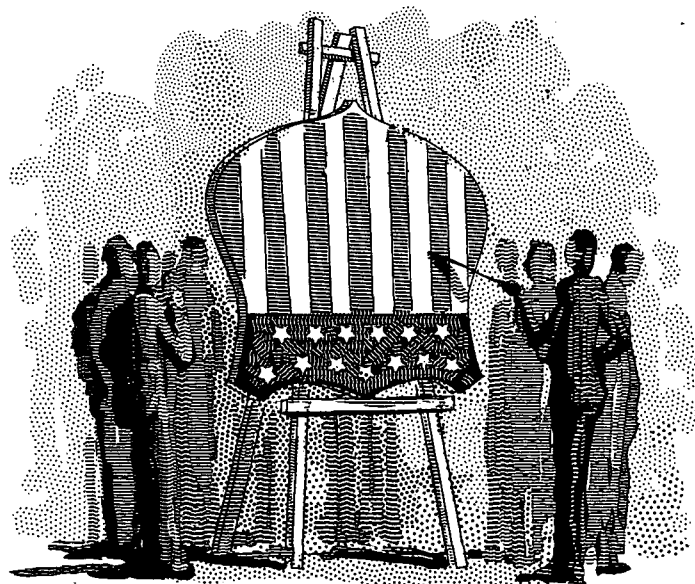


Book Review by Douglas A. Jeffrey

CONFUSED ABOUT CONSERVATISM

White Protestant Nation: The Rise of the American Conservative Movement,
by Allan J. Lichtman. Atlantic Monthly Press, 608 pages, \$27.50

Conservatism in America: Making Sense of the American Right,
by Paul Edward Gottfried. Palgrave Macmillan, 208 pages, \$39.95



THE IDEA THAT AMERICAN CONSERVATIVES have won a “battle of ideas” over the last half century is a pipe dream. Yes, they were responsible for reviving and maintaining a strong stand against the Soviet Union after the post-war anti-Communist consensus disintegrated, especially in the 1960s and ’70s—no small feat. And today they play a similar role in opposing Islamic fascism. But as far as stemming the tide of the administrative state, it is not easy to point to a significant victory. Increasingly, in fact, there is a division within American conservatism—or what is called that—about whether the revival of limited government remains a defining goal.

Allan J. Lichtman’s *White Protestant Nation: The Rise of the American Conservative Movement* does note in passing that defeating the Soviet Union proved easier for conservatives than defeating big government, but then again it seems to note everything in passing. The book is a great sprawling thing, haphazardly interweaving—in an almost unreadable way—intellectual history (on which it is light), social history (on which it is heavy, especially in its first half), and political history (which dominates its later chapters). Aside from lacking focus, it displays no sense of proportion. To cite one of countless examples, in chapter 7, on the period 1969–1976, 13 lines

on the argument between William F. Buckley and the libertarians are closely juxtaposed with 12 lines on the constituent mail received by two Republican congressmen from Oklahoma (one letter, referring to Kent State, suggests that “[a] few more killings of students will no doubt help.”) Lichtman does not bother to distinguish movement conservatism from the Republican Party. Nor does he pause to reflect on the differences between the movement’s various components.

Whereas most historians trace the conservative movement in America to the late 1940s or early ’50s, Lichtman, who teaches at American University, believes it “assumed its distinctively modern form in the decade after World War I.” He doesn’t trouble himself to defend this departure from the conventional view, though clearly it is meant to suggest that conservatism has more to do with irrational, often ugly prejudices than with anything rational and moral. Thus in the book’s first chapter, dealing with the 1920s, Calvin Coolidge receives short shrift (and his critique of Progressivism no mention at all), whereas an entire section is entitled “Grassroots Conservatism: The Ku Klux Klan.” (Subsequently, Lichtman credits the John Birch Society with being “the most effective grassroots group on the right since the Klan of the

1920s.”) He asserts his basic thesis in the introduction: “for conservatives the driving forces of American history are Christianity and private enterprise....” The former is then narrowed to white Protestantism (in keeping with the book’s title), and to supplement private enterprise, anti-pluralism is identified as conservatism’s second “core value.”

LICHTMAN TRIES STUBBORNLY TO UPHOLD this thesis throughout the book, but without success. There are three main problems with it. The most glaring is his insistence that conservatism is essentially white and Protestant, even as he recounts the significant role that Catholics, Jews, and several important black thinkers have played in it. (In the book’s first chapter, he notes the anti-modernist influence of the Vatican in the 1920s and ’30s.) One supposes he could defend his stubbornness on this point by arguing that no matter the faith or race of conservatives, their two “core values” are those he identifies with white Protestantism. But he doesn’t, and in any case that would only lead to the other two problems.

The book uses the term anti-pluralism equivocally. Early on, it signifies racism and anti-Semitism; but in chapter 7, in the course of a weird discussion of the influence of Leo

Strauss—Strauss's political philosophy, Lichtman suggests, "explains how Jewish intellectuals could become high priests in a movement of Christian soldiers"—it signifies the rejection of moral and cultural relativism. These two understandings may seem equally backward to Lichtman, but they are clearly distinct—not to mention that the first is antithetical to America's principles of civil and religious liberty, while the second is essential to them. So when Lichtman later suggests that the Heritage Foundation was founded to be "more attentive to anti-pluralist values than the American Enterprise Institute," one doesn't know whether to boo or cheer.

As for private enterprise, Lichtman distinguishes it from *free* enterprise. Free markets and individual liberty, he says, are "dispensable ideas" that conservatives will always jettison in favor of their core values—e.g., *private* enterprise, which consists in unprincipled selfishness and is amenable to a bureaucratic government that doles out subsidies and passes regulations to benefit Big Business and hold down the poor. This evocation of the slightly musty idea of conservatives as Robber Barons allows Lichtman to predict the implosion of conservatism, on the basis that its two "driving forces"—Christianity and private enterprise—are incompatible. "[C]an conservatives serve both God and mammon?" he asks toward the end of his introduction. It also allows him to characterize George W. Bush—a proponent of big-government (a.k.a. compassionate) conservatism who has been consistently and severely criticized as such by mainstream movement conservatives—as standing "firmly within an American conservative tradition" that is driven by "the revolutionary objective of overturning the liberal order."

OTHER REVIEWERS OF *WHITE PROTESTANT Nation* have noted its historical inaccuracies: David Frum, for instance, criticizes Lichtman's branding of Warren Harding as a stand-out racist of his era, despite Harding being the first president to condemn lynching in a public speech, and that in Alabama. To compound the problem, Lichtman goes on to lionize Woodrow Wilson, a known racist: "Wilson was everything that Harding was not...learned and erudite...a brilliant writer, an inspiring orator, and a master of statecraft." These embarrassments do indeed pile up, but it is fairly clear from the beginning that Lichtman is not writing for other historians or in the interest of public enlightenment.

Two examples of the book's treatment of religion help us see what kind of audience Lichtman does suppose himself to be addressing. In a section on "Evangelical Protestantism," "fundamentalists" are said to hold "that Jesus, the son of God, was born of a virgin mother, lived a sin-

less life, and performed miracles. In this view," the account continues, "Jesus died to atone for our sins, was bodily resurrected, ascended to heaven, and will return to pass final judgment on the saved and the damned." Lichtman apparently aims for readers who find the Nicene Creed as beyond the pale as he does, and who would be shocked to know it is shared by Catholics and other non-fundamentalist Christians. And in a section attempting ingenuously to tie the 1920s eugenics movement to conservatism, the following caveat appears: "The Catholic church, despite its dedication to strong families and maternal roles for women, resisted negative eugenics." *Despite* its dedication to strong families and motherly women! It is no wonder that the book winds down with a tedious, undistinguished account of American history consisting of liberal boilerplate, even repeating known and shameful lies about the Valerie Plame affair.

White Protestant Nation begins and ends with the idea that George W. Bush won in Florida in 2000 because conservatives had more political passion than liberals. What but this concern could induce a respected historian to write such a long, time-consuming book about a subject in which he is so obviously uninterested? In chapter 3, on the period 1936–1945, the book mentions an idea—hatched following FDR's victory in 1936 by the defeated Alf Landon, his running mate Frank Knox, and Republican Senator Arthur Vandenberg—to form a "fusion party" that would bring together Democrats and Republicans who opposed the New Deal on constitutional grounds. Toward this end, Senator Vandenberg—justly famous for leading Republicans a decade later to join with President Truman in a bipartisan consensus on containing Communism—drafted a "Conservative Manifesto" with a Democratic colleague in 1937. Lichtman notes this, and that the Manifesto failed to attract support, but, characteristically, he tells us nothing about what it said.

PAUL GOTTFRIED'S *CONSERVATISM IN AMERICA: Making Sense of the American Right* also notes that conservatives have proved unable to put a dent in the administrative state, and Gottfried is sincerely disappointed. His is a far more interesting book than Lichtman's, although ultimately irrelevant to American conservatism and so often infused with blinding vitriol that what might have been a short and lucid exposition of the paleoconservative position is something less.

For Gottfried, a professor of humanities at Elizabethtown College, understanding true conservatism "requires a return to the era and society that gave birth to that concept." This would be Europe in the years following the French Revolution, when "conservative discourse...focused on

concreteness, particularity, vitalism, hierarchy, historicity, and collective consciousness." Citing the sociologist Karl Mannheim, Gottfried posits three essential characteristics of conservative thought. First, it opposes "bourgeois rationalism," i.e., any "moral perspective predicated on abstract universals." Thus for conservatives, "[t]he truth of a proposition" must "be uncovered by looking at the historical particularities and conditions that had shaped its content." Second, conservative thought requires an attachment to a certain social class or institution. Third, the "conservative mode of thought" does not "disappear with the vanishing of the order that it was meant to justify." Thus we have it available to guide us even in America, where such orders do not exist.

Gottfried admits that "American conservatism could not be anchored in anything as concrete as the social world in which European conservatives had lived and defended their orders and degrees" (he notes elsewhere, with somewhat amusing consternation, that "in America, people evidencing attitudes or behavior reminiscent of Europe's old landed aristocracy mark themselves for ridicule"). The closest thing to the Europeans he can point to on this side of the pond are Southern conservatives like Clyde Wilson and the late M.E. Bradford, who "have focused on their region's landowners, who were the presumed leaders of likeminded communities." These Southern intellectuals stress authentic conservative themes, "namely, localism, inherited authority, and a profound disdain for universal, rationalist thinking applied to politics"—although in doing so, Gottfried points out, they have "gingerly evaded the question of Negro slavery," which cannot be excluded from "a comprehensive, historically valid understanding." Apart from these Southerners, libertarian economist Murray Rothbard, and Burkean sociologist Robert Nisbet, the book reserves its kindest words for "cultural traditionalists," who "seek to preserve a literate Western civilization" but are largely apolitical, e.g., T.S. Eliot, who "shunned any association with *National Review*."

Russell Kirk, who saw himself in the tradition of T.S. Eliot while at the same time writing for *National Review*, is for Gottfried the transitional figure in "the invention of American conservatism" (he would place scare quotes around the last word, branding it as inauthentic). Referred to throughout the book as "values conservatism," this bogus American version employs a rationalistic way of thinking, based on "Anglo-American values," in opposition to the historically-minded European model. Kirk opened the door to its invention—although largely unwittingly, Gottfried allows—in *The Conservative Mind*, where he presented six can-

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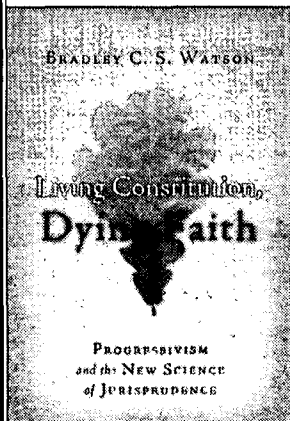
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ons that, if embraced, granted one conservative status. These canons were not rationalist principles, but rather "sentiments." Still, after the publication of Kirk's book, becoming conservative "was no longer a question of birth, or of social position, or of the worldview related to either." And once Kirk opened this door—once conservatism became a "democratic option" that "can be compared to American low church Protestantism"—"values conservatism" was doomed to drift leftward, since it was "not a response grounded in either a dominant class or one effectively competing for dominance."

THERE ARE MANY VILLAINS IN *CONSERVATISM IN AMERICA*—including, in the interest of full disclosure, the college where I work—but chief among them is Harry V. Jaffa, who, Gottfried writes, seized the opening created by Kirk's canons and "succeeded brilliantly" in providing a "successor value," leading to a "progression of value conservatisms" and culminating today in the tyranny (no gentler word is sufficient to express Gottfried's view) of the neoconservatives. Jaffa's "successor value" was the principle of equality as contained in the Declaration of Independence and as defended by Abraham Lincoln. The neoconservative "successor value" is the idea of global democracy, coupled with a positive fondness for big government. Even though many students of Jaffa have been critical of the Bush doctrine (not to mention their considerable scholarship directed against Progressivism, the New Deal, and the administrative state), Gottfried does not distinguish "Jaffaites" from neoconservatives. In fact, he seems to label anyone opposing the views of Ron Paul (his current beau ideal of the "strict constitutionalist Right") on military funding and the Iraq War as neoconservative—even Condoleezza Rice!

A subsidiary villain in the book is William F. Buckley, whom it blames—as supposed keeper of the conservative gate—for letting Jaffa in and giving Gottfried's friends the boot. Much of the related diatribe is over the top. For example, in the context of criticizing this journal—Gottfried also excoriates Buckley for accepting its editor into the conservative fold—he writes, "[t]hose who stand outside the chosen value framework of the value selector are uniformly condemned if not *dehumanized*" (italics added). But Gottfried's more serious criticism of Buckley concerns his decision, early in the days of *National Review*, to give precedence to the struggle against Communism over the fight to turn back the New Deal. This was a prudential judgment, open to objection then and now. But it doesn't mean, as Gottfried seems to suggest, that the secondary goal was discarded—nor would any fair reading of *National Review* through the

Buckley years suggest so. Similarly, it is a question today whether to support Ron Paul's non-interventionism in the face of the threat of Islamic fascism—as Gottfried does, which seems a form of imprudence close to lunacy. Surely, as free men still, we can stave off destruction while battling at the same time, as best we can, to revive limited government.

CONSERVATISM IN AMERICA OPENS WITH A "special acknowledgement" to the "dead German thinkers" whom Allan Bloom criticized in *The Closing of the American Mind* (1987), and from whom Gottfried has "happily drawn [his] insights." Thus Gottfried uses the term "values" in its proper Weberian sense—meaning an individual's opinions, by which all other opinions will be measured, and meaning, as well to suggest the impossibility of objective truth. He is appalled and angry that Jaffa and others paint historically-minded paleoconservatives (and even, in Bloom's case, those liberals who were outraged when Ronald Reagan called the Soviet Union "evil") "with the relativist brush." But to refute the charge of moral relativism, he falls back on the language of values. So instead of refuting Jaffa's and the founders' principle of equality—which comes down to the idea that it is always and everywhere wrong for one man to rule another man as if he were a pig or a cow—Gottfried retreats to the assertion that ascribing "universal validity to one's personal values is an even more ominous development in the 'conservative' value game than positing a relativist straw man."

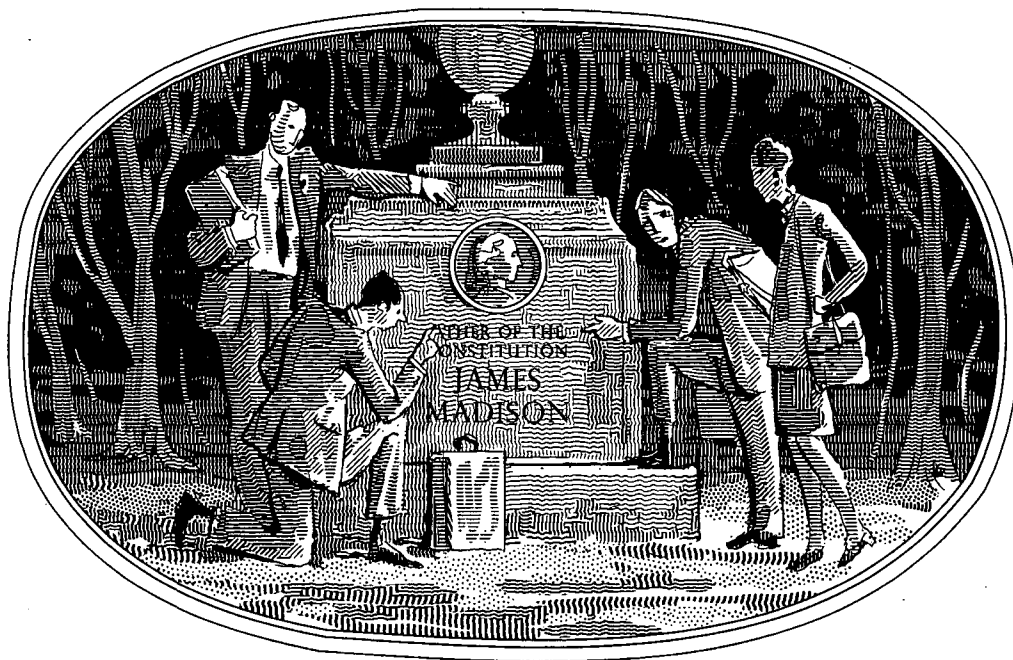
There is no way out of this argument. Nor is there a way to reconcile Gottfried's German historicism with the American republic—try as he might to read the Declaration's "Laws of Nature and of Nature's God" out of America's founding—or with the principles and way of life any genuine American conservatism must be charged with conserving. In one bewildering section of his first chapter, Gottfried announces that in order "to throw light on the American experience," he will trace (down to the present day) the failure of post-war Germany to forge a "politics based on values." But shouldn't Germans rather look to the American experience, which (until the Progressive era, at least) was not bogged down in German "values" talk? Germans have no foundation from which to launch an effective attack on the administrative state. Americans do, in their nation's founding principles. What sense does it make to prescribe German historicism and then, as proof of our need of it, point to the morass into which it has led Germany?

Douglas A. Jeffrey is vice president of external affairs at Hillsdale College and a senior fellow of the Claremont Institute.

Book Review by R. Shep Melnick

RAISING THE BAR

The Rise of the Conservative Legal Movement: The Battle for Control of the Law,
by Steven M. Teles. Princeton University Press, 358 pages, \$35



STEVEN TELES'S *THE RISE OF THE CONSERVATIVE Legal Movement* tells the engaging story of "how the conservative legal movement, outsmarted and undermanned in the 1970s, became the sophisticated and deeply organized network of today." Well written and well researched, the book examines two generations of conservative public interest law firms, the development of the Federalist Society, and the emergence of the informal network of legal scholars associated with "law and economics." Along the way it provides many useful side lessons. Activists on both the Left and the Right can learn about the tactics of intellectual insurgency and networking. Political scientists can benefit from Teles's explanation of how liberalism became entrenched in legal institutions just as conservatives were starting to dominate electoral politics. And grant-makers can learn the importance of adopting a long time-horizon when engaged in a battle of ideas.

While he presents the "battle for control of the law" as primarily an intellectual struggle, Teles, an associate professor of political science at Johns Hopkins, focuses not on the ideas themselves, but on the institutions developed to refine and promote them. As he explains, "ideas need networks through which they can be shared and nurtured, organizations to connect them to problems and to diffuse them to political actors, and patrons to provide resources for

these supporting conditions." One of the book's major strengths is that its author is sufficiently sympathetic to conservative ideas to treat them as serious, principled alternatives to contemporary liberalism, but detached enough to avoid becoming a cheerleader or presenting late 20th-century politics in Manichaean terms.

Teles wisely starts with a rich description of the "liberal legal network" conservatives rebelled against. Why did the Warren Court's liberal activism so quickly spread throughout the entire federal judiciary and then to state courts? Why were Republican presidents unsuccessful for so long in using judicial appointments to reverse this tide? The answer lies in changes in the legal institutions surrounding the courts. Most important was the transformation of law schools. This was the result of two generational shifts: first, New Dealers became the leading lights in major law schools; then, young scholars who came of age worshipping the Warren Court streamed into the legal academy. Teles notes that the number of full-time law professors grew by nearly 250% between 1962 and 1977. This meant that "hiring among law schools was especially intense at precisely the time that the law students who would fill those positions were moving decisively to the left." The more prestigious the school, the more marked the leftward movement. One consequence was the new emphasis on "clini-

cal education" that required students to engage in the nitty-gritty work of serving clients. The clients they served, of course, were not General Motors and Microsoft, which could afford more experienced help. Instead, clinical programs provided free manpower to legal aid offices, public defenders, and various public interest law firms on the left.

A similar change took place within the American Bar Association (ABA), albeit in a much shorter period of time. In the 1950s the leaders of the ABA still reflected their corporate clients' conservative posture. They attacked public funding of lawyers for the poor as another instance of creeping socialism. By the late 1960s the ABA had become a powerful advocate for Legal Services, defending it against attacks from Republicans. Teles also shows how foundations, especially the Ford Foundation, helped build a broad network of liberal public interest law firms. This is a familiar tale, but the author does a particularly good job showing how each of these developments reinforced the others: foundations defended their support for left-leaning groups by enlisting the help of bar leaders. The Ford Foundation funded clinical programs that both increased the number of activist law professors and provided manpower for public interest law firms. Thus brick by brick rose the fortress that conservatives soon tried to storm.