

The Heresy of Equality: Bradford Replies to Jaffa

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I

LET US HAVE no foolishness, indeed.* Equality as a moral or political imperative, pursued as an end in itself—Equality, with the capital “E”—is the antonym of every legitimate conservative principle. Contrary to most Liberals, new and old, it is nothing less than sophistry to distinguish between equality of opportunity (equal starts in the “race of life”) and equality of condition (equal results). For only those who *are* equal can take equal advantage of a given circumstance. And there is no man equal to any other, except perhaps in the special, and politically untranslatable, understanding of the Deity. *Not intellectually or physically or economically or even morally. Not equal!* Such is, of course, the genuinely self-evident proposition.¹ Its truth finds a verification in our bones and is demonstrated in the unselfconscious acts of our everyday lives: vital proof, regardless of our private political persuasion. Incidental equality, engendered by the pursuit of other objectives, is, to be sure, another matter. Inside of the general history of the West (and especially within the American experience) it can be credited with a number of healthy consequences: strength in the bonds of community, assent to the au-

thority of honorable regimes, faith in the justice of the gods.

But the equality of Professor Jaffa’s essay, even in the ordinary sense of “equal rights,” can be expected to work the other way around. For this equality belongs to the post-Renaissance world of ideology—of political magic and the alchemical “science” of politics. Envy is the basis of its broad appeal. And rampant envy, the besetting virus of modern society, is the most predictable result of insistence upon its realization.² Furthermore, hue and cry over equality of opportunity and equal rights leads, *a fortiori*, to a final demand for equality of condition. Under its pressure self-respect gives way in the large majority of men who have not reached the level of their expectation, who have no support from an inclusive identity, and who hunger for “revenge” on those who occupy a higher station and will (they expect) continue to enjoy that advantage. The end result is visible in the spiritual proletarians of the “lonely crowd.” Bertrand de Jouvenel has described the process which produces such non-persons in his memorable study, *On Power*.³ They are the natural pawns of an impersonal and omniscient Leviathan. And to insure their docility such a state is certain to recruit a large “new class” of men, persons superior in “ability” and authority, both to their ostensible “masters” among the people and to such anachronisms as stand in their progressive way.

Such is the evidence of the recent past—and particularly of American history. Arant individualism, fracturing and then destroying the hope of amity and confederation, the communal bond and the ancient

*This essay is a direct response to Harry Jaffa’s “Equality as a Conservative Principle,” *Loyola of Los Angeles Law Review*, VIII (June, 1975), pp. 471-505, which is itself a critique of *The Basic Symbols of the American Political Tradition* by Willmoore Kendall and George W. Carey. Lincoln’s reading of the Declaration of Independence is the central subject of this entire exchange. Jaffa’s piece invites direct comparison with mine.

vision of the good society as an extrapolation from family, is one villain in this tale. Another is rationalized cowardice, shame, and ingratitude hidden behind the disguise of self-sufficiency or the mask of injured merit. Interdependence, which secures dignity and makes of equality a mere irrelevance, is the principal victim. Where fraternity exists to support the official structure of a government, it can command assent with no fear of being called despotic or prejudiced in behalf of one component of the society it represents. But behind the cult of equality (the chief if not only tenet in Professor Jaffa's theology, and his link to the pseudo-religious politics of ideology) is an even more sinister power, the uniformitarian hatred of providential distinctions which will stop at nothing less than what Eric Voegelin calls "a reconstitution of being": a nihilistic impulse which is at bottom both frightened and vain in its rejection of a given contingency and in its arrogation of a godlike authority to annul that dependency.⁴ As Robert Penn Warren has recently reminded us, distinctions drawn from an encounter with an external reality have been the basis for the intellectual life as we have known it: prudent and tentative distinctions, but seriously intended.⁵ With the reign of equality all of that achievement is set at peril.

II

SO MUCH in prologue. Concerning equality Professor Jaffa and I disagree profoundly; disagree even though we both denominate ourselves conservative. Yet this distinction does not finally exhaust or explain our differences. For Jaffa's opening remarks indicate that his conservatism is of a relatively recent variety and is, in substance, the Old Liberalism hidden under a Union battle flag. To the contrary I maintain that if conservatism has any identity whatsoever beyond mere recalcitrance and rationalized self-interest, that identity must incorporate the "funded wisdom of the ages" as that deposition comes down through a particu-

lar national experience. Despite modifications within the prescription of a continuum of political life, only a relativist or historicist could argue that American conservatism should be an utterly unique phenomenon, without antecedents which predate 1776 and unconnected with the mainstream of English and European thought and practice known to our forefathers in colonial times. Jaffa of course nods toward one face of Locke and, by implication, the chiliastic politics of Cromwell's New England heirs.⁶ And I have no doubt that he can add to this hagiography a selective (and generally misleading) list of earlier patrons of his view. I cannot in this space encounter the full spectrum of Straussian rationalism. To specify what I believe to be lacking in Jaffa's conservative model (and wrong with the intellectual history he uses in its validation), it will serve better for me to concentrate first on how I read the Declaration of Independence and then append, in abbreviated form, my estimation of Lincoln's lasting and terrible impact on the nation's destiny through his distortions upon that text. This of course involves me incidentally in Jaffa's quarrel with Kendall/Carey and *The Basic Symbols of the American Political Tradition*. But it must be understood that my object is not to defend these worthy gentlemen. To the contrary, my primary interest is in a more largely conservative view of the questions over which they and Professor Jaffa disagree. And therefore, incidentally with the operation and quality of my adversary's mind which lead him to conclusions so very different from mine. With those concerns I propose to organize and conclude my remarks.

III

PROFESSOR JAFFA begs a great many questions in his comment on the Declaration. But his greatest mistake is an open error, and supported by considerable precedent in both academic and political circles. In truth, his approach is an orthodox one, at

least in our radical times. I refer to his treatment of the second sentence of that document in abstraction from its whole: indeed, of the first part of that sentence in abstraction from its remainder, to say nothing of the larger text. Jaffa filters the rest of the Declaration (and later expressions of the American political faith) back and forth through the measure of that sentence until he has (or so he imagines) achieved its baptism in the pure waters of the higher law. He quotes Lincoln approvingly that "the doctrine of human equality was 'the father of all moral principle [amongst us].'" Jaffa sets up a false dilemma: we must be, as a people, "committed" to Equality or we are "open to the relativism and historicism that is the theoretical ground of modern totalitarian regimes." The Declaration is, of course, the origin of that commitment to "permanent standards." And particularly the second sentence. The trouble here comes from an imperfect grasp of the Burkean calculus. And from the habit of reading legal, poetic, and rhetorical documents as if they were bits of revealed truth or statements of systematic thought. My objections derive primarily from those antirationalist realms of discourse. For I assume, with Swift, that man is a creature capable of reason, *capax rationis*, but not a rational animal. Therefore the head and heart must be engaged together where instruction is attempted. The burden of poetry and rhetoric is inherent in the form through which that idea is embodied: its meaning *is* its way of meaning, not a discursive paraphrase. And it achieves that meaning as it unfolds. According to this procedure we are taught from of old that the soul may be composed, the sensibility reordered. Reason enters into this process with modesty and draws its sanction for whatever new truth it may advance from cooperation with sources and authorities that need produce no credentials nor prove up any title with the audience assumed. For in poetry as in law and rhetoric all matters are not in question. There is a prescription, or something

equivalent to what Burke calls by that name. And usually a theology to channel and gloss the prescript. Tropes and figures, terms weighted more or less by usage, norms of value configured and dramatic sequences of associated actions discovered through an unbroken stream of place and blood and history operate in this mode of communication as something logically prior to the matter under examination. And likewise the law, especially where the rule is *stare decisis*. Where myth or precedent or some other part of the "wise prejudice" of a people is presupposed and identity therefore converted into a facet of ontology, a providential thing ("inalienable" in that word's oldest sense, not to be voted, given, or reasoned away), there is nothing for mere philosophy to say. And that *philosophie* abstraction, political Man, who once theoretically existed outside a social bond, nowhere to be seen. As a wise man wrote, "Where the great interests of mankind are concerned through a long succession of generations, that succession ought to be admitted into some share in the councils which are so deeply to affect them."⁸ For the "moral essences" that shape a commonwealth are "not often constructed after any theory: theories are rather drawn from them"—the natural law, made partially visible only in the prescription, but made visible nonetheless.⁹

IV

TO ANYONE familiar with English letters and the English mind in the seventeenth and eighteenth centuries, the Declaration of Independence is clearly a document produced out of the *mores majorum*—legal, rhetorical, poetic—and not a piece of reasoning or systematic truth. No sentence of its whole means anything out of context. It unfolds *seriatim* and makes sense only when read through. Furthermore, what it does mean is intelligible only in a matrix of circumstances—political, literary, linguistic, and mundane. Nevertheless, no one trained to move in the rhetorical world of

Augustan humanism would take it for a relativistic statement any more than they would describe Dryden's *Religio Laici*, Addison's *Cato*, Johnson's *Rasselas*, or Burke's *Reflections on the Revolution in France* in that fashion.¹⁰ Jaffa revives the error of his master, Leo Strauss, in speaking of the bugbear historicism and of "mere prescriptive rights."¹¹ For it is in our day the alternatives which carry with them a serious danger of the high sounding despot. Radicals (to use his term, meaning the Liberals who see in politics a new "Queen of the Sciences" and employ a sequence of private revelations to exalt her condition) believe in a "higher law"—have done so at least since the politics of secularized Puritanism first appeared in European society.¹² Even Marxists finally worship the demiurge of history—and rest the remainder of their argument upon that authority. And the goddess Reason is still with us, available to sanction whatever her hand finds to do in erasing all that survives from what Peter Gay rightly labels the mythopoeic vision.¹³ I agree with Professor Jaffa concerning the danger of relativism. A Christian must. And also about behavioristic political science. Such study is description only, or else mere manipulation. But, hunger for the normative aside, we must resist the tendency to thrust familiar contemporary pseudo-religious notions back into texts where they are unlikely to appear. Any Englishman of 1776 (colonial or not) should not be expected to construe natural rights so rigorously as Justice Black—except perhaps for hyperbole and in argument. In between our day and that first July 4 stand a number of revolutions, especially the French. And also two hundred years of liberal and radical thought. We are bemused by the spectre of Locke (an authority to some of the revolutionary generation, but read loosely and in the light of Sir Edward Coke and William Petyt, and the 1628 Petition of Right, and the 1689 Declaration of Rights).¹⁴ The legacy of English common law is lost upon us. And in the process we have forgotten, among other things, that Edmund Burke

is our best guide to the main-line of Whig thought: *not Locke or Paine, or even Harrington, but Burke*. It is, of course, a truism that all colonial Americans did their political thinking inside the post-1688 Whig legal tradition.¹⁵ Some years ago Professor Jaffa attempted to counter this line of objection to his Lincolnian construction of the Declaration by setting Paine and Locke (plus an irrelevant bit of Blackstone) upon Daniel J. Boorstin's excellent *The American: The Colonial Experience*. But in so doing he only evaded his antagonist and obfuscated the question of what is typically Whig and behind our "revolution."¹⁶ For Locke is not so consistent a source of equal rights as Jaffa would lead us to believe. Indeed, that worthy theorist of liberty was an eager part to the creation of a slaveocracy in South Carolina.¹⁷ And on occasion he justified the peculiar institution with nothing more sophisticated than an appeal to race or right of conquest.¹⁸ Blackstone, for his part, was a high Tory and a poor sponsor for equality of any sort. And Paine relates to very little that became American in our Constitution of 1787. Recent scholarship on early American history has, by and large, exhibited an anachronistic tendency to ignore all patriot utterances that do not sound like Locke in his highest flights of freedom or Paine before the Mountain: like the Whig "Left," in other words.¹⁹ They have ignored the problems in logic set up by "all men are created equal" when understood as one of Lincoln's beloved Euclidian propositions and the larger problems for libertarians determined not to call for equality of condition when they start from such a postulate.²⁰ Along with the political philosophers they have approached the task of explication as if the Declaration existed *sui generis*, in a Platonic empyrean.²¹ A gloss upon what transpired in a real (*i.e.*, intellectually "messy") convention in a real Philadelphia seems not to interest these sages: what with reason could be expected to occur.²² With a non-Lockean Whig machinery (and as a practicing rhetorician)

I will attempt to draw the inquiry down toward such probabilities.

V

CONTRARY TO Professor Jaffa, it is my view that the Declaration of Independence is not very revolutionary at all. Nor the Revolution itself. Nor the Constitution. Only Mr. Lincoln and those who gave him support, both in his day and in the following century. And the moralistic, verbally disguised instrument which Lincoln invented may indeed be the most revolutionary force in the modern world: a pure gnostic force.²³ The Declaration confirms an existing state of affairs, even in its announcement of a break with George III. For the colonies existed as distinctive commonwealths with (and out of) English law. Yet they were English with a difference. It required only a fracturing of spiritual bonds that it be made official. In the spring and summer of 1776 things came to a head. As Jefferson wrote, a British army was descending upon Long Island: an army bent on putting an end to petitions, inquiries, declarations, and all such irritants. The King had declared the members of the Continental Congress rebels, without the law. And likewise those who thought themselves represented by that body. No security from deportation for trial, summary execution and confiscation were the alternatives to unconditional submission and allegiance outside the law.

Rhetorical criticism begins with a careful description of circumstances antedating composition.²⁴ For without that information well established, the meaning of language is uncertain; and a piece of literature may be treated as if it had been prepared only for the gods. Connection of a document with a set of writings made and/or exchanged before or after its appearance is certainly such necessary information. There is no Declaration apart from it. Effacing himself, Thomas Jefferson wrote what completed a conversation concerning the law which had gone back and forth across the Atlantic for many years before exhausting

its purpose. Everything in this sequence appeals to the *consensus gentium* of sensible men (common reasonableness, but not philosophy) and to English law. James II had set himself outside that rule, using the dispensary powers to invent a new equality of rights. This usurpation resulted in a royal "abdication" and a new king who promised to uphold the charters and ancient laws and thus to preserve to Englishmen and their posterity the rights they had inherited through a providentially blessed history. This was the common understanding of that period. It is implicit in the dialogue between Philadelphia and Whitehall and in the antecedent quarrel between the Crown and various colonial assemblies after the Stamp and Declaratory Acts and the Albany Congress. The American "parliament" first convened in September of 1774 and soon issued its "Declaration and Resolves of the First Continental Congress, October 14, 1774." Even there it is unmistakably clear that a composite identity is addressing a related composite identity, that the mode of address is forensic (determining praise or blame between respective parties in dispute over the meaning of a "given" phenomenon), and that the point of reference is not divine revelation or a body of doctrine maintained according to the precepts of philosophy, but rather a wisdom inherited as prescription, to be applied reasonably, but not in *Reason's* name. This particular declaration makes it plain that Englishmen are in dispute with Englishmen, groups with groups, and on English grounds. The colonial charters set up this situation. At law they connect the colonies to a paternal source, even while they set them apart. They create an ambiguity in relations with the English parliament and the independent reality of other governments. And they leave law and king and common enemies to hold the mix together.²⁵

In their first declaration we learn that the remonstrants are entitled to "life, liberty and property"; that these basic rights come from their ancestors (God perhaps

acting through them); that removal over the sea can involve no alienation of such inherited rights; that such alienation is now proposed by way of taxation *and by the machinery for enforcing that tax*; and, finally, that kindred offences against "immunities and privileges granted and confirmed" by royal charters and "secured by their several codes of provincial law" are in prospect. Here and in the later (and similarly argued) "Declaration of the Causes and Necessities of Taking up Arms, July 6, 1775," we can recognize the lineaments of a position finally developed in July of 1776. And also a line of thought coming down directly from the Great Charter of 1689—or even more remotely from Bracton and Fortescue. The king is the king, the subject the subject, only within the law. The American colonies are by blood and law part of the English *res publica*, set apart from the old Island Kingdom by England's destruction of that organic relationship. To repeat, it is well to remember that the king declared them "rebels" (Prohibitory Acts, August 1775) well before they accepted that title for themselves. As they insist, it is for no "light or transient causes" that they make his appellation official. Their charters have become mere paper. By virtue of relocation across the seas they have been defined as alienated Englishmen, without security even in such fundamental matters as life, liberty, and the fruits of their labors. And all men recognize these rights as being the precondition of submission to any government. Their fathers had, of course, grown violent over much smaller affronts. But the "authors" of the Declaration are determined to keep within the law and to appear as unusually conservative men. Only when the king denies them all representation, asserts his right to bind them *collectively*, to seize their goods *collectively*, to quarter an angry army upon them, and to punish their entreaties that he restrain his servants to observe the Bill of Rights—only then will they close with a last "appeal from reason to arms."

VI

WE ARE NOW prepared to ask what Mr. Jefferson and his sensible friends meant by "all men" and "created equal." Meant together—as a group. In rhetoric, it is a rule to ask how the beginning leads through the middle to the end. If end and beginning consort well with one another, if they point in one direction, that agreement defines what may be discovered in between.²⁶ The last three-fourths of the Declaration (minus the conclusion, its original draft) is a bill of particulars.²⁷ The king (their only acknowledged link with England) has decapitated the body politic and hence is no longer king on these shores. The law/prescription cannot otherwise be preserved. And these men intend such a preservation. Something in existence declares itself in possession of "honor" and "sensible of the regard of decent men," prepared to draw a new charter out of those it possesses, to act as an entity in forming a confederal government. But first these commonwealths must file an official bill of divorce, designed to the pattern of a countersuit in an action already initiated on the other side. The generation of a new head for this body is not yet, but will, we can assume, present no problem when a necessity for its creation is made explicit.²⁸

The *exordium* of the Declaration begins this appeal with an argument from history and with a definition of the voice addressing the "powers of the earth!" It is a "people," a "we" that are estranged from another "we." The peroration reads the same: "we," the "free and independent states," are united in our will to separation—and prepared to answer to high and low for that temerity. They act in the name (and with the sanction) of the good people whose several assemblies had authorized their congregation. This much formally. No contemporary liberal, new or old, can make use of that framework or take the customary liberties with what is contained by the construction. Nor coming to it by the path I have marked, may they, in honesty,

see in "created equal" what they devoutly wish to find. "We," in that second sentence, signifies the colonials as the citizenry of the distinct colonies, not as individuals, but rather in their corporate capacity. Therefore, the following "all men"—created equal in their right to expect from any government to which they might submit freedom from corporate bondage, genocide, and massive confiscation—are persons prudent together, respectful of the law which makes them one, even though forced to stand henceforth apart: equal as one free state is as free as another.

Nothing is maintained concerning the abilities or situations of individual persons living within the abandoned context of the British Empire or the societies to be formed by its disruption. No new contract is drawn. Rather, one that exists is *preserved by amputation*. All that is said is that no component of a society can be expected to agree, even though it is part of that society by inheritance, that it is to be bereft of those securities that make life tolerable simply by geographical remoteness. And, if even the Turk and infidel would not as a people submit to a government such as George III proposes to impose through Lord Howe's army, how can Englishmen be expected to agree to that arrangement? So much is "obvious" to everyone, in other words, "self-evident." Thus even if the law of nature and of nations is drawn into our construction of "endowed by their Creator," what is left to be called "inalienable" with respect to American colonials and demonstrative of a certain minimal equality of rights in their collectivities is not so much. What happens in the remainder of the Declaration, following sentence two, is even more depressing to the contemporary Jacobin who would see in the new beginning a departure from the previous political history of Western man. Note particularly the remarks concerning the part played by the king's servants in encouraging a "servile insurrection," the xenophobic objections to the use of foreign mercenaries, and the allusion of the employment of

savages as instruments of royal policy. Note also Jefferson's ironic reference to "Christian Kings" and anger at offences to the "common blood." These passages draw upon a received identity and are not "reasonable" in character. Certainly they do not suggest the equality of individual men. But (and I am sure Professor Jaffa will agree with me on this), even though racist, xenophobic, and religious assumptions have no place in the expression of philosophic truth, they can readily operate in an appeal to prescriptive law. And therefore, I say, in our Declaration of Independence.

VII

THOUGH I agree with Kendall/Carey that there is a distance between the Declaration and the Constitution of 1787, and that silence on equality in the latter reflects a conscious choice, I agree also with Professor Jaffa that the two are not in conflict. The Constitution, like the Articles of Confederation before it, built a structure of common government (to handle all difficulties made by being one and thirteen) upon a common legal inheritance, common origins, and an established unity of purpose. It is a limited contract, resting on an external and prior bond of free and independent states, perfecting or improving their union.²⁹ It *does not* abrogate what it rests upon. The Declaration was a necessary prologue to its adoption. But, in logic, the Declaration is not implicit in the Constitution except as it made possible free ratification by the independent states. In truth, many rights are secured under the Constitution that are not present in the Declaration, however it be construed. Yet not equal voting rights in state or federal elections. Or economic rights in taxation. Or rights for women. Or even equal footing for various religions—or species of irreligion. To say nothing of slaves. All of this is well known. But, if we reasoned as do some gifted scholars, it might be maintained that the Constitution takes us even further away from equality for slaves than does the Declaration.³⁰ For

in Article I, Section 9, provision is made that no law shall be passed by Congress to restrict the slave trade prior to 1808. Slavery exists by acknowledgment of the same document. Yet it encourages that there be more slaves in the Republic than are present in 1787. More in a proportion that twenty-one years can be expected to provide. Hence this provision can be described in logic as presenting Negro slavery as a positive good. For reasons of history I do not insist upon this commentary. The evidence of what lies behind the text suggests another view.³¹ And for the same reasons I cannot follow the practical advice of the late Everett McKinley Dirksen and "get right with Lincoln."³²

VIII

IT WOULD BE unreasonable for me to attempt to develop in this essay all that I wish to say in objection to the politics of Abraham Lincoln. For it is a great deal and will perhaps involve some years. Therefore I must, in returning the courtesy of this review, raise only my primary objections, most of them proceeding from Lincoln's misunderstanding of the Declaration as a "deferred promise" of equality. I am of course close to the late Professor Kendall in these matters and have learned much from him and from Professor Carey.³³ For one thing, I agree with those gentlemen that Lincoln's "second founding" is fraught with peril and carries with it the prospect of an endless series of turmoils and revolutions, all dedicated to freshly discovered meanings of equality as a "proposition." I do not, however, look so much as they do to New England. It is not my preference for a colonial precedent to the national identity.³⁴ The millenarian infection spread and almost institutionalized by Lincoln (and by the manner of his death) has its impetus from that "other Israel" surrounding Boston.³⁵ And its full potential for mischief is yet to be determined. What Alexander Stephens called Lincoln's "religious mysticism" of Union, when combined in "cold,

calculating reason" to the goal of "equal rights" and an authoritarian (that is, irrational) biblical rhetoric, constitutes a juggernaut powerful enough to arm and enthrone any self-made Caesar we might imagine: even an unprepossessing country lawyer from Illinois. For by means of that mixture and solution a transfer of authority and energy is effected, from the Puritan dream of a New Jerusalem governed by an elect to the manifest destiny of American democracy led by keepers of the popular faith. Both are authorized from on High to reform the world into an imitation of themselves—and to lecture and dragoon all who might object. Both receive regular intimations of the Divine Will through prophets who arise from time to time to recall them to their holy mission. And both operate from that base to paint all prospective opposition in the darkest of colors, the rhetoric of polarity being a fundamental correlative of all genuinely Puritan activity, with no room for shadings in between and no mercy for the wicked.

This is, of course, not to minimize the role played in Lincoln's rise to power by the tireless "engine" of his ambition. Nor his political gifts—for which I have an ever-growing admiration. As is announced obliquely in the "Address Before the Springfield Young Men's Lyceum, 1838," Lincoln was, very early, touched by a Bonapartist sense of destiny. His papers (all ten volumes, plus a recent supplement) reflect a steady purpose, an inexorable will to rise, to put his stamp upon the world.³⁶ Yet there was always another side to his nature—glum, ironic, pessimistic, self-deprecatory: in a word, inscrutable. It has deceived and puzzled many. Yet, as is ordinary in a Puritan, this meandering reflected private doubt of the wisdom behind personal choices and (perhaps) the status of motives which directed him toward their enactment: self-doubt, but not doubt of ideals. And he knew how to cure the ailment—by "striving to finish the work." He had his ends in mind, his religion of Union *in* Equality, but he left it to the "provi-

dential" flow of history to carry them to realization. However, after 1854 he condescended to give that flow a little help. The Kansas-Nebraska Act *made* the political career of Abraham Lincoln, opened the door for the "Reign of Reason," made it possible to put behind the "living history" of the revolutionary generation ("oaks," an organic image), and provided for an opportunity to roll out the big guns of priestly language to give what he meant by "freedom" that "new birth" he came to speak of at Gettysburg. He played with consummate skill the circumstances of free-soil reaction in '54 and then the tumult surrounding the campaigns of '58 and '60. Nor are there many scholars who do not find some mystery or subtle craft in his first months as President, to say nothing of his subsequent conduct. But that story, as I read it, is a large book—larger than Professor Jaffa's. Suffice it to say that Lincoln was indeed a man whose "policy was to have no policy."⁸⁷ He loved to quote from *Hamlet* that "there is a divinity that shapes our ends,/Rough-hew them how we will."⁸⁸ And from the total pattern of his conduct we can extract the following formula: Wait, set up or encourage pressure, then jump, and call it God. The original behind this procedure could be any one of a dozen historic tyrants, all of whom announced a noble purpose for their acts. But when the pattern is encapsulated by the high idiom of Holy Scripture (the authority of which no man can examine), the Anglo-Saxon prototype emerges as Oliver Cromwell, the Lord Protector. And in searching for what is significant in that analogy, the logical point of departure is the House-Divided speech to the Illinois Republican convention of June, 1858.

IX

LINCOLN's political gnosticism does not come to a head in the House-Divided speech, and does not begin there. For even in the Springfield Lyceum address (made when he was twenty-nine), he con-

cludes on a Puritan note: Let us refound the Union, and "the gates of hell shall not prevail against it." The new founder, having propped up the temple of Liberty/Equality on the solid pillars of "calculating reason," will therefore be, in relation to the powers of evil (*i.e.*, those who do not care for the arrangement) as was the faith of Peter to the Christian church after its foundation. And God is thus, by implication, the security for the quasi-religion of Equality. In a similar fashion Lincoln finds God as a verification for his rectitude as President in his address to Northern moderates, men who loved the old "divided" house, which we find in his Second Inaugural. Here is the heresy of a "political religion" at the beginning of Lincoln's political career, and also at its end. But one prudent shift is observable. Except for an occasional mention of "propositions" or their equivalent, the debt to European rationalism (the source of Lincoln's puzzling theological heterodoxy), fades into the background once Honest Abe appears on the center of the national stage in Peoria, Illinois (October, 1854). And in the opposite direction the biblical element grows to be more and more dominant after 1858. But we should not infer from this that Lincoln's design changed after he got the Republican nomination against Douglas. Only his perception (drawing from the abolitionists) of the proper instrument for its execution.

The House-Divided speech was, beyond any question, a Puritan declaration of war. And therefore also Lincoln's election on the basis of its contents as transcribed in the Republican platform of 1860. A Lincoln admirer, Don E. Fehrenbacher, in his *Prelude to Greatness: Lincoln in the 1850's*, calls it "Garrisonian."⁸⁹ The South saw it that way, as did much of the North. And neither forgot those words:

A House Divided against itself cannot stand. I believe this government cannot endure, perpetually half *slave* and half *free*. I do not expect the Union to be *dis-solved*—I do not expect the house to *fall*

—but I *do* expect it will cease to be divided. It will become *all* one thing, or *all* another.

Yet we should not abstract the speech from the intellectual milieu to which it belongs. By means of his political manipulation, Lincoln, in the words of his one-time friend, Alexander Stephens, “put the institution of nearly one-half the states under the ban of public opinion and national condemnation.” And, continued Stephens, “this, upon general principle, is quite enough of itself to arouse a spirit not only of general indignation, but of revolt on the part of the proscribed.”⁴⁰ Other people in these days made noises like Lincoln. After 1854 they got a good hearing. One of them, old John Brown, received beatification from the Northern newspapers which supported Mr. Lincoln in 1860. What this juxtaposition signified, despite certain cluckings of disapproval among Republican stalwarts, no one could mistake.

Of course the central motif of the House-Divided speech, as quoted above, echoes the Bible (Mark 3:25): Christ speaking of the undivided hosts of Satan.⁴¹ Lincoln’s authority is thus, by association, elevated to the level of the hieratic. But he adds something to the mixture. The myth that slavery will be either set on its way to extinction by an official gesture on the part of the federal government or else all states will eventually become slave-states establishes a false dilemma, describes a set of conditions which, once fixed in the minds of his free-soil audience, was certain to create in them a sense of alarm. Thus he participates in what Richard Hofstadter calls the “paranoid style” in politics.⁴² Fear of the slave power (Southern political and economic domination) and racist hostility to the idea of massive Negro influx, free or slave, into the North made predictable that one of these alternatives would be perceived as intolerable—and we can guess which one. Thus the size of the Republican Party might be augmented from the ranks of persons who despised Abolition and all its works.

For Lincoln to say after 1858 that the Constitution and the laws were sacred to him, that he would “preserve” the “old Union of the Fathers,” is mere window dressing. For to argue that your enemy is evil incarnate (the burden of his rhetoric), in league with Satan, and then add that you respect him and his legal rights is to indulge in pietistic arrogance—as Alexander Stephens specified in the passage I quoted just above. Jaffa confuses matters no end in maintaining that Lincoln addressed a real danger in his imaginary “division.” As the South perceived the question, the real issue in Kansas and Nebraska was whether or not there could be a federal policy on the “morality” of its conduct in any connection not covered by the original federal covenant: whether they could stay under the gun.

For houses are always divided, in some fashion or another. And, no doubt, should slavery be gone, some new infamy was bound to be discovered by the stern examiners whose power depends upon a regularity in such “crusades.” A law prohibiting slavery in the territories, in that it affected the ability of a new state to grow to maturity as a child of the total Union, would define the South as outside of that communion. Furthermore, it would set in motion a chain of circumstances that could be used against the region in any connection where antinomian morality could be read into law—could touch slavery or any other “peculiarity,” unless a Constitutional amendment (requiring a three-fourths vote of the states) existed to protect it. A Union of this sort was not the old Union. Nor was its issue, a Union by force—in 1865 or now. Whatever the intent of armies in blue, it could not be the same—not the contract ratified by all the states who were party to it. Rather, it involved Lincoln’s worship of the law as the Constitution *with the Declaration drafted into (and over) it*—Lincoln’s Declaration: and therefore (*vide supra*), no worship of the law whatsoever, but instead devotion to perpetually exciting goals, always just beyond our reach. Thus,

under the aegis of a plurality president, the principle of assent is put aside for the sake of an idea (read ideology) which only a small minority of Americans could be expected to approve, either in 1860 or today. And the entire project accomplished by rhetoric—Kendall's "magic." On the record of American history since 1858, Lincoln stands convicted as an enemy of the "founding."⁴³ Which is to say, as our new Father—even though many of us still refuse to live in the cold uniformitarian temple he designed.

Of course, military resistance to radical Union (*i.e.*, statism covered by a patina of law) ended in 1865. Lincoln saluted these developments at the beginning of his second term. And I must conclude my remarks on Lincoln's politics with some observations on that address. His conduct in using the presidential powers has been treated to my satisfaction by Gottfried Dietze.⁴⁴ What that conduct amounts to is the creation of an Eastern priest/king—an epideictic personage such as we hear in the voice at Gettysburg. Speech and deeds together did change the country—and in respects more important than the abolition of Negro slavery: together opened the door to portentous changes that finally touch even liberty.⁴⁵ The argument of this essay is, in sum, that what Lincoln did to preserve the Union by expanding and enshrining equality left the prescription of the revolution of law in our national beginning and the "unwritten constitution" of our positive pluralism very much in doubt. Such was his purpose. But (and I again repeat) this plan is something which he concealed until he prepared the Second Inaugural—where in victory he became a scripture in himself.

X

THERE IS of course a clear conflict between the Cooper Union speech, the First Inaugural, Lincoln's letters of the time, and the posture Lincoln assumed a few weeks before Lee's surrender. If we would discover in Father Abraham the "crafty

Machievel," the conflict between his assent to a constitutional amendment making slavery "perpetual" where established and the House-Divided speech is our point of departure. But the Lincoln who kept Kentucky and Missouri from secession is hard to penetrate. It is wise to assume that he followed the times. For it cannot be demonstrated that he ever really attempted to pacify Southern anxieties without reconstituting the Republic. Certainly he wanted no peace on any grounds but unconditional surrender. And in 1865, he looked back on his five years as national leader, "scanned the providences," and "found himself approved."

When seen in the context of his career after 1858 and within the pattern of a lifetime of deliberate utterances, Lincoln's Second Inaugural turns out to be something very different from what most Americans have believed it to be: a completion of a pattern announced in the House-Divided speech, unfolded in its fullness at Gettysburg, and glossed in a letter to Thurlow Weed written just before his death. Historically, the misconception of this performance may be attributed to a disproportionate emphasis upon the final paragraph of the Second Inaugural treated (once again) as if it had an independent existence outside the total document. Furthermore, what Lincoln means by "malice toward none" and "bind up the nation's wounds" is, even within this single paragraph, modified beyond recognition by "as God gives us to see the right." For he means here revelation, not conscience. Americans are so accustomed, since Lincoln's time, to a quasi-religious rhetoric in their public men that the combination has passed without notice for a century and more. But to discover its full meaning we must look up into the body of the speech. There it becomes clear what Lincoln is about behind his mild forensic tone.

Said another way, what I here contend is that the attribution of his own opinions to an antinomian revelation of divine will as regards America's political destiny is

more completely and intensively visible in this particular Lincoln document than in any other. For what he does in the Second Inaugural is to expand the outreach of his rhetorical manicheanism beyond the limits made familiar to us in a thousand expressions of piety toward the Union (and most particularly at Gettysburg) to include not only his obviously beaten enemies in the South but also all those who accepted the Union as it had existed from the Founding until 1860. Indeed, the targets of his rhetoric on this occasion are all moderate Unionists who did not aforesometimes recognize, as did their prophet for the day, the necessity for a greater perfection in their bonds. The war was long, says Father Abraham, not simply because the rebels were wicked but furthermore because many of their adversaries were reluctant. In the letter to Weed (March 15, 1865) Lincoln observes, in speaking of the unpopularity he expects to be the fate of the remarks in question, that "men are not flattered by being shown that there has been a difference of purpose between the Almighty and them. To deny it, however, in this case, is to deny that there is a God governing the world."⁴⁶ Since no Southerners were present to be offended by the Second Inaugural, and since Lincoln's teaching in that address refers chiefly to those who had been patient with the divided house, it is evident that his targets in interpreting long war and heavy judgment are those who did not see *before secession* the necessity of conflict. How this reading of the American teleology could be expected to bind up wounds in any conventional sense is difficult to determine. But the end result is to give Lincoln a rhetorical upper hand he had not sought at any point in his presidency and to prepare him to do whatever he means by "finish the work." It is to leave him, finally, alone as the agent of his master, beyond the most ultra-Republicans as an instrument of providence and with an authority few mortal men have ever aspired to hold in their hands. Death confirmed him (or rather, his design) in that condition. Consider for an illustration

Edward M. Stanton's words after reading the Gettysburg Address to an 1868 political audience in Pennsylvania: "That is the voice of God speaking through the lips of Abraham Lincoln. . . . You hear the voice of Father Abraham here tonight. Did he die in vain?"⁴⁷ Such politics are beyond reason, beyond law, though they may embody a rationalist objective. They are also Jaffa's model—from authority and passion. And with consequences I shall now consider.

XI

"STYLE," Sir Herbert Read once observed, "is the ultimate morality of mind." By style I would understand him to mean all the elements that go into the composition of a piece of rhetoric, its structural elements as well as its textural; and, in examining the "style" of this particular essay, I find an extraordinary laxity—which suggests that Professor Jaffa is not at his best. Indeed, I can hardly recognize here the consummate and ethical rhetorician of *Crisis of the House Divided*, a work which I obviously admire—though from a certain distance. The argument of this later essay is loose and meandering, like some ancient river that is constantly winding back on itself. Lincoln as a young legislative candidate once advocated (like a good, money-minded Whig) the straightening of such rivers by cutting off the neck of the loops. In closing, I shall attempt to do the same for Mr. Jaffa's argument, if only to indicate the tortuous nature of the "moral" impulse which lay behind its composition.

In the first place, as my metaphor suggests, this is an old river, an ancient argument which need not be developed again in detail since everyone is familiar enough with its tenets (*i.e.*, the equation of the social-contract theory with some theory of equality). What is new in this lengthy diatribe is no more than the ostensible targets of Professor Jaffa's attack, Kendall and Carey. And indeed they could be a valid point of departure for an egalitarian

like Professor Jaffa, since Kendall and Carey do define the true American political tradition as both conservative *and* hostile to Equality.

But unfortunately Kendall and Carey do not raise their standard on that spot of polemical ground where Professor Jaffa would like to do battle. They do not become overly preoccupied with slavery; and for obvious reasons Professor Jaffa would rather talk about slavery than the political documents which are the announced topic of *Basic Symbols*. And so he does, curving around obstacles to reach the sacred subject, turning his argument in that direction by charging that Kendall and Carey never mention the word in their study and that such an omission avoids the essential question of the American political experience. He repeats this charge several times during the windings of his thesis, despite the fact that it is unfounded (pp. 479, 486 and 491). For an instance, he ignores the following comment on page 92 of *Basic Symbols*, a passage that raises perhaps a most difficult question for him to consider:

However, the assembly that approved the Declaration would not subscribe to the denunciation of slavery that Jefferson sought to include, so that we might be led to believe that the signers were talking of equality of men in a sense far short of that which modern egalitarians hold.

Small wonder that Professor Jaffa's rhetorical river veers sharply away from this high ground. Was it forgotten or ignored in order to avoid the issue it raises? Whatever the reasons, it flows off in that direction, attacking Kendall's review of *Crisis of the House Divided*, a Kendall essay in which the issues are relevant to slavery and furthermore a matter of historical interpretation. Soon we are curling and gliding through familiar territory, much of it mythic in nature and therefore simpler and purer than life. In Jaffa's imaginary history of the United States, Jefferson is the drafter of the Declaration, but *not* the slaveholder

who wrote in *Notes on the State of Virginia* of his suspicion that blacks "are inferior to the whites in the endowments both of body and mind" and that this "unfortunate difference of colour, and perhaps of faculty, is a powerful obstacle to the emancipation of these people"; and *certainly not* the Virginian who called "Equality" a "mere abstraction" and its devotees a "Holy Alliance." There, Locke is the philosopher of *The Second Treatise*, but *not* the man responsible for *Fundamental Constitutions for Carolina*. Antebellum slavery is a kind of Buchenwald;⁴⁸ and the United States Constitution is drafted with a tacit understanding that "all men are [really] created equal," that this is a proposition with "constitutional status," *in spite of the fact* that the Constitution itself recognized the established legal institution of slavery and discouraged interpolation into its provisions of what is not clearly there. All of these oversimplifications ignore one overriding question, the question that Kendall and Carey raise and which Professor Jaffa is careful not to consider. Some "truths" are more important than the Truth. Even the Truth that we have a political tradition that is conservative and contrary to Lincoln. Thus, though the river of Professor Jaffa's argument seems erratic, its wanderings (like the wanderings of a real river) have a predictable pattern; they follow the course of least resistance. And it is in the pattern—tortuous and circuitous—that one can see the relationship between his "style" and his "ultimate morality of mind."

Yet we cannot entirely blame Professor Jaffa for these aberrations, this great falling away from scholarly rectitude and right reason. His errors are endemic among his kind—such Old Liberals as identify their politics with the Lincolnian precedent. As I have tried to indicate, such errors constitute what amounts to a "genetic flaw" within that intellectual tradition, a fracture impossible to heal. Trying to preserve property, secure tranquillity, and promote equal rights, all at the same time, insures that none of these purposes will be accom-

plished. And insures also a terrible, unremitting tension, both among those in power and among those whose hopes are falsely raised. Especially with persistence in thinking of men outside of all history that is not Lincoln, and apart from the durable communions of craft and friendship, faith and blood. It has been, however, a distinctive trait of American political thought to do its worst as it touches upon the Negro: to break down when unable to make it through the aforementioned impasse of objectives. Class struggle has been the result,

to say nothing of race conflict. And that failing attaches by definition to the Republican identity, flawing it perhaps forever as a viable conservative instrument. Said another way, the more a people derive their political identity from Lincoln's version of Equality, the more they are going to push against the given and providential frame of things to prove up the magic phrase. And, therefore, the more they will (to repeat one of my favorite images) kick the "tar baby."⁴⁹ And we all know how that story ends.

⁴⁹When pressed in debate by the righteous minions of Equality, an antebellum Northern congressman once called sentence two of the Declaration a "self-evident lie." Consider also *The Federalist*, No. 10. ⁵⁰See Helmut Schoek, *Envy: A Theory of Social Behavior* (New York: Harcourt Brace Jovanovich, 1970). ⁵¹*On Power: Its Nature and the History of Its Growth* (Boston: Beacon Press, 1962). ⁵²See Eric Voegelin, *Science, Politics and Gnosticism* (Chicago: Henry Regnery Co., 1968), pp. 99-100. ⁵³Robert Penn Warren, "Democracy and Poetry," *Southern Review*, XI (January, 1975), p. 28. ⁵⁴See my "A Writ of Fire and Sword: The Politics of Oliver Cromwell," in No. 3 of *The Occasional Review* (Summer, 1975), pp. 61-80. ⁵⁵Doctrine is a loaded word. It is here suggestive of theology, revealed truth, though Lincoln means by it the kind of demonstrable "abstract truth" of the sort Jefferson "embalmed" into a "merely revolutionary document." See Lincoln's letter to Messrs. Henry L. Pierce & Others, April 6, 1859, on pp. 374-376 of Vol. III of *The Collected Works of Abraham Lincoln* (New Brunswick, N. J.: Rutgers University Press, 1953). The usage is thus a device for "having it both ways," as does Jaffa when claiming that the commandments of Sinai are knowable by unassisted human reason. For the commandments are explained only in Christ—a scandal to the Greeks. ⁵⁶Edmund Burke, *Reflections on the Revolution in France* (Chicago: Henry Regnery Co., 1955), p. 240. ⁵⁷*Ibid.*, p. 244. See also on this manner of thinking Louis I. Bredvold's *The Intellectual Milieu of John Dryden* (Ann Arbor: University of Michigan Press, 1934) and also *The Brave New World of the Enlightenment* (Ann Arbor: University of Michigan Press, 1961) by the same author. Swift is a major illustration of this intellectual *habitus*. I identify with it. ⁵⁸I borrow from the title of Paul Fussell's *The Rhetorical World of Augustan Humanism* (Oxford: The Clarendon Press, 1965). In the same connection see J. T. Bolton's *The Language*

of Politics in the Age of Wilkes and Burke (Toronto: University of Toronto Press, 1963). ⁵⁹See Jaffa's *Equality & Liberty: Theory and Practice in American Politics* (New York: Oxford University Press, 1965), p. 122; and Leo Strauss' *Natural Right and History* (Chicago: University of Chicago Press, 1953), pp. 1-9. ⁶⁰Jaffa accepts the Puritan typology for the American venture. There are, we should remember, alternative formulations (*Equality & Liberty*, pp. 116-117)—formulations less infected with secularized eschatology. And if Jaffa pursues his analogue, he should remember that there was slavery in Israel and among the ancient Jews a racism so virulent that they considered some neighboring peoples too lowly even for enslavement and fit only for slaughter. Or too wicked (Indians, the Irish at Drogheda, etc.). ⁶¹Peter Gay, *The Enlightenment: An Interpretation* (New York: Alfred A. Knopf, 1966), pp. ix-xiv. ⁶²See Maurice Ashley, *The Glorious Revolution of 1688* (New York: Scribner's, 1966), pp. 97-106. ⁶³And this of course includes certain established rights, plus a balance between the values of liberty and community. I do not mean to minimize the value of these achievements. Clearly I identify with them. ⁶⁴*Equality & Liberty*, pp. 114-139. For correction (in some respects), see Leonard Woods Labaree's *Conservatism in Early America* (Ithaca: Cornell University Press, 1959), pp. 119-122; and Clinton Rossiter's *The Seedtime of the Republic* (New York: Harcourt, Brace & World, 1953), especially p. 345; also Ashley, *op. cit.*, pp. 193-198. ⁶⁵David Duncan Wallace, *South Carolina: A Short History, 1520-1948* (Columbia: University of South Carolina Press, 1966), p. 25. ⁶⁶John Locke, *Two Treatises of Government: A Critical Edition with Introduction and Apparatus Criticus*, by Peter Laslett (Cambridge, England, 1960), p. 159. ⁶⁷For examples consider Bernard Bailyn's *The Ideological Origins of the American Revolution* (Cambridge, Mass.: Harvard University Press, 1967); and Gordon S. Wood's *The Creation of the American Republic*,

1776-1787 (Chapel Hill, University of North Carolina Press, 1964). Somewhat better are H. Trevor Colbourn's *The Lamp of Experience: Whig History and the Intellectual Origins of the American Revolution* (Chapel Hill: University of North Carolina Press, 1965); and Merrill Jensen's *The Founding of a Nation: A History of the American Revolution, 1763-1776* (New York: Oxford University Press, 1968). These last two books are especially good on the "reluctant rebels," who were Burkean, not Lockean Whigs, postulating law, not a state of nature (i.e., where a fullscale, new contract can be drawn). See also Wallace (*op. cit.*, p. 273) for an account of a prescriptive South Carolina patriot—William Henry Drayton. "In strict logic there is a problem with quantification if the proposition is supposed to be universal: a universal proposition would read "every man is created equal to every other man." Jefferson's phrase is merely a loose generalization, when seen in this light. For the libertarian the trouble goes the other way around: if all men are by nature equal (morally, in will, intellect, etc.), then only circumstances can explain the inequalities which develop. And these circumstances are thus offences against nature and the Divine Will—offences demanding correction. What some libertarians try to get out of "created equal" is "created unequal, but given an equal start." Jefferson's phrase will not submit to this. "An exception is Russell Kirk's *The Roots of American Order* (La Salle, Ill.: Open Court, 1974). "One has the temptation to say, as Socrates did of the rhapsode in Plato's *Ion*, that they understand the subject not by art or knowledge but by "inspiration." "I began to develop this view in "Lincoln's New Frontier: A Rhetoric for Continuing Revolution," *Triumph*, VI, No. 5 (May, 1971), pp. 11-13 and 21; VI, No. 6 (June, 1971), pp. 15-17. I use the term from Eric Voegelin's *New Science of Politics* (Chicago: University of Chicago Press, 1952). "For a chronicle of these events see Jensen (*op. cit.*) and Lawrence H. Gipson's *The Coming of the Revolution, 1763-1775* (New York: Harper & Brothers, 1954). "Charter and compact are usually synonyms in the language of the Whigs, and usually imply a relation of unequals. "There is no room for "secret writing" in public declarations. "I cite Volume I of Julian P. Boyd's edition of *The Papers of Thomas Jefferson* (Princeton: Princeton University Press, 1950), pp. 315-319 and 414-433. Carl Becker, in his valuable *The Declaration of Independence: A Study in the History of Politics and Ideas* (New York: Vintage Press, 1958), argues unreasonably that this bill of particulars is not really important to the meaning of the Declaration. He was, however, as we should remember, an admirer of the *philosophes*—and no rhetorician. "The image here is drawn from one of the Fathers of English law, from chapter 13 of the

De Laudibus Legum Angliae (1471) of Sir John Fortescue (Cambridge, England Cambridge University Press, 1949), the edition and translation by S. B. Chrimes. "Jaffa's argument that one national Union was decided upon in 1774-1776 or before is easily refuted by John R. Alden's *The First South* (Baton Rouge: Louisiana State University Press, 1961); in Alden's *The South in the Revolution, 1763-1789* (Baton Rouge: Louisiana State University Press, 1957); and in Donald L. Robinson's *Slavery in the Structure of American Politics, 1765-1820* (New York: Harcourt Brace Jovanovich, 1971), p. 146 *et passim*. More than one Union has always been a possibility to be entertained by deliberate men. See Staughton Lynd's "The Abolitionist Critique of the United States Constitution," in *The Antislavery Vanguard: New Essays on the Abolitionists*, ed. Martin Duberman (Princeton: Princeton University Press, 1965), pp. 210-239. "For instance, Professor Jaffa in forcing the notion of a Union before the Constitution into the "We the People" of the Preamble. Few scholars deny that the people acted through the states to ratify—as they had to form a Constitutional Convention. To this day they act through the states to amend. They existed at law through the maintenance of their several freedoms in battle. They formed the Confederation. The Declaration was only a negative precondition to a Union and to the firmer connection that followed. Underneath all of this may stand an unwritten Constitution, joining the partners of the Declaration in more ways than are specified in 1787. And perhaps also committing them to other ends: ends which Professor Jaffa would not care to consider. That compact was the prescription which sanctioned the Continental Congress—a creature of the chartered colonies. If the Declaration commits to anything, it is to that prescription—a compact of "the living, dead, and yet unborn." The continued operation of a society united in such a compact constitutes assent, regardless of official legal relations. New members are the only ones who are "sworn in." "For instance, the 32 acts passed by Virginia's colonial House of Burgesses which called for a restriction of the trade, all of them negated by the Crown at the behest of Northern traders. Reports of the Constitutional Convention of 1787 indicate the same sort of pressures, resolved there by reasonable men determined to close out a divisive subject. "See "Getting Right with Lincoln," pp. 3-18 of David Donald's *Lincoln Reconsidered* (New York: Vintage Press, 1961). "And especially from Kendall's "Equality: Commitment or Ideal?" *Phalanx*, I (Fall, 1967), pp. 95-103, which answers some of Jaffa's complaints about Kendall's silences. I find it curious that Jaffa does not mention this piece. "Except for reasons of strategy (guilt by association), I cannot see why Jaffa identifies *Basic Symbols of the Amer-*

ican Political Tradition with the South. For Kendall and Carey begin with Massachusetts and Connecticut. ³⁵See p. 226 of Jaffa's own *Crisis of the House Divided*. ³⁶See Edmund Wilson's magisterial *Patriotic Gore: Studies in the Literature of the American Civil War* (New York: Oxford University Press, 1962), pp. 99-130. Surely Wilson cannot be mistaken in arguing that Lincoln saw himself in his portrait of the "new founder." For Lincoln clearly knows the animal he describes on a more intimate basis than mere speculation or observation could provide. Wilson compares Lincoln (pp. xvi-xx) to Bismarck and Lenin—the other great founders of our age. Another useful analogue (a firm higher-law man, and no legalist or historicist) is Adolph Hitler. For he writes in *Mein Kampf* that "human rights break state rights," calls for illegal as well as legal instruments in "wars of rebellion against enslavement from within and without," observes that all governments by oppression plead the law, and concludes, "I believe today that I am acting in the sense of the Almighty Creator . . . fighting for the Lord's work." (I cite the edition of 1938, published in New York by Reynal and Hitchcock, pp. 122-123 and 84). ³⁷Donald, *op. cit.*, p. 131. ³⁸Roy P. Basler, *The Touchstone for Greatness: Essays, Addresses and Occasional Pieces about Abraham Lincoln* (Westport, Conn.: Greenwood Press, 1973), pp. 206-227. ³⁹Jaffa praises Fehrenbacher's work. ⁴⁰*A Constitutional View of the Late War Between the States* (Philadelphia: National Publishing Co., 1868), Volume II, 266. ⁴¹Lincoln's use of this passage is curious. For, as the context makes clear, Christ's point in setting

up the dichotomy is that the Devil would not help his servants to ruin his own plans. ⁴²See David Brion Davis' *The Slave Power and the Paranoid Style* (Baton Rouge: Louisiana State University Press, 1969), especially pp. 10-11. ⁴³I use quotation marks because I deny that they were ever founded, in that term's strict sense. *America's Political Dilemma: From Limited to Unlimited Democracy* (Baltimore: Johns Hopkins Press, 1968), pp. 17-62. He is supported by papers published in *National Review* by the late Frank Meyer (Aug. 24, 1965; Jan. 25, 1966). ⁴⁴Liberty is clearly the American value of greatest traditional authority—meaning "liberty to be ourselves," a nation which assumes an established, inherited identity. On the part played by the Gettysburg Address in this process, see my *Triumph* essay cited above. ⁴⁵Lincoln, *Collected Works*, Volume VIII, 356. ⁴⁶Donald, *op. cit.*, p. 8. ⁴⁷This analogy smacks of Stanley Elkin's now discredited theory in *Slavery: A Problem in American Institutional Life* (Chicago: University of Chicago Press, 1959). For correction see Eugene D. Genovese's *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1974). Also consider the fact that Jews were proscribed under Hitler—all Jews, in the same way—while antebellum Southern blacks could be slaves or free-men or even slaveholders. ⁴⁸"A Fire Bell in the Night: The Southern Conservative View," *Modern Age*, XVII (Winter, 1973), pp. 9-15. In these pages I maintain that an expansive view of "natural rights" with respect to Negroes has undermined our inherited constitutional system.

American Security: A Timely Assessment

ANTHONY HARRIGAN

AS THE UNITED STATES marks its bicentennial, it is of crucial importance that Americans understand their country's strength as well as the threats developing in the world arena. Only as they comprehend the new dangers, as well as America's advantages, will they be able to discern the foreign and military policies necessary to sustain the republic in a hostile world environment. While Soviet armed might will remain the principal threat to the United States, new threats are emerging—threats which the U.S. public only dimly perceives.

A clear understanding of America's strategic requirements must be based on an accurate description of international realities. Not only is the U. S. faced with the need to strengthen its nuclear deterrent and to renew its capacity for dealing with communist subversive warfare, but it will have to be prepared to counter additional adversaries that intend to harass America in various ways.

The change in the global balance of power came to the attention of Americans, in dramatic form, when the oil-producing nations of the Middle East employed an embargo—a weapon of economic warfare. In the short time since then, the United States and other industrialized Western nations,

including Japan, have come to appreciate the new importance of the oil states. Two of those states, Saudi Arabia and Iran, have graduated from the ranks of Third World nations and set forth on the road to industrialization in the Western pattern. At the same time, the weakness of some of the older states of Europe has been cruelly exposed.

Even as the Persian Gulf oil states were asserting themselves and gaining a new status, the United States was turning away from the role of global policeman which it adopted in the years after World War II. The United States went through the traumatic experience of withdrawal from Southeast Asia. The exact lines of its strategic frontier in the Western Pacific are yet to be determined.

The American withdrawal from Indo-China unquestionably marked a yielding to communist ambitions in Asia and a turning point in U. S. relations with Asian Third World countries. In the Indo-China war, as in the Korean war almost a generation earlier, the United States failed to achieve victory because of restrictions on the use of military power at its command. The "fight to lose" theorists prevailed. This reluctance to employ American military