

# Emerging Conservatism: *Kilpatrick, Morley, and Burnham*

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THE POSTWAR conservative movement, it can be said without too much simplification, grew out of two impulses: the attempt to strengthen traditional institutions and attitudes as forces in modern life, and a reaction against those "new modes and orders," to use a phrase beloved by Willmoore Kendall, which had already changed and threatened to alter beyond recognition the structure of American society. Both aspects of modern conservatism are clearly evident in three remarkable books on American government which appeared within two years of one another in the late fifties: Felix Morley's *Freedom and Federalism* (1959), James Jackson Kilpatrick's *The Sovereign States* (1957), and James Burnham's *Congress and the American Tradition* (1959). The books are rather different in style and in their approach to the problem of government—a problem, Burnham says in his book, which "is insoluble yet is solved," but all three were written by men of strong convictions whose respect for the traditional American method of reconciling order with freedom derives from a profound knowledge of its history. That these three books were written almost at the same time and not long after the administrations of Franklin D.

Roosevelt and Harry S. Truman is evidence not only of the vitality of the American governmental tradition, but the depth as well of the realization that it was gravely threatened.

When he wrote *The Sovereign States*, James Jackson Kilpatrick was editor of the *Richmond (Virginia) News-Leader*. This book may properly be considered, I think, the Southern reply to *Brown vs. Board of Education*, the Supreme Court decision of May 17, 1954, which undertook to put an end to racial separation in the public schools. While the school decision was the immediate stimulus to the writing of the book, its concern is with the much larger issue of the usurpation by Washington of the authority of the states. In his Introduction Kilpatrick sets out his position with complete frankness:

May it please the court, this is not a work of history; it is a work of advocacy. The intention is not primarily to inform, but to exhort. The aim is not to be objective; it is to be partisan.

I plead the cause of States' rights.

My thesis is that our Union is a Union of States; that the meaning of this

Union has been obscured, that its inherent value has been debased and all but lost.

I hold this truth to be self evident: That government is least evil when it is closest to the people. I submit that when effective control of government moves away from the people, it becomes a greater evil, a greater restraint upon liberty.

Kilpatrick is a fine stylist, and in the pages of his book develops his thesis with the eloquence of the great Virginia orators he so much admires. His book, as he says, may not be a work of history, but there is much history in it, primarily of the means, sometimes successful, sometimes not, by which the various states ever since 1789 have tried to protect themselves from the encroachment of the national government in Washington. Our government, Kilpatrick argues, was "constitutionally intended to be . . . a federation of sovereign States jointly controlling their mutual agent, the Federal government." It is true, he goes on to say, that the sovereign States ". . . jointly had delegated some of their powers, but they did not become less sovereign thereafter. They remained separate, respective States." While the Fourteenth Amendment—Kilpatrick devotes a fascinating chapter to the means by which this amendment became a part of the Constitution, if it ever properly did—has greatly weakened the power of the individual states, as has the income tax amendment, the states still have the means to protect themselves, if they will use it. This is the "right of interposition," as developed by James Madison in his report of 1799 to the Virginia House of Delegates during the great controversy that resulted from the Alien and Sedition Acts. Kilpatrick quotes the following sentence from Madison's report:

That, in case of deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the States, who are parties thereto, have the right and are in duty bound, to interpose for

arresting the progress of evil, and for maintaining within their respective limits, and authorities, rights, and liberties appertaining to them.

"This," Kilpatrick adds, "is the heart and soul of the 'right to interpose.' The language was to be re-affirmed, substantially verbatim, by the Hartford Convention in 1814; by the Wisconsin Legislature in 1859; and by the Virginia Assembly in 1956. When men talk of the 'Doctrine of '98,' this is the paragraph they are talking of."

Kilpatrick gives many examples of the use of interposition by individual states, examples which are not only of the greatest interest in themselves, but clearly show how much we have lost of the independence Americans once regarded as their most treasured and characteristic possession. When, in 1793, the Supreme Court, in the *Chisolm* case, held against the State of Georgia, commanding the state to appear in court or suffer judgment in default, the Sovereign State of Georgia, as it then considered itself to be, responded in no uncertain terms. As Kilpatrick describes the incident: "The Georgia House of Representatives passed a bill providing that any Federal marshal who attempted to levy upon the property of Georgia in executing the court's order 'shall be . . . guilty of felony, and shall suffer death, without the benefit of clergy, by being hanged.'" There were the Kentucky and Virginia Resolutions, in the preparation of which both Jefferson and Madison had a leading part, in answer to the Alien and Sedition Acts of 1798; the response of the governor of Pennsylvania in the *Olmstead* case, who, in 1809, ordered out the state militia to prevent a United States marshal from serving a writ against two ladies who had inherited a sum of money from a disputed prize case; and, of course, the revolt of the New England states against the Embargo Acts of 1807 and 1809. Kilpatrick describes all this in fascinating detail and in great style, all of which makes the supine acceptance by present day Americans of any order emanating

from a federal court or agency, no matter how outrageous, all the more depressing. The threat by some bureaucrat to withhold "federal" money—it comes, after all, from the taxpayers—is sufficient to bring any recalcitrant state, city, school board, or, for that matter, university promptly into line.

It is the purpose of Felix Morley's *Freedom and Federalism* to define the principles and circumstances which have made the American form of government eminently successful, to determine why it was, as Morley puts it, that "the political system of this representative Republic has done more for its people as a whole than any other ever devised." In addition, he undertakes to describe the influences which presently endanger the continuance of the American form of government as it has developed since the Philadelphia Convention. Like Kilpatrick, Morley lays great stress on the federal structure of the American system: "The United States, as the name implies, are a union of sovereign states, federal in nature," he tells us on the first page of his book. The immediate issue which motivated him to begin his book was not, however, a Supreme Court decision, as was the case with Kilpatrick's *Sovereign States*, but the threat to the independence of the Court implied in President Roosevelt's bill of February 5, 1937 to reorganize the court—the "court packing bill," as it was called. It was the president's "Fireside Chat" on the following 9th of March, in which he undertook to allay the mounting criticism of the bill by, among other things, asserting that his only purpose was "to make democracy succeed," which, Morley says, "for the first time brought home to me . . . the demonstrable fact that uncritical praise and practice of political democracy can readily be the highway to dictatorship, even in the United States. The collection of material for this book was begun that evening."

American society, Morley is willing to grant, is democratic, but society must be distinguished from government. The democratic nature of American society, in his opinion, is based on a religious conception,

that "all are brothers under the Fatherhood of God." From this, he says, derives the idea of equality which underlies American society and makes it democratic, that, as Morley puts it, "All men are subject to the same natural laws and therefore should be treated equally by man-made laws." The American structure of government, however, is not democratic, and was never intended to be, although there are strong forces pushing it in that direction. Morley puts great emphasis on the destructive influence of Rousseau, and particularly his specious, but superficially appealing conception of the "general will." "A single, unified popular will," Morley points out, "implies a single, unified governmental direction to make the will effective." Hitler and Stalin both doubtless considered themselves to be the embodiment of the "national will," which was the basis of the claim that their systems were democratic, and that Franklin D. Roosevelt thought of himself in a somewhat similar fashion is not so far fetched as it might sound. In his "State of the Union" message of January 6, 1941, in which he outlined what he called the "four essential freedoms," Roosevelt proclaimed, "A free nation has the right to expect full cooperation from all groups," which as Morley argues, "is exactly what Rousseau meant in stating that 'whosoever refuses to obey the general will must in that instance be restrained by the body politic, which actually means that he is forced to be free.'"

While Morley is well aware of the continuing vitality of the American system and tradition of government, he is equally aware of the forces behind the growing tendency to concentrate political power in Washington, to change the Federal Republic, as he would put it, into a centralized democracy. Two Amendments to the Constitution, in his opinion, have "operated subtly to undermine the federal structure of the United States as originally planned. The Fourteenth Amendment in effect reversed the emphasis of the first eight Amendments, all designed to limit the pow-

ers of the central government, so as to make these limitations applicable by the central government to the States. The Sixteenth Amendment supplemented this revolutionary change by giving the central government virtually unlimited power to tax the people without regard to State needs or boundaries." It was the Sixteenth Amendment, of course, which provided the means to implement the "service state" which, as we are constantly being made more aware, gradually becomes the bureaucratic state.

James Jackson Kilpatrick and Felix Morley are both journalists in the best tradition of that much maligned—largely by the conduct of some of its own members—profession. While both are serious students of American history and government, the particular strength of their approach to the problem of government is their intimate, first-hand knowledge of how it actually works and their unblinking realism. To go back to their books some twenty years after having published them was a rewarding and encouraging experience: rewarding because it made me realize again the substance and quality of the governmental traditions we have inherited, something that it is easy to forget in a time seemingly dominated by the Internal Revenue Service, the Department of Health, Education and Welfare, and the Presidential Fireside Chat; and encouraging because they have stood up so well.

James Burnham can best be described, it seems to me, as a political philosopher in a tradition that goes back to Plato, but when I first met him, he was associated with the magazine *National Review*, as he still is, and could, therefore, also be described as a journalist. He has thought deeply about government: how it comes about, the source of its legitimacy and its right to power, its purpose, its limitations, and the basis on which a particular government is to be judged. When I first talked to him about a book, it was with the purpose of suggesting that he write a study of the congressional investigating commit-

tee. In the aftermath of the McCarthy episode and particularly the irrational response of the liberal intellectuals to it, there was a danger, it seemed to me, that the importance and unique function of the congressional committee could be overlooked. There was a need, I thought, for a serious, solidly based book showing how the congressional investigating committee has developed and the enormously important role it has played, a role which was becoming all the more necessary as a counterweight to the constantly growing power of the executive department of government. Out of this suggestion came a much more inclusive study, not just of the place of the congressional committee in our system, but of congress; reading it again makes me all the more convinced that *Congress and the American Tradition* will, with time, be recognized as one of the classic books on American government.

Political philosopher that he is, Burnham quite properly begins his book on congress with a discussion of the sources of government. To the question, by what right does one man rule another? there is, as he says, no rational answer: ". . . the problem of government is, strictly speaking, insoluble; and yet it is solved." The ancients sought the answer in myth: "In ancient times," the first sentence of *Congress and the American Tradition* tells us, "before the illusions of science had corrupted traditional wisdom, the founders of Cities were known to be gods or demigods." While contemporary explanations of the sources of government, as Burnham says, use a less picturesque language, they tell us little more. He concludes these reflections with the observation: "Without acceptance by habit, tradition or faith of a principle which completes the justification for government, government dissolves, or falls back wholly on force—which is itself, of course, non-rational."

The principle which Americans have traditionally accepted as the justification of government, of rule by another, is embodied in the "We, the People" of the

Preamble to the Constitution. This, of course, is also a myth: the Constitution was not ordained or established by "The People of the United States"; it was drafted by the members of the Philadelphia Convention and ratified by the individual states. Like all myths, its acceptance makes it true, and it will remain true only so long as it lives as a part of the American tradition.

No one, I feel confident, has expressed the tradition of American government more eloquently or beautifully than James Burnham:

Surely it must have been their faith in tradition as a living and continuous force that reconciled the Fathers to a document that, as the lawyers that many of them were, they would never have accepted as a valid contract: internally contradictory, with its assertions of dual and divided sovereignty; ambiguous as well as unfinished in its definition and assignment of rights, duties and power. Pure reason could not guarantee a good government, strong, just and free. But reasonable men, drawing on the wisdom of the past shaped into institutions as well as principles, and relying on the future interplay between individuals and their inheritance of tradition, might devise an orienting directive which would itself become an essential, even critical, part of the living tradition.

So, of course, has the Constitution become, so that it seems the precis, the distillation of the entire American political tradition. Our governmental structure, whether good or not as conceived rational system, *becomes*, is *made*, good and even the best through time and history. The Constitution is like a man's wife who, though to tell the truth that would be revealed by an objective scale, she is not the most beautiful and talented creature in the world, nevertheless through twenty or thirty or fifty years of successful marriage *becomes*, as a living and historical being, a good and indeed the best of all possible wives. . .

. . . I accept it as right that Congress, the President and the courts shall govern me because they have been chosen by prescribed forms (however strange in themselves, and very strange they are) that have been honored by observance and prior acceptance.

Having described the place of Congress in the American system of government as it was intended by the Founders and as it developed during the nineteenth century—the "Golden Age" of parliamentary government, as Burnham calls it—Burnham goes on to consider "The Present Position of Congress," as the second part of his book is called. Article I of the Constitution, as we all should know but may be inclined to forget, grants "all legislative powers" to "a Congress of the United States." In addition, Congress was to exert a strong influence over those other two attributes of government, the sword and the purse; as Burnham puts it: "The size, temper and target of the sword are to be decided by Congress, just as Congress is to determine the amount, source and purpose of the monies. The President wields the sword, as he opens the purse, only as attorney, steward, agent for Congress, and only through Congress for the nation and the people." The Congress, of course, still goes through the formality of passing laws, levying taxes and appropriating money, of exercising its legislative prerogative, but more often than not, the initiative for legislation comes not from Congress itself but from the executive department. The judiciary and the bureaucracy in actual practice in many ways now exert a far greater legislative power than Congress; in both legislation and fiscal control, Congress is in danger of becoming little more than a formality. As for the war-making power, once thought to be vested solely in Congress, here too the President has assumed the decisive voice. "Not only do the presidential acts, as in the case of Franklin Roosevelt's moves from 1939 to 1941, make a war inevitable, so that the Pearl Harbor occasion of its open



start is, like the congressional declaration, a secondary incident; President Truman further demonstrated in Korea how one of the biggest wars of our history, in terms of casualties and cost, can now be entered and conducted without any legal authority from the legislature, simply by not calling it a 'war.' In a process which began during the early days of the New Deal, Congress has more and more become accustomed to delegating its powers to the Executive and the various agencies it has established, but, as Burnham wisely points out, "To 'delegate' such powers as control over money, war and foreign affairs is, in reality, to renounce them, to abdicate."

It was not always so. "Throughout most of our history," Burnham tells us, "there has been congressional predominance within the central government." To illustrate his point, Burnham quotes the following from the Diary of John Quincy Adams, written after his first election to Congress in 1830: "My election as President of the United States was not half so gratifying to my innermost soul. No election or appointment conferred upon me ever gave me so much pleasure." Can one imagine a former President making such an observation in our day, or even giving a moment's consideration to the possibility of becoming a Member of Congress? "To understand what is happening to the political structure of American society," Burnham continues, "we need to keep both facts in mind: that the legislature was, traditionally, predominant in theory and practice, and that it is no longer so." In the modern, computerized, highly bureaucratic state, where every citizen must have his social security number and his every transaction is carefully monitored by the Internal Revenue Service, has Congress, with its debates, its committees, and its formalized procedures become an anachronism, a picturesque but wholly unnecessary vestige of the eighteenth century? Burnham most emphatically believes not, and he bases his justification of Congress on a rigorous discussion of govern-

ment and the threat to liberty inherent in its nature.

Burnham distinguishes between two possible forms of government in the modern world: one based on the "general will," on "the theory that the will of the people is the ultimate sovereign," and the other on a "structure of government in which there obtains, or is thought to obtain, a 'rule of law,' certain 'rights' that are in some sense basic and inalienable, and a 'juridical defense' that protects the citizen through forms of 'due process' backed by the underlying rule of law." The first he calls the "democratic formula" which becomes the "democratist ideology," and the second the "constitutional principle"; between the two, he says, "there is no logical relation whatever."

The democratic formula, he goes on to say, necessarily ends in dictatorship, because only Caesar, whether his name be Bonaparte—who, as Burnham points out, was *elected* First Consul in a national plebiscite—Hitler, Stalin, Mussolini or Peron, can embody the people's will. "Caesar," he says, "is the symbolic solution—and the only possible solution—for the problem of realizing the general will, that is, for the central problem of democratist ideology."

While there is, Burnham argues, no necessary connection between representative assemblies and liberty—constitutional government and liberty have existed without representative assemblies—the survival of constitutional government and liberty under the power relationship now existing between the citizen and the state depends on the survival of Congress. It is what Burnham calls "the intermediary institutions" which diffuse the power of the state and thereby protect the liberty of the individual citizen, and chief among these, with the decline of the influence of the several states and the subservience of local government and the judiciary to the executive and the bureaucracy, is Congress:

Among the political institutions of the

American system it is Congress that now remains the one major curb on the soaring executive and the unleashed bureaucracy.

If Congress ceases to be an actively functioning political institution, then political liberty in the United States will soon come to an end. If Congress continues to have and to exercise a political function, then there will be at least a measure of political liberty—a workable minimum, and a chance for more. . . . No one can deny the accuracy and cogency of many of the adverse criticisms that have been made of Congress as an institution and of many individual Congressmen. But the hard relation remains: if liberty, then Congress; if no Congress, no liberty.

“For Congress to survive politically,” he goes on to say,

means that it shall be prepared to say *Yes* or *No*, on its own finding and responsibility, in answer to the questions of major policy; and this it cannot do unless the individual members of Congress have the courage to speak, to say *No* even against the tidal pressures from the executive, the bureaucracy, and the opinion-molders so often allied in our day with executive and bureaucracy, even against the threat that the semi-Caesarian executive will rouse his masses for reprisal at the polls—or in the streets.

During the course of his discussion of the American system of government, Burnham develops, almost as a by-product, one might say, a most illuminating syndrome, as he calls it, to illustrate the contrasting characteristics of the liberal and conservative positions. This includes such attitudes toward man as belief on the part of the conservative that human nature is limited and corrupt and on the part of the liberal in its unlimited potentiality. In the area of government, Burnham finds a presumption on the part of the conservative in favor of Con-

gress as against the executive and the opposite position on the part of the liberal; he believes that the liberal is inclined to view with favor the concentration and centralization of government power in the interest of social progress, while the conservative is suspicious of government power in any form, and inclines, therefore, toward states' rights and the diffusion of power. In this connection, it is interesting to observe that the response of the liberal reviewers to the Morley, Kilpatrick and Burnham books accurately reflects the attitudes Burnham describes. It is possible that I ascribe more importance to reviews than they deserve: while they are often written hurriedly, without knowing much more about the book than can be gained from the jacket and skimming through a few pages, reviews of such books as these three, which take a strong, definite position on a divisive issue, reflect rather accurately current tendencies and attitudes.

Reviewing the Kilpatrick book in the *Yale Review* (Autumn, 1957), C. L. Black, for example, after dismissing it as “without serious merit,” went on to say that it “strikingly exemplifies the South’s intellectual desperation in the present crisis of its caste system.” Cecil Johnson, in the *Annals of the American Academy* (September, 1957) thought that Mr. Kilpatrick, “if he applied himself with the same energy and enthusiasm and selected his materials as carefully . . . might produce comparable treatises in defense of slavery or in condemnation of democracy.” William S. White, in the *New York Times* (April 28, 1957), was more generous, and appeared actually to have read and enjoyed, the book. He did not agree, needless to say, but found it “. . . an extraordinary essay by a gifted, if perhaps very wrong-headed man. A polemical tract, it nevertheless has grace and skill.”

Two such distinguished scholars as Edith Hamilton and Roscoe Pound (the former Dean of the Harvard Law School) praised the Morley book in the highest terms: Dean Pound called it “a notable contribution to political science and indeed to jurispru-

dence." Cecil Miller, on the other hand, reviewing the book in *Ethics*, expressed the opinion that Morley "is essentially apologetic with respect to the question of states' rights," and concluded, "If such tongue-in-cheek philosophizing serves a useful purpose, this reviewer fails to discern what it is." He also, I am sure, failed to read the book.

The response to the Burnham book provides an even more striking example of the refusal, or inability, of the liberal intellectuals to confront the serious issues these three books raise. R. H. Sallisbury, in the *American Political Science Review* (December, 1959) expressed the opinion, and makes no effort to substantiate it, that "some difficult factual and theoretical contradictions are glided over simplistically." A. N. Holcombe in the *Annals of the American Academy* (September, 1959) criticizes Burnham for not troubling himself "to consider the impact of the unplanned party system on the constitutional scheme of government," a "strange neglect," he says, "which may explain his failure to put together a more persuasive case for his pessimistic conclusions." Paul Simon, in the *Christian Century* (November 11, 1959) is willing to concede that the book is "well written" and makes "some valid points," but finally concludes that it "is an effective presentation of a weak case." R. K. Carr in the *New York Herald-Tribune* (August 30, 1959) finds that the book is "rooted in more than one factual error," without specifying what they might be, and that this is "fatal to the central thesis." It remained, however, for Professor Lindsay Rogers of Columbia University to demonstrate the greatest skill in the art of evading the issue: reviewing the book in the *New York Times* (May 31, 1959) he pontificated, "Occasionally in his book Mr. Burnham discloses that if he is not an amateur in the matters he considers, he is plowing fields that have only recently become familiar to him."

If further evidence is needed of the liberal "presumption in favor of the executive as against Congress," as Burnham calls

it, there is the current campaign, in books and articles, to represent Truman as one of our "great Presidents." It was Harry Truman, let us not forget, who involved the nation in the Korean War without authorization of Congress, and who, when he ordered the seizure of the steel mills by the Federal Government, based his action on "the authority vested in me by the Constitution and the laws of the United States," although there was nothing in either the Constitution or the law authorizing such action. Burnham comments on this incident as follows:

The sovereign executive claims to embody the will and interest of the people, by bypassing an intermediary institution [Congress]. The executive decides whether an emergency exists. If he so decides, he acts as he sees fit to solve the emergency. Such an action so taken becomes lawful, without regard to any previously existing law. It follows, therefore, that the executive can legally do whatever he decides to do, provided he states his decision in a proper formula.

By a six to three decision, the Supreme Court rejected Truman's claims and by upholding an injunction invalidated his action in the steel seizure case. "Although Harry Truman," Burnham says, "reasoned like Caesar, he was one of Caesar's precursors, not Caesar."

When my firm published these three books almost twenty years ago, it was with the firm conviction that they were worth publishing, and for several reasons: they had, I thought, something important to say about the essential nature of American government, and in making this clear, might help to stem the tide toward the concentration of government power in the Washington bureaucracy. In addition, I hoped that they might make a little money for the men who had devoted their time, scholarship and skill to producing them as well as for our struggling firm. As it worked out, all were moderately successful. The Morley book enjoyed a fairly good bookstore sale,



the subscribers to *Human Events* loyally bought the book of the man who had brought them many carefully written and thoughtful pieces over the years, and several thousand copies were used in the high school debate program, the subject of which, in the year after publication, happened to be related to the federal system. James Burnham's book also did quite well in the bookstores, and was given wide distribution as a selection of the Conservative Book Club, by which means it was kept in print several years longer than might otherwise have been the case. The sale of the Kilpatrick book was undoubtedly hurt in the North, where most books are sold, by its position in opposition to the Supreme Court decision on the school integration case, but this was compensated, in some degree, by orders from various groups which had been organized in the South to do battle against the invaders from Washington, but have since, seemingly, been seduced into inaction, either by "government" money, or the promise of the same. As books of high quality they were certainly worth writing and publishing, and all of us in any way involved with them need to make no apologies, but great money-makers they were certainly not. Let us not forget, however,

that Elvis Presley probably made more money in one year than Beethoven, Schubert, Mozart and Bach, all together, in their entire lives: "It all depends," as Professor Schumpeter, used to tell us in Economics I, "on what you want."

As for the impact of these three books, what can we say? *Brown vs. Board of Education*, which set our much admired friend and brilliant stylist Jack Kilpatrick to work, seems mild in comparison to what the federal courts are doing to the public schools now, we are still waiting for that resounding "No!" from Congress which James Burnham pled for with such knowledge and eloquence, and as for Felix Morley and Rousseau's "general will," what more appropriate embodiment for it could we have than Jimmy Carter? The impact of a book, and more especially of a book of integrity, can never be measured; such books, as bearers of the truth, are worthwhile for their own sake. If we believe in the work of the Founding Fathers, in the way Americans have traditionally reconciled the perennial problem of maintaining a government which gives its citizens a decent degree of freedom while maintaining the order without which society cannot exist, they were worth writing and publishing.

# John Locke: His Harmony Between Liberty and Virtue

DONALD J. DEVINE

## *Understanding Locke*

John Locke is one of the few major philosophers who can be used to provide a theoretical and moral foundation for American and Western regimes organized around the concept of liberty. Yet, in recent years, revisionist interpreters from literally every perspective have maintained either that Locke is confused and, therefore, not able to provide a foundation for any culture; or, that Locke actually was a relativistic hedonist. It will be argued here, however, that Locke is consistent and nonhedonistic, if one understands his epistemology.

Since Locke is so central for the legitimacy of these regimes based upon liberty, it is not surprising to find neo-Marxists like Macpherson holding that Locke espoused a "possessive individualism," which ultimately is destructive for these "capitalist" societies.<sup>1</sup> But when Leo Strauss, who was dedicated to saving Western civilization from the fate of Rome, concluded that "Locke is a hedonist"<sup>2</sup>—this is another matter entirely.

As different as Strauss and Macpherson are, they both interpreted Locke as an epistemological rationalist. There are problems regarding whether they are describing the historical Locke or are trying to render his philosophy more coherent. But if the historical Locke was not a rationalist as Strauss and Macpherson understand the term, then it does not necessarily follow that he needs to be made more consistent, or that he was a hedonist.

Modern epistemology—at least until quite recently—has generally demanded that one choose the single rational, empirical, or traditional method that underlies the thought of a philosopher and analyze his

ideas on the basis of that method. Locke can correctly be identified as a rationalist. Yet, it is difficult to classify Locke as a pure rationalist in view of the fact he is also regarded as the founder of British empiricism. Moreover, he holds that there are "things above reason," that these things above reason are a matter of faith and revelation, and that "an evident revelation ought to determine our assent, even against probability."<sup>3</sup> One, thus, can find rationalistic, empirical and revelational aspects to Locke's epistemology.

The revisionists, however, try to reduce Locke so that he may be dealt with, on their grounds, as a simple rationalist. Strauss, for example, starts with a distinction between rationalism and revelation but then says, since Locke held that belief in a life after death comes from revelation, this cannot be used to understand his rationalistic ethics. He then boldly excludes this aspect of Locke's thought.<sup>4</sup> With this element excluded, he creates a Lockean "partial law of nature," finds this construction and Locke's revelation in conflict with each other, and is forced to the conclusion that Locke, as traditionally interpreted, is confused. But since he must be rational (how else could he be so widely respected?) there must be another, "hidden," interpretation which is rational.<sup>5</sup> The hidden interpretation which Strauss finds is that Locke did not take revelation seriously, that he really was a pure rationalist of hedonism and that he was hiding his true rational philosophy of hedonism so that it could be packaged more attractively to appeal to a religious society which held virtue rather than pleasure as its highest goal.

The entire argument, however, rests upon the assumption that some aspects of