

The Flawed Case Tying Conservatism to Racism

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By **Peter Berkowitz** - March 5, 2013

As the Republican Party girds itself for the consequences of sequestration, prepares for the coming rounds of budget battles, and continues to lay the groundwork for the midterm elections of 2014 and beyond, the question of “whither conservatism?” is much on the minds of observers of American politics. Sensible men and women, right and left, know that the answer is bound up with conservatism’s origins, guiding principles, and the strategic judgments of movement leaders.

According to Sam Tanenhaus, editor of The New York Times Book Review, conservatism is headed nowhere good. This, he maintains, is because modern American movement conservatism originated in the 1950s in a political doctrine poisoned by racism. And even though conservatives have enthusiastically elected young leaders who come from minority groups --including Sens. Ted Cruz of Texas and Marco Rubio of Florida, and Govs. Nikki Haley of South Carolina and Bobby Jindal of Louisiana -- the GOP remains in the grip of that poisonous doctrine.

Tanenhaus set forth these ugly judgments last month in a sweeping 5,500-word cover story in The New Republic. The article was emblazoned with the incendiary but fitting headline “Original Sin: Why the GOP is and will continue to be the party of white people” and appeared in TNR under the lofty category “History.”

The charge that the core of modern American conservatism is racist draws on the most disgraceful pages in the playbook of post-1960s progressivism. Tanenhaus is not the first prominent liberal intellectual to dress up such slander in scholarly finery.

In 2004, Boston College professor of political science Alan Wolfe took to the pages of The Chronicle of Higher Education in an article titled “A Fascist Philosopher Helps Us Understand Contemporary Politics” to argue that the ideas of Nazi political theorist Carl Schmitt animated the politics of contemporary conservatives, whether they knew it or not. Suffice it to say that Wolfe’s linkage was undermined by significant misrepresentations of Schmitt and of conservatism.

Tanenhaus’s TNR cover story suffers from similar defects. It would be of little interest were Tanenhaus not a gatekeeper at The New York Times, America’s preeminent progressive newspaper, where his editorial judgment helps form public opinion. And it would have been easy to ignore the essay had it not been published by The New Republic, a flagship

publication of modern American liberalism, which to great fanfare was recently re-launched under the leadership of new owner and Facebook co-founder Chris Hughes and veteran editor Franklin Foer, and has publicly rededicated itself to the publication of serious opinion.

However, it is noteworthy when Tanenhaus employs his graceful prose and considerable knowledge of U.S. politics in the pages of the self-proclaimed new and improved New Republic to promulgate a shoddy and unscrupulous account of modern conservatism. His article provides further evidence, if any was needed, that high-brow argument by today's left-liberal elites increasingly consists of smearing the other side.

As in a similarly sweeping TNR piece called "Conservatism Is Dead," published after John McCain's 2008 loss to Barack Obama, Tanenhaus advances his thesis as a diagnosis of Republican Party electoral woes. The GOP's poor showing in 2012 among minority voters and single women was not just a matter of "strategy or 'outreach,'" he says. It was not merely the predictable result of "a history of long-standing indifference, at times outright hostility, to the nation's diverse constituencies -- blacks, women, Latinos, Asians, gays." And, it cannot be fully explained even by a supposed "racialist political strategy dating back many decades."

Rather, "the true problem, as yet unaddressed by any Republican standard-bearer, originates in the ideology of modern conservatism."

That ideology, Tanenhaus asserts, is bound up with the darkest chapter in American history: "When the intellectual authors of the modern right created its doctrines in the 1950s, they drew on nineteenth-century political thought, borrowing explicitly from the great apologists for slavery, above all, the intellectually fierce South Carolinian John C. Calhoun." Tanenhaus is quick to add that "[t]his is not to say conservatives today share Calhoun's ideas about race." But he carefully leaves open the possibility that they might.

It is a fact that in the 1950s conservative thinkers turned to antebellum Southern conservatives of whom Calhoun was a leading figure. It is also a fact -- about which Tanenhaus has little to say -- that in the post-World War II era conservatives turned to a wide variety of sources to help them clarify the threats to liberty posed by a massively expanding state at home and an expansionist communist totalitarianism abroad.

These sources included the classical political philosophy of Plato and Aristotle, Biblical faith, medieval political philosophy, early modern political philosophy, romanticism, Edmund Burke, the American founding, Tocqueville, the 19th-century resurrection of Toryism by Disraeli, the restatement of philosophical conservatism by Cardinal John Henry Newman, the poetry of T.S. Eliot, and the libertarian ideas of Friedrich Hayek.

By means of a brutal truncation of conservative sources, Tanenhaus portrays ideas that some conservatives in the 1950s gleaned from Calhoun about the right to "to resist, ignore, or even overturn the will of the electoral majority," ideas which enjoyed some cachet in the

tumultuous years following the Supreme Court's 1954 *Brown v. Board of Education* decision, as the crux of movement conservatism, then and now.

In the 1950s, according to Tanenhaus, Calhounism meant opposing the civil rights movement in the name of states' rights. In 2013, Tanenhaus contends, Calhounism means criticizing the size and scope of government, supporting cuts in spending, favoring that voters be required to show IDs in order to cast their ballots, insisting on immigration reform, contesting affirmative action, opposing same-sex marriage, denying the need for stricter gun regulation, emphasizing individual responsibility, invoking the language of constitutionalism, and working for the repeal of Obamacare.

In other words, Tanenhaus discerns in the opposition to most any aspect of the president's progressive agenda damning evidence that today's conservatives "have fully embraced" the tradition of Calhoun and that the Republican Party "has become the party of Calhoun."

Along with Daniel Webster and Henry Clay, John C. Calhoun was one of the towering American statesmen of the first half of the 19th century. He served as a congressman from South Carolina (1811-1817), secretary of war (1817-1825), vice president of the United States (1825-1832), senator from South Carolina (1832-1843 and 1845-1850), and secretary of state (1844-1845). He was also the author of two important works of political theory: “A Disquisition on Government” and “A Discourse on the Constitution and Government of the United States.”

Conservatives bent on reclaiming the conservative tradition in America in the 1950s discovered much of interest in Calhoun’s thinking, including the affirmation of the agrarian way of life and the rugged individualism with which it was associated; the defense of the wisdom embodied in traditional beliefs, practices and institutions; the analysis of threats to tradition posed by secularization, industrialization, and democratic leveling; and, not least, the theory of the “concurrent majority,” according to which legitimate federal legislation must reflect not an “absolute” or “numerical” majority but the consent of each major interest or community in the nation.

Despite conservative intellectuals’ interest in the range of Calhoun’s thinking, the only aspect that interests Tanenhaus is a corollary of the theory of the concurrent majority, namely, he writes, “the politics of nullification, the doctrine, nearly as old as the republic itself, which holds that the states, singly or in concert, can defy federal actions by declaring them invalid or simply ignoring them.” Tanenhaus purports to hear “echoes” of the politics of nullification most everywhere he encounters a contemporary conservative public policy position.

In 2008, in a searching [article](#) in The Claremont Review of Books, conservative William Voegli pulled no punches in exploring “conservatives’ complicity with segregation.” Indeed, on the question of civil rights in the 1950s and 1960s, American conservatism was generally on the wrong side of history and on the wrong side of justice, combining an unbending suspicion of aggressive federal government expansion with solicitude for white Southern custom and community and detachment from black citizens’ great struggle to achieve freedom and equality under law. But Tanenhaus’s evidence for equating movement conservatism with Calhounism, then and now, is weak and tendentious.

Small but telling flaws in Tanenhaus’s analysis reveal sloppiness with ideas. For example, he asserts that Calhoun’s doctrine advanced the lawless position that “each state was free to override the federal government, because local and sectional imperatives outweighed national ones.” Yet there is more to the South Carolinian’s doctrine than the clash of

competing imperatives. Calhoun argued in the very lines from the 1831 Fort Hill Address quoted by Tanenhaus that states' right to nullify federal law is grounded in their judgment that the law in question violates the Constitution.

And *Brown v. Board of Education* was not, as Tanenhaus writes, a decision that "outlawed legalized segregation"; rather, and much more restrictedly, it held that "in the field of public education, the doctrine of 'separate but equal' has no place." This may seem now to be a distinction without a difference, but the struggle over civil rights cannot be understood without appreciating it.

The most devastating flaw concerns the poverty of the evidence that Tanenhaus marshals in support of his sensational thesis. Tanenhaus adduces three conservatives from the 1950s to prove that the politics of nullification is constitutive of movement conservatism. He quotes lines from Russell Kirk's seminal work, "The Conservative Mind" (1953), asserting that Calhoun was a master student of the threat posed by the federal government and democratic majorities to the rights of individuals and their communities. But restored to their context, it is clear that the lines Tanenhaus quotes are part of Kirk's summary of Calhoun's view -- "The Conservative Mind" is a history of ideas that presents the thought of dozens of figures -- and do not state or imply an endorsement of the politics of nullification.

Tanenhaus also mentions "Calhoun apostle" James J. Kilpatrick -- editor of the Richmond News Leader; author of "The Sovereign States: Notes of a Citizen of Virginia" (1957), which defends segregation; and a contributor to National Review -- who did vigorously defend segregation in Calhounian terms.

And finally Tanenhaus discusses William F. Buckley Jr. and National Review. Tanenhaus acknowledges that Buckley supported the Montgomery bus boycott in the 1950s and "student-led boycotts and sit-ins of 1960" because he viewed them as admirable instances of citizens' exercise of the right to protest laws they wished to change.

And Tanenhaus notes that in the 1950s National Review was preoccupied with "rolling back both communism abroad and the New Deal at home" in the name of liberty. Yet despite the importance to Buckley of individual freedom and limited government, Tanenhaus, with scant textual justification, attaches paramount importance to Calhounism to explain Buckley's opposition to the federal government's role in integrating the South.

To support the charge of Calhounism, Tanenhaus, without citation, extracts fragments from a 1956 editorial, "Return to States' Rights," to make it appear that Buckley hoped that Calhoun's "championing of the Tenth Amendment 'may have the effect of shaking inchoate states-righters out of their opportunistic stupor' and give rise to a new politics."

But Tanenhaus changes Buckley's argument. It wasn't Calhoun's writings that Buckley hoped would inspire proponents of states rights. What Buckley actually wrote was that "The Supreme Court decision of May 1954 (classifying segregated schooling as unconstitutional),

because it struck hard at traditions deeply rooted and very deeply cherished, may have the effect of shaking inchoate states-righters out of their opportunistic stupor.” And while he refers in the editorial to Calhoun as a brilliant defender of states’ rights and welcomes “the return of serious discussion of states’ rights,” Buckley does not advocate nullification.

Tanenhaus also quotes from Buckley’s “most notorious editorial, ‘Why the South Must Prevail,’ ” which appeared in 1957. There one does encounter the language of Calhoun to justify defiance by whites of election results in order to preserve their way of life. But in that editorial Buckley also departs dramatically from Calhoun. Tanenhaus does his best to obscure this, writing that for Buckley “as long as the South did ‘not exploit the fact of Negro backwardness to preserve the Negro as a servile class,’ segregation was acceptable.”

That’s not what the editorial argues. Rather, Buckley stressed that defiance of majority will could only be justified “for whatever period it takes to effect a genuine cultural equality between the races.” However wrong Buckley was about civil rights in 1957 -- and Buckley was mistaken about the constitutional soundness of *Brown* and complacent concerning the obligation to end segregation -- he does not, as Tanenhaus would have readers believe, accept segregation so long as whites didn’t exploit it. Instead, Buckley justified a temporary segregation in the interests of achieving long-term equality “by humane and charitable means” and in a manner consistent with constitutional principles.

Finally, Tanenhaus writes that “just as Calhoun had defended the ‘positive good’ of slavery, so Buckley defended Jim Crow as being born of ‘custom and tradition . . . a whole set of deeply-rooted folkways and mores.’ ” Tanenhaus does not identify the source of this snippet. But if one takes the trouble to hunt down Buckley’s Feb. 22, 1956, editorial, “The Assault on Miss Lucy,” one discovers that in it Buckley denounces University of Alabama students for mob violence in reaction to the appearance on campus of a black student who had been admitted under court order. Contrary, however, to Tanenhaus’s misleading reconstruction, Buckley was not defending Jim Crow as a positive good, he was criticizing -- wrongly, to be sure -- the Supreme Court’s *Brown* decision as an act of judicial usurpation.

And that’s the entirety of Tanenhaus’s case that modern American conservatism was built around a devotion to John C. Calhoun’s politics of nullification: a few lines from one chapter presenting Calhoun’s view in a large book by Russell Kirk surveying the views of numerous conservatives; a single example of an ardent defender of Calhounism in the person of James J. Kilpatrick; and three fragmentary 1950s quotations from the young Buckley, all of which are troubling and all of which Tanenhaus subtly distorts to make sound more so.

Tanenhaus also distorts by omission. Despite working for many years on a biography of Buckley, Tanenhaus does not see fit to mention that two weeks after “Why the South Must Prevail” appeared in *National Review*, Buckley gave his brother-in-law L. Brent Bozell the opportunity for a sharp rebuttal:

“This magazine has expressed views on the racial question that I consider dead wrong, and capable of doing great hurt to the promotion of conservative causes,” Bozell wrote. “There is a law involved, and a Constitution, and the editorial gives White Southerners leave to violate them both in order to keep the Negro politically impotent.”

Nor does Tanenhaus note that Buckley acknowledged on several occasions that he regretted the positions he took on civil rights in the 1950s and 1960s.

Thin though his evidence is, Tanenhaus contends that Calhounism “formed the ideology that shaped a generation of conservative politicians, including Barry Goldwater and Ronald Reagan.” This is little more than guilt-by-association. The closest Tanenhaus comes to supporting this dubious claim is a passing reference to Goldwater’s defense of states’ rights in his 1960 bestseller, “The Conscience of a Conservative” -- a book ghost-written by the same L. Brent Bozell, who promptly and categorically rejected Buckley’s dalliance with Calhounism. Goldwater repeats the conservative criticism of *Brown* for intruding the federal government into the field of education without constitutional warrant.

At the same time, he declares his agreement with the objectives of the Supreme Court in *Brown*, states his belief that “it is both wise and just for negro children to attend the same schools as whites,” and urges democratic action -- persuasion and education -- to achieve integration. While he was mistaken to think that *Brown* was wrongly decided, Goldwater does not proceed from the political theory of Calhoun but from that of the Constitution, focusing on the principle of limited government, which protects freedom by preventing the accumulation and centralization of power. The principle of limited government is as venerable and deeply rooted in the American Constitution as any.

One can make the point that conservatives inconsistently invoke James Madison’s affirmation that the powers of the federal government are “few and defined” and that those of the state governments are “numerous and indefinite.” One can also observe, as William Voegli does, that extensive federal action in the 1950s and 1960s was both necessary and just to correct the evil of state-sanctioned discrimination -- and that this precedent complicates the defense of the principle of limited government.

And one can conclude soberly that the Republican Party today must find a way to translate conservative principles into reform and rhetoric that have greater appeal to blacks, Hispanics, Asians, and young single women.

What one cannot argue -- at least not consistent with a decent respect for facts and reason -- is that John C. Calhoun’s doctrine of nullification forms the basis of modern American conservatism -- and that the very appeal to limited government has been, is, and will continue to be a thinly veiled attempt to keep non-whites and women in their places.

The reduction of conservatism to a racially charged politics of nullification is not only illicit in its means but is also illiberal in its aim. It is an attempt to de-legitimize all dissent from left-liberal orthodoxy.

The progressives’ case for entrusting government with more and more power depends in part on the trustworthiness of government officials. If the editor of the New York Times Sunday Book Review and the editors of The New Republic can’t be trusted to present history and restate their political opponents views without flagrant distortion, why should partisan politicians on the left (or the right, for that matter) be trusted to exercise responsibly ever-expanding government power?

The conservative case for limited government is rooted in an appreciation of the propensity, amply illustrated by Sam Tanenhaus’s TNR hatchet job on modern conservatism, to abuse position and power.

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