we must find a moral equivalent for novelty." The aim, Boorstin suggested, must be "to create a society which could thrive with the minimum agreement on goals" which was one of the "objectives of the founding fathers." Boorstin's vision of plurality was in stark contrast to Willmoore Kendall's vision of social orthodoxy, revealing the moderate outlook Boorstin and many Republican governors evinced. Intrigued by Boorstin's comments on homogenizing technological research, Governor Ronald Reagan connected Boorstin's thesis to his own critique of federal centralization.¹⁰⁵

In his presentation at the Republican Convention in Florida, Boorstin linked his antipathy toward Student movements, Black Power, and other "minority" political movements, directly to his reading of the American political tradition. "If there is a crisis today," he told the Committee, "it is a crisis of memory and of understanding, an unwillingness to have the courage of our history." The left had lost its historical bearings, Boorstin thought. Its alienation from America's individualist traditions led to their support for un-American policies like Affirmative Action and "group" politics. Boorstin brushed past historic injustices. His America was a nation of "cultural federalism" replete with people working to "improve the lot of others." Examples included northern opposition to slavery, Theodore and Franklin Roosevelt, and white financiers of civil

¹⁰⁵ "Third Session: Republican Governors Meeting, May 2, 1972," box 43, Boorstin Papers.

rights organizations. None of these altruistic heroes were unequivocally popular among movement conservatives, which indicates Boorstin's moderate background. The point was that American history "flowed" in a largely positive direction, abetted by good institutions and actors. To be sure, there were moments of moral blindness, Boorstin acknowledged. But these episodes were outside the "mainstream" of the American past. Through his reading of history, Boorstin leveraged his authority as a respected historian to justify his and his party's cultural politics.¹⁰⁶

Where *The Sociology of the Absurd* was Boorstin's denunciation of the New Left and the New Politics wing of the Democratic Party, his historical analysis was his positive alternative. "The direction of our history was never to give power to minorities," Boorstin asserted. "The aim, rather, was to break down barriers, and so to allow each of these groups – Negroes, women, young persons, aged persons, or any others – to take their rightful place in the ranks of all Americans." Boorstin's American political tradition was the Cold War-era liberal society *par excellence*. He argued group politics were scarcely better than pure individualism. "When before has it been respectable for American politicians to declare themselves the candidates for their race?" Appealing to his idealized history, Boorstin asked rhetorically whether "a Black Caucus" was "any more respectable than a White Caucus?"¹⁰⁷

Daniel Boorstin was an ideal intellectual for the Republican Party in the early 1970s. He was in some respects a forerunner of the "neoconservative" intellectuals who turned against the countercultural politics of the left and engaged with the right. Boorstin's recommendations to the Committee mirror the cultural and political issues of the emergent neoconservatives. Like many

¹⁰⁶ "Statement by Daniel J. Boorstin, American Historian to the Republican Platform Committee at Miami Beach, Florida on August 16, 1972," box 43, Boorstin Papers.

¹⁰⁷ "Statement by Daniel J. Boorstin, to the Republican Platform Committee," box 43, Boorstin Papers.

neoconservatives, Boorstin had a background writing for the anti-Stalinist *Commentary* magazine although his post-radical politics tended toward Midwestern Republicanism rather than Humphrey liberalism. He opposed “reactionary” leftwing measures, strongly recommending the Committee ban racial or gender quotas as discriminatory and against equality. In its place, Republicans should insist on equality of opportunity, which meant rebuilding schools “from the ground up” and insisting on “ruthless standards” of excellence, regardless of race or class background. These remarks had clear political salience in contemporary debates. Boorstin took the essentially neoconservative line on quotas in political representation, Affirmative Action, and in the ongoing conflict between the predominately Jewish United Federation of Teachers and the black Ocean Hill-Brownsville neighborhoods over control of the education system “covered extensively” in *Commentary* magazine.¹⁰⁸ Boorstin understood his view as a positive and unifying message. By “reminding us of our common hopes and destiny,” he told the Republican Party it could “help redeem us from our crisis of memory.”

Boorstin’s expertise in American history and willingness to deploy it on behalf of his increasingly conservative outlook flattered the conceits of the Republican leadership. Boorstin’s rendering of the American political tradition whitewashed historic inequalities and their causes and justified Republican opposition to racially egalitarian and feminist policies by bolstering their racially innocent self-conception. By contrast, his celebration of equality of opportunity and creativity lent credence to traditional Republican economic and political pieties. As with the neoconservatives, Boorstin’s expertise and especially his academic credentials and standing made him highly desirable to both movement conservatives and Republican politicians.

¹⁰⁸ Bailant, *Running Commentary*, 108-9.

Boorstin's conservative turn was representative of a wider resentment some older or traditional academics felt against student activism in the late 1960s and 1970s.¹⁰⁹ Anger at the activists perceived betrayal of the standards and norms of scholarship became a happy hunting ground for conservatives looking for respectable and well-credentialed allies.¹¹⁰ The clearest institutional manifestation of this sentiment was the University Centers for Rational Alternatives (UCRA) founded by Sidney Hook. The UCRA began as an east coast organization in January 1969 as a response to the unrest on campuses, especially at Columbia and Cornell in the previous year. Within five months, the UCRA boasted 1100 members on 175 campuses.¹¹¹ The UCRA brought frustrated liberal faculty members in contact – and common cause – with conservative and neoconservative academics. Some UCRA members, including directors Oscar Handlin, Gertrude Himmelfarb, and Martin Diamond, were open Nixon or Ford supporters. Daniel Boorstin was of course a member. There were some respectable old-style conservatives in the UCRA, including literary critic Cleanth Brooks, *National Review* religion writer and sociologist Will Herberg, and Milton Friedman. Straussian members included Walter Berns, Werner Dannhauser, and Herbert Storing. Many of the prominent names were part of the neoconservative circle. Campus unrest was a major stepping-stone in the rightward movement of this group which included Nathan Glazer, Jeane Kirkpatrick, Daniel Patrick Moynihan, and Aaron Wildavsky.¹¹² By 1970 the UCRA had approximately 2000 members.

¹⁰⁹ Ronald Berman, "An Unquiet Quiet on Campus," *New York Times*, February 10, 1974, 14;

¹¹⁰ William F. Buckley to Ronald Reagan, April 4, 1967, box 45, Buckley Papers; Wallace Turner, "Hayakawa-Tunney Senate Race a Study in Contrasts," *New York Times*, September 24, 1976, 23; "Relm Staff Conference on Contemporary Social Disorder, Ann Arbor, July 1, 1968," "Questions to Encourage Discussion," box 62, Baroody Papers; Robert Shogan, "Conservatism: New Attention, New Respect," *LA Times*, March 15, 1973, 1.

¹¹¹ Leonard Buder, "Faculty Representatives of Colleges Will Discuss General Policy on Campus Disruptions," *New York Times*, May 11, 1969, 43.

The UCRA's origins in response to revolutionary activism and turn toward sustaining cultural "standards" and opposing government "regulation" mirrored the rightward journey of neoconservatives generally.¹¹³ Through the UCRA, neoconservatives attempted to reconstitute academic norms. More broadly, the neoconservative project was an affirmation of American bourgeois culture which neoconservatives perceived as under attack by the New Left. The bedrock of bourgeois American culture was a confidence in the general goodness of its own standards and its institutions, along the lines that Daniel Boorstin articulated. This culture included a widely accepted narrative of the American past as simultaneously revolutionary and conservative, democratic but restrained. In the light of the New Left's indictment of American culture and politics, the Vietnam War, and later Watergate, conservatives and neoconservatives would rearticulate this vision of American history and the constitutional structure it produced as relevant and good. Some of their efforts are the subject of the next chapter.

Conservatives Outside the Movement II: *Ad Fontes* in Jurisprudence

The crisis in American institutions that shifted some scholars like Boorstin to the right extended beyond higher education and trust in government to the law itself. Robert Bork, a Republican professor at the liberal Yale Law School, bemoaned what he saw as incoherence in constitutional thinking that jeopardized the authority of the Supreme Court. In 1966, Bork found

¹¹² Miro M. Todorovich to Robert H. Bork, November 7, 1972, 1:3, Bork Papers; Miro M. Todorovich to Robert H. Bork, Dec 9, 1976, 1:3, Bork Papers.

¹¹³ Justin Vaïsse, *Neoconservatism: The Biography of a Movement* (Cambridge, Mass: Belknap Press of Harvard University Press, 2010); Joseph Dorman, ed., *Arguing the World: The New York Intellectuals in Their Own Words* (New York: Free Press, 2000); Jacob Heilbrunn, *They Knew They Were Right: The Rise of the Neocons* (New York: Anchor Books, 2009); Benjamin Balint, *Running Commentary: The Contentious Magazine That Transformed the Jewish Left into the Neoconservative Right*, 1st ed (New York: PublicAffairs, 2010); Jacob Hamburger and Daniel Steinmetz-Jenkins, "Why Did Neoconservatives Join Forces with Neoliberals? Irving Kristol from Critic to Ally of Free-Market Economics," *Global Intellectual History*, January 9, 2018, 1–16; Len Colodny and Tom Shachtman, *The Forty Years War: The Rise and Fall of the Neocons, from Nixon to Obama*, 1st ed (New York: Harper, 2009); Peter Steinfels, *The Neoconservatives: The Men Who Are Changing America's Politics* (New York: Simon & Schuster, 1979).

himself teaching a constitutional theory class at Yale. A gifted and esteemed scholar, his expertise was in anti-trust law, a subject that let his libertarian instincts flourish alongside an emphasis on economic efficiency and consumer benefit.¹¹⁴ The prospect of teaching constitutional theory intrigued and worried him. He decided to examine limitations in and on the Bill of Rights, focusing on the theory of checks against majorities rather than usual analysis of the Court as an institution.¹¹⁵ Bork sensed that the pragmatic legal education historically exemplified by the Yale School of “legal realism” was philosophically bankrupt. Beginning with this class, Bork spent the following decade critiquing the perceived failures of modern jurisprudence. During the 1970s, Bork’s outlook shifted away from libertarianism and an insistence on rights derived from freedom. Evidently, Bork concluded, there were no internal limits on a judicial philosophy based on substantive rights. Instead, he sketched a jurisprudential theory rooted in his conception of America as a Madisonian republic that demanded a return to the historic origins of constitutional provisions. This approach made Bork a prize scholar on the right, leading to his appointment as Solicitor General in the Nixon and Ford White Houses, and a founder of legal “originalism.”

The first fruit of Bork’s constitutional turn was an article in *Fortune* in late 1968. Bork had previously published in *Fortune*. His early-career-defining rethinking of anti-trust law appeared in the glossy Luce Empire magazine.¹¹⁶ This time Bork took aim at the entire constitutional establishment. Within jurisprudence, Bork claimed, it was widely accepted that the

¹¹⁴ On public choice, see Rodgers, *Age of Fracture*; Van Horn, Mirowski, and Stapleford, *Building Chicago Economics*. On the emergence of the conservative legal movement, especially after the 1970s, see Southworth, *Lawyers of the Right*; Teles, *The Rise of the Conservative Legal Movement*; Amanda Hollis-Brusky, *Ideas with Consequences: The Federalist Society and the Conservative Counterrevolution*. Studies in Postwar American Political Development (Oxford : New York, NY: Oxford University Press, 2015).

¹¹⁵ Robert H. Bork to Jan G. Deutsch, Nov 11, 1965, box I:2, Bork Papers.

¹¹⁶ Robert Bork and Ward S. Bowman Jr, “The Crisis in Antitrust,” *Fortune*, December, 1963, at 138.

authorities the public assumed were the basis of legal decisions – the Constitution, precedent, history, the “plain meaning” of the law – were insufficient for decisions of any complexity. Bork accepted this critique. However, he believed the Warren Court laid bare the dominant philosophy of legal realism by deciding cases in what Bork took as a morally driven but philosophically incoherent manner. This problem was not new, but it had become acute. Bork feared that high profile cases decided by judges apparently arbitrarily choosing between competing goods would lead the public to see the Court as a political institution to be “attacked and beaten on political grounds.” A politicized Supreme Court undermined the fiction of the law’s authority and the entire “American system of constitutional government.”

What was needed, Bork thought, was a reconstruction of constitutional interpretation as a neutral and non-arbitrary enterprise. At this stage in Bork’s intellectual development, he believed there might be two approaches to this. The first was a restrained approach that deferred to the aims of the legislators who enacted the laws in question. The constitutional system established a representative republic: deference to democratic decisions was warranted. To illustrate, Bork presented a reinterpretation of *Brown v. Board of Education*. The Fourteenth Amendment was clearly intended to redress racial discrimination by state governments. Racial equality conceivably includes physical and psychological equality. Therefore, the decision *Brown vs. Board of Education* “was surely correct.” Bork thought this reasoning decided *Brown* correctly, but on narrower and more coherent grounds than Justice Warren’s. In addition to this philosophy of restraint, Bork indicated an activist philosophy may be possible, one that discerned rights embedded in the “Madisonian” tradition. The Madisonian tradition was majoritarian but it contained a strong counter-majoritarian component that protected minority rights against tyranny. The Ninth Amendment, Bork thought, might have “revolutionary implications for the

practice of judicial review, extending the range of individual freedoms far beyond the text of the Constitution.”¹¹⁷ This was the last gasp of Bork’s libertarian-tinted constitutional thought. Two years later he rejected substantive due process altogether and regretted his support for it.¹¹⁸

After sounding this critique in *Fortune*, Bork published an expanded version as “Neutral Principles and Some First Amendment Problems,” a “seminal statement of originalism that would become one of the most famous and most cited law review articles ever written,” according to one sympathetic account.¹¹⁹ Bork identified the “paradox” of judicial supremacy in a “Madisonian” society. How can the Madisonian regime be democratic if the Court is supreme? Recent and controversial decisions by the Warren Court put this problem starkly. Decisions striking down laws on segregation, school prayer, apportionment, and contraception appeared to overturn democratic decisions made by communities. Bork was less perturbed by the Court striking down law than what he perceived as its incoherent rationale for doing so. There was no accepted method, he argued, for judges to discern neutral constitutional principles. Instead, judges smuggled their own preferences into Court decisions. Since Bork believed, citing his friend and colleague Alexander Bickel, that “the process of the coherent, analytically warranted, principled declaration of general norms alone justifies the Court’s function,” the inevitable result would be a crisis of legal authority.

The problem with neutral principles was not their application but their derivation. In Bork’s words, “we have not carried the idea of neutrality far enough.” Where the Constitution did not explicitly favor one value – speech rights, political equality, property rights, and so on –

¹¹⁷ Robert Bork, “The Supreme Court Needs a New Philosophy,” *Fortune*, December, 1968, from 170.

¹¹⁸ Robert H. Bork, “Neutral Principles and Some First Amendment Problems,” *Indiana Law Journal*, 47, no 1, (Fall 1971): 1-35.

¹¹⁹ Bork, “Neutral Principles”; Jonathan O’Neill, *Originalism in American Law and Politics: A Constitutional History*. (Baltimore: Johns Hopkins University Press, 2007), 165.

Bork claimed judges, even at the highest levels resorted to “simplistic” and imprecise concepts like fairness and equality. But many issues decided in court were not, in Bork’s view, legal questions. As such, they ought to be worked out by political communities. “The judge must stick close to the text and the history, and their fair implications, and not construct new rights.” If not, the Supreme Court risks things undermining its legitimacy but ruling against social custom. As such, Bork rejected the substantive due process reasoning of *Griswold v. Connecticut* that ruled against Connecticut’s ban on contraception on grounds of married couples’ right to privacy.

Instead, the Court must neutrally derive principles from the Constitution. The only legitimate method, Bork argued, was to identify “specific values that text or history shows the framers actually to have intended” or to derive “rights from governmental processes established by the Constitution.” By this method Bork narrowly interpreted the Fourteenth Amendment to justify the Court’s decision in *Brown v. Board of Education*. But by this reasoning, Bork concluded *Baker v. Carr*, was wrongly decided. “One man, one vote” was not neutrally derived. It denied “the text of the Fourteenth Amendment, the history surrounding its adoption and ratification, and the political practice of Americans from colonial times up to the day.” Similarly, Bork argued the Constitution did not justify free speech absolutism, but, citing Straussian Walter Berns, protected only legitimate political speech. Bork insisted these conclusions ran against his “generally libertarian commitments.” Nevertheless, he was convinced these “exploratory” ideas were the beginnings of a solution to the paradox of judicial supremacy in a democratic society: the problem could be resolved by greater adherence to the Madisonian tradition of American politics as, Bork argued, it had been historically constituted and practiced.

Bork brought his conservative critique of the Court to *Fortune*, publishing a long essay in December 1971 as “We Suddenly Feel the Law is Vulnerable.”¹²⁰ The lack of theory Bork identified in constitutional law contributed to its “malaise” and “self-doubt,” a crisis shared by other major institutions of “Western culture.” The essay brought together Bork’s constitutional reasoning with neoconservative insights. It emphasized the growth of the law, by regulation and court decisions, into spheres it was not competent or intended to govern. This overextension damaged the legitimacy of the law and reduced freedom and democracy. “We have become accustomed to massive intervention of law” in economics as a result of the New Deal, Bork complained “Now we are seeing a similar proliferation in social and cultural spheres” as the Supreme Court usurped the function of the legislature. Bork began to see the extension of law as a breakdown of community. Bork also attacked the oppositional tendencies of “bourgeois society” who supported the Berrigans, prison rioters, student militants, Black Panthers, and Yippies. In the breakdown of traditional sources of authority, Bork warned, society demanded the law not only express norms but generate them. Privately Chief Justice Burger was very impressed by Bork’s article. He commended it to “the widest possible circulation.”¹²¹

When Nixon nominated Rehnquist to the Supreme Court, Bork saw it explicitly as a step toward the “reconstitution” of the Court.¹²² Bork provided legal opinions to the Administration on school busing. Internally, the Justice Department saw Bork as an ideal candidate for the Administration. Not only was he an “energetic, highly intelligent” “lifelong” and active Republican “at the height of his career,” he had showed his loyalty and quality at Yale where

¹²⁰ Robert Bork, “We Suddenly Feel that the Law is Vulnerable,” *Fortune*, December, 1971, at 115.

¹²¹ Warren E. Burger to John Davenport, Dec 9, 1971, box I:4, Bork Papers.

¹²² Robert H. Bork to William Rehnquist, Nov 2, 1971, box I:4, Bork Papers.

“Republicanism is viewed virtually as a sin.”¹²³ As a result, Nixon offered Bork the position of Solicitor General which Bork accepted. As Solicitor General, Bork wrote briefs supporting the Administration’s position in legal matters.¹²⁴ After Nixon’s resignation, Bork continued as Solicitor General under Gerald Ford.

Bork’s thinking became increasingly pessimistic in the 1970s. This sense of doom coincided with his widespread unease with the state of the nation. In Bork’s case, there was a personal dimension to the crisis of the early 1970s. His wife Claire was diagnosed with cancer in 1971, dying in 1980, while his close friend and colleague Alexander Bickel died, also of cancer, in 1974.¹²⁵ As Solicitor General, Bork’s profile was raised, and he wrote and spoke frequently throughout this period, extending and repeating the legal and cultural arguments he advanced. In 1975 Bork reviewed Robert Nisbet’s *Twilight of Authority* for *National Review*. Although he thought Nisbet’s fears of the United States militarizing were overstated, Bork agreed with his analysis of collapsing institutions and Nisbet’s ideas became a staple of speeches.

Early in 1976, Bork spoke to the Lincoln Club of Los Angeles, giving his “first ranging shot” on another aspect of society’s malaise. Although a Bicentennial year, Bork claimed the apposite comparison was not with 1776, but 1860. In Lincoln’s era “there was a sense that things were coming apart, that the social fabric was rent, that the nation was sliding irreversibly toward a disaster.” Echoing neoconservative rhetoric, Bork blamed a “failure of nerve” and loss of faith in bourgeois values. At root, however, was the “national obsession with equality” – related to the “national concern with race” – and a widespread guilt for social and global inequality. In the

¹²³ “Memorandum for the Attorney General Re: Robert H. Bork by Roger C. Cramton [1972], Asst. Att. Gen., Office of Legal Counsel,” box I:20, Bork Papers.

¹²⁴ Robert Bork, *The Tempting of America*, (New York: Simon & Schuster, 1990), 272-9.

¹²⁵ Bork, *Tempting of America*, 272.

1920s and early 1930s, Bork argued, “the predominant clauses in the Fifth and Fourteenth Amendments were the Due Process Clauses with their emphasis on liberty.” Justice Holmes had derided Equal Protection Clause arguments as a “last resort.” But now, Bork claimed, the Equal Protection Clause “sweeps wider in the name of equality than substantive due process ever did in the name of liberty.” The combination of egalitarianism and guilt had swamped legislation, foreign policy, and constitutional interpretation. To be sure, equality was a crucial part of the American political tradition. But citing Harry Jaffa, Bork endorsed Abraham Lincoln’s understanding of “equality before the law” and “an equal distribution of political rights.”¹²⁶ Bork’s speech was very well received by the Californian Republicans.¹²⁷ The critique of egalitarianism and liberal guilt, combined with his analysis of the overextension of law and the decline of community, became a staple of his addresses and writing.¹²⁸

After the 1976 election, Bork returned to Yale; he continued to make speeches and write about law. Throughout the 1970s Bork was an adjunct scholar at the American Enterprise Institute alongside men like Antonin Scalia, Irving Kristol, and Walter Berns. While still Solicitor General, the University of Chicago Law School offered him a distinguished professorship at a competitive salary, which he turned down. Chicago was also pursuing Scalia who joined the law school in 1977.¹²⁹ In 1978, Bork wrote an editorial criticizing the Supreme

¹²⁶ “Speech by Robert H. Bork at the Annual Dinner of the Lincoln Club of Los Angeles, Feb. 12, 1976,” box I:13, Bork Papers.

¹²⁷ Robert H. Bork to Richards D. Barger, February 18, 1976; Terence D. Lynch to Robert H. Bork, Feb 13, 1976; Howard P. Allen to Robert H. Bork, Feb 13, 1976 in box I:5, Bork Papers.

¹²⁸ “Speech by RHB At the Annual General Meeting of 1976 of the American Philosophical Society Bicentennial Observance, April 24, 1976: Can Democratic Government Survive?, box I:11, Bork Papers; “A Whig View of the Republic,” Delivered at Annual Banquet of University of Chicago Alumni Assoc., Washington, D.C. May 7, 1976,” box I:13, Bork Papers.

¹²⁹ Norval Morris to Robert Bork, June 30, 1976, box I:6, Bork Papers.

Court's decision to effectively sustain affirmative action. In doing so, Bork ostensibly drew upon neutral principles derived from history: namely, the constitutional materials and the context of their drafting.¹³⁰ Winston Nagan, a law professor, replied in print that the disjuncture between Bork's Olympian theory and his adversarial tone – referring to “reverse discrimination” as racist – revealed the pretensions of Bork's approach to the law. It could be used to justify either side of the *Bakke* case, Nagan wrote. “Simplistic declarations of right principle allegedly discoverable from the ‘sources’ of the constitution” in fact “epitomize Bork's unexamined commitments to a particular political ideology.” As of 1978, Bork's views were a minority view within jurisprudence. Yet, although Nagan derided Bork as an “academic scribbler” with an idiosyncratic view of the law, it was Bork who served as Solicitor General, declined job offers at major universities, and appeared in the *Wall Street Journal*.¹³¹ He provided crucial encouragement to the Federalist Society, the conservative legal society whose name implies a connection to the Founding and the authentic interpretation of the Constitution.¹³²

After Bork's wife died in 1980, he left Yale to work in private practice in Washington, DC.¹³³ There the Reagan Administration swiftly tapped him to become a Federal Circuit judge with the promise of a Supreme Court nomination shortly thereafter.¹³⁴

¹³⁰ Bork, “The Unpersuasive Bakke Decision,” *Wall Street Journal*, July 21, 1978, 8.

¹³¹ Winston P. Nagan to the Editor, August 3, 1978, box I:7, Bork Papers.

¹³² Teles, *The Rise of the Conservative Legal Movement*; Southworth, *Lawyers of the Right*; Hollis-Brusky, *Ideas with Consequences*.

¹³³ Bork, *The Tempting of America*, 272

¹³⁴ Adam J. White, “Bork Won,” *Commentary*, (October, 2012), <https://www.commentarymagazine.com/articles/bork-won/>.

Conclusion

The fortunes of conservatism as a viable political discourse were scrambled in the mid-to-late 1960s and into the 1970s. On the one hand, Lyndon Johnson's defeat of Goldwater and Nixon's "ambiguity" toward the right and the Watergate maelstrom sapped momentum from conservatives, as did internal fissures. On the other, the well-documented breakdown of the New Deal coalition and the convulsive transformation of post-war economy and the Keynesian economic orthodoxy created political openings for right-wing politicians and ideas. Moreover, crime, urban decay and violence – riots from one perspective, uprisings from another – in the cities paired with ever-widening gender, racial, class, and even generational fault lines created the conditions for the Silent Majority reassertion of white, patriarchal norms and authority that lent credence to conservative narratives.

For his part, by the mid-1970s William F. Buckley was less a decisive political actor than a celebrity figure who played the role. His columns were still widely carried and he remained editor of *National Review* and host of *Firing Line*, but his bitter feud with the radical writer Gore Vidal turned into suits and countersuits for libel, distracting Buckley's intellectual energy. Other conservative writers like George Will and Rowland Evans and Robert Novak became the leading edge of popular of right-wing commentary. In 1976, Buckley published the first of several novels.¹³⁵ The intellectual energy on the right was increasingly elsewhere.

The four men highlighted in this chapter – Willmoore Kendall, Brent Bozell, Daniel Boorstin, and Robert Bork – suggest changing forces at work and the shifting fortunes of movement conservatism. Their intellectual lives intersected somewhat, largely through shared institutions. Kendall was Bozell's mentor, colleague, and friend. Both were involved in the early

¹³⁵ Kevin M. Schultz, *Buckley & Mailer*, 287-96.

stages of the Philadelphia Society although by the mid-to-late 1960s were more-or-less estranged from it. Kendall and Bozell fell out but retained an institutional relationship through the University of Dallas and their mutual friend Frederick Wilhelmsen. Boorstin and Bork were both members of the United Centers for Rational Alternatives, the academic organization critical of the student movement. They were also both associated with the University of Chicago, which has a storied and important place in conservative intellectual history. Boorstin was a faculty member in the history department whereas Bork was educated at Chicago, including its Law School. Bork joined the Yale Law School just as Kendall resigned from Yale's political science department. Their careers at Yale, a liberal dominated institution by all accounts, were in stark contrast. Bork, well regarded and distinguished, was promoted swiftly, Kendall the opposite. Boorstin and Bork were both appointed to positions within the Ford Administration. Bork retained his job as Solicitor General until 1977; Boorstin was appointed Librarian of Congress, a position he held until 1987.

Bozell was of course the least academic of the four. Educated at Yale and Yale Law School, although well before Bork's appointment, Bozell shows the importance of academic accreditation and institutional affiliation in mainstream intellectual production. He had success as a highbrow polemicist with Buckley and Kendall, which translated into speechwriting work, but when he turned to a highly specialized topic, the law, his lack of expertise and institutional standing mattered. As Bork's rise to prominence and the emergence of the conservative legal movement shows, Bozell identified an issue with tremendous salience for conservatives, the commercial and critical failure of *The Warren Revolution*, shows Bozell lacked the expertise and institutional support to produce sound and influential work. Nevertheless, Bozell understood the importance of academia. For five years he ran an alternative summer school in Spain.

Eventually, inspired by Bozell's vision, alumni founded Christendom College, a conservative Catholic liberal arts college in Virginia that now has an endowment of \$10 million.

Kendall, Bozell, Bork, and Boorstin had dramatically different careers in and out of academia. Kendall and Bozell struggled whereas Boorstin and Bork had largely stellar careers that bridged academia and politics. There are several reasons for this variance. The first is personal. Both Kendall and Bozell suffered serious mental health problems, exacerbated by self-medication, which hurt their ability to work in an academic setting. Both of their careers were characterized by peripatetic wandering between projects and institutions. By contrast, Bork and Boorstin settled into stable careers at Yale and Chicago where they were well-known and well-liked. We might compare this to the success Leo Strauss had at Chicago and the relative success of his students finding placements in good academic programs.

But a second reason is institutional. Bozell and Kendall eschewed conventional academia, although Kendall spent much of his last years attempting to get back into the professoriate. Instead, they prioritized conservative activism and intellectual production within the nascent conservative movement. They had marginal audiences and lacked the institutional prestige granted by Yale or Chicago (although subsequent conservative self-mythologization has ensured them a small but enduring audience). By contrast, Bork and Boorstin established conventional academic careers before embarking on political activism. Where Bozell and Kendall wrote in *National Review* or for their own magazines, Boorstin and Bork were able to publish in *The New Republic*, *Fortune*, and *Esquire*, publications without the stigma of right-wing parochialism. There is a slight complication to this. Bork criticized the Civil Rights Act and gave advice to the Goldwater Campaign. However, his criticism of the Civil Rights Act was only in mainstream publications and in very couched terms. His contributions to the Goldwater

campaign were discrete and under the auspices of the Republican Party rather than movement conservatism. These precautions, alongside his Yale affiliation, allowed Bork to avoid an exile in right-wing media.

Moreover, Bozell and Kendall entered conservative activism earlier and with a greater intensity than Bork and Boorstin. Most of their energies and publications were for conservative magazines or presses during the earliest stages of modern American conservatism when it was associated most closely in the mainstream public mind with opposition to civil rights, the John Birch Society, and fevered anti-communism. By contrast, for Boorstin and Bork, their first steps into conservative activism were also through mainstream presses and publications and by-and-large after Goldwater. They rose to prominence alongside a cultural backlash against the vicissitudes of the 1960s. Their political involvement, too, was largely through the institutional Republican Party rather than dissident conservative groups. Boorstin in particular was careful to manage his reputation, denying that he was a “man of the right” in 1975 and tactfully avoiding publishing in *Modern Age*. Bozell and Kendall were movement conservative activists; Bork and Boorstin were academics with a sideline in conservative, Republican politics.

Having said this, both Bork and Boorstin moved away from academia and toward politics as their activism increased. Boorstin’s historical writing received less and less acclaim from academic audiences, turning instead toward a popular audience.¹³⁶ He left Chicago for the Smithsonian Institute in 1973 and then the Library of Congress in 1975. Bork too flitted in and out of academia. In the mid-1970s he worked as Solicitor General in Republican Administrations. After 1980 he left academia entirely. Kendall and Bozell attempted the reverse, both involved in establishing explicitly conservative, or Catholic, institutions of higher

¹³⁶ David Donald, "The Americans: The Democratic Experience, by Daniel J. Boorstin," *Commentary*, April 1974, 86-90.

education. Boorstin and Bork had credibility to burn; Bozell and Kendall understood the value of academic institutions, having been adrift from them and envious of their capacity to produce knowledge and personnel committed to specific ideas. During the late 1960s and 1970s, Bork and Boorstin were models of successful conservative public intellectuals. They proved that in the right context, right-wing intellectuals could be regarded as credible and serious authorities.

The narratives these intellectuals produced about American history fulfilled several functions. They explained the conservative predicament in the present, demonizing their opponents and naturalizing their favored policies. The more alienated from contemporary cultural and political dynamics these intellectuals were, the deeper they perceived the rupture with the past to be. The radically Catholic Bozell, angered especially by abortion, rejected America root and stem. Boorstin, the most moderate, had a capacious vision of the American political tradition that included 1930s communists even as he used his historical learning and radical past to discipline the New Left and support the Republican Party. These narratives implied paths forward, a restoration. The most plausible and influential posited a conservative political revolution in law, academics, politics, and economics that would reinstitute the Founders' intentions. Alongside a political restoration, what conservatives needed at this cultural nadir was a forceful re-articulation of the America's strength – one that presented the nation as vital, constitutional, ruddy, and rightly ordered. It's this topic we turn to in the following chapter.

CHAPTER VII: THE BICENTENNIAL: RECONSTRUCTING FAITH IN AMERICAN INSTITUTIONS

Irving Kristol traveled from New York to Chicago for the Philadelphia Society's annual meeting in April 1971. The theme was "Conservatism in a Post-Liberal America" and he was easily the conservative right's favorite liberal.¹ A well-established editor and "intellectual," Kristol had been executive secretary for the anti-communist American Committee for Cultural Freedom in the 1950s, an editor at *Commentary* and co-founder of the anti-communist journal *Encounter*. In the mid-1960s he was editor and executive vice-president of Basic Books where he developed a large network of contacts. He was well-known and liked in intellectual circles, although his anti-communism occasionally led him to criticize fellow liberals. There was a deeply conservative aspect to Kristol. He preferred old movies, he never changed consumer brands, and he believed in the deep importance of religion.² In 1961 he described himself to his mentor as a "Tory radical" with a "conservative demeanor."³ Despite this sympathy with the right, Kristol supported Hubert Humphrey in 1968. Pragmatically, he called Humphrey one of two candidates able to win a national majority. Nixon, the other major candidate, appealed in Kristol's view to "the wrong majority." Kristol praised Humphrey for the fact that he did "not

¹ Jameson Campaigne Jr to William F. Buckley, 3 Jan, 1968, box 48, Buckley Papers; William F. Buckley to Jesse Helms, April 4, 1963, box 26, Buckley Papers; "Recording of conversation between Richard Nixon and H.R. Haldeman," June 12, 1972, Oval 730-003, Nixon Tapes.

² "Recording of Irving Kristol, Liberals & Conservatives Revisited, to the Philadelphia Society, April 2, 1971," https://phillysoc.org/tps_meetings/a-post-liberal-america/; Irving Kristol, "An Autobiographical Memoir," in Irving Kristol, *The Neoconservative Persuasion: Selected Essays, 1942-2009* (New York: Basic Books, 2011), 316-49.

³ Irving Kristol to Sidney Hook, July 25, 1961, Sidney Hook Papers, box 18, folder 14, Hoover Institution Archives (hereafter Hook Papers).

wish to repudiate American traditions (and, yes, even the ‘American way of life’),” but appeared “willing to adapt these traditions to the exigencies of present and future circumstances.”⁴

Nevertheless, Kristol crossed ideological borders frequently and with relish.

In 1972, Nixon enthusiastically read Kristol’s *The Democratic Ideal in America*. “He just scares the hell out of some of the usual liberals,” Nixon remarked to his chief of staff as he ordered copies of the book for his speechwriters.⁵ (In fact, H.R. Haldeman sounded out bringing Kristol into the White House staff in 1968 although nothing came of it).⁶ By 1973 Irving Kristol was editor of a prominent and heterodox journal, *The Public Interest*, a founding contributor to the *Wall Street Journal*’s editorial board, and Professor of Urban Values at New York University. Distilling the ideological drift of Kristol and his friends and allies and their boundary-crossing nature, the socialist critic Michael Harrington derided him as “neoconservative.”⁷ The term stuck.⁸

The Philadelphia Society meeting in 1971 was slightly before the christening of neoconservatism. Lacking this term, Kristol called himself a “liberal conservative” or a

⁴ Irving Kristol, “Why I Am for Humphrey,” *The New Republic*, June 8, 1968, 21-22.

⁵ “Recording of conversation between Richard Nixon and H.R. Haldeman,” June 12, 1972, Oval 730-003, Nixon Tapes.

⁶ “Memo from Bob Haldeman to Pat Buchanan. RE: Personnel: I. Kristol, 12/02/1968,” White House Special Files Collection, Box 32, Nixon Presidential Library.

⁷ Michael Harrington, “The Welfare State and Its Neoconservative Critics,” *Dissent*, Fall 1973, 435-454.

⁸ There is an extensive literature on the so-called neoconservatives including Justin Vaïsse, *Neoconservatism: The Biography of a Movement* (Cambridge, Mass: Belknap Press of Harvard University Press, 2010); Joseph Dorman, ed., *Arguing the World: The New York Intellectuals in Their Own Words* (New York: Free Press, 2000); Jacob Heilbrunn, *They Knew They Were Right: The Rise of the Neocons* (New York: Anchor Books, 2009); Benjamin Balint, *Running Commentary: The Contentious Magazine That Transformed the Jewish Left into the Neoconservative Right*, 1st ed (New York: PublicAffairs, 2010); Jacob Hamburger and Daniel Steinmetz-Jenkins, “Why Did Neoconservatives Join Forces with Neoliberals? Irving Kristol from Critic to Ally of Free-Market Economics,” *Global Intellectual History*, January 9, 2018, 1–16; Len Colodny and Tom Shachtman, *The Forty Years War: The Rise and Fall of the Neocons, from Nixon to Obama*, 1st ed (New York: Harper, 2009); Peter Steinfels, *The Neoconservatives: The Men Who Are Changing America’s Politics* (New York: Simon & Schuster, 1979).

“conservative liberal,” leaning toward the latter.⁹ He critiqued modern liberalism as “trapped in an impossible set of contradictions.” It promised, in Kristol’s formulation, economic collectivism, personal liberty, and materialistic hedonism. These were contradictory. Economic collectivism and personal liberty could only be sustained by a strong religious – whether transcendent or “civic” – commitment. Kristol also critiqued conservatism by gently criticizing Russell Kirk’s romanticism (“It is hard to conceive of Mr. Kirk not being nostalgic no matter when he was born.”) and Milton Friedman, a fellow panelist, for his radicalism. He argued that the romanticism of traditionalist conservatism and the radicalism of individualism led to self-defeating social convulsions. (A year later, Kristol extended his critiques of free market economics at the twenty-fifth anniversary meeting of the Mont Pelerin Society after “determined cajoling” from Friedman.)¹⁰ “I would like to *be* a conservative,” Kristol acknowledged. But, in an echo of the New Conservatism, for Kristol, conservatism meant defending bourgeois norms, stability, and the welfare state.¹¹

The following day, a panel of Harry Jaffa, Stephen Tonsor, and Gordon Tullock discussed “The American Political Tradition.”¹² The panel highlighted differences among the American right, the Straussian Harry Jaffa gave a lengthy philosophical and historical discussion

⁹ “The Philadelphia Society Annual Meeting: A Post-Liberal America, April 2-3, 1971,” https://phillysoc.org/tps_meetings/a-post-liberal-america/.

¹⁰ Burgin, 210-13; on the disagreement, rivalry, and ultimate confluence of neoconservative and neoliberal ideas and intellectuals, see Jacob Hamburger and Daniel Steinmetz-Jenkins, “Why Did Neoconservatives Join Forces with Neoliberals? Irving Kristol from Critic to Ally of Free-Market Economics,” *Global Intellectual History*, January 9, 2018, 1–16. Also Peter Kolozi, *Conservatives against Capitalism: From the Industrial Revolution to Globalization* (New York: Columbia University Press, 2017), 140-66.

¹¹ “Recording of Irving Kristol, ‘Liberals & Conservatives Revisited,’ to the Philadelphia Society, April 2, 1971,” https://phillysoc.org/tps_meetings/a-post-liberal-america/

¹² “Recording of Harry Jaffa, ‘The American Political Tradition,’ to the Philadelphia Society, April 3, 1971”; “Recording of Gordon Tullock, ‘The American Political Tradition,’ to the Philadelphia Society, April 3, 1971,” https://phillysoc.org/tps_meetings/a-post-liberal-america/.

of natural right in the American political tradition. The libertarian economist and legal thinker Tullock dismissed the validity of tradition at all. Stephen Tonsor meanwhile connected the discussion to what he called the collapse of the post-war liberal consensus. The liberal consensus governing from, in Tonsor's chronology, Woodrow Wilson to Lyndon Johnson was "a great diversion of American history from its true course." In Tonsor's view, the present crises were actually a reversion to America's "more original conception." Namely: privatism, "disengagement" from foreign entanglements including, for Tonsor, an end to Cold War rhetoric, and pragmatic solutions to the core problems of liberty, community, and power. A period of polarization and debate would follow, but Tonsor encouraged conservatives to embrace it.¹³

Half an hour after the panel, Frank Meyer prognosticated on the future of the conservative movement. Meyer thought it plausible to speak about a post-liberal age. Liberals still held the political and cultural levers of power. But attacked by conservatives on the right and the nihilists of the New Left (who had been "created by liberalism's subversion of value"), liberalism had weakened. Meyer counselled conservatives, having faltered in the late 1960s, to maintain coherence, avoid "creeping Nixonism" and "social fascism," and work with "sane liberals" without giving up the critique of the spiritual wasteland of liberalism.¹⁴ The twofold task for conservatives in the 1970s was to wrest power from liberals and launch a counter attack on the New Left. Kristol would likely have objected to Meyer's hortatory tone, apocalypticism, and strident Goldwaterism. But the beginnings of common ground could be found in Kristol and Meyer's insistence on the need for a moral basis for society and their enthusiasm for

¹³ "Recording of Stephen J. Tonsor, 'The American Political Tradition,' to the Philadelphia Society, April 3, 1971," https://phillysoc.org/tps_meetings/a-post-liberal-america/.

¹⁴ "Recording of Frank S. Meyer, 'The Future of Conservatism in a Post-Liberal America,' to the Philadelphia Society, April 3, 1971," https://phillysoc.org/tps_meetings/a-post-liberal-america/.

constitutional order against the New Left. Ultimately, the neoconservatives helped the conservative right perform both tasks Meyer predicted.

The emergence of “neoconservatism” both as a political signifier and identifier is complicated, in part because many of the people it refers to reject or equivocate about the term. Broadly speaking, “neoconservative” refers to well-credentialed and well-pedigreed intellectuals and policy aides who left the Democratic Party and, in many cases, found common cause, even close to full embrace, with the conservative right. There were numerous causes of neoconservative disaffection with liberalism between the late 1960s and early 1980s. In part, the neoconservatives were motivated by disillusionment with the liberal programs of the Great Society. Racial and political tensions between Jews and white ethnics and urban blacks and other minorities in America’s major cities, especially New York, added a strong emotional component to the trend. Within the major parties, many neoconservatives held hardline anti-communist views. They were frustrated with dovish Democrats and realist Republicans. Finally, neoconservative intellectuals vented at student protests and, especially, the McGovern’s Commission’s rule changes that shifted the dynamics in the Democratic Party toward the “New Politics” black, feminist, and young Democratic activists. Justin Vaisse provides a useful generational framework for understanding neoconservatism. The first generation, characterized by Irving Kristol and *The Public Interest*, was primarily motivated by the perceived failures of liberalism to deal with urban blight and unrest. A second, foreign-policy oriented, generation followed in the late 1970s frustrated with dovishness toward the Soviet Union.¹⁵ At the level of discourse, neoconservative intellectuals were interested in the maintenance or the

¹⁵ Vaisse, *Neoconservatism*.

reestablishment of norms in family structure, religious adherence, urban behavior, political culture, and ultimately in the American regime itself.

During the early to mid-1970s, neoconservative intellectuals began to engage with elements of the conservative movement. Neoconservatives like Kristol began to work with the Philadelphia Society and especially the American Enterprise Institute (AEI), a conservative think tank. It was a merger of neoconservative credibility and intellectual firepower and the resources of the burgeoning conservative counter-establishment. One of AEI's major undertakings in the mid-1970s was a re-articulation of America's founding principles. Neoconservatives participated in this re-articulation both directly and indirectly.

The New Conservative moment of the 1950s turned to conservatism as a political and philosophical response to the crisis of tyranny and mass politics; an important swathe of intellectuals turned to neoconservatism in the 1970s in response to similar crises. The conservative and neoconservative reconstruction of the American political tradition in the 1970s reasserted the validity and strength of the American constitutional order against the potentially delegitimizing effect of Watergate and trenchant criticism of America by the New Left. As well as defending the American founding, neoconservatives presented it in their image: serious, bourgeois, realist, and non-radical. In an example of the prestige neoconservative intellectuals carried, they took this interpretation of the American regime to the highest levels of American governance – a level of influence movement conservatives had never wielded. The neoconservative reassertion of the norms they perceived in the American founding *against* the left was also another instance of the right claiming ownership over America's past and the left, at least in the popular imagination, ceding it.

The New Left Threat and the Bicentennial

The New Left and Black Power were of major interest to the conservative right. In 1968, Richard Ware, the director of the Earhart and Relm Foundations, convened a five-yearly meeting of advisers. The heads of AEI and the Hoover Institution, and several businessmen and conservative academics attended. Their focus was “Contemporary Social Disorder.” The attendees read reports on the New Left’s “general thrust” against “repressive society.” They agreed universities were “financing [their] own downfall” by adopting New Left programs in response to student pressure. Similarly, the attendees discussed urban riots and black political violence. “Is there any way to convince the black community that law and order is in its own best interest?” one attendee asked. This problem was acute, the advisors agreed, because white flight had put urban political offices at stake. The committee emphasized the need to encourage “an acceptable Negro hierarchy.” In response to student and black power, the committee suggested the Earhart and Relm Foundations develop “a system of rewards for scholars.” It would encourage research on police and urban communities, including police “brutality,” as well as the legislation that prevented “economic and general progress,” which included laws regarding the minimum wage, child labor, and compulsory school attendance.¹⁶

The Relm and Earhart advising committee saw critics of the United States as irrational and misguided by pathological ideologies: Frankfurt School Marxism and Black Power. The committee agreed that urban blacks were disadvantaged but ignored the structural economic and racist components to this inequality. Instead, they emphasized regulatory constraints on the free market and the supposedly self-sabotaging behaviors and worldviews of black and New Left activists. In general, conservative intellectuals in the 1970s aimed to fend off criticism of the

¹⁶ “Staff Conference on Contemporary Social Disorder, Ann Arbor, July 1, 1968,” box 62, Baroody Papers.

American capitalist and constitutional regime and undermine perceived constraints on the free market.

The up-coming Bicentennial of the American Revolution proved a useful site of historical memory to make these arguments in public, enshrining right-wing talking points in the rhetoric of national memorialization. In an article in *Modern Age* in 1972, Stephen Tonsor, a conservative historian and Rehn and Earhart advisor, argued that the trope of the “fresh start” was central to American culture from the Pilgrims through Thoreau to the New Left. The New Left’s desire to “escape from history” was predictable, he argued. It showed that rather than Europeanized Marxists, student radicals were closer to “native American populism and know-nothingism.” But as “creatures of language” humans remain beholden to symbols. Since symbols depend on the context of tradition for meaning, language is conservative “in its influence.” Drawing on Eric Voegelin’s theory of symbols, Tonsor concluded “the paramount task” of conservative historians and political scientists was producing convincing symbols for society.¹⁷

Struck by his own injunction, Tonsor spoke to Richard Ware about commemorating the forthcoming bicentennial of the Revolution. He told Ware that commemorations should not be merely celebratory. They must interrogate “American Independence and the continuing revolution.” This task was especially important because of the political context. Conservatives must show that the present crises were not the result of a “defective political and social revolution” that needed completion along Maoist lines. Rather, America’s problems were “the consequences of a highly successful revolution which has created a new society with new possibilities and immense problems.” It was “especially important at the present time” for the “American people to see themselves once more as a truly revolutionary and progressive society”

¹⁷ Stephen Tonsor, “A Fresh Start: American History and Political Order,” *Modern Age*, 16, 1, (Winter 1972): 2-8.

lest they embrace leftist critiques. Tonsor proposed a series of lectures exploring the American “revolutionary tradition and its consequences.” Each lecture would be delivered at a different site, possibly televised, and collected as a book. In the first lecture a political scientist would explain why the American Revolution was “so much more promising in terms of human fulfillment than the totalitarian revolutions of the past hundred years.” Then a “first-rate” historian would emphasize the principles of the Revolution. Then they would assess the law and the principles of the Founders. Subsequent lectures would address social groups, religion, economics, science, human welfare, and the future.¹⁸

Ware passed the plan on to his friend William Baroody, the president of the AEI.¹⁹ The idea appealed to Baroody. It coincided with another bicentennial program also proposed in October 1971. Dick Ware had first brought Charles Hyneman, a distinguished political scientist at Indiana University and friend of Willmoore Kendall’s, to AEI’s attention in 1963 as a result of his criticism of the Supreme Court.²⁰ Hyneman became directly involved with AEI in 1966. He organized a series of conferences on the theory of democratic government with AEI and Relm funding.²¹ In 1970 he became an AEI adjunct scholar.

Hyneman saw the Founding as an important barometer with which to measure contemporary political practices. The bicentennial was an opportunity to expand popular knowledge about the Founding. He proposed an affordable edition of “authoritative” books about the “origins of the American political system” and explanations of the Founders “intentions and

¹⁸ “Memo S. Tonsor to R. A. Ware, Oct 10, 1971, ‘Plans for the Bicentennial celebration of American Independence,’ Stephen J. Tonsor papers, box 39, Hoover Institution Archives (hereafter Tonsor Papers).

¹⁹ “Xerox of Tonsor’s memo in box 78, Baroody Papers..

²⁰ Richard A. Ware to William J. Baroody, Oct 31, 1963, 62, Baroody Papers.

²¹ Richard A. Ware to William J. Baroody, Jan 27, 1968, 62, WJB Papers.

accomplishments.”²² He imagined a series of volumes covering the emergence of the independence movement in 1765 through to 1865, “when the Civil War had established the permanence of the Union.” The “Authoritative Documentation” would include the Constitutional Convention Debates of 1789, *The Federalist*, and “documents of critical importance” such as the Mayflower Declaration of Independence, early state constitution bills of rights, and the Kentucky and Virginia Resolutions.²³

In addition to these texts, Hyneman envisioned an interpretive project that would “inform” and “clarify” “our foundations.” The first, on the “Roots of Democratic Thought,” would emphasize the importance of the English and English colonial “thought and tradition,” especially “consent of the governed, social and political compacts, popular elections and representation, rule of law.” The second would be a study of state constitutions and the Articles of Confederation. More didactically, the third volume focused on the written Constitution, “an American invention.” Hyneman argued that historically the Constitution was understood as “an act of the people, in which the people created a government, gave it its authority, and limitations upon it.” In the 1970s, however, Hyneman thought the Constitution was widely perceived as a document “the Supreme Court can make mean whatever the judges think it needs to mean.” Hyneman intended his series to lead to a public questioning of this practice. A fourth book would consider the origins of union. A fifth on federalism and the distribution of self-government and a sixth on the “Meaning of America.” This project was essentially restorationist and based on the assumption that the Founding was relevant, if not determinative for contemporary politics, and

²² Charles S. Hyneman, “For the American Enterprise Institute for Public Policy Research, “A Pack of Books: The American Republic,” Oct. 15, 1971, 78. Baroody Papers.

²³ See correspondence from Charles S. Hyneman to William J. Baroody, Nov. 10, 1966 onward in box 78, Baroody Papers.; William J. Baroody to J. Gus Liebenow, Jan. 11, 1980, in box 78, Baroody Papers.

should be returned to pride of place in political debates. Hyneman told Baroody that AEI's mission should "be to see that a set of presumptions and beliefs that are being pushed aside or ridden down in this liberal age get brought to the front once again."²⁴

Hyneman and Baroody put together an advisory committee to "guarantee public confidence" and encourage public engagement.²⁵ Hyneman suggested twenty-one names, largely academics or college presidents but also Senator Sam Ervin of North Carolina and the poet Robert Penn Warren. Others on the list included scholars of various aspects of the Founding such as Daniel Boorstin, the Straussian Martin Diamond, constitutional scholar Philip Kurland and Malcolm Moos, a onetime New Conservative, Eisenhower speechwriter, and president of the University of Minnesota. William Baroody added the names of several scholars associated with AEI, including Robert Nisbet and Robert Bork. Hyneman agreed the advisory committee should not "ride herd" over good scholarship, but he tipped the scales by suggesting names he believed would ensure "a hearing" for conservatives.²⁶

As the 1968 Reim-Earhart advisory meeting showed, the conservative intellectual establishment was unnerved by black separatist rhetoric as well as the New Left. They hoped to encourage a "respectable" black leadership class to supplant black power. AEI and Hyneman specifically sought a black representative for the committee to secure its bona fides with black and liberal audiences. Hyneman identified three possible candidates, writing "Negro" alongside each's biography.²⁷ But finding "a Black" proved difficult.²⁸ Hyneman asked the director of the

²⁴ "A Pack of Books: The American Republic," 78, Baroody Papers.

²⁵ "Advisory Council for the Publication Program (or for a broader program)," box 78, Baroody Papers.

²⁶ Charles S. Hyneman to William J. Baroody, Oct 2, 1971, box 78, Baroody Papers.

²⁷ "Advisory Council for the Publication Program (or for a broader program), 78, Baroody Papers.

²⁸ Charles S. Hyneman to William J. Baroody, Oct 2, 1971, 78, Baroody Papers..

American Political Science Association, Evron Kirkpatrick, “about Negroes who might be especially good for this committee.” He wanted someone young and “convinced (as Roy Wilkins appears to be) that this system can serve the Negro as well as it has served the whites.” Hyneman and Baroody were also interested in discerning black college presidents who may be amenable to their program. Kirkpatrick ruled out one of Hyneman’s suggestions as politically unreliable. He recommended Martin Kilson at Harvard or Lucius Barker, a constitutional scholar at Washington University.²⁹

Baroody found Tonsor’s lecture program a worthy complement to Hyneman’s document series. He swiftly announced AEI’s sponsorship of a “scholarly re-examination of the role of the ideas and convictions of the Founding Fathers in the construction and development of American political institutions” and their ongoing relevance.³⁰ Baroody solicited his list for members to join AEI’s Bicentennial Committee. Ultimately, the membership comprised Baroody, Tonsor and Hyneman and eleven other men, six of whom were attached to AEI as either employees or adjunct scholars. In addition, Baroody recruited historians Aubrey C. Land and Robert A. Rutland, a journalist, a politician, a retired college president, a Proctor & Gamble executive, and Carl Holman, president of the National Urban Coalition. The committee met at AEI’s expense on December 7, 1971 to discuss the bicentennial.³¹

Indicating the program’s ambition, Tonsor proposed well-known figures for the now fifteen-lecture series. He thought Irving Kristol, Melvin Laski, or even Hannah Arendt might speak on the American Revolution as a successful revolution. He suggested Chief Justice

²⁹ Memorandum, Charles Hyneman to William J. Baroody, Oct 18, 1971, 78, Baroody Papers.

³⁰ William J. Baroody, Form Letter, ND, 78, Baroody Papers.

³¹ American Enterprise Institute Bicentennial Committee Meeting, December 7, 1971, 39, Tonsor Papers.

Warren, Henry Kissinger, and George Kennan for various topics, as well as respected Republican-leaning scholars like Robert Nisbet, Peter Berger, Daniel Boorstin, and Edward Banfield.³² Late the following year, Baroody circulated Tonsor's proposal to the prospective lecturers. AEI offered a \$2000 honorarium plus expenses for each lecture.³³ Although several of the biggest names, including Kissinger, Kennan, and Arendt, declined, Tonsor put together the series with "surprisingly few changes."³⁴ Daniel Boorstin, then Director of a Smithsonian museum, was impressed and eager to be involved, telling Tonsor he hoped he could "provide something worthy of the occasion of the distinguished company and sponsorship of the American Enterprise Institute."³⁵

Irving Kristol & Martin Diamond: Defining Revolutionary Down

On July 4, 1973, AEI announced the "Distinguished Lecture Series." The response was positive. Baroody claimed AEI offered "intellectual leadership" found nowhere else. Tonsor and Baroody had assembled a strong set of speakers for their now eighteen lectures. The speaker list bolstered AEI's credibility and looked to make a serious statement about the United States at two hundred. It was not a reread of the Philadelphia Society. Only four speakers, Irving Kristol, Martin Diamond, Robert Nisbet, and Edward Banfield, had spoken to the Philadelphia Society. None were frequent Philadelphia Society speakers and none had joined the Society.³⁶ The Distinguished Lecture series drew together a different class of lecturers, many of whom would

³² S. Tonsor, Plans for the bicentennial celebration of American Independence, Nov. 26, 1971, 39, Tonsor Papers.

³³ William J. Baroody to Daniel J. Boorstin, November 7, 1972, 9, Boorstin Papers.

³⁴ Stephen J. Tonsor to Daniel J. Boorstin, April 3, 1973, 9, Boorstin Papers.

³⁵ Daniel J. Boorstin to Stephen J. Tonsor, November 21, 1972, 9, Boorstin Papers.

³⁶ See Philadelphia Society Meeting Programs, available at <https://phillysoc.org/voices-of-conservatism/>. Nisbet addressed the Philadelphia Society in 1973 and 1979; Kristol in 1971 and 1974; Diamond in 1973; and Banfield in 1969. For records of the Philadelphia Society's membership in the 1970s and 1980s see 168, Rusher Papers.

have begged off the conservative designation but were nonetheless perceived by Baroody and Tonsor as men (and one woman, Caroline Robbins) who would reliably affirm the positive vision of American history, while adding reasonable disagreement and ideological diversity. The most assuredly right-wing were Warren Nutter, an economist and close AEI associate who worked on Goldwater's presidential campaign, and Ronald Berman, Nixon's conservative appointee to direct the National Endowment for the Humanities (NEH). Otherwise, the speakers were chosen for their eminence, such as Dean Rusk, or for being culturally conservative or "sensible liberals," like Irving Kristol and sociologists Peter Berger and Seymour Martin Lipset. The sole black lecturer was Kenneth B. Clark, a psychology professor and author of the doll study central to *Brown v. Board of Education*.³⁷

Tonsor and Baroody chose "Revolution • Continuity • Promise" as the lecture series' slogan. The lectures were not internally consistent but taken together they reasserted the power of the revolution, its continuing importance, and, in a rebuke of New Left revolutionary fetishism, its relevance and promise for America in the 1970s. The opening lectures – and the best-selling pamphlets in the series – outlined this theme. Irving Kristol spoke on the "American Revolution as a Successful Revolution" and implicitly inquired after the origins of its success. Martin Diamond's follow-up, "The Revolution of Sober Expectations," provided the answer. The Revolution was a true revolution, a historic and successful one, they argued. But it was clearheaded, bourgeois, and limited. These factors explained its success and demanded recovery for the present.

On October 12, 1973, Kristol stood in the pulpit of St. John's Church in Washington, DC, to preach the gospel of restrained revolution. According to Kristol, the Founders – unlike the

³⁷ For a list of lectures, see Dean Rusk, "The American Revolution and the Future," American Enterprise Institute's Distinguished Lecture Series, <http://www.aei.org/publication/the-american-revolution-and-the-future/>.

French, Russian, Chinese, and Cuban revolutionaries – created a functioning republic and established democratic republican norms so powerful that modern Americans mistook the importance and meaning of the Revolution. The Revolution’s very success created a contemporary failure of memory. “The American political tradition became an inarticulate tradition,” Kristol argued. Its success prevented Americans from considering its value and left them “intellectually disarmed” to leftist critiques. Only in the past fifteen years had historians like Bernard Bailyn, Edmund S. Morgan and AEI Distinguished Lecturers Gordon Wood and Caroline Robbins rediscovered the Founders’ self-conscious commitment to revolution.

Neoconservatives like Kristol affirmed the republican-democratic conception of the American Revolution because they believed the New Left’s revolutionary ideology was authoritarian. They sought to re-appropriate “revolution” from the New Left and restate the value of the American political tradition in terms acceptable to the intellectual class and compelling to business and political elites. To be sure, Kristol admitted, the Founders had revolutionary aims. They overthrew the government and reordered the social and political arrangements. The United States became the largest republic ever attempted. But, he insisted, the Revolution’s success was due to the Founders’ reluctance as revolutionaries. He quoted a distinction Hannah Arendt, whom Tonsor had first suggested for the lecture, drew between revolutions and rebellions. Rebellions were desperate “metapolitical” attempts at liberation and social transformation. Driven by momentum, they consume their leaders and principles. Revolutions, by contrast, are a “practical exercise in political philosophy.” They represent the “political ego” rather than “id.” Kristol described the American Revolution as calculated and sober, unlike communists and the

New Left. These virtues were “exemplified” by the “calm, legalistic” Declaration of Independence.³⁸

Kristol drew on arguments by Willmoore Kendall, Martin Diamond – both influenced by Leo Strauss – and Daniel Boorstin. These scholars emphasized continuity between the pre- and post-revolutionary American political tradition. From Kendall’s *The Basic Symbols*, Kristol argued that America’s “revolutionary message” and “political tradition,” from the Mayflower onward was a “self-disciplined people” forming a political community of ordered liberty. In Boorstinesque terms, Kristol argued the purpose of the Revolution was to entrench long-held Anglo-American citizen-liberties. Far from metapolitical “rebellion,” the Revolution brought “political institutions into a more perfect correspondence with an actual ‘American way of life.’” Finally, citing Diamond, Kristol claimed the Founders created a “popular government” that balanced the competing republican and democratic traditions in a “complicated and ingenious way.”³⁹

Emerging from the anti-communist wing of the New York intellectuals, neoconservative writers like Kristol reveled in the trope of paradox. Kristol’s description of the Revolution highlights this fascination. It was a conservative revolution, both transformative and traditional. Importantly, it was revolutionary enough to refute critics who denigrated America as reactionary, yet it remained fundamentally conservative. It was a revolution by which America became more itself. Unlike other revolutions, it succeeded because its narrow aims were conducive with its broad political tradition. The American regime was basically good. Kristol delivered exactly

³⁸ Irving Kristol, “The American Revolution as a Successful Revolution,” American Enterprise Institute’s Distinguished Lecture Series, October 12, 1973, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA01.pdf>, 8.

³⁹ Irving Kristol, “The American Revolution as a Successful Revolution,” 9, 12, 19.

what Baroody and Tonsor had hoped for. Although he had not studied with him, Kristol claimed Leo Strauss was the preeminent influence on his thought in the 1950s. He cited his close friend, Martin Diamond, who gave the second AEI distinguished lecture, as his crucial guide to reading the German scholar.⁴⁰

A New York native, Diamond briefly attended City College before serving in World War II. He did not complete his undergraduate education, instead he worked for the American Socialist Party for six years before joining the University of Chicago's graduate program in political science based on his self-education.⁴¹ At Chicago, Diamond studied under Strauss and applied the Straussian methodology to the early republic. Diamond's most prominent piece of scholarship challenged the prevailing view that the framers of the Constitution curbed the democratic ideals of the Declaration of Independence.⁴² Diamond was employed alongside Harry Jaffa at Claremont Men's College in southern California before moving to the University of Northern Illinois.

Like many Straussians, Diamond was shaken by the political upheavals of the late 1960s. He entered a period of relative quietude, reemerging in the early 1970s when he wrote a series of essays defending the American regime and implicitly, and occasionally explicitly, criticizing the New Left and even Leo Strauss.⁴³ He repudiated the metaphysical naiveté of the Old Left. "We

⁴⁰ Irving Kristol, *Neo-conservatism: The Autobiography of an Idea*, (Simon & Schuster: New York, 1995), 6-9.

⁴¹ Jeane Kirkpatrick, "Dimensions of the Democratic Republic: A Memorial to Martin Diamond," *Publius*, Vol. 8, No. 3, (Summer, 1978): 27.

⁴² Steven F. Hayward, *Patriotism is Not Enough*, 160; Martin Diamond, "Democracy and the Federalist: A Reconsideration of the Framers' Intent," *The American Political Science Review*, vol. 53, no. 1 (Mar., 1959): 52-68.

⁴³ Catherine Zucker and Michael Zuckert, *The Truth About Leo Strauss: Political Philosophy and American Democracy*, (University of Chicago Press: Chicago, 2006), 209-17. Zuckert and Zuckert convincingly argue that Diamond began to forego Strauss's critique of modernity, showing that Diamond's view of the price of the low but solid grounds of the American regime shifted from high to the merely "the price to be paid" in his disillusionment not only with the utopianism of the left, but the utopianism of Strauss's conception of ancient regimes.

thought” economics “would transform men and make them all virtuous and beautiful and noble.” In Diamond’s view, the New Left succumbed to a similar utopianism. They assumed “the absolute emancipation of the passions” would create “the Socialist transformation of the human condition” and transform material structures.⁴⁴ Against the utopianism of Lefts Old and New, Diamond commended the “sober” political science of the Founders to, quoting Lincoln, “reinspirit” America’s institutions.⁴⁵

Diamond’s scholarship emphasized the balance between the “democratic” and “republican” traditions in the constitutional structure. Two weeks after Kristol’s lecture, Diamond lectured to an audience in Independence Hall, Philadelphia and recalled the site’s storied past in his thick Bronx accent. Composed there, the Declaration of Independence and Constitution “are the two springs of our existence.” The crux of the American political tradition existed in the tension between them. While the Declaration was a powerful source of sentiment, it contained no guidance about the specifics of political architecture. The Declaration established the centrality of “equality.” But Diamond understood the Founders to mean equality in a Lockean sense. Men were equal in the state of nature and therefore possessed of unalienable rights. Rights and equality only become meaningful when given force by a state. In the 1970s, Diamond argued, people assume equality requires democracy. But this projects democratic norms on the past anachronistically. It was only at the Constitutional Convention where the all-important balance of republican and democratic structures was decided. The Founders chose the democratic political system that Americans now take for granted.

⁴⁴ Martin Diamond, “The Utopian Grounds for Pessimism and the Reasonable Grounds for Optimism,” in *Causes for Optimism*, ed. John A. Howard, (Rockford College: Rockford, 1973), 332.

⁴⁵ Martin Diamond, “The Revolution of Sober Expectations,” American Enterprise Institute’s Distinguished Lecture Series, Oct 24, 1973, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA02.pdf>, 1.

Together, Kristol and Diamond reaffirmed the value of the American Revolution and attempted to defang its radicalism, especially the radicalism of the Declaration of Independence. They saw the Declaration as a potential tool of the anti-establishment – even anti-American - New Left. Diamond claimed the “splendid distinction” of the American Revolution was not the rhetoric of the Declaration, but its silence on how to secure inalienable rights. By refusing to commit themselves to a form of government in the Declaration, the Founders made the revolution possible. Moreover, “what was truly revolutionary” was the Founders made “civil liberty” the purpose of government. Diamond saw this as a concession to reality and denial of the utopianism that placed abstract values like virtue, piety, or equality at the center of politics. Diamond acknowledged that this conclusion ran against Strauss’s critique of modernity. By lowering the political horizons, civil libertarian societies are constrained to “moderation, legality, and rootedness in regular institutions.” They created prudent lives, not heroic ones. But lowered horizons require neither “terror” nor “tyranny” for their fulfillment. In the context of “grave contemporary issues that tear at us and surfeit us with apparently endless crisis,” Diamond concluded, Americans ought to focus their attention on the sober wisdom of the Constitution.⁴⁶

Not every lecturer followed the positions staked out by Kristol and Diamond. In line with AEI’s stated belief in the competition of ideas and the requirements of its tax-exempt educational status, the lecturers’ arguments varied.⁴⁷ Some struck liberal notes. The constitutional professor

⁴⁶ Martin Diamond, “The Revolution of Sober Expectations,” 9, 11, 17

⁴⁷ The “competition of ideas” concept was central to AEI’s ideology and strategy. It allowed them to appeal to donors by indicating a commitment to free enterprise, while publicly disavowing a political outlook, protecting its tax-exempt status, its reputation in policy-making circles, and securing panelists and speakers. See, for instance, the slogan on its newsletter *Memorandum*, March 30, 1972, box 44, Baroody Papers; and William Baroody and W. Glenn Campbell’s deployment of the term to donors in William Baroody to John M. Olin, Dec 31, 1975, box 60, Baroody Papers; W. Glenn Campbell to Richard Scaife, 90, Baroody Papers; for analysis of the role of conservative thinktanks and especially the concept of the marketplace of ideas, see Jason Stahl, *Right Moves: The Conservative Think Tank in American Political Culture since 1945*, (Chapel Hill, NC: University of North Carolina Press, 2016), 47-95.

Paul Kauper emphasized pluralism, highlighting the reemergence of natural rights, especially the right to privacy, in recent Supreme Court decisions.⁴⁸ The historian Caroline Robbins derived social democratic principles from Jefferson’s pursuit of happiness.⁴⁹ Kenneth Clark saw in Jefferson the “schizophrenia which continues to afflict the American social and political system” through “the disease of racism.”⁵⁰ The economist Warren Nutter’s lecture was classic free market mythology, calling the Founders’ economic outlook “individualistic” and warning against a return to mercantilism.⁵¹ Summing up the lectures, William Baroody celebrated their diversity. He nevertheless discerned a common focus on the implications “of the continuing revolution that flows from this nation’s commitment to the idea of ordered liberty.”⁵²

To some extent Baroody’s summary was accurate, although it missed a second dominant theme. Kristol and Nutter both emphasized “ordered liberty” and the Hayekian framework the phrase evoked. But much of the tone of the lectures and the volume AEI published was of decline and crisis, pitched in the emergent neoconservative idiom. In this respect, the German sociologist Peter Berger’s contribution was typical. He sensed a failure of nerve or loss of faith in America’s founding values. The future depended on a “new unity of political will, moral

⁴⁸ Paul G. Kauper, “The Higher Law and the Rights of Man in a Revolutionary Society,” American Enterprise Institute’s Distinguished Lecture Series, Nov 7, 1973, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA03.pdf>.

⁴⁹ Caroline Robbins, “The Pursuit of Happiness,” American Enterprise Institute’s Distinguished Lecture Series, Jan 30, 1974, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA06.pdf>.

⁵⁰ Kenneth R. Clark, “The American Revolution: Democratic Politics and Popular Education,” American Enterprise Institute’s Distinguished Lecture Series, April 24, 1974, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA13.pdf>, 2, 6.

⁵¹ G. Warren Nutter, “Freedom in a Revolutionary Society,” American Enterprise Institute’s Distinguished Lecture Series, Feb 20, 1974, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA08.pdf>.

⁵² William J. Baroody, “Foreword” in Stephen J. Tonsor, ed. *America’s Continuing Revolution: An Act of Conservation*, (Washington DC: AEI Press, 1975), vii.

conviction, and historical imagination.”⁵³ Several of the lecturers drew on Irving Kristol’s highly publicized criticism of the “New Class.” Kristol excoriated a “class” of parasitic but influential “verbalists,” generated by capitalism’s largesse but resentful of their lack of power.⁵⁴ Nutter blamed a “multiplying band of intellectuals” for over-regulation and over-taxation.⁵⁵ The director of the NEH, Ronald Berman, narrated the decline of the republic from thoughtful men of action like Abraham Lincoln, to intellectuals committed to “adversary culture.”⁵⁶ More indirectly, Robert Nisbet pointed to the lack of an intelligentsia as one cause of the American Revolution’s success compared to the excesses of the French and Russian Revolutions.⁵⁷ Alongside New Class criticism, the sociologist Seymour Martin Lipset contrasted the egalitarian revolutionary heritage of the United States with the Tory history of Canada. Lipset spent half of his lecture criticizing Affirmative Action as a turn from “equality of opportunity” to “group mobility” and “equality of results.”⁵⁸

With some exceptions, the overarching theme of the lectures was that the Founding was truly revolutionary but in a benevolently limited fashion. It established the ongoing principles that an America in crisis must rediscover. The United States was fundamentally a good society and its decline was due to a variety of factors, including the New Class, but not because it was

⁵³ Kristol, “The American Revolution as a Successful Revolution,” 14; Nutter, “Freedom in a Revolutionary Economy”; Peter L. Berger, “Religion in a Revolutionary Society,” American Enterprise Institute’s Distinguished Lecture Series, Feb 4, 1974, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA07.pdf>.

⁵⁴ Collected in Irving Kristol, *Two Cheers for Capitalism*, (New York: Basic Books, 1979).

⁵⁵ Nutter, “Freedom in a Revolutionary Society,” 13.

⁵⁶ Ronald S. Berman, “Intellect and Education in a Revolutionary Society,” Distinguished Lecture Series, April 4, 1974, <http://www.aei.org/wp-content/uploads/2016/03/BicentenUSA12.pdf>, 13.

⁵⁷ Robert Nisbet, “The Social Impact of the Revolution,” Distinguished Lecture Series, Dec 13, 1973, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA04.pdf>.

⁵⁸ Seymour Martin Lipset, “Opportunity and Welfare in the First New Nation,” Distinguished Lecture Series, May 16, 1974, <https://www.aei.org/wp-content/uploads/2016/03/BicentenUSA14.pdf>, 19-27.

malformed at its inception. The authorities most frequently cited in the lectures were the historian Bernard Bailyn and the nineteenth-century French writer Alexis de Tocqueville. The lecturers admired Bailyn's morally serious and ideologically rich depiction of the Founding and his overturning of progressive historiography that treated the Founders as reactionaries acting in their class interests.⁵⁹ The reliance on Tocqueville, who received prominent citations in nearly every lecture, was similar. Tocqueville's standing as a profound analyst of democracy enjoyed a revival in the mid-twentieth century. Conservatives appreciated his critique of democracy's limits and description of early nineteenth century America. His America represented maximal social community and minimal government interference. Conservatives did not aim to revive the 1830s but to affirm that the republican-democratic-communitarian ideal, bolstered by bourgeois values and pluralistic religion, was possible. Tocqueville's America seemed to show that it was.⁶⁰ In neoconservative discourse, Tocqueville's America was a historical symbol with modern implications. It performed as a political analog to Gertrude Himmelfarb's Victorians, whom the neoconservatives understood as remoralizing Britain and reconstituting familial norms in the second half of the nineteenth century.

Baroody hired two producers to develop the lectures into a television series with funding from the NEH. The series was hosted by Vermont Royster, a professor and journalist long associated with the *Wall Street Journal*, and made by the National Public Affairs Center for Television of the Greater Washington Educational Telecommunications Association, Inc. It ran on various Public Broadcasting Service Affiliates.⁶¹ AEI published each lecture in pamphlet form

⁵⁹ Namely Bernard Bailyn, *The Ideological Origins of the American Revolution*, (Cambridge, MA: Belknap Press of Harvard University Press, 1967).

⁶⁰ Kloppenberg, "Tocqueville in America," in *The Virtues of Liberalism*, (New York: Oxford University Press, 2000), 71-82.

and collected the series in a clothbound book. In the introduction, Tonsor hammered home the series themes as he saw them. The Revolution was a culmination of a centuries-long development of Anglo-American rights. The fundamental value, Tonsor claimed, was liberty. The “conservative devotion to liberty” made “the American Revolution the most radical political movement of the modern era.” The Founders committed America to liberty over “equality or social justice” or any other value. After a “winter of self-doubt” it was time to “renew our compact with a glorious past.”⁶²

The series was a success for all involved. Tonsor produced a statement on the founding for the bicentennial in line with his initial plan. Baroody put together a “Distinguished Lecture Series” that won NEH grant money and further established AEI as a player in the intellectual marketplace. Irving Kristol went to Washington, for only the second time in his life, and forged an important connection with AEI.⁶³ Reviews noted the varied perspectives of the lectures but highlighted the quality of the series – especially Kristol’s and Diamond’s essays - amid a “glut” of bicentennial literature.⁶⁴ AEI sold 16,401 lecture pamphlets. Kristol’s was the best-selling, at 2,593, with Diamond second. Each pamphlet sold at least 500 copies. As a book, *America’s Continuing Revolution* sold 6,310 copies, including a paperback published by Doubleday.⁶⁵ More importantly for the conservative movement, it inaugurated both AEI’s and the neoconservative

⁶¹ Baroody, Foreword, *America’s Continuing Revolution*, viii; “Recording of the American Press and the Revolutionary Economy (1974) | ARCHIVES,” <https://www.youtube.com/watch?v=BMAMq3iQouw>.

⁶² Stephen J. Tonsor, *America’s Continuing Revolution*, ix, xi.

⁶³ Kristol, *Neoconservatism*, 33.

⁶⁴ Edward A. Stettener, “Review of America’s Continuing Revolution,” *Perspective*, Sept. 1975, 174; Joseph R. Thomas, “Book Review: America’s Continuing Revolution,” *National Catholic News Service*, Sept 24, 1975.

⁶⁵ “Memorandum from Gary Jones to William Baroody, Monthly Report – December, Jan 7, 1977, “ box 43, Baroody Papers.

circle's interest in particularly Straussian-informed American history. AEI subsequently appointed Walter Berns and Robert Goldwin, two Straussians who produced considerable scholarship on American history alongside the think tanks usual focus on economics and social science.

The Neoconservative Bicentennial

Eighteen months after his lecture, Kristol revisited the Founding for the tenth anniversary edition of *The Public Interest*. Kristol had founded the journal with Harvard sociologist Daniel Bell in 1965. The two men intended the journal, which drew contributions from well-regarded academics, to bring social science into political discussion from a “non-ideological” perspective that broke from grand theories of history.⁶⁶ Contributors to the first issue included Daniel Patrick Moynihan, Robert Nisbet, Martin Diamond, Nathan Glazer, and Daniel Bell.⁶⁷ Gradually, *The Public Interest* began to rethink liberal pieties.⁶⁸ Kristol and Bell's editorial line emphasized the complexity of social problems and the limits of government programs to solve them. Some of *The Public Interest* circle came to believe social problems were not only exacerbated by ill-informed programs but a general collapse of authority. Moynihan wrote to Richard Nixon to this effect in 1970, arguing that “the primary problem of American society” was “the eroding authority of the principal institutions of government and society.” Ironically, Moynihan hoped Nixon could help restore the authority of the presidency. “There is an increasing perception of

⁶⁶ Daniel Bell and Irving Kristol, “What is the Public Interest?,” *The Public Interest*, (Fall 1965): 3-5; Jacques Barzun, “Art By Act of Congress,” *The Public Interest*, (Fall 1965): 63-70; Richard Hofstadter, “Two Cultures: Adversary and/or Responsible,” *The Public Interest*, (Winter 1967): 68-74.

⁶⁷ *The Public Interest*, (Fall 1965).

⁶⁸ Jacob Hamburger and Daniel Steinmetz-Jenkins, “Why Did Neoconservatives Join Forces with Neoliberals? Irving Kristol from Critic to Ally of Free-Market Economics,” *Global Intellectual History*, January 9, 2018, 1–16, especially 3-7.

how fragile and vulnerable a free society is,” Moynihan wrote to Nixon, “and how much care is needed to preserve it.”⁶⁹ The *Public Interest* group believed two important factors in sustaining society were bourgeois culture and respect for America and its political tradition. Many of the key contributors were members of the anti-student movement University Centers for Rational Alternatives. In their polemical and analytical writing, these “middle-aged” writers affirmed a narrative of the American political tradition that was pleasing to many movement conservatives.⁷⁰

The Charles E. Merrill Trust funded the expanded issue for the bicentennial and there was substantial overlap between its contributors and the AEI lectures. Kristol, Martin Diamond, Robert Nisbet, and Seymour Martin Lipset contributed essays. So too did the sociologist, presidential advisor, and later senator Daniel Moynihan who had intended to give an AEI lecture but had withdrawn. Alongside these writers were other prominent intellectuals associated with the journal: Nathan Glazer, James Q. Wilson, Daniel Bell, Samuel Huntington, and Aaron Wildavsky.

Bell and Kristol subtitled the issue “the American Commonwealth,” evoking the late nineteenth century British statesman and scholar, James Bryce. But in the introduction Moynihan noted *The Public Interest*’s anniversary issue was gloomier than Bryce’s study. Where the AEI lectures were cautionary but laudatory with the underlying aims of defining “revolution” in the American context and claiming the American political tradition for the right, *The Public Interest* presented a series of declension narratives.⁷¹

⁶⁹ For a key example of the neoconservative diagnosis of the New Left, see “Memorandum to the President,” Daniel Patrick Moynihan to Richard Nixon, November 13, 1970, President’s Handwriting, box 8, folder 2, President’s Office Files, Richard Nixon Presidential Library and Museum, Yorba Linda, California.

⁷⁰ Daniel Bell and Irving Kristol, “What is the Public Interest?”, 4.

⁷¹ *The Public Interest: The American Commonwealth*, 1976, (Fall 1975): 41.

The division among New York “intellectuals” which produced the neoconservatives was in many ways a clash over the goodness of the United States even in a time of crisis. Where the circle around the *New York Review of Books* was critical of America, tracing their critique to the nation’s roots, the neoconservatives connected to *The Public Interest* were more open to America as basically good.⁷² Moynihan wrote that “no one thing has the American civic culture declined more,” than “the symbols of love of country” and “pride in the nation.” It was the *Public Interest*’s abiding belief that liberty – not democracy – “was the first principle of this Republic” that gave it “a conservative air.” In one of few optimistic notes, Moynihan called liberty “the grandest and most glorious idea man has ever had.” To advocate liberty “is virtue itself.”⁷³ During the apparent institutional and urban decay that *The Public Interest* had been foremost in documenting, the implication of the bicentennial issue was that a rediscovery of the Founding order was the best hope for restoring cultural confidence and political functionality.

The centerpiece of the issue was Martin Diamond’s “revelatory” essay on the Constitution and Declaration of Independence. Diamond argued that twentieth century historians had delegitimized the Constitution. Historians like J. Allen Smith, Charles Beard, Vernon Parrington, Samuel Eliot Morison, and Henry Steele Commager had depicted the Constitution as a Thermidorian reaction to the revolutionary promise of the Declaration of Independence. Richard Hofstadter especially popularized this view in *The American Political Tradition*, “perhaps the most influential text among college students.” Disseminating from elite quarters

⁷² Steinfels, *The Neoconservatives*, 76-77.

⁷³ Daniel Patrick Moynihan, “The American Experiment,” *The Public Interest*, (Fall 1975): 7-8.

over the past fifty years, Diamond argued that this critical outlook undermined the Constitution and the diminished enthusiasm for the bicentennial.⁷⁴

Diamond restated the importance of the Founding but reversed the conventional wisdom around “the two great charters of our national existence,” the Declaration of Independence and Constitution. Diamond argued the principles of liberty and equality – the basis of the American political order – were embodied in each document. But the language of “created equal” and “consent of the governed” had been decontextualized and misunderstood as an egalitarian tradition. Echoing Willmoore Kendall’s argument that a new, egalitarian tradition had replaced America’s original tradition based on deliberation, Diamond suggested that during the bicentennial, the “deepest political question Americans can ponder” was the “rivalry” between traditions, “the original one of the founding and the newer one based on egalitarianism.”⁷⁵

According to the neoconservative reading of the American political tradition, every major institution was faltering under the pressure of modern crises. Samuel Huntington argued that a surfeit of democratic action in the 1960s created governmental bloat and dissension in the 1970s, perversely undermining democratic governance. James Q. Wilson skewered “bureaucratic clientelism” from the Interstate Commerce Commission in 1887 through trustbusting legislation, New Deal alphabet agencies, and on down to the 1970s. Wilson concluded that the administrative state suspended the founding Madisonian order.⁷⁶ Nathan Glazer discussed the “imperial judiciary” with a role expanded since 1954 and unlikely to shrink its domain. He warned the commonwealth was worse off because citizens felt themselves “increasingly under

⁷⁴ Moynihan, “The American Experiment,” 8; Martin Diamond, “The Declaration and the Constitution: Liberty, Democracy, and the Founders,” *The Public Interest*, (Fall 1975): 39-55, 44.

⁷⁵ Diamond, “The Declaration and the Constitution,” 45, 48, 55.

⁷⁶ Samuel P. Huntington, “The Democratic Distemper,” *The Public Interest*, (Fall 1975): 9-38; James Q. Wilson, “The Rise of the Bureaucratic State,” *The Public Interest*, (Fall 1975): 77-103.

the arbitrary rule of unreachable authorities.”⁷⁷ The sociologist Robert Nisbet, who had just published *Twilight of Authority*, continued his decades-long jeremiad against the decline of community, bemoaning “the loss of confidence in political institutions” that is “matched by the erosion of traditional authority in kinship, locality, culture, language, school, and other elements of the social fabric.”⁷⁸ Seymour Martin Lipset foretold the breakdown of the structural power of the two-party system.⁷⁹ In the volume’s concluding essay, the Harvard sociologist Daniel Bell, one of the journal’s editors, charted the history and decline of American exceptionalism. He warned of a coming “crisis of the regime” and the need to “return to political philosophy.” According to Bell, the Founders established the United States in a bourgeois or liberal revolution, not a social upheaval. Moreover, the Founders feared tyranny and built this wise concern into the constitutional structure. Bell predicted that maintaining constitutionalism and the bourgeois values that denied “the primacy of politics for everyday life” were the problems of the future.⁸⁰ Throughout the issue, these major neoconservative figures fused their critiques of contemporary America and contemporary liberalism and with historical declensions or deviations from the American political tradition. Each hinted at a restoration predicated on rediscovering tradition and bourgeois life and society.

The neoconservatives diagnosed many causes of American institutional decline. In the volume’s most impressionistic essay, Irving Kristol blamed the New Class. The essay was putatively about corporate capitalism. Kristol began by arguing the Founders were committed capitalists, although not laissez-faire dogmatists or anti-statists. Whatever their historic views,

⁷⁷ Nathan Glazer, “Toward an Imperial Judiciary?,” *The Public Interest*, (Fall 1975): 104-23, 122.

⁷⁸ Robert Nisbet, “Popular Opinion versus Public Opinion,” *The Public Interest*, (Fall 1975): 166-93, 192.

⁷⁹ Seymour Martin Lipset, “The Paradox of American Politics,” *The Public Interest*, (Fall 1975): 142-64.

⁸⁰ Daniel Bell, “The End of American Exceptionalism,” *The Public Interest*, (Fall 1975): 193-224, 220-1.

Kristol intimated, they would be perplexed by modern corporate capitalism, particularly the size and power of major corporations.⁸¹ At this point Kristol turned the essay into something else. In his analysis of the neoconservatives, Peter Steinfels argued that one of the neoconservatives' polemical strategies was to redefine the problem to demonstrate "that the problem never existed" or "did so in a way that makes popular solutions irrelevant if not harmful" (an example of Hirschman's the Perversity Thesis).⁸² Kristol reframed his essay to consider critics of the corporation, animated by his reading of Richard Hofstadter's *Age of Reform*. Kristol argued populism was basic to democracies but "inimical to its survival," because its utopianism undermined institutions. Corporations aroused both skepticism and paranoia among populists. In the United States, an elitist progressive-reform tradition forged a modus vivendi with business. However, this tradition had given way to a European-style leftism. As far as Kristol was concerned, this explained the emergence of the neoconservatives who remained "old liberals."⁸³

In Kristol's telling the newly Europeanized left was alien to America. The European left had been consistently anti-liberal. It repudiated "the intellectual traditions of liberalism" expressed by "Locke, Montesquieu, Adam Smith, and Tocqueville" fundamental to the American project. It also rejected the key institution of liberalism, "the (relatively) free market (which necessarily implies limited government)." What's more, Kristol alleged the American left was elitist and motivated by snobbery, although this element was obscured by their cultural libertarianism. The American left was not a working-class phenomenon. Instead, the "New Class" ("scientists, lawyers, city planners, social workers, educators, criminologists, sociologists,

⁸¹ Irving Kristol, "Corporate Capitalism in America," *The Public Interest*, (Fall 1975): 124-41.

⁸² Peter Steinfels, "The Respectable Right," *Esquire*, Feb 13, 1979, 28.

⁸³ Kristol, "Corporate Capitalism in America," 126-32.

public health doctors”) were a product of capitalism, generated through prosperity, technological advancement, and elite education. They were intellectually and culturally estranged from America and ungrateful toward the political and economic order that produced them. Kristol concluded that against the imperious New Class, corporations were a beneficial dispersion of power in society. With light reforms, such as outside board members (a role Kristol was happy to fulfil and connect other neoconservatives to), corporations ought to be defended.⁸⁴

The New Class and the Failure of Nerve

The neoconservatives’ anxiety about faith in America’s political values and institutions was in part animated by their growing concern with foreign policy. The neoconservatives, like movement conservatives, were frustrated with Nixon and Ford’s reliance of National Security Advisor turned Secretary of State, Henry Kissinger’s strategy of *détente*.⁸⁵ They believed American foreign policy, especially toward the communist bloc, should be shaped by “American principles.” Hence the fixation with determining the historicity of these principles. Nathan Glazer wrote in *Commentary*, one of the major journals of neoconservatism alongside *The Public Interest*, that the United States is likely the only nation in which people “talk seriously about the relation of the nation’s values to its foreign policy.” Glazer believed this was morally right. What set American values apart from other schemes of national values were their universal accessibility. American values meant “the Declaration of Independence, the Constitution, the

⁸⁴ Kristol, “Corporate Capitalism and America,” 132-5; Irving Kristol to Robert H. Bork, March 1, 1978, box I:6, Bork Papers ; Steinfels, “The Respectable Right,” 29

⁸⁵ Len Colodny and Tom Shachtman, *The Forty Years War: The Rise and Fall of the Neocons, from Nixon to Obama*, 1st ed (New York: Harper, 2009).

Federalist Papers” which were widely known and “universal values, whether or not they are realized in practice.”⁸⁶

The neoconservatives were themselves members of the New Class. Their intended audience was other elites, both the governing elite and the New Class, the line between which was blurred. They were successful. A 1974 study of the “American intellectual elite” found neoconservatives, or men and women associated with neoconservative journals, accounted for a quarter of the hundred most prominent intellectuals.⁸⁷ The purpose of attacking the New Class and in shoring up the strength of American values through prevailing narratives of the American political tradition was to ensure domestic stability and international certainty. Even Irving Kristol, whose foreign policy views tended more toward realism than other neoconservatives, held that a “mature” foreign policy demanded continued “faith in the ideals the nation is supposed to represent.” Schoolchildren once learned celebratory histories of American ideals realized in its past. Now, Kristol complained, the youth learns “ours is a land where these ideals have been compromised and betrayed, or that the ideals themselves were never much more than hypocritical subterfuges.”⁸⁸ What was needed, according to Peter Berger, was “*a renewed awareness of the realities of tyranny in the world*” and “*renewed appreciation of the human values embodied both in the American political creed and in the empirical institutions of American society.*” In other words, “there has been enough “alienation” between the intelligentsia and American patriotism.”⁸⁹

⁸⁶ Nathan Glazer, “American Values & American Foreign Policy,” *Commentary*, (July 1976): 32-37.

⁸⁷ Charles Kadushin. *The American Intellectual Elite*, (Boston: Little, Brown, 1974).

⁸⁸ Irving Kristol, “Symposium: America Now: A Failure of Nerve?,” *Commentary*, July 1975, <https://www.commentarymagazine.com/articles/america-now-a-failure-of-nerve-2/>.

⁸⁹ Peter Berger, “Symposium: America Now: A Failure of Nerve?,” *Commentary*, July 1975, <https://www.commentarymagazine.com/articles/america-now-a-failure-of-nerve-2/>.

The heterodox leftist historian Christopher Lasch suggested the neoconservative New Class argument was their major contribution to the growing strength of the right in the late 1970s and into the 1980s. Criticizing the amorphous New Class allowed neoconservatives and the right writ large to attack “elites” without attacking big business, as Kristol’s contribution to *The Public Interest*’s bicentennial issue shows. The New Class thesis also presented businessmen as responsible and public spirited and accountable to consumers, the legitimate public. Since the New Class theoretically controlled the media and education, they had enormous power which allowed conservatives and their supporters to perceive themselves as victims of liberal authoritarianism.⁹⁰

Neoconservative narratives about the American political tradition were similarly intended to bolster confidence in the American regime and convert or at least deflect challenges from the New Class. The neoconservative narrative of American history confronted the perceived New Left and New Class’s egalitarian challenges in two linked ways. On one level, the narrative assuaged elite guilt by insisting on the rightness of the American political order, both in its history and its material and social provision to Americans. On a second level it rejected the leftwing ideal of egalitarianism out of hand. To be sure, the United States was founded – and succeeded – on the principle of equality, but equality modified and tempered by liberty and sobriety. The neoconservatives told themselves and their readers that the United States was never committed to radical egalitarianism. Confident in the American regime, American leaders could look abroad and vigorously oppose communist tyranny.

⁹⁰ Christopher Lasch, *The True and Only Heaven*, 512-8.

The American Enterprise Institute and the American Political Tradition

Neoconservative writers were attached to various academic or academic-adjacent institutions, primarily around New York. They convened intellectually in several journals. Bolstered by the success of the Distinguished Lecture Series, in the 1970s, prominent neoconservatives developed a productive relationship with several right-leaning think tanks, especially AEI. The neoconservatives brought credibility and ideas to AEI. AEI provided them a base in Washington that paid bills and brought them close to policymakers. AEI had been a free enterprise lobbying agency founded in 1938 under the name the American Enterprise Association. Under the leadership of William Baroody it became a leading policy and research-focused center-right think tank. AEI's relationship with Kristol and neoconservative intellectuals paid dividends in this effort as it grew substantially, supported by conservative and mainstream foundations.⁹¹ Baroody believed AEI could "mobilize 'intellectuals' whose approach to the solution of public problems is compatible with the basic values of freedom and enterprise." By 1969, 90% of Congressmen, 92% of Senators, the vice-president and numerous executive officials received AEI's Legislative and Special Analyses. Nixon himself received AEI's daily summary.⁹² As AEI's annual budget grew, so did its publication output. In 1974 it produced 63 studies, a 45% increase from the previous two years. Alongside the Bicentennial Distinguished Lecture Series, it produced a major study on Watergate and Law.⁹³ Baroody told a substantial annual donor, that "after more than twenty years in this public policy jungle" he believed more firmly than ever that

⁹¹ William J. Baroody to Landrum Bolling, July 1, 1977, box 61, Baroody Papers; "Program Priorities Committee," box 44, Baroody Papers; William J. Baroody to Landrum Bolling, Feb 11, 1974, box 61, Baroody Papers.

⁹² William Baroody to John S. Lynn, May 28, 1970; Minutes of the Annual Meeting of the Board of Trustees, American Enterprise Institute for Public Policy Research, Feb 19, 1970, AEI minutes from Feb. 19, 1970, box 39, Baroody Papers.

⁹³ Minutes of the Annual Meeting of the Board of Trustees, American Enterprise Institute for Public Policy Research, May 8, 1974, box 39, Baroody Papers.

the “so-called intellectual sector” has a “pervasive and often definitive impact on public attitudes and policy development.” This was “the real action.”⁹⁴

Despite its growing budget, in some corners AEI was pejoratively known as an “elephant graveyard,” especially after the 1976 elections when half a dozen ex-Ford Administration figures took positions at AEI. Baroody even enticed Gerald Ford to join as a “distinguished fellow” in 1977. Nevertheless, in 1976, Baroody was pleased with the “sharp increase” in AEI’s visibility and announced AEI’s new Center for Study of Government Regulation was “making substantial progress,” in large part due to the prestige of its advisory council chaired by Irving Kristol. By 1977 the Center inaugurated a journal, edited by Anne Brunsdale (Willmoore Kendall’s ex-wife) titled *Regulation*. It featured Irving Kristol alongside economists Marvin H. Koters and James C. Miller, political scientists Jeane Kirkpatrick and Austin Ranney, and law professors Robert Bork and Antonin Scalia on its board of editors. Both the Center and the emphasis on regulation were crucial developments for conservative attacks on the New Deal economic and political apparatus in the late 1970s. According to Jason Stahl, a historian of think tanks, it is hard to overstate the Center’s impact on the marketplace of ideas as it retailed actionable, popular, and apparently painless policies to conservative and centrist politicians in both parties, effectively shifting policy discussion toward a normative market focus.⁹⁵ Even more broadly, the conservative right capitalized on what labor historian Jefferson Cowie suggests was a major failure of liberal policymaking and political possibility. “In choosing to regulate rather than fight the scale of the modern economy,” Cowie writes, liberals had built “massive bureaucracies” in the New Deal and the Great Society. In doing so, “they ceded claim to the most secure object of

⁹⁴ William J. Baroody to John M. Olin, Dec 31, 1975, box 60, Baroody Papers.

⁹⁵ William J. Baroody to Landrum Bolling, July 1, 1977, box 61, Baroody Papers.; Jason Stahl, *Right Moves*, 83-4.

allegiance American culture had to offer—the tradition of Jeffersonian individualism—to the right.”⁹⁶ As a policy-shop, AEI linked their vision of American economics and governance to an academically – or academic-adjacent – legitimated version of Jeffersonian individualism. The combination of policy innovation and national narrative possessed intuitive appeal and historical legitimacy for a generation of politicians searching for alternatives to the mid-century New Deal arrangement that was faltering under its historic compromises and contradictions.⁹⁷

AEI had long supported economists due to the Institute’s free enterprise origins. In the mid-1970s, in part under Irving Kristol’s influence, AEI expanded its intellectual core along “interdisciplinary lines.” Baroody employed Irving Kristol in “social philosophy,” Austin Ranney in political science, as well as Nathan Glazer, a sociologist, for the 1977-8 academic year. As the Bicentennial lectures show, AEI was not solely focused on regulatory or economic analysis. It also supported projects with the aim and potential of influencing broader public discourse. AEI hired Straussians Robert Goldwin and Walter Berns as resident scholars with the aim of shaping policy-makers’ understanding of political philosophy and the American Founding.⁹⁸ In other projects intended to influence public discourse, AEI supported the neoconservative Catholic theologian Michael Novak’s study of capitalism and an enormous study on mediating institutions by sociologist Peter Berger and Lutheran minister Richard John Neuhaus.

⁹⁶ Jefferson Cowie, *The Great Exception: The New Deal and the Limits of American Politics*, Politics and Society in Twentieth-Century America (Princeton; Oxford: Princeton University Press, 2016), 186.

⁹⁷ Cowie, *The Great Exception*, 10. Specifically, “the massive but temporary transformation of the role of the state; the historic fragility of organized labor even at the height of its power; the tensions between native - born and immigrant workers; the profound racial costs and complications of the New Deal; and the broader issues of culture and religious politics.”

⁹⁸ William J. Baroody to Landrum Bolling, Nov 22, 1976; .

The wealth of AEI's donors combined with the collegial atmosphere of AEI and its strategic location made it an attractive location for conservative and neoconservative scholars.⁹⁹ In turn, the academic prestige of these scholars bolstered AEI's reputation and influence with very close connections to policymakers and legislators. On the west coast, the Hoover Institution on War, Revolution and Peace, run by Baroody's former colleague W. Glenn Campbell, played a similar role and provided its scholars prestigious Stanford University affiliation.¹⁰⁰ Fueled by conservative and mainline donors and in close connection with the Nixon and Ford Administrations, AEI, Hoover, and the nascent Heritage Foundation grew in the mid-to-late 1970s. It was the culmination of the longstanding conservative desire to establish a viable counter-institution to the university system. This counter-institution was well-placed to shape right-wing policy and also able to advance preferred patriotic narratives about the past against left and liberal critical histories.

Kristol's specific vision had considerable influence over the complex. In 1973, before planning for the Bicentennial lectures began, Diamond had been promoting the idea of an "Institute for the Study of the American Political Tradition." He hoped to establish it in either Washington or Williamsburg, but funds were not available. Instead, Diamond shifted planning to the University of Northern Illinois where he taught. Kristol attempted to get his friend's institute off the ground. He wrote to Ronald Berman, head of the NEH, to suggest the Institute as an independent subsidiary of the Woodrow Wilson International Center for Scholars, a five-year-old bi-partisan think tank connected to the Smithsonian. Diamond would direct the institute with

⁹⁹ William J. Baroody to Austin Ranney, April 19, 1976, box 79, Baroody Papers; William J. Baroody to Robert A. Goldwin, July 16, 1976, box 77, Baroody Papers; William J. Baroody to Robert A. Nisbet, Jan 17, 1977, box 79, Baroody Papers; Kristol, *The Neoconservative Persuasion*, 353-4.

¹⁰⁰ Stahl, *Right Moves*.

several senior scholars under him and the relationship with the Woodrow Wilson Center would provide legitimacy. Kristol proposed the NEH fund Diamond at \$150,000 per annum for three years, with funds matched by a grant-giving foundation like the Lilly Foundation, Rockefeller Foundation, or Scaife Family Trust. The advantages to Washington were many, Kristol told Berman. The institute would have access to the Congressional Libraries, as well as a potentially fruitful proximity to politicians and the Washington press corps. Kristol predicted that under Diamond's direction, such an institute would "involve itself in the community, i.e., in the political thinking of Washington and Washingtonians," and become "well known, respected, and a natural recipient for further funds."¹⁰¹ Kristol was unsuccessful in finding the funds for Diamond's center although Gerald Ford did appoint Diamond to a yearlong term at the Woodrow Wilson Center in 1974.

AEI, *The Public Interest*, and the Ford Administration's Bicentennial

"The word that best describes the mood today is malaise," claimed the Princeton Professor of History Eric F. Goldman. He argued that in the early to mid-1970s the United States had changed for the worse and people doubted America's capacity to shape "its destiny independent of foreign interference," the soundness of the political system, upward mobility, the possibility of assimilating immigrants, and whether "developing nations" desired to emulate the United States.¹⁰² Unemployment was on its way up from record lows as male wage earnings peaked before declining in real value. An inflationary spiral sparked by Vietnam spending but "radically compounded" by the spikes in oil prices hurt Americans, as the economy underwent the theoretically impossible combination of stagnation and high inflation. Connected to this shift

¹⁰¹ Irving Kristol to Ronald Berman, July 24, 1973, box 64, Baroody Papers.

¹⁰² Jon Nordheimer, "Americans Finding New Course is Vital," *New York Times*, July 5, 1976, 13.

was the beginnings of a decades-long global economic restructuring that produced deindustrialization across the United States.¹⁰³ On top of a hurting economy, the United States had lost the war with Vietnam and an unelected man sat in the Oval Office after both the President and Vice President resigned for criminal activity. The 1970s were a transformative period as not only the liberal consensus of the New Deal and the political coalition that held it together decayed, but the legitimacy of the American political system itself came under question.¹⁰⁴ As one New Left activist put it, “the black revolution, race riots, political assassinations, Vietnam, pollution, campus confrontation, drugs, and a host of other developments intensified the youth community’s sense of urgency in dealing with American institutions.” Ultimately, the “contradictions between American ideals and practice became more visible and pronounced for young people with each successive political confrontation.”¹⁰⁵

The circle of scholars and writers around *The Public Interest* and to a lesser extent the American Enterprise Institute became the favored intellectuals of the Ford Administration and brought with them answers to these problems. Ford met with Irving Kristol and Kristol sent the President memos on numerous subjects, including energy policy and abortion.¹⁰⁶ Ford appointed Moynihan the ambassador to the United Nations and Daniel Boorstin as Librarian of Congress

¹⁰³ Cowie, *The Great Exception*, 179-192.

¹⁰⁴ See for instance Kruse and Zelizer, *Fault Lines*, 7-25; Cowie, *The Great Exception*, 179-192; Bruce J. Schulman and Julian E. Zelizer, eds., *Rightward Bound: Making America Conservative in the 1970s* (Cambridge, Mass: Harvard University Press, 2008)..

¹⁰⁵ “The Attempt to Steal the Bicentennial: the People’s Bicentennial Commission,” Hearings Before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate, 94th Congress, Second Session, March 17-18, 1976, 105

¹⁰⁶ The Daily Diary Of President Gerald R. Ford, November 15, 1974, President's Daily Diary Collection, box 72A, at the Gerald R. Ford Presidential Library (hereafter Ford Library); Irving Kristol to Robert Goldwin, Jan 28, 1976, box 1, folder “Abortion (1), James M. Cannon Files, Ford Library; Irving Kristol to Robert Goldwin, Jan 28, 1975, Box C11, folder “Presidential Handwriting, 1/31/75” of the Presidential Handwriting File, Ford Library.

after first offering the position to Moynihan who turned it down.¹⁰⁷ Chief of Staff-turned-Secretary of Defense Donald Rumsfeld, was a key conduit. One of Rumsfeld's assistants was William Baroody Jr, son of the AEI president. Eventually Baroody moved to the White House where he ran the Office of Public Liaison. Anne Brunsdale, AEI's director of publications, also briefly worked in the Office of Communications, putting together the president's briefing books.¹⁰⁸

Another essential connection between right-leaning intellectuals and the Ford Administration was Robert Goldwin. Goldwin earned his PhD at the University of Chicago under Leo Strauss. At Chicago he developed a seminar program that brought together scholars, politicians, and businessmen. Through this program Goldwin developed a wide network of political and academic connections and imparted his rigorous but reverential interpretation of the American Founding to hundreds of prominent figures.¹⁰⁹ Ford participated in the inaugural seminar in 1961. Goldwin taught at Kenyon College before becoming a dean at St. John's College in Maryland. Offered a job at the University of Pennsylvania, Goldwin instead joined Rumsfeld's staff in 1973. When Ford brought Rumsfeld back to the White House as Chief of Staff, Goldwin became a Special Consultant to the President.

Goldwin contributed research to the Administration and provided talking points and comments on issues like crime, integration, Jewish affairs, and education. He also performed some speechwriting and public liaison functions. But Goldwin's primary function was to connect

¹⁰⁷ Memo for the President, From William N. Walker Through: Richard B. Cheney Subject: Librarian of Congress, Nov 26, 1974, box 9, Richard B. Cheney Papers, Ford Library.

¹⁰⁸ Nomination of Anne E. Brunsdale to be a Member of the International Trade Commission, July 24, 1985. <https://www.finance.senate.gov/imo/media/doc/HRG99-1722.pdf>.

¹⁰⁹ "Public Affairs Conference Center," box 77, Baroody Papers.

the Administration to scholars.¹¹⁰ The literature Goldwin found and sent up the chain could be influential. For instance, he enthused about Harvard's anti-crime policy entrepreneur James Q. Wilson's research which directly informed Ford's crime policies. Goldwin's higher profile role was meeting with academics and bringing them to the White House for seminars with the President and members of Cabinet.¹¹¹ In general, the academics Goldwin brought to Washington belonged to the interconnected circles of Straussians, AEI adjunct scholars, and contributors to *The Public Interest*. The first of these meetings was an informal Christmastime dinner where Daniel Boorstin, Martin Diamond, and James Q. Wilson met with Ford and Rumsfeld. In later seminars, Goldwin brought *Public Interest* figures Irving Kristol, Gertrude Himmelfarb, Pat Moynihan, and Edward Banfield, together with neoliberal economists like Thomas Sowell, Milton Friedman, and Alan Greenspan, and Straussians like Herbert Storing for meetings with Ford and other high-ranking administration figures.¹¹²

As the favored intellectuals promoted "neoconservative" social policy ideas and deregulatory "neoliberal" economics within the White House, the Ford Administration's speechwriting staff framed these policies in rhetoric that appealed directly to the American political tradition. In Ford's address to Yale Law School, Goldwin consciously wedded James Q. Wilson's criminal incapacitation theory with the "constitutional theme of 'domestic

¹¹⁰ Memorandum For The President Through: Donald Rumsfeld, From: Robert Goldwin Subject: Activity Report, May 19, 1975, box C22, folder "Presidential Handwriting, 5/28/1975" of the Presidential Handwriting File, Ford Library Sidney Blumenthal, *The Rise of the Counter-Establishment: From Conservative Ideology to Political Power* (New York: Perennial Library, 1988); N. W., "Robert A. Goldwin: Bridge Between Thinkers and Doers," *Science* 187, no. 4173 (January 24, 1975): 239–239.

¹¹¹ Transcript, At The White House With Ron Nessen At 12:26 P.M. EST December 9, 1974, box 4, Ron Nessen Files at the Gerald R. Ford Presidential Library

¹¹² "Participants In "Seminars" From 12/9/74 - 4/12/75," Box C22, folder "Presidential Handwriting, 5/28/1975" of the Presidential Handwriting File, Ford Presidential Library.

tranquility.”¹¹³ Goldwin emphasized the restraint of the Founding Fathers and the sobriety of the Revolution, drawing on the argument made by his close correspondents Martin Diamond and Irving Kristol. In Goldwin’s telling, the Founders believed that “independence was needed to restore a representative government of laws in order to secure liberty.” Theirs was a law-and-order revolution. Goldwin used the address to position Ford as critical of Nixon’s crimes but establish his own tough on crime credentials. He quoted Madison’s argument that if “men were angels, no government would be necessary.” Since they were not, the upshot of Wilson’s research and the injunction to ensure domestic tranquility was mandatory minimum sentences for violent crimes to deter and incapacitate “career criminals.” “Let us, at last, fulfill the constitutional promise of domestic tranquility for all of our law-abiding citizens,” the speech concluded. The combination of neoconservative research and Founding-era mythology became the Administration’s message on crime.¹¹⁴ Pleased with his work, Ford appointed Goldwin to the Board of Trustees of the Wilson International Center for Scholars.¹¹⁵

Boorstin, Kristol, and Diamond also shaped important aspects of Gerald Ford’s bicentennial addresses. Although crafted by Ford’s speechwriting team and based on a theme selected by Ford, the President specifically instructed his speechwriters to consult Boorstin and

¹¹³ On the emergence of Wilson’s first major intervention on crime policy, see Timothy Crimmins, “Incarceration as Incapacitation: An Intellectual History,” *American Affairs*, Fall 2018, <https://americanaffairsjournal.org/2018/08/incarceration-as-incapacitation-an-intellectual-history/>; on the policy history of mass incarceration from the 1960s, see Elizabeth Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*, (Cambridge, Mass: Harvard University Press, 2017); Memorandum For The President Through: Donald Rumsfeld, From: Robert Goldwin Subject: Activity Report, May 19, 1975, box C22, folder “Presidential Handwriting, 5/28/1975” of the Presidential Handwriting File, Ford Library

¹¹⁴ Gerald Ford, Address at the Yale University Law School Sesquicentennial Convocation Dinner. April 25, 1975, <https://www.presidency.ucsb.edu/documents/address-the-yale-university-law-school-sesquicentennial-convocation-dinner>.

¹¹⁵ “Memorandum For The President Through: Donald Rumsfeld, From: Robert Goldwin Subject: Activity Report, May 19, 1975,” 6.

Kristol about the content of his major addresses.¹¹⁶ Language from memos by Kristol drawing on Diamond made it directly into Ford's speeches.

Kristol recommended that the speechwriters read AEI's collection of Bicentennial lectures. "There are lectures by myself, Martin Diamond, Daniel Boorstin, and others of a similar outlook." When the conservative intellectual Steven Tonsor conceived the lecture series in 1971, he wanted to use the Bicentennial to reassert a conservative reading of the Founding. By 1976, these lectures not only existed but were read at the highest levels of political power and used by the president's advisers to craft their Bicentennial message.¹¹⁷

The connections Irving Kristol and Robert Goldwin, and to a lesser extent Martin Diamond and Daniel Boorstin, had to the Ford Administration were important ones for the emergent right-leaning intellectual establishment. Kristol and Goldwin could take arguments and ideas with origins among conservative scholars – and even conservative organizations like The Philadelphia Society – and bring them, or their interpretations of them, to the attention of the nation's leadership. The aims were not simply to advance policy goals by draping them in the flag and finding their justification in the American past, although connecting crime, "federalism," and energy policy, as just three examples, to the American political tradition was a strategy these men employed. Rather, the conservative and neoconservative intellectuals used American history to fight a cultural as well as political conflict. They aimed to legitimate the under-fire American regime, undermine the "New Class" critics and New Left revolutionaries, and justify conservative cultural, political, and economic tendencies.

¹¹⁶ Memo From: Robert T. Hartmann to Marsh, Cannon, Cheney, Nessen, June 8, 1976, in box 5, folder "Bicentennial (5)" of the James M. Cannon Files, Ford Library.

¹¹⁷ Memo, Irving Kristol to Robert T. Hartmann, Re The President's Bicentennial Speeches, June 7, 1976 in box 5, folder "Bicentennial (5)" of the James M. Cannon Files, Ford Library.

In addition, since there were few well-credentialed conservative intellectuals, there were sinecures to be gained from Republican administrations. By the end of the Ford Administration, men associated with AEI and *The Public Interest* dominated the Board of Trustees of the Woodrow Wilson Center and AEI was well positioned to receive NEH funds for research programs.¹¹⁸ After Ford's defeat in 1976, both Robert Goldwin and Gerald Ford joined AEI.¹¹⁹ Ford became a Distinguished Fellow, largely in name only. Baroody offered Goldwin a competitive salary and, effectively, tenure. In early 1977, Goldwin began his 27-year association with AEI. Baroody hired Goldwin specifically to continue the seminar-style conferences Goldwin had developed at Chicago University, Kenyon College, and the White House where he brought together academics, politicians, and businessmen. This was a good fit for AEI who sought to extend their influence through inter-sector conferences and networking. By 1980, Goldwin was AEI's Director of Constitutional Studies. There he directed a decades long series of studies on the Constitution, principally as part of AEI's Constitution Project launched in 1979.

In the 1976-77 academic year, Irving Kristol left New York to take a yearlong sabbatical to study economics at AEI. His wife, Gertrude Himmelfarb took a similar fellowship at the Woodrow Wilson Center. At AEI, Kristol became close with conservative jurists Robert Bork, Antonin Scalia, and Laurence Silberman. Kristol's move to Washington and his resident scholar and later board status at AEI facilitated the ever-closer relationship of *The Public Interest* circle and AEI. For its part, AEI grew in prestige, size, and connection with the Republican Party.¹²⁰

¹¹⁸ See membership in *The Wilson Quarterly*, 1, no 1, (Autumn 1976).

¹¹⁹ William J. Baroody to Robert A. Goldwin, July 16, 1976, box 77, Baroody Papers

¹²⁰ Stahl, *Right Moves*.

Martin Diamond returned to Washington in 1977. He had been appointed the Thomas and Dorothy Leavey chair on the Foundation of American Freedom at Georgetown University, a step toward the role Kristol envisioned for him as a DC-based conservative-leaning constitutional expert. On July 22, 1977, a day after moving from Chicago to Washington, he testified for 35 minutes to the Constitutional Subcommittee of the Senate Judiciary Committee. Diamond opposed Senator Birch Bayh's amendment to replace the electoral college with the direct election of the president. Almost immediately after testifying, Diamond suffered a massive heart attack. Bayh and Orrin Hatch attempted to revive him, but Diamond, aged 57, died in the Senate building.¹²¹ Jeane Kirkpatrick, an AEI adjunct scholar, succeeded Diamond's chair at Georgetown.¹²²

Ultimately, AEI developed a program similar to that envisioned by Diamond and Kristol and overseen by Diamond's Chicago classmate, Robert Goldwin. Launched in 1979, the Decade of Study of the Constitution program expanded the strategy AEI employed with the Bicentennial lecture series. It sponsored the production of scholarship, generally including liberal as well as conservative-leaning scholars in its programs. By doing this, AEI was able to produce and distribute conservative scholarship by putting it on the same level, in conversation, with liberal or mainstream scholarship under Goldwin's direction and alongside fellow Straussian Walter Berns, then beginning a long association with AEI that continued until his death in 2015. Goldwin and Berns aimed to overturn the tendency to reject the Constitution as "obsolete, undemocratic, and irrelevant," a view Goldwin said characterized "several generations of historical scholarship." Over the 1980s, AEI organized conferences of academics, politicians,

¹²¹ "Martin Diamond, 57, A Political Scientist," *New York Times*, July 23, 1977, 17.

¹²² William J. Baroody to Richard A. Ware, Oct 1, 1980, box 59, Baroody Papers.

jurists, and journalists, held academic outreach, produced televised panels on constitutional issues, and generally promoted constitutionalism as a vital framework for modern politics.¹²³ It produced ten collections of essays, dedicated to the deceased Straussian scholars Martin Diamond and Herbert Storing, on the questions they saw as central to American politics. Volumes included “How Democratic is the Constitution?”, “How Capitalistic is the Constitution?”, “How Federal is the Constitution?”, and “Does the Constitution Protect Religious Freedom?”¹²⁴

The program internally and in its promotional material emphasized a variety of scholarly views, and the directors insisted on presenting liberal positions, but the project drew heavily on conservative intellectuals and especially academic Straussians. The advisory board of nineteen, for instance, included six Straussians or Straussian-associated figures; five conservative scholars, including Gertrude Himmelfarb, Howard Penniman, and Robert Nisbet; four senior conservative jurists, including Scalia and Bork; alongside four liberal or moderate advisors.¹²⁵ One judge, J. Clifford Wallace, whom the White House considered for a Supreme Court nomination in 1986 and 1987, described attending the inaugural conference as having a “very direct influence on his thinking about the court's place in our constitutional system.”¹²⁶ In part through the constitutional program at AEI, Straussian scholars became an important source for conservative jurists. In addition to these overlapping intellectual networks, conservative jurists and think tank

¹²³ Memo, One Year of the Decade of Study of the Constitution, March 5, 1980, I:16, folder 7, Bork Papers.

¹²⁴ Robert A. Goldwin and Robert A. Licht, eds., *The Spirit of the Constitution: Five Conversations*, (The AEI Press: Washington, DC, 1990) front matter.

¹²⁵ “Minutes, Constitution Project Advisory Panel March 5, 1980,” box 16, Bork Papers.

¹²⁶ Chief Justice Nominee Final Lists, box OA 14287, folder Supreme Court - Scalia (1), Peter Wallison Files, Ronald Reagan Presidential Library; “Minutes, Constitution Project Advisory Panel March 5, 1980,” box 16, Bork Papers.

Straussians mingled in Washington social circles. Berns, for example, became a regular poker player with Chief Justices William Rehnquist and John Roberts, while Edwin Meese's chief speechwriter was a Straussian scholar.¹²⁷

In the *New York Review of Books*, Gordon Wood linked the Straussians with the conservative legal shift from strict construction to original intent. Despite his sometime association with AEI, Wood critiqued the Straussians for tacitly endorsing the idea of "original intent" in the face of "hundreds of Founders, including the Anti-Federalists, with a myriad of clashing contradictory intentions." It was a "breathtaking presumption "to believe studying the founding would "give us virtually all the fundamental truth we need to know about our constitutional system." Wood called the Straussians constitutional "fundamentalists" and accused them of a rationalistic approach to texts and a conception of society that relied on ahistorical leaps between 1786 and the present. He also accused the Straussians of a kind of radicalism, comparing them to Robert Bork and suggesting both were "antagonistic" to inherited meanings, preferring timeless absolutes to values and norms that developed in the interplay of history.¹²⁸

Conclusion

The mid-1970s were a strange moment of opportunity for conservatives. Opportunity emerged from the failure of a right-wing presidency – although one movement conservatives had broadly distanced themselves from - and a general sense of malaise, not confidence. Nixon's implosion and the faltering economy created a cultural opening for conservative critiques and conservative leaders to assail liberalism and ostentatiously assert their patriotism and faith in America. The perceived failure of the Great Society and perceived threat of the New Left, even

¹²⁷ Gary L. McDowell, a student of Herbert Storing, Gordon Wood, "The Fundamentalists and the Constitution," *The New York Review of Books*, Feb 18, 1988, 33-40; Steven F. Hayward, *Patriotism is Not Enough*, xi.

¹²⁸ Gordon S. Wood, "*The Fundamentalists and the Constitution.*"

though this “threat” had greatly diminished by the 1970s, also created an important ally for movement conservatism in the intellectually powerful and culturally prestigious neoconservatives. Conservatives and neoconservatives felt a strong need to reassert the value of the American political tradition in response to the challenges of the past fifteen years and in doing so, helped associate patriotism and the American political tradition exclusively with the American right.

In the context of cultural pessimism, conservative writers reasserted the legitimacy and authority of America’s political and economic arrangements. Conservative academics and neoconservative writers witnessed the crisis on campuses and in cities in the late 1960s and generalized it to the entire nation. This shock had an enduring if slightly delayed effect on them, shaping their politics into the 1970s. The Civil Rights movement and Vietnam War, compounded by black separatism, and Watergate shattered liberal American self-confidence. The neoconservatives valued stability and blamed American malaise on declining cultural confidence and a lack of authority.

To combat this, conservatives created positive symbols and narratives of the American past. In lectures and essays, neoconservative writers lauded the sober revolution. They targeted political and economic elites and attempted to counter what they perceived as the “blame-America-first” guilt propagated by New Class egalitarians. They valorized sobriety, liberty, middle America, and the Founding through a conservative reading of consensus school historiography.

Neoconservative narratives of the American political tradition were linked to their belief in non-ideological politics. They opposed the unrealistic moralism of contemporary revolutionary movements and so downplayed the revolutionary aspects of the American past.

The New Left panicked neoconservative writers because it represented the dangerous reemergence of ideology, and a shallow ideology at that. This perception partly explains the immoderate and enduring anger neoconservatives felt toward the New Left, long after the New Left dissipated as a political force. Against the New Left criticism of both the modern United States and its history, neoconservative intellectuals' restatement of American virtue and their association with a moderate conservative government marked an instance of the right claiming ownership over the American political tradition through praise. Ironically, despite the emphasis on the sobriety and limits of the Revolution, because of their fixation on cultural confidence and their desire to state the value of the American regime and its principles in the strongest possible terms, the skeptical neoconservative writers, many of whose careers began in deflating liberal shibboleths, developed a discourse that treated American values as global and universal.

The class of liberal elites that arrived in Washington with John F. Kennedy lost its authority over the 1960s. The neoconservatives were intent on establishing a new patriotic elite. A large part of this program was cultural and rhetorical. But the project also involved the creation of a counter-establishment to recruit, fund, and blood right-leaning intellectuals. The Ford Administration and its relationship with conservative economists and neoconservative cultural and social policy wonks was a functioning conservative intellectual-political nexus in nascent form. The American Enterprise Institute played a major role in establishing this nexus by by-passing traditional academia which conservatives had long felt excluded from. As well as generating right-wing policy, AEI, the Ford Administration, and conservative and neoconservative intellectuals justified policies like block funding, mandatory minimum sentences, and deregulation in terms of their salience to the enduring American political tradition.

CHAPTER VIII: SNAPSHOTS FROM A CONSERVATIVE REVOLUTION

When he considered the “the New York intellectuals” and his place among them, Daniel Bell ruminated on the sociology of intellectuals. By “some odd linguistic quirk,” he noted, “almost all the words one wants to use to describe this begin with the letter c: coterie, clique, circle, cenacle, club, college, chapel, curia, and so on.” Intellectuals exist in network, a “milieu.” Intellectuals are “a collectivity which comes together and represents a commonality.” A circle of intellectuals seeks “to explore their own lives for the way those meanings express their lives, but also symbolize some larger group of which they are a part. And, under conditions of conflict, they may become ideologues or shapers of identity.”¹

Bell suggested the New York intellectual circle had disintegrated by 1965. In 1975 George Nash, a Harvard PhD sympathetic to conservatism, published a 47-page history of conservative intellectuals in *National Review*.² The following year he published the classic *The Conservative Intellectual Movement since 1945*. Nash arrived to chronicle the conservative intellectuals just as they reached exhaustion. Willmoore Kendall, Whittaker Chambers, Richard Weaver, Frank Meyer – even Leo Strauss, had died; James Burnham was aging and considering retirement, Henry Regnery too; Bozell and Garry Wills had broken with the movement for different reasons; Buckley had become a celebrity, Kirk a cult figure.

¹ Daniel Bell, “The Intellectuals,” *The Winding Road: Essays and Sociological Journey, 1960-80*, (Cambridge, MA: ABT Books, 1980), 125.

² George H. Nash, “Special Book Supplement: The Conservative Intellectual Movement in America Since 1945,” *National Review*, December 5, 1975, A1–A47.

The first generation of post-war conservative intellectual activity, the generation that had popularized the rhetoric of conservatism and formulated if not fully theorized its dogmas, had run its course. Writing about first generation conservative media, Nicole Hemmer argues that “crippled by shrinking budgets, tragic losses, and a sense of aimlessness, a conservative resurgence was coming, but they would not be at its helm. For the generation of conservative media activists who had built the movement, it seemed the time for media leadership was over.”³ Younger conservative intellectuals, activists, and ideological entrepreneurs, as well as the emergent neoconservatives, and the New Right were certainly connected with the first generation conservative circle, and this connection to the conservative intellectuals was especially true of the New Right, which was primarily manned by veterans of YAF and ISI.⁴ But the formative period where these intellectuals crafted the rhetoric and framework of a conscious discourse of conservatism was over. The “fault line” between traditionalism and libertarianism was “now largely inconsequential,” wrote one second generation conservative intellectual.⁵ The debates had moved on, but in part because the existence, legitimacy, and coherence of conservatism was no longer contested but assumed.

The conservative intellectuals had been deeply invested in both ideas and politics and sought to theorize a conservative philosophy for the United States. Their ideas had symbolized a larger group. They had, “under conditions of conflict” both shaped an identity and become ideologues. They married a strain of post-war traditionalism, derived from

³ Hemmer, *Messengers of the Right*, 251.

⁴ Jerome Himmelstein, *To the Right: The Transformation of American Conservatism* (Berkeley, CA: University of California Press, 1990), 63-96; Donald Critchlow, *The Conservative Ascendancy: How the Republican Right Rose to Power in Modern America*, 2nd ed., (Lawrence, KS: University of Kansas Press, 2011), 128-31; Daniel Schlozman and Sam Rosenfeld, “The Long New Right and the World It Made,” American Political Science Association meetings. Boston, Massachusetts, August 31, 2018, Version of January 2019.

⁵ Charles R. Kesler, “All Against All,” *National Review*, Aug 18, 1989, 39-43, 39.

Christian humanism and conservative Catholicism, and given urgency after the crises of the 1930s and 1940s and the early Cold War, with the potent faith of American individualism. At the Philadelphia Society meeting in 1965, Meyer had recognized that the conservatives had not satisfactorily theorized conservatism. Although there was a “fusion” of right-wing intellectual traditions under the banner of conservatism, there had been no grand synthesis. Instead, conservatives relied on anti-leftism to create the impression of a unified right-wing mission. The closest the conservative intellectuals came to a theoretical synthesis was a strategy of political individualism connected to and justified by cultural and religious traditionalism. Representatives from both sides of this fusion recognized this was never a truly unified theory of conservatism. However, in part to strengthen the appeal and legitimacy of conservative ideas and conservative opposition to liberal policies and left-wing movements, conservative intellectuals grounded their claims in American history. This move allowed the conservative movement to beg the question of theoretical coherence and instead ground its claims in a constructed vision of the American past.

As the first generation of consciously conservative intellectuals passed, they bequeathed their direct descendants – activists, media figures, journalists, and politicians – a set dogmas and slogans, an identity, an intellectual genealogy, and a strategy. As a result of their celebrity, organizational activities, and political activism and posturing, the conservative intellectuals created a constituency of ideological conservatives. This was a second, even more activist generation of conservatives, many of whom participated in the emergent New Right.⁶ By way of epilogue, this chapter sketches how several of the

⁶ Rather than framing the New Right as emerging from and distorting conservatism, Rosenfeld and Schlozman posit the “long New Right” as a generational framework that encompasses movement conservatives, the New Right, and a third generation in the 1990s and onward. This framing very usefully captures the important

conservative claims about themselves and the nature of American history and politics reached the upper echelons of American governance and law as well as mass politics and institutionalized organizations.

In the mid-to-late 1970s, activists and political entrepreneurs connected to the conservative movement aggressively courted a lower middle-class constituency using direct mail techniques and emotive social and cultural issues. The New Right leaders were overwhelmingly drawn from the ranks of YAF, ISI, and the Young Republicans. Richard Viguerie, the direct mail pioneer, was a YAF veteran who began his business using 12,000 names from Barry Goldwater's mailing list in 1965. He expanded it dramatically in 1972 using the George Wallace campaign's lists. By 1978, Viguerie had 300 employees, sent out 100 million mailers a year to a list of 15 million Americans (including a hardcore base of 4 million), and raised \$15 million annually. The New Right generally believed not only in conservatism as a philosophy and identity but also in the threat liberals played to the republic. Viguerie and other New Right pioneers sent narrowly targeted letters appealing for funds and action based usually on cultural issues like American control over the Panama Canal, abortion, gun control, school busing, and the Equal Rights Amendment. The letters raised funds but also generated and harnessed cultural frustration and indirectly linked these disparate issues. Direct mail intensified the language and logic of conservative rhetoric. The medium mattered. Instead of a longer form magazine or journal, direct mail affected a pseudo-personal style. The mailers intentionally involved the reader in direct action, making

parallel and sometimes intellectually unifying role that populist anti-liberalism played in right-wing American thought. The first generation overlapped with the conservative intellectuals discussed in this dissertation. They were formed in "pugilistic" opposition to the Eisenhower center-right and in defense of McCarthy. The second generation of the 1970s, the New Right, were formed in the Goldwater campaign, but more social-issues oriented and less free market-driven. The third generation, emerging in the 1980s, were "ever more performative cultural" warriors.

emotional appeals to elicit responses. Direct mail distilled the rhetoric of conservatism into even more emotional, symbolic, and polarizing form that placed cultural and social issues at the center of the conservative identity.⁷

The New Right's search for a middle-class majority along Nixon-Wallace lines led some of its leaders, like former Nixon aide Kevin Phillips, to praise the New Deal as a government for the middle class and against both elites and the lower class. YAF's magazine *New Guard* criticized Phillips deviationism, alleging that the New Right did not share American conservatism's political genealogy. Phillips rejected the Republican-centric conservative intellectuals traditionally celebrated. He instead proclaimed a white populist lineage of Andrew Jackson, William Jennings Bryan, Franklin Roosevelt, Harry Truman and George Wallace.⁸

On the whole, however, the New Right, represented by activists and political entrepreneurs like Viguerie but also Paul Weyrich, who cofounded both the activist think tank Heritage Foundation and the evangelical organization Moral Majority, and Jerry Falwell were directly informed by movement conservative intellectuals. In *The New Right: We're Ready to Lead*, Viguerie praised William F. Buckley and Barry Goldwater as the intellectual and political lodestars of conservatism. He explicitly claimed the New Right's "foundations" were the men "outlined by George Nash in his definitive book." He listed by name the major and minor figures of the conservative intellectual circle. So although they represented a new generation of right-wing activists and a shift in tone, the New Right took its cues from the

⁷ Alan Crawford, "Fission on the Right: Richard Viguerie's Bid for Power," *Nation*, Jan 29, 1977, 104-7; Nick Kotz, "The New King Midas of the Right"; *Atlantic*, Nov 1978, 52-61; Daniel Schlozman and Sam Rosenfeld, "The Long New Right and the World It Made."

⁸ Hamilton Rogers, "Turning Inside Out," *New Guard*, December 1975, 15.

conservative intellectuals. They assumed the centrality of free market individualism, assumed conservatism represented tradition and transcendent truth, and deployed conservatism's anti-liberalism and nationalistic renderings of both history and present politics, as populist weapons.⁹

The Conservative State of the Union

If anything, however, Ronald Reagan's election is overdetermined. Many factors coalesced into his electoral victories in 1980 and 1984. The Democratic coalition, a vestige of the New Deal order, gave way. It had been under pressure since at least the late 1960s as Nixon (and Wallace) appealed for white working- and middle-class votes. White ethnic identity emerged as backlash to black, feminist, and other minority social gains. Opposition to abortion played a role in growth of Reagan Democrats; it an extremely powerful motivator of white evangelical voters, just as it was for conservative Catholics. Meanwhile conservative Democrats were frustrated with the party's liberal trend and Jimmy Carter's foreign policy missteps. The economic basis of the New Deal coalition also faltered. Stagflation delegitimized Keynesian economics, while policy entrepreneurs retailed neoliberal economics in the United States and abroad. Connected to the economic context, the growth of the suburban (and especially Sunbelt) vote and the middle-class tax revolt grew the Republican base. Reagan's criticism of the federal government had salience in the wake of Watergate, Vietnam, and the Pentagon Papers. There was even an emergent nationalism evident in Reagan's strategically vague but emotionally resident stand on the Panama Canal;

⁹ Richard A. Viguerie, *The New Right: We're Ready to Lead*, revised ed. (Falls Church, VA: The Viguerie Company, 1981), 41-9.

even Reagan as a candidate, presenting a positive vision of conservatism has been used to explain the “conservative ascendancy.”¹⁰

When speaking to the Conservative Political Action Conference in 1981, something he did every year of his presidency, Reagan specifically commended “the conservative movement” and especially “the American Conservative Union, the Young Americans for Freedom, *National Review* and *Human Events*.” Reagan flattered the conservative audience by calling his election the culmination of conservative thought and activism. Over his eight years as president, Reagan consistently reified the conservatives’ narrative of wilderness to ascent. In 1981 he told the gathered conservatives that his election was “singularly your victory” and claimed his administration was “a testimony to your perseverance and devotion to principle.” Conservatives had been criticizing the direction of government since 1955 (the year Buckley launched *National Review*), Reagan declared, naming Russell Kirk, James Burnham, Frank Meyer, and *National Review* alongside important neoliberal economists. He dwelled on Meyer suggesting “the robust individualism of the American experience was part of the deeper current of Western culture.”¹¹

Reagan exemplified the conservative strategy of combining political individualism and cultural traditionalism (relegated to the private sphere) grounded in the American political tradition. He summarized the conservative outlook to the die-hard audience as

¹⁰ For broad narratives about the emergence of the conservative right, see Jerome L. Himmelstein, *To the Right: The Transformation of American Conservatism* (Berkeley: University of California Press, 1990); Jonathan M. Schoenwald, *A Time for Choosing: The Rise of Modern American Conservatism* (Oxford: Oxford University Press, 2001); Donald T. Critchlow, *The Conservative Ascendancy: How the GOP Right Made Political History* (Cambridge, Mass: Harvard University Press, 2007); Godfrey Hodgson, *The World Turned Right Side up: A History of the Conservative Ascendancy in America* (Boston: Houghton Mifflin, 1996); Gregory L. Schneider, *The Conservative Century: From Reaction to Revolution*, (Lanham, Md: Rowman & Littlefield Publishers, 2009).

¹¹ Ronald Reagan, “Remarks at the Conservative Political Action Conference Dinner,” March 20, 1981, <https://www.reaganlibrary.gov/research/speeches/32081b>.

“respect for law, an appreciation for tradition, and regard for the social consensus that gives stability to our public and private institutions.” He promised conservative ideas were key to his presidency “even as we seek a new economic prosperity based on reducing government interference in the marketplace.” Reagan emphasized the restorative role of his administration. Budget cuts were not just financial prudence. They were steps toward “returning power to the States and communities” and “reordering the relationship between citizen and government.” The Reagan administration would “restore” prosperity, “replace” overregulation, “restore” cultural values, and “revitalize” the federal system. Reagan promised the conservative movement that his presidency would be a conservative restoration of America.¹²

Reagan and his speechwriters explicitly and effortlessly conflated conservative dogma with American principles (while downplaying key aspects of the Founders’ pessimistic anthropological vision).¹³ He warned the conservative revolution would take time but spoke about the need to “appeal to the patriotic and fundamental ideals” of average, non-movement Americans “who respond to the same American ideals that we do.” In Reagan’s second year in office he reiterated his commitment to his conservative base, quoting Russell Kirk, calling on the American political tradition to delegitimize class-based politics, and connecting his administration’s policies to the long-discussed revitalization of federalism.¹⁴ In 1983, Reagan said that “for the first time in half a century, we’ve developed a whole new cadre of young conservatives in government” and praised conservative governance.

¹² Reagan, “Remarks at the Conservative Political Action Conference Dinner,” March 20, 1981

¹³ John Patrick Diggins, *Ronald Reagan: Fate, Freedom, and the Making of History*, (New York: W. W. Norton, 2007), 41-2.

¹⁴ Ronald Reagan, “Remarks at a Conservative Political Action Conference Dinner, February 26, 1982,” <https://www.reaganlibrary.gov/sspeeches/22682b>.

Conservatism, Reagan told CPAC, had gone from intellectual movement to political movement to governing power. He claimed conservatism represented a new political consensus, replacing the Democratic “mix of elitists and special-interest groups who see government as the principal vehicle of social change.” Again, in the restorationist mode, Reagan linked his brand of conservatism with the American political tradition: “This new consensus has a view of government that’s essentially that of our Founding Fathers.”¹⁵

CPAC was an opportunity to remind conservative audiences of his conservative bona fides and his commitment to conservative issues, even if Reagan’s presidency saw fewer conservative policy victories than his supporters had anticipated. Although movement conservatives divided over Reagan’s presidency while he was in office, in part because of the contradictory demands of the conservative base derived from the unreconciled conflict at the heart of conservatism, his consistent appearances at CPAC illustrate his commitment courting to the ideological part of his base.¹⁶ In 1983 Reagan gave a disquisition on the Founders’ openness to religion in politics and emphasized his support for a school prayer amendment and opposition to legalized abortion.¹⁷ Reagan obviously selected speechwriters for the CPAC addresses with roots in the conservative movement, because they so ably draw on its rhetoric, references, and narratives. In 1985, Reagan praised Goldwater’s 1964 presidential campaign as a prelude to greatness “in the wilderness.” He gave a potted

¹⁵ Ronald Reagan, “Remarks at the Conservative Political Action Conference Dinner,” February 18, 1983, <https://www.reaganlibrary.gov/sspeeches/21883e>.

¹⁶ On the importance of partisan identity over ideological identity, see Donald R. Kinder and Nathan P. Kalmoe, *Neither Liberal nor Conservative: Ideological Innocence in the American Public*, Chicago Studies in American Politics (Chicago ; London: The University of Chicago Press, 2017).; On the conservative movement’s view of Reagan, see Marcus M. Witcher, “Getting Right with Reagan: Conservatives and the Fortieth President, 1980-2016” (Dissertation, The University of Alabama, 2017).

¹⁷ Reagan, “Remarks at the Conservative Political Action Conference Dinner,” February 18, 1983.

narrative of the conservative movement that culminated in his election. “The day the votes came in, I thought of Walt Whitman: ‘I hear America singing.’” Conservatism, Reagan told CPAC, was the new mainstream. He posed the conservative movement as triumphant revolutionaries against the tide of history and drew parallels between conservatives and the *contras* in Nicaragua, the “moral equal” of “our Founding Fathers” and the French Resistance.¹⁸ The following year, Reagan celebrated the collapse of “the old taboos and superstitions of liberalism” by “enlightened conservatism.”¹⁹

As Reagan entered the last quarter of his presidency, he began to pronounce on the future of the American right. Conservatives would not “let anyone again drag our beloved country back into the murky pit of collectivism and statism.” At the 200th anniversary of the Constitution, he rededicated conservatives “to the shared values and the common purpose that have given our nation unrivaled prosperity and freedom.” He posed conservatism in positive terms: it was an “active philosophy”; *pro*life, not antiabortion; a creative conservatism, propelled by free enterprise “in a new technological era.”²⁰ In this spirit, “The welfare system cries out for reform, and reformed it will be,” Reagan promised. Looking toward the election in 1988, Reagan declared at the “state of the movement” that “we’ve been not only undoing the damage of the past, we’ve put this nation on the upward road again.”²¹

¹⁸ Ronald Reagan, “Remarks at the Annual Dinner of the Conservative Political Action Conference,” March 1, 1985, <https://www.reaganlibrary.gov/research/speeches/30185f>.

¹⁹ Ronald Reagan, “Remarks at the Annual Dinner of the Conservative Political Action Conference,” January 30, 1986, <https://www.reaganlibrary.gov/research/speeches/13086c>.

²⁰ Ronald Reagan, “Remarks at the Conservative Political Action Conference Luncheon,” February 20, 1987, <https://www.reaganlibrary.gov/research/speeches/022087b>.

²¹ Ronald Reagan, “Remarks at the Annual Conservative Political Action Conference Dinner,” February 11, 1988, <https://www.reaganlibrary.gov/research/speeches/021188f>.

“A Jurisprudence of Original Intention”

At eleven in the morning on September 26, 1986, Chief Justice Burger, who was resigning from the Supreme Court to focus on the commemoration of the Commission on the Bicentennial of the United States Constitution, swore in his successors. William Rehnquist, advisor to Barry Goldwater and Nixon appointee to the Court, to be the new Chief Justice. And rounding out the Court’s numbers, Ronald Reagan nominated Antonin Scalia, an academic and judge who had edited the American Enterprise Institute’s journal *Regulation* for seven years. With pleasure, Reagan called the elevation of these “outstanding” men “a time of renewal in the great constitutional system that our forefathers gave us.”²²

One of the areas most shaped by the crystallization of the conservative interpretation of the American tradition was judicial appointments and particularly Supreme Court appointments. In evaluating choices for Chief Justices, the Reagan Justice Department focused first on candidates “commitment to ‘judicial restraint.’” Reagan interviewed both men and found them committed to “his philosophy of judicial restraint.”²³ The Founders, Reagan declared, had created a “judiciary that would be independent and strong” but whose power was “confined within the boundaries of a written Constitution and laws.” The Supreme Court could “neither force nor will”; its role was “merely judgment.” To Reagan, the Founders were clear. They understood “the question involved in judicial restraint was not - as it is not - will we have liberal or conservative courts?” Instead, the question was “will we

²² “Remarks By The President At Swearing In Of Chief Justice William Rehnquist And Associate Justice Antonin Scalia,” Sept 26, 1986, box OA 19157, folder: Supreme Court Nominations I (1), Raul, Alan Charles Files, Reagan Presidential Library.

²³ “President Reagan’s Supreme Court Nominations, General Points,” in box OA 19157, folder: Supreme Court Nominations I (1), Raul, Alan Charles Files, Reagan Presidential Library.

have government by the people?” Thus, “the principle of judicial restraint has had an honored place in our tradition.”²⁴

Reagan articulated a grievance that conservative intellectuals had held since at least 1954 and the *Brown v. Board of Education* decision. When considering the conservative movement in 1996, William F. Buckley suggested *Brown v. Board of Education* and the school prayer decisions were, alongside the Taft-Hartley Act, Alger Hiss case, and the 1956 Hungarian uprising, key turning points for conservatism.²⁵ Conservatives firmly believed the Court had overstepped its bounds, overridden the people, and trampled on the constitutional order of the United States to enact liberal legislation, not just in *Brown* but in numerous decisions and culminating in *Roe v. Wade* in 1973.²⁶ Finally, the conservative movement had, over long years, developed the institutions, legal networks, prestige, and philosophy to combat judicial liberalism. Reagan’s election and re-election provided “an opportunity for the composition of that Court to reflect the views and judicial philosophy overwhelmingly affirmed by the majority of American people in 1980 and 1984.”²⁷ Under Rehnquist’s leadership and powered by forceful jurists like Scalia, the first Italian-American elected to the Supreme Court, conservatives would reimplement a conservative interpretation of the Constitution, and in doing so, restore the authentic American political tradition, and the governance of the people.

²⁴ Remarks By The President At Swearing In Of Chief Justice William Rehnquist And Associate Justice Antonin Scalia.

²⁵ Recording, Lee Edwards interviews William F. Buckley, Jr. on 12 Dec 1996, box 330, 2010c14_a_0003477, Edwards Papers.

²⁶ Conservative intellectual positioning on abortion was complex, but roundly disapproved of *Roe v. Wade*, see. Williams, *Defenders of the Unborn*, 230-42.

²⁷ “President Reagan’s Supreme Court Nominations, General Points.”

The Reagan Administration especially after the appointment of Edwin Meese as Attorney General in 1985, had a clear vision of the type of judges they wanted to appoint. In terms of philosophy, their first interest was in candidates who demonstrated belief in “judicial restraint.” Counsel to the President Peter Wallison described Rehnquist as “the paradigmatic example of a jurist committed to principles of judicial restraint in all its contexts.”²⁸ Likewise, he presented Scalia as a vital scholar who was “creative and successful in transforming the common intuition that ‘courts are running the country’ into a set of coherent principles about what courts should not do.”²⁹ As we saw in chapters 4, 5, and 6, reining in the Court – for trampling on the balance of powers and acting decisively in controversial cultural battles – was a major conservative complaint. Battling back the liberal Supreme Court was a central conservative aim and the first philosophical priority the Reagan Administration looked for in its judicial nominees.

After judicial restraint, White House Counsel sought “an interpretivist approach to constitutional law.” Interpretivism, which developed into originalism, was a newly intellectualized formulation of the conservative approach to constitutional interpretation. As Bork put it in a footnote in *Dronenburg v. Zech*, interpretivism held that “rights must be fairly derived by standard modes of legal interpretation from the text, structure, and history of the Constitution.”³⁰ The idea was that the Constitution delineated clear principles and new

²⁸ Memo, Peter J. Wallison to The President, Subject: Questions for Prospective Supreme Court Nominees, June 11, 1986, box OA 14287, folder Supreme Court/Rehnquist/Scalia - General Selection Scenario (1), Peter Wallison Files, Reagan Presidential Library.

²⁹ Memo appraising Scalia “in light of the profile of an ideal candidate devised by the task force,” box OA 14287, folder Supreme Court - Scalia (3), Peter Wallison Files, Reagan Presidential Library, 1.

³⁰ *Dronenburg v. Zech*, 741 F.2d 1388 (D.C. Cir.), see footnote 5.

legislation should be measured against those principles.³¹ The White House Counsel explained interpretivism to Reagan as the belief that “the only starting point for constitutional adjudication is the text of the Constitution as illuminated by the intentions of those who framed, proposed, and ratified its provisions.”³² Later Bork argued that this mode of original intent interpretation means “entire ranges of problems and issues are placed off-limits for judges,” a position that intellectualized the original complaint conservative intellectuals had with the Warren Court in the 1950s and 1960s. Bork argued that judicial restraint returned power to the people and comported with the Founders’ intentions. As Bork wrote, “that abstinence has the inestimable value of preserving democracy in those areas of life that the Founders intended to leave to the people's self-government.”³³ Here was, then, a judicial philosophy developed in intellectual terms and legitimated through a burgeoning intellectual network and actively promoted at the highest levels of government, that translated the conservative complaint against the Court that had its origins in *Brown v. Board of Education* and *Engel v. Vitale* (and most importantly, *Roe v. Wade*).³⁴ The idea that liberal constitutional interpretation countermanded the intentions of the framers of the Constitution, but also the authority of history, became the central plank of the conservative legal counter-revolution. In formulating originalism, conservative scholars carefully stripped it of the racist motivations

³¹ Bork, *The Tempting of America*, 162-3.

³² “Antonin Scalia,” box OA 14287, folder Supreme Court - Scalia (3), Peter Wallison Files, Reagan Presidential Library.

³³ Bork, *Tempting of America*, 163-4.

³⁴ On the emergence of this network and the political epistemic network, see Teles, *The Conservative Legal Movement* Hollis-Brusky, *Ideas with Consequences*. For a sympathetic exposition of the conservative case against the Warren Court and the emergence (or re-emergence) of originalist interpretation in response to the Rights Revolution, see O’Neill, *Originalism in American Law and Politics*. On the importance of *Roe v. Wade*, see Williams, *The Pro-Life Movement Before Roe v. Wade*.

that had shaped the narrow constitutionalism conservative intellectuals had advanced in the 1950s and 1960s in opposition to *Brown v. Board of Education*, focusing instead on colorblind and universalist concepts. When promoting Antonin Scalia internally, the White House Counsel, Peter Wallison called him “aggressively interpretivist in his approach to constitutional law.”³⁵

The other philosophical positions the Reagan Administration looked for in its effort to shape the Supreme Court also related to the long-developed conservative belief in separation of powers and states’ rights. They favored the “appropriate deference to agencies,” which was another effort to constrain Court meddling. They emphasized “deference to states in their spheres,” which meant a resuscitation, if possible, of the Tenth Amendment, which conservative intellectuals had emphasized extensively and ineffectually during the civil rights era. Finally, the Reagan Administration sought a “disposition toward less government rather than more.” The White House Counsel found Rehnquist and Scalia more than acceptable across the spectrum of conservative legal desires.

In addition to an ideal philosophical outlook, the Administration enumerated a set of “basic principles” they sought in their candidates. These too reflected long-standing conservative positions that had crystalized over the past thirty years. First, a “recognition that the federal government is one of enumerated powers,” that is, a limited government by constitutional design. Second, “appreciation for the role of the free market in our society,” a central part of the conservative discourse. Third, “respect for traditional values.” The vagueness of this formulation suggested the ecumenical scope of this commitment, encompassing evangelical, Catholic, conservative Jewish, or even generically bourgeois

³⁵ Memo appraising Scalia “in light of the profile of an ideal candidate devised by the task force,” 5.

values. But “traditional values” was also shallow, begging the question on moral content and justification. Fourth, the “recognition of the importance of separation of powers,” a principle dating back to conservative frustration with FDR. Fifth, a “disposition toward criminal law as a system for determining guilt or innocence.” Finally, the Reagan Administration sought judges with “commitment to strict principles of nondiscrimination,” reflecting the development of a doctrine of conservative colorblindness.³⁶ What made Scalia attractive was that, “while rejecting race-conscious remedies and frivolous discrimination claims, Scalia [was] firmly committed to true nondiscrimination.” Wallison pointed to Scalia’s “scathing” criticism of “affirmative action, *Bakke*, *Weber*, the notion of “voluntary” goals under [the Office of Federal Contract Compliance], and the concept of collective restorative justice racist in principle and promotive of racism in practice.”³⁷

Edwin Meese grounded this approach directly in the conservative narrative of the Founding. In a speech before the American Bar Association in 1985, Meese argued on historico-traditionalist grounds that constitutional interpretation should be “a Jurisprudence of Original Intention.” Since the Founders intended the judiciary to act as the “bulwarks of a limited constitution,” judges should “resist any political effort to depart from the literal provisions of the Constitution.” Specifically, for Meese and the Reagan White House, this meant not just the principle of judicial restraint, but several principles linked to longstanding conservative frustrations and historical interpretation. Meese spoke about reviving the “basic principle” of federalism, since state sovereignty better secured “political liberty through

³⁶ See chapter 4 but in a more capacious sense, Thomas Sugrue, *Origins of the Urban Crisis*; Kevin Kruse, *White Flight*; Matthew Lassiter, *The Suburban Majority* on the emergence of a deracialized white discourse of colorblind rights in response to desegregation.

³⁷ Memo appraising Scalia “in light of the profile of an ideal candidate devised by the task force,” 10.

decentralized government.” Aware that he was advocating a position damaged by segregationist recalcitrance during the 1950s and 1960s, Meese framed the discussion as “States’ responsibilities,” nor “States’ rights” and reminded listeners of the importance of states as “laboratories of social and economic progress.” In addition to federalism, Meese highlighted the Administration’s religious traditionalist interpretation of the Establishment Clause. They held that in contravention of recent legal trends, the Framers intended the clause to prohibit the state sponsorship of a national church and not to insist on “strict neutrality between religion and irreligion.”³⁸ Particularly through Meese, these claims rooted in conservative intellectuals’ grievances and analysis of the American past had become the guiding judicial principles for a presidential administration.

In the realm of constitutional law, conservative intellectuals and jurists completely associated themselves with an imagined vision of the Founding and Constitution. Their narratives about the past retained powerful authority for both the intellectuals and their audience and intellectual supporters. They possessed not only the supposed imprimatur of the venerated Founders, but, Meese argued, also demonstrated “a deeply rooted commitment to the idea of democracy” since the founding principles can only be overturned by democratic action, not liberal judicial fiat. Indeed, conservative intellectuals had been motivated by the sense that liberal elites had undermined the cultural consensus, insisting on minority rights over and against public morals in the spheres of race, religious faith, gender norms, and the right to life. As we have seen, conservatives found many resources in their national history to defend existing social mores and privileges. Conservatives had sustained and reformulated these narratives and legal and political tools during the ascendancy of liberalism in the post-

³⁸ Edwin Meese, “Speech to the American Bar Association,” July 9, 1985, <https://fedsoc.org/commentary/publications/the-great-debate-attorney-general-ed-meese-iii-july-9-1985>.

war decades and re-articulated them first with Goldwater and then in a much more palatable and strikingly optimistic manner with Reagan. When Robert Bork, Reagan's fourth Supreme Court nominee and a founding interpretivist, was voted down in the Senate after concentrated liberal opposition, conservatives perceived it on one level as vicious liberal power politics and on another as a direct repudiation of basic, honest constitutional interpretation. Speaking to CPAC in 1988 about Robert Bork, Reagan affirmed the conservative complaint about liberal justices, defended Bork and affirmed Anthony Kennedy, Bork's replacement, as a tough on crime, "original intent" judge.³⁹

Bork, Rehnquist and Scalia were perfect appointments for the Meese justice department looking to install figures associated with the conservative movement. Rehnquist had cut his teeth as a Goldwater advisor; Scalia's impressive resume included seven years editing AEI's journal. He also sat on the academic advisory board of AEI's "A Decade of Study of the Constitution" program and, like Robert Bork, was thoroughly enmeshed in AEI's Straussian influenced intellectual circles, especially as Walter Berns shifted from a substantive due process position to a judicial restraint position closer to Bork, Rehnquist, and Scalia.⁴⁰

The historian Gordon Wood argues originalist scholars moved beyond "original intent," precisely because of a lack of historical clarity about the Founders' intent. As a result of this difficulty, originalists shifted to an approach that sought to excavate the "original meaning" of legislative language in common usage. Nevertheless, like Gordon Wood's critique of Straussian fundamentalism, Daniel Rodgers suggests the originalist approach

³⁹ Ronald Reagan, "Remarks at the Annual Conservative Political Action Conference Dinner," February 11, 1988, <https://www.reaganlibrary.gov/research/speeches/021188f>.

⁴⁰ Hayward, *Patriotism Is Not Enough*, 151-8.

requires a “folding” of time that ignores continuity to reach “nostalgically” for other eras while maintaining focus on the present.⁴¹ The conservative rejoinder to this, of course, developed over the past half century, would be that liberals caused the initial rupture and conservatives only seek to mend it. Mark Lilla suggests that a “shipwrecked” relationship with the past characterizes reactionary thought.⁴² It is true that a central trope of American conservative thought perceived a break in the American political tradition, generally linked to Franklin Roosevelt. Belief in this break justified anti-statism when useful by delegitimizing the post-1932 federal apparatus as well as left and liberal voters, politicians, and activists. Since the conservative movement never accepted the New Deal order and has consistently been a restorationist ideology that sought to supplant the political changes of the New Deal with a purer and more authentic pre-1933 system, the claims conservative intellectuals made to defending continuity, organic society, and conservation were questionable at best.

All Men Created Equal and West Coast Straussianism

Despite the influence Straussians have over shaping conservative jurists’ vision of the American past, not all students of Leo Strauss were pleased by the originalist turn. Harry Jaffa donated \$25 to the Republican National Committee to run ads defending Robert Bork.⁴³ But despite his contribution, Jaffa had major theoretical issues with Bork and the original intent school. Jaffa had been making his “blasted equality gambit” since the 1950s and by the

⁴¹ Gordon Wood, “The Fundamentalists and the Constitution”; Daniel T. Rodgers, *Age of Fracture*, 232-42.

⁴² Mark Lilla, *The Shipwrecked Mind: On Political Reaction*, xii-xiii.

⁴³ Harry V. Jaffa, “Judge Bork’s Mistake,” *National Review*, March 4, 1988, 38-39.

1980s he fulminated against what he perceived as dangerous trends in conservatism.⁴⁴ Jaffa's most important book contrasted Stephen Douglas's majority-rule "Freeport Doctrine" approach to slavery, which he found ultimately reduced to nihilism, with Lincoln's opposition to slavery grounded on the Declaration's claim that all men were created equal. "Declarationism" became the basis of Jaffa's moral-political philosophy.⁴⁵ From the mid-1960s, Jaffa argued that equality preceded consent as the basis for politics. It was the fundamental truth of America's political tradition that could not be compromised.⁴⁶ He thought the original intent and meaning schools placed too great an emphasis on the bare language of the Constitution. They neglected the Declaration of Independence which, Jaffa argued, gave Aristotelian meaning to the American regime as a result of its violent ratification in the Civil War. In his view, the Constitution alone offered no such guidance and, as such, Jaffa equated originalist constitutionalism with nihilism. In a minor law journal, Jaffa challenged Rehnquist "to find a single document from the Founding era illustrative of the thought of the American people who ratified the Constitution that supports the moral skepticism and legal positivism that he shares with the late Justice Holmes."⁴⁷ The following year in *National Review* Jaffa claimed Bork betrayed "a Calhounian antagonism to the

⁴⁴ Harry Jaffa to Willmoore Kendall, August 28, 1959, box 17, Kendall Papers; Harry V. Jaffa, "The Closing of the Conservative Mind," *National Review*, July 9, 1990, 40-3; Harry V. Jaffa, "Jaffa v. Bork: An Exchange," *National Review*, March 21, 1994, 56-9.

⁴⁵ Jaffa, *Crisis of the House Divided*.

⁴⁶ Willmoore Kendall to Henry Regnery, Oct 13, 1965, box 38, folder 2, Regnery Papers; Stanley Parry, "The Dilemma of Equality," *National Review*, June 13, 1965, 606-7.

⁴⁷ Harry V. Jaffa, "What Were the 'Original Intentions' of The Framers of the Constitution of the United States?," *Seattle University of Law Review*, 10, no 3, (1987), 351-48, 439.

Declaration of Independence.”⁴⁸ Justices Rehnquist and Scalia also became subjects of Jaffa’s ire.⁴⁹

The argument, which came to define an important school of right-wing political thought, had its origins in Jaffa’s relationship with Willmoore Kendall.⁵⁰ Kendall had vacillated between admiration for and outrage with Jaffa. At times, he would despair he was not at Jaffa’s intellectual level, let alone Leo Strauss’s. At other times, he raged at him. In 1964, Kendall told Henry Regnery that Jaffa was the “worst” of the basically liberal Straussians. Two weeks later, though, he told Regnery that Jaffa had written the “most important book of the past ten years in the field of American politics.”⁵¹ In 1963 Jaffa considered trying to bring Kendall to Ohio State although Walter Berns, Jaffa’s friend and Kendall’s former colleague, advised against it.⁵² Kendall tried several times to lure Jaffa to his program at the University of Dallas. Instead, at Martin Diamond’s invitation, Jaffa left Ohio State for Claremont Men’s College in 1964.⁵³ The *National Review* editor Jeffrey Hart, once close to Kendall, recognized that Jaffa’s view of the American tradition was “the opposite pole” from Kendall’s and told Kendall that although Jaffa relied on the Civil War

⁴⁸ Jaffa, “Judge Bork’s Mistake,” 40.

⁴⁹ Harry V. Jaffa, “The False Prophets of American Conservatism,” in Kenneth L. Grasso and Robert P. Hunt, ed, *A Moral Enterprise: Politics, Reason, and the Human Good*, (Wilmington, DE: ISI Books, 2002).

⁵⁰ Zuckert and Zuckert, *The Truth About Leo Strauss*, 240-6.

⁵¹ Willmoore Kendall to Henry Regnery, Jan 18, 1964, box 38, folder 2, Regnery Papers; Willmoore Kendall to Henry Regnery, Feb 1, 1964, box 38, folder 2, Regnery Papers.

⁵² Walter Berns to Harry Jaffa, March 4, 1963, File Cabinet 1, Drawer 2, Walter Berns File, Harry Jaffa Collection, Hillsdale College.

⁵³ Harry Jaffa to Willmoore Kendall, May 7, 1964, box 17, Kendall Papers; Harry Jaffa to Willmoore Kendall, May 15, 1967, box 17, Kendall Papers.

for authority and did not deal with the tension between rights and the Constitution, he had “a potent mind.”⁵⁴

Where Willmoore Kendall projected the American political tradition backward from 1776 to earlier origins, Jaffa projected it forward. He believed the Civil War was essential for interpreting the meaning of the Founding and was an intense partisan for Abraham Lincoln.⁵⁵ Influenced by Strauss’s view that Locke was a crypto-modernist, in the 1950s Jaffa believed the American Founding was a low regime. But Lincoln had established the “Aristotelian” wisdom of the Declaration of Independence as the center of the American political tradition. It was not a “derailment,” per Kendall, but a re-founding. By the 1970s, Jaffa was “discarding” the Straussian “orthodoxy” about the Founding and finding natural right embedded in the Founding of the American regime.⁵⁶

Jaffa unleashed the results of this rethinking at successive meetings of the American Political Science Association in 1974 and 1975. In Chicago in 1974, Jaffa argued on a panel called “Conservatism's Search for Meaning” chaired by William F. Buckley that “if American Conservatism has any core of consistency and purpose, it is derived from the American Founding.”⁵⁷ He insisted that ambiguity about the Founding caused the confusion in modern conservatism. Jaffa’s target was Willmoore Kendall and George Carey. Like most Straussians, Jaffa saw history in philosophical terms. Against conservatives who presented

⁵⁴ Jeffrey Hart to Willmoore Kendall, April 15, 1966, box 17, Kendall Papers.

⁵⁵ Harry Jaffa to Nellie Kendall, August 13, 1974, box 17, Kendall Papers.

⁵⁶ Larry P. Arnn, “Understanding the Good,” *Claremont Review of Books*, (Winter 2014/15): 14-6. The political theorists Michael Zuckert and Catherine Zuckert argue that Kendall’s objections to Jaffa’s thesis led to this rethinking. Certainly Jaffa obsessed with variations of what he called the Kendall-Calhoun thesis, seeing its basis in the thought of John C. Calhoun. Zuckert and Zuckert, *The Truth About Leo Strauss*, 240-6.

⁵⁷ The papers in question are collected as Harry Jaffa, *How to Think about the American Revolution*, (Durham, NC: Duke University Press, 1978). Quote on 15.

the revolution as sober and restrained, Jaffa argued it was “the most radical attempt to establish a regime of liberty that the world has yet seen” and the principle of equality was put to the test and ratified in the Civil War. Although he could deal with historical realities, Jaffa’s view of the Civil War was romantically philosophical. Both sides “had dignified principles” and the war was a cosmic struggle over which principles would govern America. Jaffa mistakenly saw his dispute with Kendall in sectional terms. He believed “Willmoore was a loyal son of the Old South.” The Oklahoman Kendall was not a neo-Confederate, but Jaffa meant this charge partly philosophically. Jaffa understood Strauss’s admonition against moral relativism in catastrophic terms. Any failure to uphold natural right was tantamount to nihilism. To abandon equality was to abandon moral realism and to abandon conservatism. In Jaffa’s reading, Kendall’s majoritarianism was ultimately indistinguishable from Stephen Douglas, John Calhoun, and Plato’s Thrasymachus, the same charge he leveled at Bork. According to Jaffa, that rejection opened the way to the relativism “that is the theoretical ground of modern totalitarian regimes.”⁵⁸ George Anastaplo, another Straussian, was rightly skeptical of this characterization. “Would anyone who knew this complicated man really consider him a reliable disciple of John Calhoun?” Anastaplo asked. “Hardly.”⁵⁹

The following year Jaffa aimed his fire at Irving Kristol and Martin Diamond for their contributions to AEI’s Bicentennial Lectures. Presiding over the panel, Kristol was blindsided by Jaffa’s paper.⁶⁰ One attendee remembers the room being “packed.” Billed as a discussion of Madison and Calhoun, Jaffa harangued Kristol for deradicalizing the Founding.

⁵⁸ Jaffa, *How to Think about the American Revolution*, 19.

⁵⁹ George Anastaplo, “Prophets and Heretics,” *Modern Age*, 23, no 3, (Summer 1979), 314-7, quote on 316.

⁶⁰ The 1975 APSA Annual Meeting Preliminary Program, *PS*, 8, no. 2, (Spring, 1975), 150.

In his view, the Founders articulated their “divine mission” for mankind in the “great documents of the Revolution, and of the American political tradition.” For Jaffa, who saw figures like Lincoln as historically bounded but nevertheless able to speak across history, the Civil War was not caused by slavery per se but the incoherence of “slavery in a nation dedicated to the proposition that all men are created equal.”⁶¹ In other words, Kristol was wrong. There was a radical political tradition in America that was the foundation for true modern conservatism. “I don’t understand this, Harry. I’ve been learning from you for 30 years,” protested Kristol. “Yes, but you didn’t understand,” Jaffa replied.⁶²

Jaffa then turned his attention to his one-time friend and colleague Martin Diamond. Diamond attended the conference but did not Jaffa’s panel. His lecture had been the center of AEI’s Bicentennial celebration, Jaffa claimed, and it had made claims about the “innermost meaning of the American Revolution, and of the American political tradition.” The thesis that the Declaration of Independence offered “no guidance” for the Constitution was “extreme” and wrong. Jaffa claimed Diamond mistook the compromises of the Constitutional Convention for its principles, such as when the Founders failed to stand on principle on slavery and the slave trade, “an abomination unsurpassed” until modern concentration camps.⁶³ He alleged that Diamond drew on Kendall’s work and was therefore simply a re-articulation of Calhoun.⁶⁴ On its own, Jaffa argued, the Constitution was “blind.” The fact that either side of the Civil War claimed the mantle of constitutionalism shows its

⁶¹ Jaffa, *How to Think about the American Revolution*, 59, 62.

⁶² Arnn, “Understanding the Good,” 16.

⁶³ Jaffa, *How to Think about the American Revolution*, 76, 81-82, 92.

⁶⁴ Rather, Diamond had been making a related argument since at least 1959. *Democracy and the Federalist: A Reconsideration of the Framers' Intent*, *The American Political Science Review*, Vol. 53, No. 1 (Mar., 1959), 52-68

incoherence. Only Lincoln's appeal to the Declaration of Independence gave it moral ordering. Once this basis was accepted, Jaffa argued, equality demanded constitutional democracy and the doctrine of separation of powers.

Jaffa gave extraordinary standing to the Declaration of Independence. It was "a democratic document, conceiving all authority to be derived from the people, under the 'laws of nature and of nature's God.'⁶⁵ In other words, it was the central document in the American political tradition because it instantiated the morally and philosophically correct natural right of equality at the heart of the American regime. Previously, Jaffa suggested Lincoln had re-founded the United States on the grounds of equality. In the 1970s, Jaffa seemed to be suggesting America was founded on equality from the outset, a view he later affirmed.⁶⁶ Kristol and Diamond admired the Revolution and Founding for its moderation and sobriety. Kendall and Carey interpreted the Founding as a salutary extension of America's tradition of political deliberation. Jaffa not only celebrated the Founding on patriotic terms but sacralized it. He believed the Founding and its completion in the Civil War made the United States a good regime in a world of tyrannies or low regimes. It dedicated the United States to universally valid principles.

When Jaffa died in 2015, one of his students, Larry Arnn, President of Hillsdale College, wrote that "if we are able to save our country, which we must," Jaffa's turn against Diamond and Kristol would "be there at the foundation of saving it."⁶⁷ In 1975, *National Review's* editors were bewildered. Jeffrey Hart summarized the debate to Buckley. "I would

⁶⁵ Jaffa, *How to Think about the American Revolution*, 136.

⁶⁶ Harry V. Jaffa, *A New Birth of Freedom: Abraham Lincoln and the Coming of the Civil War*, (Lanham, MD: Rowman & Littlefield, 2000).

⁶⁷ Arnn. "Defending the Good," 16.

not know what in hell to reply to Harry,” he wrote. “Maybe praise his mastery of the material, devotion in Lincoln, wish that we could hear a Great Debate between him and his adversaries.”⁶⁸ Buckley wrote back “If we are going to get into the whole liberty-equality argument,” involving 30,000 words of commentary” from the famously verbose Harry Jaffa, “I think we’d better do it *de novo*.” Buckley chose not to cover the debate closely in *National Review*. Yet, despite his fatigue with the argument, Buckley repeatedly insisted his magazine review Jaffa’s 1976 *Conditions of Freedom*. “He is very special,” Buckley wrote to the book review editor, hoping Irving Kristol would write the review.⁶⁹ Instead, Joseph Sobran reviewed it and when Jaffa published his essays against Kendall, Diamond, Kristol and the neo-Confederate M. E. Bradford, with whom Jaffa carried out a long public debate, Sobran reviewed that collection as well.⁷⁰ “This, surely, is the American tradition: individualism, freedom, and, yes, equality,” Sobran wrote. Jaffa “reveals our own first principles to us.”⁷¹

Jaffa’s “Declarationism” led to intellectual feuds with other students of Strauss throughout the 1980s. Jaffa and Walter Berns exchanged personal and tetchy letters in *National Review* in 1982. Jaffa accused Berns and Robert Goldwin of downgrading political philosophy in their AEI studies of the Constitution.⁷² In 1985, another Straussian, Thomas Pangle accused Jaffa and his allies of promulgating a “new mythic Americanism” that

⁶⁸ Memo, AR to WFB, Jeffrey Hart to William F. Buckley, undated, box 167, folder 1103, Buckley Papers; William F. Buckley to Jeffrey Hart, Nov 7, 1975, box 167, folder 1103, Buckley Papers.

⁶⁹ William F. Buckley to Chilton Williamson, March 8, 1976.; William F. Buckley to Chilton Williamson, April 26, 1976, box 167, Buckley Papers.

⁷⁰ M. J. Sobran Jr, “Governing Free Men,” *National Review*, May 28, 1976, 570

⁷¹ M. J. Sobran, "Saving the Declaration," *National Review*, December 22, 1978, 1601-3, quote on 1603.

⁷² Harry V. Jaffa, “In Defense of Political Philosophy: A Letter to Walter Berns,” *National Review*, Jan 22, 1982, 36-44; Hayward, *Patriotism is Not Enough*, 149.

blurred the line between scholarship and poetry. Pangle argued that Jaffa's sacred vision of America hurt authentic patriotism that recognized the United States as an earthly nation.⁷³ The disputation between "West Coast" Straussians, associated with Harry Jaffa at Claremont-McKenna College and the think tank the Claremont Institute, established by several of Jaffa's students, and "East Coast" Straussians like Berns, Pangle, and Allan Bloom turned on at least two related questions. The first was the meaning of Leo Strauss's teaching: did he advocate Socratic skepticism and a pure commitment to philosophy, or faith in Aristotelian natural right? The second question was the status of the American regime. Was the United States a modern nation with low but solid foundations, or was it "broadly continuous with the classical and Biblical traditions" and in some respects "perfecting those traditions"?⁷⁴ Jaffa and his allies sided with the latter answer to both questions and equated the former with neo-Calhounian nihilism.

The most prominent institutional base of West Coast Straussianism has been the Claremont Institute. In the late 1970s, the Intercollegiate Studies Institute funded the creation of Public Research, Syndicated. The operation was headed by one of Jaffa's students, Larry Arnn, and distributed conservative op-eds to media outlets. In 1979 Arnn, Christopher Flannery, Thomas Silver, and Peter Schramm, graduate students of Jaffa, founded the Claremont Institute to institutionalize both Public Research, Syndicated and Jaffa's teaching. The Institute aimed to "restore the principles of the American Founding to their rightful, preeminent authority in national life."⁷⁵ In 1983, the National Endowment for the

⁷³ Thomas L. Pangle, "Patriotism: American Style," *National Review*, Nov 29, 1985, 30-4.

⁷⁴ Charles R. Kesler, "All Against All," 41. Zuckert and Zuckert, *The Truth about Leo Strauss* is the best starting point for understanding "Straussian geography."

⁷⁵ Matthew Bowman, "Claremont Institute," *American Conservatism: An Encyclopedia*, ed. Bruce Frohnen,

Humanities granted Public Research, Syndicated over \$430,000 to produce "The New Federalist Papers," a series of 216 articles for syndication to mark the bicentennial of the Constitution.⁷⁶ The resultant series intermingled contributions by prominent liberal figures like Walt Rostow, Eugene McCarthy, and Thurgood Marshall with both prominent conservative voices *and* people associated with the Claremont Institute such as Harry Jaffa, Thomas G. West, Ken Masugi, John Marini, and Clarence Thomas.⁷⁷ The same year, the NEH granted Ken Masugi and the Claremont Institute just over \$300,000 to run two conferences and lectures in conjunction with the Bicentennial of the Constitution.⁷⁸ The Claremont Institute also proved adept at earning grants from major conservative donors and foundations like Reagan confidante Henry Salvatori, the John M. Olin Foundation, the JM Foundation, and the Sarah Scaife Foundation.⁷⁹ In 1985 Larry Arrn replaced Peter Schramm as the president of the Claremont Institute and oversaw its emergence as a moderate-sized think tank. In 2000, Hillsdale College appointed Arrn its president. Since then, through the conservative college and its online courses on the Founding, Arrn has expanded the reach of the West Coast Straussian interpretation of the American political tradition. In many ways it has become the normative movement conservative reading of the Founding. Through these

Jeremy Beer, and Nelson O. Jeffrey, (Wilmington, DE: ISI Books, 2006); Charles R. Kesler, "Our Friend Tom," *Claremont Review of Books*, 2, no. 1, (Winter 2002): 3; Peter W. Schramm, "Born American but in the Wrong Place," *On Principle*, (April 2006): <https://ashbrook.org/publications/onprin-special-schramm/>.

⁷⁶ *Humanities*, 4, no. 6 (Dec. 1983): 24-5.

⁷⁷ J. Jackson Barlow, Dennis J. Mahoney, and John G. West, eds., *The New Federalist Papers* (Lanham, MD: University Press of America; Claremont, Calif.: Public Research, Syndicated, 1988).

⁷⁸ *Humanities*, 4, no. 6 (Dec. 1983): 30.

⁷⁹ Reed Johnson, "Claremont Institute's Mission: Conservative," *LA Times*, March 6, 2001, <https://www.latimes.com/archives/la-xpm-2001-mar-06-cl-33781-story.html>; "The Claremont Institute," *Conservative Transparency*, http://conservativetransparency.org/org/the-claremont-institute/?og_tot=310&order_by=year+ASC.

avenues and cross-pollination into Republican administrations, West Coast Straussians at Claremont and Hillsdale have laid an impressive claim over mainstream conservatives' view of the American past.

The West Coast Straussians and Jaffa in particular long opposed neo-Confederates in the conservative movement and to some extent formulated a conservative framework free of association with states' rights arguments.⁸⁰ But it is a mistake to see Jaffa's "equality gambit" as a softer form of conservatism because of its emphasis on equality rather than liberty, organicism, or constitutionalism. As Jaffa's enthusiastic support for Goldwater indicated, equality could be the basis of Goldwaterite conservatism. Where the neoconservative and East Coast Straussian narratives suggested America as a decent, bourgeois regime, Jaffa's and the West Coast narrative proposed a strident, millenarian conservatism based on a sacralized America. One conclusion of the Jaffaite position was that social and political accretions that contradicted his and his followers reading of equality must be overturned as immoral violations of natural right. In West Coast Straussian thought, this argument initially developed about slavery. But through the work of Jaffa and other West Coast Straussians, perceived violations of natural right expanded to include many of the political developments of the past century denoted by West Coast Straussians as "the administrative state," a violation of democratic rule, and included opposition to gay rights and defense of immigration restrictions.⁸¹ As an example of the West Coast Straussian style, in a Claremont

⁸⁰ Ken I. Kersch, "Beyond Originalism: Conservative Declarationism and Constitutional Redemption," *Maryland Law Review*, 71, 1, (Dec. 2011): 229-282; Joshua A. Tait, "The Right, With Lincoln: Conservative Intellectuals Interpret Abraham Lincoln, c. 1945-89" (MA thesis, University of Canterbury, 2013), 120-8.

⁸¹ John Marini and Ken Masugi, eds., *The Progressive Revolution in Politics and Political Science*, (Lanham, MD: Rowman & Littlefield, 2005); Edward J. Erler, John A. Marini and Thomas G. West, eds., *The Founders on Citizenship and Immigration: Principles and Challenges in America*, (New York: Rowman & Littlefield, 2007); Harry Jaffa, "Gays/Justice," *Constitutional Commentary*, 8, (Winter 1991): 313-7; Jeet Heer,

Institute book on immigration, Thomas G. West argued that “liberals have successfully taken over the *language* of individual rights as understood from Washington and Jefferson to Lincoln and Coolidge.” He argued “the Founders would have rejected the view that dedication to the equality principle requires mass immigration,” and instead would likely have endorsed a “restrictive immigration policy – but as an inference from the equality principle, not from its repudiation.” West reaches this conclusion, by conflating men with nations. “‘All men are created equal’ means that every people, every nation, has a right to rule itself, for the same reason that every individual has a right to self-rule,” West wrote, in an argument that is surprisingly close to Stephen A. Douglas’s Freeport Doctrine that Harry Jaffa refuted in his 1959 book *Crisis of the House Divided*.⁸²

The corollary of the West Coast Straussian view that the American regime has been betrayed by progressive politicians is that statesmen acting in accordance with natural right ought to have the license to act against the illicit administrative state. As one president of the Claremont Institute put it, the aim was to “overthrow the reigning orthodoxy” by training a “Franklin Roosevelt who will then overthrow the New Deal.”⁸³ Charles Kesler, a close student of Jaffa and editor of the *Claremont Review of Books*, founded in 2000 as a highbrow conservative literary review, suggested the Claremont Institute’s aim “was to unravel Progressivism, to do what Wilson and Co. had done but in reverse.” (Indeed, this was

“Homophobia and the Art of Writing,” *Jacobin*, Feb 2, 2015, <https://www.jacobinmag.com/2015/02/harry-jaffa-obituary-jeet-heer/>.

⁸² Thomas G. West, “Immigration: The Founders’ View and Today’s Challenge,” in Erler et al, eds., *The Founders on Citizenship and Immigration: Principles and Challenges in America*, (New York: Rowman & Littlefield, 2007), 77-78.

⁸³ Reed Johnson, “Claremont Institute’s Mission: Conservative.”

Willmoore Kendall's core criticism of Harry Jaffa's thought in his 1959 review of *Crisis of the House Divided*: it justified American "Caesarism" for natural right.)⁸⁴

By a similar notion, "nihilistic" politicians, who did not subscribe to a Jaffaite natural right interpretation were to be regarded as existential threats to the regime. An ideological determinist, Jaffa was convinced by the power of ideas. He assumed ideological consistency in historical actors like Lincoln and Calhoun. His logical rigorism, smashmouth politics, personal disputativeness, and patriotic self-righteousness became the hallmarks of the Claremont Institute, whose acolytes have been among the most ardent proponents of right-wing historical narratives and hardline conservative policies. Jaffa fostered a perspective that treated left and right-wing challenges to his political philosophy as blows to the Republic. He framed liberals – and insufficiently rigorous conservatives – as complicit in the destruction of the only good modern regime. In 2016, this was the logic of another of Jaffa's students, Michael Anton's "Flight 93 Election" essay, published under the auspices of the Claremont Institute, that compared the election to the September 11 attacks. In Anton's telling, Americans could either take a risk with Trump, analogous to the passengers of Flight 93 seizing the cockpit, or face certain destruction at the hands of "progressive" Hillary Clinton.⁸⁵

⁸⁴ Charles R. Kesler, "A Decade of CRB," in Charles R. Kesler & John B. Kienker, eds. "Life, Liberty, and the Pursuit of Happiness: Ten Years of the Claremont Review of Books," (Lanham, MD: Rowman & Littlefield, 2012), 3; Willmoore Kendall, "The Source of American Caesarism," *National Review*, Nov 7, 1959, 123-4.

⁸⁵ Michael Anton, "The Flight 93 Election," *Claremont Review of Books*, Sept 5, 2016, <https://claremontreviewofbooks.com/digital/the-flight-93-election/>; Signatories of "Scholars and Writers for Trump" include key figures associated with the Claremont Institute: Hadley Arkes, Larry P. Arnn, Charles Kesler, Ken Masugi, Ronald J. Pestritto, Thomas G. West, <https://amgreatness.com/2016/09/28/writes-scholars-for-trump/>; Kelefa Sanneh, "Intellectuals for Trump," *New Yorker*, Jan 9., 2017, <https://www.newyorker.com/magazine/2017/01/09/intellectuals-for-trump>

“Quotations from Chairman Mel”: The Failure of Traditionalist Conservatism and Search for Alternatives

Over the 1970s, Jaffa engaged in a long-running public argument about Abraham Lincoln with a southern scholar named M. E. “Mel” Bradford. In this debate and in other scholarship, Bradford tendentiously criticized Abraham Lincoln.⁸⁶ Late in 1981, the Reagan Administration considered several candidates for the Directorship of the National Endowment for the Humanities and its \$120 million annual grant budget.⁸⁷ The two frontrunners, William Bennett and Mel Bradford, represented distinct subgroups and intellectual traditions within conservative circles. The nomination became setting of a bitter controversy. Curiously both candidates were, or had recently been, Democrats. Bradford, a professor of rhetoric at the conservative University of Dallas and a longtime contributor to *National Review* and *Modern Age*, was an unreconstructed neo-Confederate who had volunteered for George Wallace.⁸⁸ William Bennett was the director of the North Carolina-based National Humanities Center and was an emerging neoconservative talent. In part to protect the reputation of the conservative intellectual movement and in part to promote his favored candidate, Irving Kristol lobbied against Bradford’s nomination. Behind the scenes and in major newspapers, both neoconservative intellectuals and liberal observers treated

⁸⁶ A recurring theme for Bradford, see for example, M. E. Bradford, "Dividing the House: The Gnosticism of Lincoln's Political Rhetoric," *Modern Age* vol. 23, no. 1 (1979): 10-24; "The Lincoln Legacy: A Long View," *Modern Age* vol. 24, no. 4 (1980): 355-63; "Lincoln and the Language of Hate and Fear: A View from the South," in M. E. Bradford, *Against the Barbarians and Other Reflections on Familiar Themes* (Columbia, MO: University of Missouri Press, 1992); "Against Lincoln: A Speech at Gettysburg," in M. E. Bradford, *The Reactionary Imperative: Essays Literary and Political* (Peru, IL: Sherwood Sugden & Co, 1990); "Lincoln, the Declaration, and Secular Puritanism: A Rhetoric for Continuing Revolution," in *A Better Guide Than Reason: Federalists and Anti-Federalists*, (Piscataway, NJ: Transaction Publishing, 1994).

⁸⁷ "NEH Impasse," *National Review*, Nov 13, 1981, 1318-9.

⁸⁸ Fred Arthur Bailey, "M. E. Bradford, the Reagan Right, and the Resurgence of Confederate Nationalism," in *Painting Dixie Red*, ed. Glenn Feldman (Gainseville, FL: University Press of Florida, 2011), 297; Lewis P. Simpson, "The Story of M. E. Bradford," *Southern Literary Review*, 26, no. 2, (Spring 1994): 102-8.

Bradford's views on American history and the nature of the American political tradition as indicative of his wider politics: out of step with received opinion and modernity itself.

Bradford's supporters, including North Carolina's conservative Senators Jesse Helms and John East (a man with deep connections to the conservative intellectual world), pushed his candidacy. As Kristol later put it, "a fight ensued."⁸⁹

The contrast in the neoconservative and traditionalist conservative access to high prestige institutions was a key part of the struggle. Kristol said Bradford's allies thought the neoconservatives were trying to take "the play away from them," which "of course we were trying to do." Meanwhile Bradford suggested he would shift the NEH's grant-giving toward regional universities and colleges. As part of his campaign against Bradford, Kristol phoned "four different distinguished American historians and historians of American literature" and "most of them had never heard of him."⁹⁰ Kristol informed William F. Buckley of Bradford's scholarly stature. "The sad truth," Kristol told Buckley, "is that too many 'old conservatives' are so far distanced from the academic-intellectual world" that they exaggerate the stature of men like Bradford.⁹¹ "Distressed," Buckley, Jeffrey Hart, and Bradford defended the southerner's scholarly record. Bradford did have dozens of publications, but his resume demonstrated the gulf in conservative intellectual priorities and access to well credentialed sources. Bradford had done much editorial work and publishing, but in small houses dedicated to traditionalist thought and about American founding. He had contributed essays to books published in mainstream presses but much of his published work was in regional

⁸⁹ Recording, Lee Edwards interviews Irving Kristol on 18 Jun 1996, box 11, 2010c14_a_0006474, Edward Papers.

⁹⁰ Lee Edwards interviews Irving Kristol.

⁹¹ Irving Kristol to William F. Buckley, Nov 9, 1981, Jeffrey Peter Hart papers, box 3, Hoover Institution Archives (hereafter Hart Papers).

literary reviews like the *Sewanee* and *Southern Reviews* and the *Mississippi* and *South Atlantic Quarterlies*. When Kristol told Bradford he was relying on “bibliographical information provided by the Columbia and NYU libraries,” Bradford shot back that they should remedy their “provincial shortcomings.”⁹²

The Bradford episode made the mainstream press. The historian Eric Foner described the struggle in the *New York Times* while George Will criticized Bradford in his syndicated column.⁹³ Ultimately Buckley, Kristol, and Ed Feulner, head of the Heritage Foundation, met to decide the matter. Buckley and Feulner conceded that Bradford would not win nomination once his anti-Lincoln views, support for George Wallace, neo-Confederate associations, and borderline apologia for slavery were litigated in the Senate. After forty-five minutes of discussion, Buckley phoned Reagan aide Edwin Meese to say Bennett was their candidate.⁹⁴ Bradford’s allies wanted to respond. But, illustrating the gulf between their media access and the neoconservatives, where George Will had written a column in the *Washington Post* against Bradford, Bradford’s allies’ first recourse was to the neo-Confederate journal *Southern Partisan*, although Bradford did eventually have a chance to reply in the *Post*.⁹⁵

The turf war over a patronage appointment was an early instance of traditionalist conservative intellectuals bitterly responding not only to the Reagan Administration’s neoconservative component but the transformation and perceived failure of the conservative

⁹² Irving Kristol to M. E. Bradford, Dec 17, 1981; M. E. Bradford to Irving Kristol, Feb 8, 1982, box 3, Hart Papers.

⁹³ Eric Foner, “Lincoln, Bradford, and the Conservatives,” *New York Times*, Feb 13, 1982, 25; George F. Will, “A Shrill Attack on Mr. Lincoln,” *Washington Post*, Nov 29, 1981, C7.

⁹⁴ Lee Edwards interviews Irving Kristol.

⁹⁵ Thomas H. Landess to Jeffrey Hart, Oct 14, 1981, box 3, Hart Papers; M. E. Bradford, “It’s Will Who’s Being Shrill,” *Washington Post*, Dec. 12, 1981, A13.

intellectual movement. This broad group of conservative intellectuals, who became called “paleoconservative” as an antithesis of “neoconservative,” were varied but generally represented the successors of the religious, conservative faction that forged the grand conservative bargain in the early 1960s to focus on individualism politically and tradition culturally. Embittered by twenty-five years of political marginalization and massive cultural transformation, in the mid-1980s paleoconservative intellectuals were dismayed not only about American culture – in their view a cesspool of feminism, pornography, and abortion – but angry with the Reagan Administration and movement conservatism’s failure to address it effectively. They believed Reagan had been waylaid into focusing on narrow tax-and-deregulate economic matters and neoconservative foreign policy.⁹⁶

The paleoconservative right believed liberals remained a threat to America that Reagan left unaddressed and that neoconservatives were weak allies at best and crypto-liberals at worst. Twenty-five years after his “Letter to Young Conservatives,” Gerhart Niemeyer wrote in a roundtable in the ISI’s *Intercollegiate Review* that liberals had done more harm than communists in America. They had fostered economic dependency, marginalized religion and promoted secular education, “emasculated” criminal courts, just as they promoted relativist morals and guilt-based politics. “In politics there is no such thing as a Conservative Party,” Niemeyer lamented.⁹⁷ Likewise George Carey claimed liberals were “at war with the American tradition and what it stands for.” Liberals and their philosophic bases were, according to Carey, “all alien” to “our social and political order.”⁹⁸

⁹⁶ For a selection of paleoconservative essays, see Joseph A. Scotchie, *The Paleoconservatives*, (New Brunswick, NJ: Transaction Publishers, 1999); also Murphy, *The Rebuke of History*.

⁹⁷ “The State of Conservatism: A Symposium,” *Intercollegiate Review*, (Spring 1986): 3-28; Gerhart Niemeyer, “Is There a Conservative Mission?,” *Intercollegiate Review*, (Spring 1986): 9-12.

⁹⁸ George Carey, “The Popular Roots of Conservatism,” *Intercollegiate Review*, (Spring 1986):12.

Bradford's blackballing was the first betrayal in the paleoconservative view of the Reagan Administration.⁹⁹ Since Bradford was rejected for his views about American history and the nature of the American political tradition, paleoconservatives read his defeat as an attack on them. At a Philadelphia Society meeting on the relationship between neoconservatism and conservatism, Stephen Tonsor gave an infamous address, reprinted in *National Review*, that argued neoconservatives (and thinkers Friedrich Hayek and Ludwig von Mises) were basically secular moderns while conservatives were part of a Christian humanist tradition. Tonsor complained in colorful language ("the town whore gets religion") about the "leading role" that "former Marxists" had played in modern American conservatism's development which, given the importance of Meyer, Burnham, Kendall, and Chambers, came close to a repudiation of a historically crucial stream of conservatism.¹⁰⁰

Other paleoconservatives struck the same themes in the roundtable and produced similar diagnoses: society was in decay, the Reagan Administration was impotent, and Straussians and neoconservatives prevented a real conservative revolution by marginalizing the true American right. One contributor to the ISI symposium on the state of conservatism insisted that the "philosophical movement which gave birth to the post-war conservative renaissance – call it the Old Right, or 'traditionalism' or what you will – is the only force competent to articulate the first principles."¹⁰¹ They suggested a variety of strategies to repel liberalism and reimpose a conservative culture: Paul Gottfried argued that conservatives, including the New Right, needed prestige in high cultural institutions and no reversal would

⁹⁹ Timothy Stanley, *The Crusader: The Life and Tumultuous Times of Pat Buchanan*, 1st ed (New York: Thomas Dunne Books, 2012), 330.

¹⁰⁰ Stephen J. Tonsor, "Why I Too Am Not a Neoconservative," *National Review*, June 6, 1986, 54-6.

¹⁰¹ Gregory Wolfe, "The State of Conservatism: A Symposium: Introduction," *Intercollegiate Review*, (Spring 1986): 3.

follow until this goal was achieved.¹⁰² George Carey on the other hand recognized that there had not been a revival of conservative academia. The right-wing counterrevolution would be, if it came, led by popular and populist politicians like Ronald Reagan. True to his Kendallian roots, Carey argued that restoring the constitutional order was the first order of business.¹⁰³ Bradford encouraged the Administration to “concentrate its surviving reserves of conservatism on judicial appointments,” a move that would enact the counterrevolution more effectively than any other strategy.¹⁰⁴

Like their forebears, the paleoconservatives were a small, disjointed group. They eventually established institutional bases in the journal *Chronicles* and a think tank, the Rockford Institute, in Illinois. Some turned toward a futile neo-Confederate southern nationalism.¹⁰⁵ However, as George Carey’s roundtable remarks suggested, others glimpsed the possibility of a populist revolt of middle Americans against liberals and liberalism. In 1975, Bradford drew on the demographic research of Ben Wattenberg and Richard Scammon as well as Republican strategist Kevin Phillips to argue in *National Review* that the only way to defeat the “left-liberal” coalition was to unite “the Wallace electorate” with conservative Republicans.¹⁰⁶ To do this, he advocated forgetting “the black vote,” avoiding institutional association with one party, focusing on the “social issue” and state and local rights rather than economic issues, ignoring media criticism, and disclaiming the center.

¹⁰² Paul Gottfried, “A View of Contemporary Conservatism,” *Intercollegiate Review*, (Spring 1986): 18-21.

¹⁰³ George Carey, “The Popular Roots of Conservatism”

¹⁰⁴ M. E. Bradford, “On Being Conservative in a Post-Liberal World,” *Intercollegiate Review*, (Spring 1986): 17.

¹⁰⁵ Murphy, *Rebuke of History*, 211-53.

¹⁰⁶ M. E. Bradford, “George Wallace and American Conservatives,” *National Review*, April 25, 1975, 442-4.

The paleoconservative thinker who most presciently foresaw the possibilities of a populist anti-liberal alliance was Samuel Francis.¹⁰⁷ Like several other paleoconservatives, Francis had a PhD in history from the University of North Carolina. He went to Washington with the Reagan revolution as an aide to Republican Senator John East. After East's suicide, Francis joined the right-wing *Washington Times* as a member of its editorial board and later as a columnist. In the mid-1990s, Francis's racist views led to his firing from the *Times* and his move further into the racist right.¹⁰⁸ Francis drew heavily from James Burnham's (and Vilfredo Pareto's) right-wing materialist analysis of power politics. He titled a collection of essays written over the 1980s *Beautiful Losers: Essays on the Failure of American Conservatism*. In it he upended the conservative cliché by describing conservatism as “Ideas And No Consequences.”¹⁰⁹

Francis argued that, lacking the support of a specific social class and set of interests, conservatism had failed by transforming itself “into virtual extinction.” The irreligious Francis dismissed the modern conservative movement's pantheon of thinkers as “rootless men” who attached themselves to “romanticism or archaism,” whether “pretentious medievalism,” “antimodernist posturings”, “highly politicized religiosity”, or “archaic social and political forms” like “the antebellum South, the *ancien regime* of eighteenth-century

¹⁰⁷ For profiles of Francis, see Murphy, *The Rebuke of History*, 237-47; Matthew Rose, “The Outsider,” *First Things*, (October 2019), <https://www.firstthings.com/article/2019/10/the-outsider>; Michael Brendan Dougherty, “The Castaway,” *America's Future Foundation*, Jan. 14, 2007, <https://americasfuture.org/the-castaway/>; John Ganz, “The Year the Clock Broke,” *The Baffler*, 42, (November 2018), <https://thebaffler.com/salvos/the-year-the-clock-broke-ganz>.

¹⁰⁸ Hawley, *Right-Wing Critics of American Conservatism*, 62-3, 193-6.

¹⁰⁹ Samuel Francis, *Beautiful Losers: Essays on the Failure of American Conservatism*, (Columbia, MO: University of Missouri Press, 1993), 1.

Europe, or the era of nineteenth-century laissez-faire.”¹¹⁰ Once, Francis claimed, the conservative right had “stood for the conservation of the ‘Old Republic’ that flourished in the United States between the American War for Independence and the Great Depression and the civilizational antecedents of the American republic in the history and thought of Europe.” But the “Old Republic” could not be restored “because few Americans even remember it, let alone want it back.”¹¹¹ In the face of these failings and forgettings, the modern conservative movement “lost” on “the fusion of state and economy, the size and scope of government, the globalist course of American foreign policy, the transformation of the Constitution into a meaningless document” and the replacement of “traditional morality” with an ethic of “instant gratification.”¹¹² Francis also complained about the prominence of neoconservatives on the right, reciting the litany of paleoconservative complaints, including alleged “smear” campaigns against Bradford, Joseph Sobran (a columnist whose racism was remarked upon within *National Review* before he was cashiered for anti-Semitism.¹¹³), Patrick Buchanan, and the paleoconservative magazine *Chronicles*.¹¹⁴

Francis’s materialist worldview explained conservatism’s failures and pointed to a winning strategy similar to the one Bradford proposed in 1975. It was a mistake, Francis argued, to believe American elites would ever become conservative and Buckley and *National Review* had erred by focusing on a middle-to-elite audience and a Catholic one at that, alienating the traditional Protestant right. The new modern right, Francis argued, should

¹¹⁰ Francis, *Beautiful Losers*, 2-4.

¹¹¹ Francis, *Beautiful Losers*, 17.

¹¹² Francis, *Beautiful Losers*, 222.

¹¹³ Joe Sobran to Priscilla [L. Buckley], box 167, folder 1103, Buckley Papers.

¹¹⁴ Francis, *Beautiful Losers*, 14.

“enhance the polarization of Middle Americans from the incumbent regime” of liberalism that had “seized power in the reforms of the Progressive Era and the New Deal” and transformed the “entire architecture of economic and cultural power.” To appeal to “Middle Americans” the right should focus on “crime, educational collapse, the erosion of their economic status, and the calculated subversion of their social, cultural, and national identity” to serve the interests of the elite and underclass.¹¹⁵

Perhaps, however, the paleoconservatives, who in many ways were a small minority of conservative intellectuals in the 1980s and 1990s, misunderstood the American political tradition or were too convinced of their own vision of it. As Irving Kristol had said at the Philadelphia Society in 1971, America is “conservative.” “But the principles conserved are liberal and some, indeed, are radical.”¹¹⁶ For all the exegesis conservatives have performed on the nation’s founding documents, the popular emphasis on the Declaration of Independence and Bill of Rights has fostered a political discourse that places tremendous emphasis on liberty and rights. As we have seen, conservative intellectuals have been more than capable of wielding property rights, First and Second Amendment rights, and many other tools from the American past to justify their contemporary politics. Yet Jeffersonian rights and choice logic also corroded normative mid-century pieties. A conservatism of individual choice and market-celebration struggled to simultaneously defend even widely held cultural or religious beliefs against the rights of consumers and the open market. The celebration of market capitalism endemic to the conservative right helps explain why the paleoconservatives were so alienated by the mainstream conservative movement. Bradford

¹¹⁵ Francis, *Beautiful Losers*, 230.

¹¹⁶ Recording of Irving Kristol, ‘Liberals & Conservatives Revisited,’ to the Philadelphia Society, April 2, 1971, https://phillysoc.org/tps_meetings/a-post-liberal-america/.

framed this problem in class terms in 1975, arguing the business-oriented right sold middle American cultural values out “for the sake of ‘business stability’” but then sent their children to private schools.¹¹⁷

The contrast between the traditionalist conservatism and the politics of liberty and choice was clear in a disagreement between two of Ronald Reagan’s Supreme Court appointees. Writing the majority opinion in the 2015 case *Obergefell v. Hodges*, Chief Justice Anthony Kennedy – Reagan’s replacement for Bork’s failed nomination, known for his economic conservatism and increasingly libertarian social views – wrote in favor of the legalization of same-sex marriage. On the grounds that “the Constitution promises liberty to all” that “includes certain specific rights that allow persons, within a lawful realm, to define and express their identity,” Kennedy construed the rights established by the Constitution’s framers as defined by individual choice.¹¹⁸ By contrast, Antonin Scalia’s dissent struck closer to the arguments conservative intellectuals traditionally employed. Scalia excoriated the “constitutional revision” of “an unelected committee of nine” that “robs the People of the most important liberty they asserted in the Declaration of Independence and won in the Revolution of 1776: the freedom to govern themselves.” Scalia’s liberty was defined as a political community that reinforced heteronormative social views. He bemoaned another instance of unelected liberal corrosion of “traditional” American norms and the classical constitutional regime.¹¹⁹

¹¹⁷ Bradford, “George Wallace And American Conservatives.”

¹¹⁸ *Obergefell v. Hodges*, 576 U. S. ____ (2015), 1-2.

¹¹⁹ J. Scalia, dissenting, *Obergefell v. Hodges*, 576 U. S. ____ (2015), 1-2.

One of Francis's closest friends and supporters was Nixon aide, conservative columnist, and presidential candidate Pat Buchanan. In 1992, Buchanan primaried George H. W. Bush who was, despite being Reagan's successor, unpopular among movement conservatives. Francis was a close adviser on the campaign and Buchanan practiced a politics of middle American radicalism that Francis had theorized and that Buchanan had been preaching to a succession of Republican presidents.¹²⁰ Other conservative intellectuals marginalized by the trajectory of modern conservatism in the Reagan-Bush era came out in support of Buchanan, including Russell Kirk who was the Michigan state chair for the Buchanan for President campaign.¹²¹

As Andrew Hartman argues in his history of the culture wars, "an older America had been lost" over the second half of the twentieth century. "Americans barred from normative America by virtue of their race, sexuality, or religion" had challenged and in some ways dismantled the white, heterosexual, patriarchal, middle class, and Judeo-Christian normative culture of the mid-century America.¹²² For Americans brought up in the post-war consensus, the latter half of the twentieth century was a period of massive cultural disruption. Ethnic make-ups of communities changed as divorce law reform and the LGBT rights dismantled the binary categories of heteronormative sexuality and patriarchal nuclear families. The de facto Protestant establishment gave way to an increasingly diverse and secular public order.¹²³ It seemed society countenanced more "deviancy" than ever before.¹²⁴ For many

¹²⁰ Stanley, *The Crusader*, 186-213.

¹²¹ Stanley, *The Crusader*, 190-2.

¹²² Andrew Hartman, *A War for the Soul of America*, 5.

¹²³ On the de facto establishment in practice, see David Sehat, *The Myth of American Religious Liberty*, (Oxford: Oxford University Press, 2011).

Americans, these cultural changes were a loss of certainty, a loss of meaning, and an attack on religious or, in some cases, racial or gender verities. In politics, many Americans experienced these enormous cultural transformations as an assault on the very nature of America itself: its founding principles, its Constitution, its heritage, its way of life, and, for some, its racial identity. Many of these social and cultural transformations coincided with a massive restructuring of the American and global economy, in part fostered or at least hastened by neoliberal policies enacted by bipartisan governments in the 1970s and 1980s.

The narrative that conservative intellectuals had crafted since the early 1950s gave a compelling political explanation to these transformations in the 1970s onward. The conservative narrative of the American political tradition naturalized the complex of positions that became conservatism. Throughout, they effectively and consciously, if selectively, interpreted American history, seeking justification, authority, and political leverage in the past. Indeed, recent social psychological research suggests the discourse of conservatism speaks more effectively to basic human conceptions of right social ordering.¹²⁵ The conservative metanarrative of American decline, of which there were several variations, and potential restoration was potent for several reasons. It blamed liberal politicians and activists and linked liberal betrayal of America to a specific political break with the American political tradition: the New Deal and attendant dominance of relativistic, statist liberalism. It fostered a simplified political universe of heroes and villains. It validated right-leaning Americans as uniquely and authentically American. It connected a variety of political

¹²⁴ Daniel Patrick Moynihan, "Defining Deviancy Down," *The American Scholar*, 62, no. 1, (Winter 1993), 17-30.

¹²⁵ Jonathan Haidt, *The Righteous Mind: Why Good People are Divided by Politics and Religion*, (New York: Vintage, 2013), 180-218.

questions together as part of a unified and seemingly coherent worldview that saw gun rights, opposition to abortion, and lowered taxes as normatively American. Finally, the conservative narrative had a clear call to action in the form of electing more and more right-wing Republicans to office. When framing the present in the sweep of American history, conservative intellectuals tended to treat the present as a precipice. Although the United States has been degraded by liberals, starting with Franklin Roosevelt, or perhaps Woodrow Wilson or Abraham Lincoln, the next election will be truly decisive. Will America be restored or destroyed? Such an ahistorical sense of perpetual cataclysm and restoration was rooted in the view that liberals betrayed the American political tradition during the mid-twentieth century. It has been a powerful motivator in both elite circles in the courts and in mass politics at the polls. The type of conservative prudence and historicism that grounded politics in continuity, reform, and realism counselled by thinkers like Russell Kirk has given way – if it ever held sway – to the existential politics of rupture and reaction that justify the counter-revolution.

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