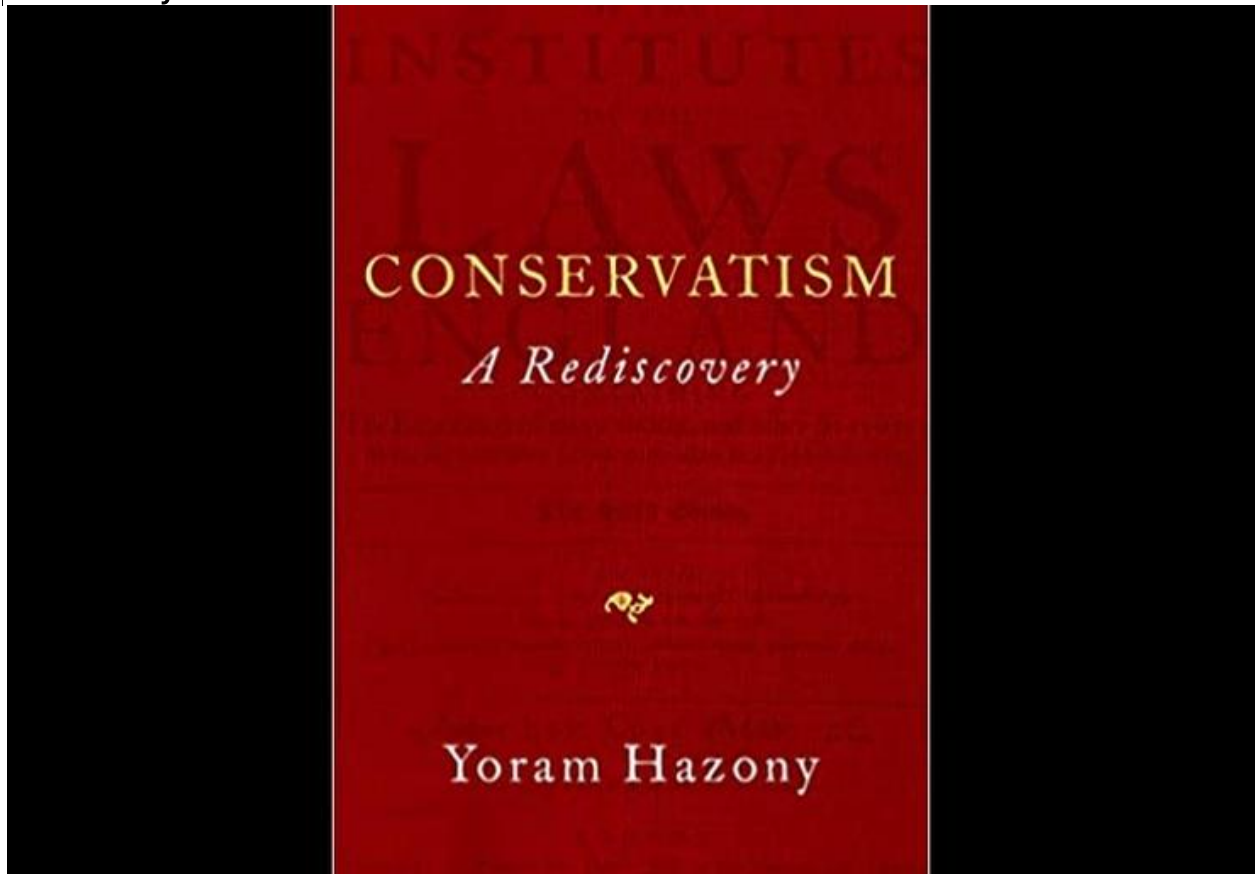


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Redefining Conservatism To Remake America

REVIEW: 'Conservatism: A Rediscovery' by Yoram Hazony



'Conservatism: A Rediscovery' by Yoram Hazony / Regnery Gateway

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The New Right's intellectual leaders are not the first, even within the post-World War II American conservative movement, to demand purity in the ranks; denounce infidels, heretics, and apostates; and cast out the weak of spirit and the impure of heart and mind. The sense of gloom and doom among national conservatives and common-good conservatives and their

zeal for decisive action, however, are not for nothing. What reasonable person could doubt that the vilification of America's founding principles and constitutional traditions [launched](#) by progressive elites sows intolerance and threatens the country's cohesiveness, prosperity, and security?

Yet amid America's diverse civil society and in its pluralistic constitutional democracy, it makes little sense as an electoral strategy to shrink one's circle of friends and drive away potential voters in the middle. At a moment of intense political polarization and with an electorate swinging back and forth by small margins between candidates of the left and right, it appears particularly imprudent for members of the New Right to ostracize individuals and groups who seek to conserve America's traditions of individual freedom, inalienable rights, and limited government. Redefining conservatism in America to purge those who take their bearings from the modern tradition of freedom, moreover, betrays a misunderstanding of the origins, aims, and structure of American constitutional government.

Nevertheless, in [Conservatism: A Rediscovery](#), Yoram Hazony undertakes such a redefinition in the service of such a purge. A champion of national conservatism and chairman of the Edmund Burke Foundation, his ambitions stand in stark contrast to the great 18th-century English statesman whose career provides a seminal lesson in balancing tradition and freedom—or, more precisely, in achieving balance within a tradition that cherishes individual freedom. In the magnificent concluding paragraph of [Reflections on the Revolution in France](#) (1790), Burke underscores his dedication to preserving Great Britain's "equipoise" in the struggle to safeguard liberty. Oblivious of Burke's lesson of moderation, Hazony aims to remake the United States by placing the promotion of Christianity at the center of American politics.

Hazony's new book extends his [efforts](#) to bring into focus "a distinctive Anglo-American conservatism tradition" and establish it as the one true school of conservatism for America. Conservatism, as Hazony redefines it, "refers to a political standpoint that regards the recovery, restoration, elaboration, and repair of national and religious traditions as the key to maintaining a nation and strengthening it through time." A conservatism so redefined, however, would more accurately be called restorationism. The contrast between Hazony's aspiration to restore and Burke's determination to conserve stems in part from divergent assessments of

the problem. Whereas Burke praised England's existing political institutions and moral beliefs and practices, Hazony decries the state of American political culture and private life. While Burke emphasized in the *Reflections* that it is only with "infinite caution" that one should reject established institutions, Hazony advocates the uprooting and discarding of longstanding American beliefs and practices. In contrast to Burke, who wished to preserve England's tradition of freedom through incremental reform, Hazony urges far-reaching alterations to America's tradition of freedom, thereby turning the United States into a country that it has never been.

Hazony argues that the United States went disastrously astray in the 1960s by setting aside the "Protestant nationalism" that animated the country since its founding and replacing it with "Enlightenment liberalism," which paved the way for, and in some cases morphed into, the woke neo-Marxism promulgated by today's progressive elites. Like [Patrick Deneen](#) and [Adrian Vermeule](#), Hazony loathes Enlightenment liberalism. But to justify their loathing, they must distort Enlightenment liberalism. As with Deneen and Vermeule, Hazony reduces Enlightenment liberalism to the postmodern radicalization of the French revolutionaries' project of using state power to liberate individuals from the constraints of inherited beliefs, practices, and institutions—a reduction that produces a parody of a complex and multilayered tradition. Hazony calls on true conservatives to repudiate what he also confusingly refers to as "liberalism" and "Enlightenment rationalism." The epitome of this "failed" school, Hazony asserts, is John Locke's *Second Treatise* (1690), which Hazony similarly parodies.

An American-educated observant Jew who has built a life, and resides, in Israel, Hazony covers a good deal of ground in history, philosophy, and current affairs. His personal account of discovering conservatism and living as a conservative is affecting, even if his conclusion that American conservatives who fail to embrace orthodox Judaism or pious Christianity can't be considered proper conservatives exposes theocratic tendencies. One might have expected him, in the spirit of Burke, to explore American sentiments, habits, ideas, laws, and political institutions. Instead—and contrary to Burke's warnings that reliance on abstract ideas tends to corrupt political judgment—Hazony proposes a new theory—"a conservative political theory" rooted in premodern English political thought

and hostile to the modern tradition of freedom. This gives Hazony's supposed rediscovery the feel of post-hoc invention.

Given his ideological predilections, Hazony had few options. Had he delved into American beliefs, practices, and institutions in accordance with the "historical empiricism" that he earnestly preaches and praises Burke for practicing, he would have discovered that in addition to America's biblical, civic-republican, and common-law inheritance, Lockean ideas—as opposed to the cheap counterfeits Hazony prides himself on refuting—are inextricably woven into the fabric of America's national political culture. Not least of the strange consequences produced by Hazony's un-Burkean ambition to reorient American politics around an abstract theory—and notwithstanding his labeling it "conservative"—are the stigmatization of the American Declaration of Independence and the suppression of defining features of the U.S. Constitution, both of which are steeped in the "Enlightenment liberalism" that Hazony claims only reared its ugly head in 1960s America.

In one respect, Hazony endeavors to emulate the Enlightenment liberalism that he loathes. Its "early proponents," he contends, "reduced it to a small number of clearly articulated premises, which are easy to summarize and teach even to children." On behalf of conservatism, Hazony follows suit.

Despite a tendentious stress on "tribes"—a social division typical of traditional societies that ill describes the experience of most 21st-century Americans—Hazony's six "premises of conservatism" capture rudimentary features of social and political life. First, individuals are born into, and bound by ties of mutual loyalty to, families, tribes, and nations. Second, the inevitable competition for honor among individuals, families, tribes, and nations yields to mutual loyalty in the face of threats or common endeavors. Third, families, tribes, and nations are hierarchically structured. Fourth, language, religion, law, and government derive from tradition. Fifth, political membership stems from belonging to families, tribes, and nations. Sixth, these premises of conservatism are derived from and should be refined based on experience.

As descriptive sociological observations, there is little in these abstract propositions to which a sensible person, including an Enlightenment liberal, need object. For those who care about the right and the good, they

are notable for their omission of moral standards that establish the limits of loyalty, distinguish just hierarchy from arbitrary domination, and provide guidance in determining where to conserve and where to reform.

Not the least of Hazony's omissions is the founding premise of American constitutional government—that human beings are by nature free and equal. Hazony asserts that it "is not self-evidently true" as Thomas Jefferson affirmed in 1776 in the Declaration of Independence "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Like it or not, however, the U.S. Constitution institutionalized the Declaration's "[standard maxim for a free society](#)"—a prominent feature of Enlightenment liberalism—that human beings share equally in fundamental rights and that government's top priority is to secure them.

America's national tradition of principled reform revolves around that conviction. In 1848, Elizabeth Cady Stanton [echoed](#) the Declaration's tenets of individual freedom and human equality to call for recognition of the rights of women. In 1852, Frederick Douglass [invoked](#) the Declaration and Constitution in condemning the barbaric institution of slavery and demanding freedom for black persons in America. In 1863, at Gettysburg, President Abraham Lincoln [summoned](#) the nation to bring about a "new birth of freedom" by dedicating itself to the Declaration's principles. In 1941, in rallying Americans to the defense of the nation following Japan's surprise attack on Pearl Harbor, President Franklin Delano Roosevelt [proclaimed](#) that freedom consists in honoring the rights that human beings share. And in 1963, Dr. Martin Luther King Jr. [stated](#) on the steps of the Lincoln Memorial that the Declaration and the Constitution represented "a promissory note to which every American was to fall heir," a promise to safeguard "the unalienable rights of life, liberty, and the pursuit of happiness." Such reformers may or may not have been conservatives, but to be a conservative in America today is to honor their achievements under the Constitution in vindicating the nation's founding principles.

Instead of embracing this conservative task, Hazony advances a new theory of "conservative democracy." He intends it as an alternative to "liberal democracy"—a relatively new name for the form of self-government elaborated in the 17th century by Locke that protects individual rights and rests on the consent of the governed but which Hazony wrongly equates with left-wing policies.

Conservative democracy would, according to Hazony, "draw upon the resources of Anglo-American conservatism based on the Bible and the common law." Some of its priorities fit comfortably with conventionally conservative opinions in America: property rights, free markets, free speech, and due process of law; lawful immigration that serves the nation's interests in economic prosperity and political cohesion; and a foreign policy that puts national security first. Others—such as the emphasis on a robust national identity; widely shared religious faith; and laws, family, and education rooted in traditional morality—while matters of central importance depend on the role conservative democracy envisages for government and the role for individuals and their families and communities in civil society. Even many defenders of nation, faith, and traditional morality will balk at Hazony's insistence, sharply at odds with the American constitutional tradition, on assigning the federal government responsibility for upholding and promoting Christianity.

"Conservative democracy regards biblical religion as the only firm foundation for national independence, justice, and public morals in Western nations," Hazony writes. But it does not follow from the belief that biblical religion cultivates moral virtues that government should cultivate biblical religion. Indeed, Hazony fails to acknowledge, much less address, defining elements of America's tradition of religious liberty: for example, Puritan Roger Williams's contention in *The Bloody Tenent of Persecution for the Cause of Conscience* (1644) that Christianity opposes recognizing government officials as "judges, governors, or defenders of the spiritual, or Christian, state and worship"; the Founders' conclusion, embodied in the Constitution, that government promotion of religious unity hurts religion; and Tocqueville's observation in *Democracy in America* (1835-1840) that religion in the United States sustains free and democratic institutions precisely because the Constitution declines to give religion a direct role in government.

Instead, Hazony contends that "In America and other traditionally Christian countries, Christianity should be the basis for public life and strongly reflected in government and other institutions, wherever a majority of the public so desires" even as he allows that "[p]rovision should be made for Jews and other minorities to ensure that their particular traditions and way of life are not encumbered."

In the United States as it is and not as Hazony might like it to be, government's institutionalization and promulgation of Christianity confronts at least three major problems. First, Hazony does not provide empirical evidence to show that majorities in the United States—or even a majority of those who consider themselves Christians—think the national government should establish Christianity. Ensuring, consistent with the First Amendment's free exercise clause, that the public square remains open for the expression of religious belief, or even permitting some forms of prayer in public school are different matters insofar as they respect choice rather than coerce performance.

Second, what might be viable in a small, homogenous republic is unworkable in America's vast, transcontinental, and multireligious and multiethnic nation. Christians in America today—as did the members of the many Protestant sects that formed the majority in 18th-century America—disagree, and often sharply, about Christian teaching. Moreover, as James Madison argued in 1785 in his "[Memorial and Remonstrance](#)," so too almost 250 years later: There is, to put matters gently, every good reason to doubt public officials' competence to supervise the teaching of religion.

Third, contrary to Hazony's fanciful suggestion that the Constitution's Preamble authorizes the federal government to teach religion, the powers delegated by the Constitution to the federal government, as Madison stressed in [Federalist 45](#), "are few and defined." Even if it were not prohibited by the First Amendment's Establishment Clause, establishing Christianity as America's national religion would represent an abuse of power because the Constitution does not delegate to Congress and the president authority to make such laws and take such actions.

Hazony's misrepresentations, errors, and internal contradictions are many, but they are not varied. They are resolute and of a piece. They depict Locke and Enlightenment liberalism as stupid and toxic while denying Lincoln's contention that America was "conceived in liberty, and dedicated to the proposition that all men are created equal." The Lockean ideas that underlie American constitutional government, however, are not, as Hazony assures his readers, nonsensical and noxious. Understanding them is crucial to conserving, and transmitting to succeeding generations, America's precious inheritance.

Contrary to Hazony, Locke did not advance the absurd claim that "all men are perfectly free and equal by nature" in the sense that human beings lack intrinsic moral constraints and are equal in all noteworthy respects. Rather, as Locke clearly states in the opening pages of the Second Treatise, human beings are free and equal in the sense that no one is born lawfully the servant of or master over another. To avoid the very misunderstanding that Hazony avidly propounds, Locke clarifies that natural liberty "is not a state of license."

It is, furthermore, glaringly incorrect to contend as does Hazony that Locke says of individuals that "[t]he only authority or power to which they owe anything is the government established above them." Indeed, maintains Locke, human beings are not only governed by a rational and moral law of nature but also are subject to duties imposed by "one omnipotent, and infinitely wise maker." Those duties include, Locke explains in Chapter VI, honoring parents.

In addition, Hazony misleadingly asserts that from basic premises about freedom, equality, and the law of nature Locke undertakes "to deduce the proper character of the political order for all nations on earth." Chapters VII through IX of the Second Treatise recognize that different peoples and nations will establish diverse political institutions and develop distinctive laws. At the same time, it does follow from Locke's arguments—as it does from the Declaration of Independence—that just political institutions and laws must protect the rights that all human beings share.

And Hazony erroneously contends that Locke believes both that to give their consent individuals must "have exercised their reason and have determined that government is needed to protect them against criminals or conquerors," and also that individuals are free to withdraw consent from government when in their judgment it does not adequately protect them. In Chapter VIII of the Second Treatise, Locke denies that consent must be "express." He elaborates, moreover, the conservative doctrine that in the typical case consent is "tacit," the result of living under and enjoying the benefits of government and laws that secure freedom. And far from authorizing individuals to withdraw consent whenever they happen to be dissatisfied with government's performance, Locke stresses in Chapter XIX that as a practical matter and in extreme circumstances it is governments that dissolve individuals' obligations to obey the law through the

systematic abuse of power that deprives people of their most fundamental rights.

In his zeal to emancipate individuals from Enlightenment liberalism, Hazony does not leave matters at turning Locke into a dangerous dunce. Hazony also purports to show that luminaries of 20th-century conservative thinking are little more than Locke's lackeys. But as he vulgarizes Locke, so too Hazony must vulgarize their views to belittle their thinking.

For example, Hazony accuses Frank Meyer of espousing "rigid, dogmatic, Enlightenment liberalism." A senior editor at *National Review*, Meyer became best known in conservative circles for arguing in the 1960s for "fusionism"—the harmonizing of individual freedom and limited government with the traditionalists' focus on the cultivation of virtue. To make this salutary synthesis appear ridiculous, Hazony twists Meyer's words. After quoting him as asserting that "[f]reedom is the aspect of the nature of men which political institutions exist to serve," Hazony asks: "Is it really possible that freedom is the only quality that is essential to human nature?" (emphasis added). But to agree with Meyer that the aim of politics is to secure freedom is not to affirm or imply that freedom is the sole defining, or highest part, of human nature. Meyer maintained, along with America's Founders, that by securing freedom the Constitution creates the conditions under which individuals, their families, and their communities can foster the virtues central to human flourishing.

Hazony similarly mangles the ideas of Leo Strauss, a German-Jewish émigré to the United States, who played a decisive role in the mid-20th century in reviving serious study of the history of political philosophy. According to Hazony, "Strauss regarded John Locke, and the American Declaration of Independence after him, as the modern instantiation of the Western tradition of rationalist natural right theories." To the contrary: Strauss emphasized the disagreement between the classical view and the modern view. "The particular natural right doctrine which was originated by Socrates and which was developed by Plato, Aristotle, the Stoics, and the Christian thinkers (especially Thomas Aquinas) may be called the classic natural right doctrine," Strauss wrote in *Natural Right and History* (which Hazony treats as authoritative). "It must be distinguished from the modern natural right doctrine that emerged in the seventeenth century."

Classic natural right (singular), according to Strauss, "is connected with a teleological conception of the universe," and provides a standard of human and political excellence. In contrast, argued Strauss, modern natural rights (plural) are at home in a nonteleological conception of the universe bound up with modern natural science, entail protections of the individual against arbitrary exercises of power, and are secured through limited government. Far from "the modern instantiation" of the traditional view, as Hazony asserts, Locke represents for Strauss a seminal statement of the modern break with the traditional view.

Hazony's most revealing distortion involves his one-sided portrayal of the U.S. Constitution as a "restoration of the forms of traditional English constitutionalism." In rejecting the weak Articles of Confederation and instituting on the federal level a bicameral legislature, a strong executive, and an independent judiciary, the Constitution did draw on English political traditions—just as did America's state governments. But Hazony treats this important aspect of the Constitution as the whole story, or the only significant part of it.

In crucial respects the Constitution also represents a break with tradition—so, for one, maintained Alexander Hamilton. And Hazony himself considers Hamilton a nationalist and conservative in good standing in contrast to Thomas Jefferson, who drafted the Declaration, and James Madison, widely regarded as the father of the Constitution, both of whom Hazony rebukes as Enlightenment liberals.

The Constitution's historic breaks with traditional English constitutionalism that Hamilton highlighted reflect the Enlightenment liberalism that Hazony despises. In [Federalist 1](#), for example, Hamilton, echoing Chapter 1 of Locke's [Second Treatise](#), wrote that it falls to Americans to determine "whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force." In [Federalist 9](#), Hamilton stated that "[t]he science of politics ... like most other sciences, has received great improvements." Those modern improvements involved innovations in constitutional structures that would keep limited government within its boundaries. And in [Federalist 84](#), Hamilton stressed that British bills of rights are, "in their origin, stipulations between kings and their subjects." Consequently, "they have no application

to constitutions professedly founded upon the power of the people, and executed by their immediate representatives and servants." Under an American constitution that was designed not for kings and subjects but for free and equal citizens, "in strictness, the people surrender nothing; and as they retain every thing they have no need of particular reservations."

In rewriting the American constitutional tradition to comport with his convictions about the true conservatism, the chairman of the Edmund Burke Foundation flouts Burke's admonitions about the dangers of importing theory into politics. In constructing a "philosophy of conservatism," the eminent "natcon" who rails against universal claims in politics espouses a transnational theory of nationalism. And in scorning Enlightenment liberalism, the staunch critic of neo-Marxists and woke progressives joins forces with the left to smear and tear down America's founding principles and constitutional traditions.

If instead of obdurately redefining conservatism he had practiced the respect for history and experience that he professes, Hazony would cherish America's [distinctive and dynamic rights tradition](#), which is nourished by a variety of sources, prominent among them the modern tradition of freedom. He would draw on the richness and variety of the nation's experience to counter contemporary detractors of liberal democracy in America. And he would contribute to refining the American experiment in ordered liberty to meet today's daunting challenges. Instead, wielding an ahistorical theory meant to apply across time and beyond national boundaries, Hazony transforms core American ideas and institutions that stem from the modern tradition of freedom into embarrassments to ignore, absurdities to revile, and excrescences to eradicate from the body politic.

The New Right's quest for a muscular political response to the demonization of America's founding principles and constitutional traditions by the elements of the left is understandable. And because the Constitution "is not a suicide pact," departures from the letter of the law in times of emergency may be justified to preserve the spirit of the law. But the intellectual assault on individual rights and limited government mounted by the New Right amplifies the dangers they seek to counter by weakening the spirit of constitutional democracy in America.

To conserve the best in the country as well as to meet the exigencies of the moment and execute urgent reforms, the nation must rededicate itself to America's founding principles and constitutional traditions.

Conservatism: A Rediscovery

by Yoram Hazony

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