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POLEMICS & EXCHANGES

On Guns and Rights

While I entirely agree with Roger McGrath's contention in his essay in defense of gun rights ("A God-Given Natural Right," *Views*, October 2003) that "an armed citizenry is essential to the preservation of freedom and democracy," I do not agree that "the Second Amendment, like the First, recognizes a God-given, natural right of the people" to keep and bear arms. Rather, it codified an ancestral and customary right that belonged to Americans by virtue of their colonial charters and former status as British subjects. Americans have a constitutional right to gun ownership, just as they have a constitutional right to vote. They have no natural right to these, however, as no such right exists.

Burke denounced "the rights of man" as a "metaphysical doctrine" that "exposed the sure inheritance" of his countrymen to the winds of philosophic speculation. He much preferred to speak of "the rights of Englishmen" and the rights of "civil social man," which are "to be settled by convention." "As liberties and restrictions vary with time and circumstances and admit to infinite modifications, they cannot be settled upon any abstract rule."

The Christian writer Simone Weil believed that the doctrine of natural rights originated with pagan Rome, was "alien to the Greek mind," faded during the Christian Middle Ages, and was sadly revived by the materialist French Enlightenment. According to her, both Greeks and Christians were content with the concept of justice. How true her insight that invocations of one's rights "evoke a latent war and awaken the spirit of contention," destroying the possibility of charity and consensus.

To demand one's absolute rights is to stand with Robespierre and his modern heirs. Loyal sons of the West, such as Dr. McGrath, should not make this same error.

—H.A. Scott Trask
Chesterfield, MO

I entirely agree with the moral substance of Dr. McGrath's spirited defense of the right to bear arms. He makes the impor-

tant point—often missed in the debate over gun control—that the right to bear arms is not granted by government but is assumed by the Constitution to be pre-existent. The Constitution merely prohibits government from "infringing" the right. A dissonance in thought occurs, however, when Dr. McGrath goes on to call this a "God-given natural right." The ancient Hebrews, Greeks, Romans, and the medievals had no language for the Enlightenment concept of natural rights. The modern idea of natural rights is the idea of abstract rights enjoyed independent of historic experience in political society. Indeed, political society is said to be instituted to protect these abstract rights. This, however, is to get things backward. Rights exist because they serve the human good. We learn what rights there are and ought to be through seeking to live out a good and noble human life in political society with others. There are no rights independent of our experience. Dr. McGrath includes freedom of the press as one of those natural rights that is not to be compromised by political society. The right to a free press, however, cannot be conceived independent of political society. There can be no free press without the invention of the press, and that necessarily takes place in political society. A free press, like free speech, is not a timeless abstract natural right but a good that has been learned and tested through experience in political society—and a certain *kind* of political society at that. For example, the right of free speech becomes important only in a literate society that values an ethic of individualism and the public expression of thought, and where such expression can be dangerous to authority. In a simple tribal society where few people have anything of importance to say, the "infringement" of free speech would not be thought of, and the need for the right would not exist.

This is not a philosophical quibble. To declare an abstract right as a God-given absolute (meaning, of course, Nature's God, not the God of the Bible) cuts off all inquiry into the concrete reasons for the right, preventing us from having a connoisseur's grasp of why the right is necessary and from mounting a persuasive defense of it grounded in experience.

—Donald W. Livingston
Atlanta, GA

Dr. McGrath Replies:

Scott Trask and Don Livingston are civilized and learned gentlemen in the great Western tradition. I share in that tradition and appreciate the debt we owe to the Church in the Middle Ages and to ancient Greece and Rome. However, I have a bit of the barbarian left in me. For my ancestral folks, the Disaster of the Allia was no disaster. The lads had a good day. This is probably why, long ago, I was seduced by the opening paragraphs of the Declaration of Independence and believe that all men are “endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

We can argue about John Locke, or Thomas Jefferson’s interpretation of Locke, or the Enlightenment in general, but I suspect that ultimately we will have to agree to disagree. If the most basic of all rights—the right to life—is a creation of a political society and not the Creator, then all rights are simply artificial constructs of particular societies, times, and places. The latter is certainly true for derivative rights, as delineated in the Bill of Rights, such as the right to legal counsel in a criminal prosecution, but the first ten amendments also recognize inherent rights, those unalienable rights, such as the right to bear arms, that “shall not be infringed.” The right to bear arms is simply another way of saying that man has the right of self-defense. This was not something that had to be learned in any kind of politically organized and sophisticated society. The will to live, an instinct for survival, is basic to all living organisms. This was around long before governments were organized. Those Celtic tribesmen who crushed the Roman army at the Allia River had little government but lots of swords. Every warrior understood that a fine blade was his birthright. It was only when governments were established and became concerned with establishing a monopoly of force that warriors began to be disarmed. The Founding Fathers understood this.

I suspect Trask and Livingston will join me in keeping our powder dry and our barrels swabbed. Now—breathe, relax, aim, slack, squeeze.

On Cleveland

I am sure that Scott P. Richert, in his re-

view of Bill Kauffman’s *Dispatches From the Muckdog Gazette* (“Ain’t Goin’ Nowhere,” *Reviews*, November 2003), did not intend to single out my hometown as the standard for the corporate homogenization of America; since he did, however, let me say that I also like Cleveland. This is not to deny that it suffers from the plagues that he mentions—the proliferation of chain restaurants and big-box stores—as well as a host of other problems, such as stupid, corrupt, and evil politicians; businessmen with no loyalty; deteriorating, crime-infested neighborhoods; rotten schools; and citizens who seemingly only like to complain and to dream about moving to a warmer climate. I hardly think that Cleveland is unique in these regards, however; in fact, it probably retains more of its old character than many Sunbelt cities do.

I lived in the heart of the industrial armpit on the near east side for the better part of my life, long past the time when it was a decent place to raise a family. What happened to that neighborhood and so many others in the city and throughout America is a national tragedy. Without this collapse, there would have been no “need” for new-and-improved Clevelands, Pittsburghs, and Detroits.

The road back, as Mr. Richert has written so often, lies with persuading people to frequent local businesses as often as possible, to take greater interest in neighborhood and regional affairs, and, most importantly, to stay put. Communities cannot be sustained by people unwilling to put down permanent roots.

For the record, I have not heard any objections in Cleveland to letting Rockford be Rockford.

—Anthony J. Wawrzynski
Cleveland, OH

Chronicles is my favorite magazine, and Scott Richert is an excellent editor. So I really cannot explain how my November issue came to contain these lines, reputedly from Mr. Richert’s pen, referring to Cleveland as “the old industrial armpit of the Midwest that repeatedly managed the miraculous feats of turning Cuyahoga River water into fire and reducing the multitude of fish in Lake Erie to none.” Maybe there are bugs in the Mac that Apple doesn’t want us to know about, because such sentiments seem more in keeping with the disdain for the real America I’ve heard from self-styled champions of Silicon Valley than what

I’ve come to expect from *Chronicles*.

The old Cleveland was never an “arm-pit” but a vibrant place, from the cultural wonders of University Circle (including an unsurpassed orchestra) to the strong faith and rich traditions brought here by the many immigrants who came at the turn of the last century to work in the many factories and foundries of industrial Cleveland. As a matter of fact, the water of the Cuyahoga did not repeatedly burn—though oil spilled there did burn in 1952 and again in 1969—and Lake Erie remained a very productive commercial fishery even at its nadir, producing some ten million pounds of fish in 1971, second only to Michigan among the Great Lakes and easily exceeding Michigan in fish caught per cubic yard of water. Each Christmas Eve, we ate the delicious perch and walleye caught by my uncle in Lake Erie, a marked improvement on the carp traditionally consumed by my Polish and Slovak forebears as part of their Christmas Eve dinners.

It is true that the much publicized Cleveland revival of the 1990’s does not quite live up to the hype, primarily because of the disastrous impact of free trade on industrial America. But we still have an outstanding orchestra, great museums, wonderful parks, and great Central European food of the type found in too few American cities—all of which is a legacy of industrial Cleveland.

—Tom Piatak
Cleveland, OH

Mr. Richert Replies:

I know that my friends Tony Wawrzynski and Tom Piatak took my chauvinistic remarks (the product of a youth on the shores of Lake Michigan) in the good humor in which they were intended. Truth be told, Rockford is a better poster child for the corporate homogenization of America—all of our “growth” for two decades has occurred on the East State Street strip of chain restaurants and big-box stores. And we have little left of the legacy of industrial Rockford—as in Bill Kauffman’s *Batavia*, most of what the industrialists built was destroyed by Republican politicians in the 1960’s, and the rest has suffered neglect, as the grandsons of those industrialists sold their family businesses to multinational corporations. Now, it may be too late for Rockford; let’s hope it’s not for Cleveland.

The Dean Delusion

What is wrong with Howard Dean? Not much, if you listen to many Republicans and some conservatives. Republicans are salivating over the prospect of a Dean nomination because it seems to be the best way to ensure that President Bush stays where he is. Some conservatives, however, are saying that they may vote for the ex-governor of Vermont simply because they dislike George W. Bush so much and because Mr. Dean seems to be the man most likely to rid the federal government and the world of the present resident of the White House.

Both reactions are understandable but flawed. The first reveals the naked partisanship that now masquerades as "conservatism." "Please nominate this man," pleaded the title of a recent article about Mr. Dean by Rich Lowry in *National Review*, the semi-official journal of the Republican Party and the Bush White House. The second reaction is also flawed, because it narrowly obsesses on a single issue, a bad habit that has plagued the American right for decades.

The single issue in this case is the war with Iraq. President Bush dragged this country into it for no good reason. The reasons he and his administration offered for the war have turned out to be without foundation and may well have been outright lies. Several in the Bush foreign-policy team may be reasonably suspected of manipulating U.S. policy on behalf of a foreign power whose interests are not those of this nation. Several others in the administration may be reasonably suspected of conflicts of personal financial interests in the foreign and military policies they have pushed. The President himself may be reasonably suspected of being incompetent.

All those are good reasons for wishing the current administration to be out of office, but none of them should lead any serious conservative or any other sensible and patriotic American to support Mr. Dean. It is true, as he and his campaign love to repeat incessantly, that, of all the Democratic contenders, he has been the most consistent, opposing the disastrous Iraq intervention from the first. The larger and more important truth, however, is that Mr. Dean does not support a for-

eign policy grounded in the just interests of the United States. He supported both the first Gulf War in 1991 and the U.S. intervention in the Balkans, a crusade no more necessary to our interests and no less disastrous to the people and region it ostensibly sought to help than what we have done and are doing in Iraq.

Moreover, while Mr. Dean's views on the current war are (sort of) the same as those of most anti-interventionist conservatives, his views on virtually everything else are those of the left-liberalism from which he emerges. His tax plan proposes exorbitant and ruinous levels of taxation and spending that merely enhance the powers of the federal leviathan to Himalayan heights. His support for homosexual marriage and his record in supporting "gay civil unions" in Vermont when governor are morally and constitutionally repellent. His position on mass immigration—like every other Democratic candidate, he supports total amnesty for all illegal aliens and offers no change of any kind on immigration law and policy—is suicidal.

Mr. Dean's recent remarks about the need for the Democrats to gain the support of "guys with Confederate flags in their pick-up trucks" should not be interpreted by real conservatives as betraying any genuine sympathy for such strata of American society. Mr. Dean, being the clever politician he is, merely understands the need for the Democrats to regain the votes of white middle- and working-class voters that they have lost through 40 years or more of support for cultural revolution. To this end, he has recently been banging the religious drums in preparation for his campaign in the South, in the belief that white Southerners are dumb enough to give their votes to a man who has steadily shunned any public discussion of religion throughout his career.

But his main stratagem for winning what neoconservative Charles Krauthammer calls the "white trash vote" (i.e., the middle-class and working-class whites whom people such as Krauthammer hate) is to play to such voters' greed and to nurture among them the delusion that the federal government should give them something for nothing. Indeed, that tac-

tic used to work well for the Democrats among just such voters, but it may have exhausted its possibilities and, in any case, is now regularly exploited by the Republicans just as shamelessly.

What the Democrats need to do is abandon the cultural warfare and revolution they have practiced for decades, dump their allies in the Dominant Culture of Hollywood and Manhattan, and seriously align themselves with the real cultural mainstream of the country. Whenever Democratic candidates have effectively pretended to do that—Jimmy Carter, Bill Clinton—they have done well and are able to compete with Republican candidates who make the same pretense—Richard Nixon, Ronald Reagan, George W. Bush. It's just that, in this respect, the Republicans have for once pretended more persuasively than their rivals.

It seems unlikely that either party this year will nominate any candidate for whom authentic conservatives can vote enthusiastically, and there is no reason that this should be surprising. Real conservatives—those who defend the real traditions and identity of their nation's people and civilization and their real interests abroad—can debate among themselves which alternative candidates and parties, if any, they should support, but they need to avoid being deluded by such fake conservatives on the "right" as George W. Bush and by their no-less-fraudulent rivals on the "left" who make appealing noises about one or two issues. A real and serious conservatism can advance only if those who espouse it articulate a complete vision of what their country and civilization have been and should be. There's no evidence that either Howard Dean or any other major figure in today's political theater does so or is capable of doing so. <C

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