

Pensées
Notes for the Reactionary of Tomorrow
by Joseph Sobran
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I. Prologue

The conservative is defined less by any political doctrine than by a certain attitude toward the world, summed up in the word "appreciation."

Most political discussion nowadays moves in ruts the discussants don't even seem to be aware of. They talk about rights, freedom, the Constitution, foreign policy, the budget, all sorts of disparate things they never seem to get in focus.

The main political line of division in the United States is between people we call liberals and people we call conservatives. The debate between them has been described in various ways; I would like to offer one of my own, based not so much on theory as on personal introspection.

At certain moments I find myself enjoying life in a certain way. I may be alone, or with friends, or with my family, or even among strangers. Beautiful weather always helps; the more trees, the better. Early morning or evening is the best time. Maybe someone says something funny. And while everyone laughs, there is a sort of feeling that surges up under the laughter, like a wave rocking a rowboat, that tells you that this is the way life should be.

Moments like that don't come every day, aren't predictable, and can't very well be charted. But the main response they inspire is something like gratitude: after all, one can't exactly deserve them. One can only be prepared for them. But they do come.

This may seem a thousand miles from politics, and such moments rarely have anything to do with politics. But that is just the point. Samuel Johnson says:

How small, of all that human hearts endure,
That part which laws or kings can cause or cure!

But the same is true of all that human hearts enjoy. Laws and kings can't produce our happiest hours, though in our time they do more to prevent them than formerly.

"To be happy at home," Johnson also remarks, "is the end of all human endeavor." That is a good starting-point for politics, just because it is outside politics. I often get the feeling that what is wrong with political discussion in general is that it is dominated by narrow malcontents who take their bearings not from images of health and happiness but from statistical suffering. They always seem to want to "eliminate" something — poverty, racism, war — instead of settling for fostering other sorts of things it is beyond their power actually to produce.

Man doesn't really create anything. We don't sit godlike above the world, omniscient and omnipotent. We find ourselves created, placed somehow in the midst of things that were here before us, related to them in particular ways. If we can't delight in our situation, we are off on the wrong foot.

More and more I find myself thinking that a conservative is someone who regards this world with a basic affection, and wants to appreciate it as it is before he goes on to the always necessary work of making some rearrangements. Richard Weaver says we have no right to reform the world unless we cherish some aspects of it; and that is the attitude of many of the best conservative thinkers. Burke says that a constitution ought to be the subject of enjoyment rather than altercation. (I wish the American Civil Liberties Union would take his words to heart.)

I find a certain music in conservative writing that I never find in that of liberals. Michael Oakeshott speaks of "affection," "attachment," "familiarity," "happiness"; and my point is not the inane one that these are very nice things, but that Oakeshott thinks of them as considerations pertinent to political thinking. He knows what normal life is, what normal activities are, and his first thought is that politics should not disturb them.

Chesterton (who hated the conservatism of his own day) has good remarks in this vein. "It is futile to discuss reform," he says, "without reference to form." He complains of "the modern and morbid habit of always sacrificing the normal to the abnormal," and he criticizes socialism on the ground that "it is rather shocking that we have to treat a normal nation as something exceptional, like a house on fire or a shipwreck."

"He who is unaware of his ignorance," writes Richard Whately, "will only be misled by his knowledge." And that is the trouble with the liberal, the socialist, the Communist, and a dozen other species of political cranks who have achieved respectability in our time: they disregard so much of what is constant and latent in life. They fail to notice; they fail to appreciate.

We can paraphrase Chesterton's remark about reforming without reference to form by saying it is futile to criticize without first appreciating. The conservative is bewildered by the comprehensive dissatisfaction of people who are always headlong about "reform" (as they conceive it) or are even eager to "build a new society." What, exactly, is wrong with society as it is already? This isn't just a defiant rhetorical question; it needs an answer. We don't have the power to change everything, and it may not be such a bright idea to try; there are plenty of things that deserve the effort (and it *is* an effort) of preserving, and the undistinguishing mania for "change" doesn't do them justice — isn't even *concerned* with doing them justice. What we really ought to ask the liberal, before we even begin addressing his agenda, is this: In what kind of society would he be a conservative?

For some reason, we have allowed the malcontent to assume moral prestige. We praise as "ideals" what are nothing more than fantasies — a world of perpetual peace, brotherhood, justice, or any other will-o'-the-wisp that has lured men toward the Gulag.

The malcontent can be spotted in his little habits of speech: He calls language and nationality "barriers" when the conservative, more appreciatively, recognizes them as cohesives that make social life possible. He damns as "apathy" an ordinary indifference to politics that may really be a healthy contentment. He praises as "compassion" what the conservative earthily sees as a program of collectivization. He may even assert as "rights" what tradition has regarded as wrongs.

"We must build out of existing materials," says Burke. Oakeshott laments that "the politics of repair" has been supplanted by "the politics of destruction and creation." It is typical of malcontent (or "utopian") politics to destroy what it has failed to appreciate while falsely promising to create. Communism, the ideal type of this style of politics, has destroyed the cultural life of Russia, which flourished even under the czars. The energies of radical regimes are pretty much consumed in stifling the energies of their subjects; they try to impose their fantasies by force and terror, and their real achievement is to be found not in their population centers but at their borders, which are armed to kill anyone who tries to flee. Communism can claim the distinction of driving people by the millions to want to escape the homeland of all their ancestors.

Nothing is easier than to image some notionally "ideal" state. But we give too much credit to this debased kind of imagination, which is so ruthless when it takes itself seriously. To appreciate, on the other hand, is to imagine the real, to discover use, value, beauty, order, purpose in what already exists; and this is the kind of imagination most appropriate to creatures, who shouldn't confuse themselves with the Creator.

The highest form of appreciation is worship. I don't insist that there is a correlation between formal religion and conservatism. But there is an attitude prior to any creed, which may make a healthy-minded unbeliever regretful that he has nobody to thank for all the goodness and beauty in his life that he has done nothing to deserve. One might almost say that the crucial thing about a man is not whether he believes in God, but how

he imagines God: as infinitely good and adorable, or merely as an authoritarian obstacle to human desire? The opposite of piety is not unbelief, but crassness.

Even more modest forms of appreciation take some humility. The inventor who finds a way to make soap from peanuts has more genuine imagination than the revolutionary with a bayonet, because he has cultivated the faculty of imagining the hidden potentiality of the real. This is much harder than imagining the unreal, which may be why there are so many more utopians than inventors. The utopian wants to fly by disregarding gravity instead of understanding it.

The point of all this is not just to censure the malcontent for failing to come to terms with this world. I am arguing for an appreciation of the role of appreciation. In our lives we don't really spend much time or gain much profit by doing the kind of abstract thinking that usually passes for intellection nowadays. Most of the time we are evaluating the concrete alternatives available to us — buying and selling, choosing careers, wooing and wedding, groping for the right word, convicting or acquitting, finding homes, that sort of thing. None of these is a utopian activity. (Neither, by the way, is voting.)

We are forever exercising our powers of imagination on the real and the given, in other words, not on the purely hypothetical. Our energies go into actual decisions, which express the evaluations we are in a position to express with our wills. We take it for granted, but we need to remind ourselves that this is what life is all about for most normal people. Everyone has the capacity to make choices of various kinds, always within limits. The freedom that matters is the freedom to exercise such choices, though they are beneath the notice of so many of our theorists.

Under regimes dominated by the dream of “building a new society,” the state makes all the evaluations. It leaves very little room for the common exercise of the kind of appraising imagination the normal man and woman are endowed with. Everything is frozen at a certain level, no higher than the imaginations of the ruling mediocrities, who see no need of development in philosophy, art, or science (except applied science, as applied to techniques of war and conquest). A state that is willing to usurp the faculties of those it rules, by refusing to let them work, think, and discover freely, has already proved itself barbarous, even if it doesn't go on (as of course it will) to resort to concentration camps and mass executions.

In a healthy political system — a free and civilized one — the individual has scope for a wide range of acts of practical appreciation. The system is designed — not *a priori*, but by experience — to enable him to live this way; the individual is not only a fact but also a social institution, and the society profits by the little evaluative acts of every member. The law exists to make its members free, in the way people should be free, as opposed to both the bogus freedom imagined by anarchism and the slavery Communism calls freedom. That is why Burke specifies: “I speak of civil social man, and no other” — not man in a “state of nature” or a false “fraternity” or “comradeship,” but simply man under law.

Most of the world is a mystery. Consciousness is a little clearing in a vast forest; every individual has his own special relation to the area of mystery, his own little discoveries to impart. Discovery is by definition unpredictable, and it is absurd for the state to foreclose the process of learning. There are moods when we are too exhausted to imagine that there is still more to be learned; an ideology is a system of ideas that wants to end the explorations we are constantly making at the margin of consciousness, and to declare all the mysteries solved. This is like the congressman who introduced a bill a century ago to close the U.S. Patent Office, on the ground that every possible invention had already been invented.

In talking of mystery this way, I don't at all intend to sound mystical. It is a very practical matter. The world is inexpressibly complex. Every individual is a mystery to every other, so much so that communication is difficult and fleeting. Moreover, the past is a mystery too: very little of it can be permanently possessed. We have various devices — words, rituals, records, commemorations, laws — to supply continuity as forgetfulness and death keep dissolving our ties with what has existed before.

There is no question of “resisting change.” The only question is what can and should be salvaged from “devouring time.” Conservation is a labor, not indolence, and it takes discrimination to identify and save a few strands of tradition in the incessant flow of mutability.

In fact conservation is so hard that it could never be achieved by sheer conscious effort. Most of it has to be done by habit, as when we speak in such a way as to make ourselves understood by others without their having to consult a dictionary, and thereby give a little permanence to the kind of tradition that is a language.

Habits of conservation depend heavily on our affection for the way of life we are born to, which always includes far more than we can ever be simultaneously conscious of at a given moment. We speak our language and observe our laws by habit. It would be too much of a strain to have to learn a new language or a new set of laws every day. Habit allows a multitude of things to remain implicit; it lets us deal with ordinary situations without fully understanding them. It allows us to trust our milieu.

Only a madman, one might think, would dare to speak of changing the entire milieu — “building a new society” — or even to speak as if such a thing were possible. And yet this is the current political idiom. It is seriously out of touch with a set of traditions whose good effects it takes too much for granted; it fails to appreciate them, as it fails to appreciate the human situation.

A political and legal system has to be based on the moral habits of its citizens, if it is concerned with anything more than power. To say that “that government is best which governs least” is not to yearn for anarchy: it is to say that those laws are best that don't require a huge apparatus of surveillance and enforcement. The foolishness of Prohibition was that it pitted the law against deep-rooted ways of life. Socialism makes the same mistake on an even larger scale. As Burke puts it, “I cannot conceive how any man can

have brought himself to that pitch of presumption, to consider his country as nothing but *carte blanche*, upon which he may scribble whatever he pleases.”

The conservative isn’t embarrassed by the particularity of his traditions; he loves it. He neither shares nor understands the liberal’s passion for taking positive measures to cut the present off from the past, as by erasing traces of Christianity in the law. It is Christianity, after all, that has formed our ideas of law. To accept this fact is no more to “establish religion” than writing the laws in English is to “discriminate against” people who don’t speak English. Christianity is the basis of our moral idiom. Anyone who doubts this should try to imagine imposing the U.S. Constitution on a Moslem or Hindu country. Rooting Christianity out of our political tradition is like rooting words derived from Latin out of our dictionaries. It remains embedded even when it isn’t noticed. There is no real point in trying to take it out or, for that matter, to put more of it in.

A tradition incorporates so many implicit things that Joseph de Maistre rightly speaks of the “profound idiocy” of supposing that “nations may be constituted with *ink*.” And yet the liberal is constantly trying to do approximately this, by manufacturing new laws, new “rights,” repealing old ones, meanwhile, with equal facility. He regards the past (as in “the dead hand of the past”) with contempt and shame; naturally, it inspires no affection in him, and he finds little to admire in it. He reserves his affection for kindred spirits, especially socialists, who are busy abroad imposing new schemes and cutting their own nations’ ties to the past. (“I have seen the future, and it works.”)

For the modern liberal, who is essentially a man of the Left, the immediate has apocalyptic urgency. He is an active member of the Cause-of-the-Month Club, forever prescribing drastic action to prevent the world from being blown up, overpopulated, poisoned, oppressed, or exploited. He thinks a government that maintains law and order — a big job at any time — is “doing nothing”; because to his mind a steady and quiet activity is nothing more than inactivity. Though he speaks the language of environmental preservation well enough, he never pauses to imagine the “environmental impact” of his own policies on a social ecology that is, after all, no less real because he disregards it.

In short, he is always sacrificing the normal (he is barely aware of it, or sneers at it as “bourgeois”) to the abnormal. Life, to him, is a series of crises, inseparable from politics. He is too concerned about our “rights” to bother about our health — rather as if a man dying of cirrhosis were to toast the repeal of Prohibition. If he ever has moments of well-being outside of politics, he has no vocabulary in which to talk about them.

But unfortunately, his vocabulary is pretty much the current vocabulary of politics, and when conservatives try to debate on his terms, their philosophy tends to appear as the mirror-image of his ideology. A few years ago the two camps were debating over the putative distinction between “totalitarian” and “authoritarian” systems. Liberals treated this as a quibble, a distinction without a difference. The debate sounded abstract and technical, as if egregious incidents of torture were simply “human-rights violations.”

The distinction was valid, all right: and in fact liberals have consistently observed it in practice themselves, by preferring the totalitarian to the authoritarian, the Soviet Union and Cuba to South Africa and Chile. But conservatives failed to make the more serious and central point that the real difference between the authoritarian and the totalitarian is the difference between the bearable and the unbearable.

The story is told by those armed borders: people are free to leave Chile, because no great number want to leave; and blacks actually migrate *into* South Africa. This is not to defend the political institutions of these nations; but it is to point out that those institutions, good or bad, won't play so overbearing a role in the lives of their subjects as to make normal people desperate.

The very existence of censorship in authoritarian systems is a sign that all is not lost. The liberal can only damn censorship in a moralistic way; it doesn't occur to him that art, literature, and journalism can only be censored when they are already being independently produced. The kind of censorship exercised by regimes intent only on preserving a monopoly at the level of politics is different in kind from Communism's attempt to commandeer all the cultural energies of a nation, and to decree what *shall* be produced. It wasn't until 1978, for example, that Handel's *Messiah* had its first public performance in the Soviet Union — and even then it was accompanied by a libretto that glossed its theme as an allegory of the proletariat's struggle for liberation.

"Men can always be blind to a thing, so long as it is big enough," says Chesterton. One of the things most men are currently blind to is the total politicization of man. This development doesn't strike the liberal as particularly sinister; if he notices it at all, he thinks of it as a good thing. After all, he is a thoroughly politicized man; and isn't all of life essentially political anyway? Isn't it up to us to decide what sort of society we are going to build, what sort of laws and morals and distribution of wealth we are going to have?

The liberal has no specific objection to totalitarianism for the simple reason that he is already operating on totalitarian premises. He may be less headlong and bloodthirsty than the Communist, but he has as little regard for the past, as little sense that there may be anything in the tradition he inherits that deserves the effort of appreciation or surpasses his understanding. He judges everything in terms of a few ready-made political categories, which are expressed in a monotonous cant of "equality," "discrimination," "freedom of expression," and the like. He never thinks of these as possibly inadequate to his situation, because he never thinks of himself as working in partnership with the past, let alone as the junior partner in the relationship. Patience and humility aren't the marks of the malcontent. He is too busy making war on poverty to think of making his peace with prosperity: if the real economy doesn't spread wealth as quickly and evenly as he would like, he blames it and tries to remake it, taking no responsibility, however, for the adverse results of his efforts.

The chief objection to liberal moralism, in fact, is that it is immoral. This is equally true of all ideologies that dispense with realities they can't include in their visions. The

economy, they think, has failed; the family has failed; the church has failed; the whole world has failed. But their visions have never failed, no matter what their cost in waste of human lives and possibilities. The dream itself is sovereign; to reject it is to be guilty of refusing to aspire; to embrace it is to lay claim to a moral blank check. As Burke said of the French revolutionaries: “In the manifest failure of their abilities, they take credit for their intentions.”

But the conservative knows that the dream itself is guilty. It springs from a failure to appreciate the real, and to give thanks.

II. The Rule of Law

*Law is not so much willed as discovered in our informal moral habits.
The conservative has no ambition to use law to remake the world.*

Appreciating and conserving are constant activities, because nobody can completely avoid valuing and giving continuity to something, even if it is Communism. The real question is what to conserve.

Political conservatism is focused on the rule of law. This may seem obvious and uncontroversial to the point of banality, since everyone thinks of himself as in favor of the rule of law as a matter of course.

But the rule of law is a highly specific thing, not always rightly understood and already seriously corrupted. Some of its worst enemies are legislators. To understand why it is in danger, we have to be rather precise about what it is.

The secular way of life of the West is summed up in the term civility. Civility means more than “being nice”; it stands for the particular kind of relationship among people that differs from other relationships that co-exist with it (kinship, friendship, partnership in business) as well as relationships that are incompatible with it (slavery, fealty to a lord, socialist “comradeship”).

Civility is the relationship among citizens in a republic. It corresponds to the condition we call “freedom,” which is not just an absence of restraint or coercion, but the security of living under commonly recognized rules of conduct. Not all these rules are enforced by the state; legal institutions of civility depend on the ethical substratum and collapse when it is absent. And in fact the colloquial sense of civility as good manners is relevant to its political meaning: citizens typically deal with each other by consent, and they have to say “please” and “thank you” to each other.

The hermit in the desert may be “free” in the trivial sense of being able to do as he likes without interference — without interference, because without society. But civility represents the kind of freedom we can enjoy “sociably”: I speak of civil social man, and no other.

The civil condition is natural to man. It is not a dream, but something we can actually realize, and do in fact partially realize all the time. It is anything but utopian, even though its perfect realization, like all forms of perfection, is elusive.

Friedrich A. Hayek observes that we are by nature rule-observing creatures: we even observe rules we can't formulate. People sitting in a restaurant relaxing jovially may be effortlessly keeping all sorts of rules their attention isn't even directed to: taking turns speaking, keeping the noise down, giving each other the benefit of the doubt, suppressing unflattering observations about each other, and so forth. If all rules had to be followed by a conscious effort or enforced with maximum vigilance, social life would be impossible. A big influx of outsiders who aren't initiated into the local rules can cause a great deal of disturbance for just this reason.

If civility is natural, why is civil society as we think of it so rare? I said before that civility is seldom totally absent, even if it is seldom perfect. But most social and legal orders have some form of stratification — of race, caste, religion, or whatever — that causes members of one group to feel that they don't owe members of other groups the kind of ethical consideration they owe their own. Groups may even “secede” from the civil condition, or participate in it fraudulently: the Mafia perdures because its members keep their own rules among themselves, even as they violate the rules of the polity. Or an otherwise civil society may exclude some people from normal membership, as we used to do with black people. But any group owes its cohesion to commonly accepted rules. What is distinctive about the modern West is its moral ambition to include every competent individual in civic membership. Liberty in the ancient world, after all, was a special status; hardly anyone imagined it as potentially universal, let alone as a “natural right.”

Harry V. Jaffa points out that the generation of the Founding Fathers used the words “free” and “equal” as synonyms. They didn't think there was any “tension” between the two things, but, on the contrary, thought that the two things were really one. Men were free in being equal, and equal in being free — free, as Locke had put it, from being subject to the arbitrary will of anyone else, monarch or slaveowner. Slavery was an anomaly that was bound to cause trouble if it wasn't eliminated.

The “inflated legislation” of our own time, as Bruno Leoni and others have called it, has helped obscure our understanding of the character of law. Aristotle says that ideally there should be few laws, seldom changed.

This is so for several reasons. One is that those laws are best that require least enforcement — laws that are rooted in the moral habits of the citizens, and enjoy the citizens' respect for their permanence. This kind of respect shouldn't be presumed upon or frittered away by the imposition of a multitude of trivial laws. A law passed yesterday isn't likely to command the same assent as a law that has existed for centuries.

Another is that it is a general function of rules, tacit or explicit, to make social life predictable. If the law itself is unpredictable, it loses its appropriate character. Even a law

that is imperfect, abstractly considered, may, as long as it isn't actually baneful, gain authority with time, simply because people take it into account and base their private arrangements on it, like owls nesting in an old barn that just happens to be there. "Familiarity," as Oakeshott says, "is a supreme virtue in a rule." Reformers who don't bear this in mind may do more harm than good, and their "improvements" may turn out to be destructive.

Moreover, as thinkers in the natural-law tradition saw before Hayek, positive law should have the quality of seeming to be discovered or elicited from tacit moral understandings commonly shared, rather than imposed by an effort of will. The very nature of civil equality makes it wrong for one part of the community to use legislation as the instrument of its own special interests; to do that is to make the rest of the community to some degree subject to the arbitrary will of those who control the legislature — a circumstance the Framers of the Constitution were anxious to avoid, though the techniques of factional politics have outwitted their careful arrangements over the years.

It is important to grasp the difference between laws and commands. Laws are impersonal rules, general, disinterested, usually negative in form ("Thou shalt not kill"). As Oakeshott says, they don't specify what substantive actions we are to perform, but merely attach "adverbial conditions" to whatever courses of action we may happen to choose. Commands, on the other hand, are positive expressions of will. They leave no alternatives. ("And the king said, Bring me a sword.") Laws are "observed," commands are "obeyed." To live under the rule of law is to be a citizen; to live under commandment is to be a subject or even a slave.

The distinction isn't absolute, but it is real enough. One of the major corruptions of the rule of law is that so many current acts of the state are commands masquerading as laws. Especially by its abuse of the taxing power, American government all levels forces some people to serve the purposes of others. Taxation has become, more and more openly, a method of confiscation. Even the old sense of the word "tax" has been lost. It used to mean a fee collected from everyone to pay for the operation of a government that was partial to none (indeed, a federal appeals court briefly invalidated the Social Security system on the grounds that money taken from some citizens to be given to others was not, properly speaking, a tax). Now it refers simply to all the revenue collected by the state, without limit, including the growing portion that is not used by the state itself but turned over to powerful private interests.

Frédéric Bastiat offered a simple rule of thumb by which we can tell whether the power of the state is being abused: the use of public means to do what it would be plainly criminal to do by private means. If the state taxes Peter to give benefits to Paul, then it is robbing Peter on Paul's behalf. This sort of state action is so normalized by now that we routinely speak, for example, of "increases in Social Security benefits" as if there were no moral principle at stake. And most legislators have no idea that they are engaged in activities inimical to the rule of law. Neither do most of their victims.

When people bother to justify this sort of state action, they often do so on grounds of “compassion” or “protecting the weak,” or they say that such action is legitimate simply because it is achieved through “democratic process.” Later I will say more about what this use of the word “compassion” implies, though at this point I will say only that it is pretty plainly fraudulent to anyone who reflects on it. As for “protecting the weak” and “democratic process,” this much can be said right now:

Legislators are rather obviously representing politically powerful interests when they provide money taken in taxes to large numbers of people. Those people might be individually weak, but at the ballot box they are stronger than those who are outnumbered or unorganized. This much is plain.

Moreover, the rule of law by its nature protects the weak. “Strong” and “weak” are relative terms: a heavyweight champion may be weak vis-à-vis a dwarf with a pistol. And as Anthony Flew wittily puts it, even in a nominally egalitarian society of the socialist stamp, the “equalizees” are far from equal to the “equalizers.”

The genuine rule of law treats people alike, impartially. That is all the protection the weak, however defined, can rightly ask. Majority rule can easily degenerate, as it has done, into another form of the rule of the strong.

One major source of confusion is simple incomprehension of the nature of law. People who fail to distinguish rules and commands in principle will fail to distinguish them in practice. And some people, like Lenin, who are capable of the distinction nevertheless take the cynical view that laws are merely commands masquerading as rules: the real question is who is going to do what to whom. This view can be found as far back as Plato, who puts into the mouths of Thrasymachus and Gorgias the assertion that justice is nothing but the interest of the strong.

On this view, the existing rules of society have been made by the strong, for the strong, and are inherently “exploitative” of the weak. It follows that if the weak are to be protected, it must be not by maintaining the rules but by making exceptions to them. The fluidity of “the weak” muddles the situation, but this has not stopped liberalism from making zigzagging demands of the law. In 1964, for example, it sought, and got, a federal “civil-rights” law that seemed to have the neutral character of real law, and was understood to mandate “color-blind” behavior; then it turned around and demanded that the law be applied in color-conscious ways, implying that the very color-blind application it had formerly promised would be, in essence, “discriminatory.” So this law, which was impartial in form, was turned into a device for racial privilege, and citizens who had supported the law because it offered to protect the weak were now told that if it were applied the way they had been assured it would be applied, it would favor the strong!

The argument that confiscation or other factionally favoritist legislation can be sanctified by “democratic process” is one more bit of confusion. Democracy is a principle of succession. It is based on the reasonable notion that the people have the right to choose or

at least somehow consent to, their officers of government. This can prevent tyranny by stripping the state of immunity from the discontent of the ruled.

But democracy can't make right what is inherently wrong, and it can't authorize the government to do more than government may properly do. A principle of succession has nothing to say about the nature of the office whose succession is at stake. It ensures an orderly transfer of authority; it can't expand the authority beyond the rational limits of the rule of law itself.

If rights are "unalienable," then no government, whatever its popularity, may abridge them. A people has no right to choose Communism, for example, even by unanimous vote. Even if it had the absurd right to abolish its own rights, it would have no right to abolish the rights of its descendants.

In any case, no majority has ever wanted everything to be decided by majority rule. Democracy is good to the extent that it helps secure personal liberty; the end of political liberty is private liberty, as Johnson says.

There is a kind of democracy that is designed to achieve liberty, and it is the kind of republican government envisioned by the Framers. They were specifically concerned not to let the 51 per cent push the 49 per cent around. They provided filtering devices in the hope that factional interests would cancel each other out, even in the event that "republican virtue" — civic-mindedness — failed to check them. But their main hope was that republican virtue would usually prevail, and that no majority would try to make life miserable for the minority.

It is generally forgotten that modern democracy had its origins in revulsion against arbitrary government, and that the ideal of majoritarian government was to provide a rule of law approximating, as closely as possible, unanimous consent. Consensus is not always possible, but it is something to aim for, and some scholars argue that even Rousseau's "general will" envisioned the state not as a vehicle of popular passion but, on the contrary, as an institution that would be restricted by consensus. But this ideal has been trampled by the habits of special-interest politics. The "new meaning of legislation," says Leoni, corresponds "not to a 'common' will, that is, a will that may be presumed as existent in all citizens, but to the expression of the particular will of certain individuals and groups who were lucky enough to have a contingent majority of legislators on their side at a given moment.... [Legislation] has come to resemble more and more a sort of *Diktat* that the winning majorities in the legislative assemblies impose upon the minorities, often with the result of overturning long-established individual expectations and creating completely unprecedented ones." Furthermore, he continues, "legislation may have and actually has in many cases today a negative effect on the very efficacy of the rules and on the homogeneity of the feelings and convictions *already prevailing* in a given society." Instead of promoting stability, as genuine law does, interest-bound legislation undermines it.

This is of extreme importance, because the one thing the state can never establish by decree is stability, or continuity. It can only continue it. And by the same token, the state, whose main instrument is coercion, can't arbitrarily assign value to things. People value things for their own reasons; that is what it means to be valued. And one of the main considerations in the value of things is their security and permanence, which the state can interrupt in a moment but can only guarantee over the long run. Our chief warrant for thinking a thing will last is that it, or things like it, have already lasted. In the same way that crime devalues property, the prospect of confiscation or heavy taxation devalues any wealth in view. A too-active state can reduce the value of things very quickly; but the short-term political profits of activism are irresistible to many politicians. The democratic plague of inflation — devalued money — is the most vivid example.

The rule of law essentially regularizes a pre-existing “manner of living” (Oakeshott’s phrase). Harry Truman’s complaint about the “do-nothing Congress” was the complaint of a boor who had little grasp of his own heritage and assumed that the state should be, as C.S. Lewis puts it, “incessantly engaged in legislation.” Maintenance, I repeat, is a demanding activity, and the state that maintains a traditional order against all the forces of decay is not “doing nothing.” It is doing plenty. It is doing nearly all we can or should ask.

We are indebted to Oakeshott for another important distinction. It is a distinction that has occurred to relatively few people, and yet our traditional political conduct presupposes it: what he calls the difference in kind between “civil” association and “enterprise” association.

Enterprise association is easier to understand because it is closer to activities we are directly aware of. It comes about whenever people unite to achieve a shared purpose: salvation, gain, victory, charity. But enterprise association is generally regulated by some form of civil association, which comes about when people of diverse purposes manage to agree on the framework of procedural rules that will govern the pursuit of their goals. A baseball team is an enterprise association; the American League is more nearly a civil association. The difference also corresponds to the difference between a law firm and a bar association. One might think that an underworld gang would be the pure form of enterprise association, and yet Lucky Luciano introduced an element of civil association into the business when he abolished the chaos of warring autocracies that had prevailed among the old “Mustache Petes” and instituted a new, federal structure, in which territories were recognized, open warfare was reduced, and a nine-man commission replaced the old “boss of bosses.” By bringing more non-Sicilians into the mobs, Luciano even made organized crime *ouvert aux talents*. And by making crime more civilized, he facilitated the success of its enterprises.

Oakeshott, Hayek, Raymond Aron, and Bertrand de Jouvenel all adopt a similar terminology for two types of state: the state that is devoted to some enterprise — conquest, redistribution, economic growth — is a *teleocracy*; the state that confines itself to maintaining the rule of law is a *nomocracy*. (Hayek also speaks of such states as, respectively, “end-governed” and “rule-governed.”) Under teleocracy, laws become com-

mands, instrumental to the achievement of the state's substantive purpose. Under nomocracy, the state has no overarching purpose of its own; its concern is with the pure character of the rule of law; its citizens are united in civil association.

The United States is obviously an uneasy mixture of the two types; it began as a nomocracy, but has taken on more and more features of teleocracy. The Soviet Union is pretty close to pure teleocracy. And when it was fashionable to talk of the two systems as "converging," Aron raised the pertinent question why the West, as it moved toward teleocracy, should suppose that this would somehow induce the Soviets to move toward nomocracy. He predicted exactly what subsequently happened: the Soviet Union remained a system designed to achieve its substantive goals. Our confusion has not abated lately: even a conservative commentator, George Will, says enthusiastically that government should give citizens the sense that they are united in "a great common enterprise."

Civility is a kind of relation that recognizes the moral priority of more intimate relations. We don't owe fellow citizens the same sort of obligations we owe family, friends, co-religionists. Civic relations respect this order of duties and affections, as when a wife is excused from testifying against her husband. But in teleocratic regimes, everything may be collapsed into political membership, and children may be ordered to inform on their parents, or taken away from parents who subvert their loyalty to the state, as by teaching them religion. (In the Soviet Union, the regime has even fostered a cult in honor of Pavel Morozov, a boy who reported his father to the secret police during Stalin's purges and was killed by furious relatives.) Most teleocracies are not that ruthless, and they usually leave a residue of personal loyalties untouched; but when, in principle, the purposes of the state are imposed as the governing purposes of all, such enormities are at least possible.

But Will is right on target when he speaks of "the primacy of private life." That is what the rule of law is all about. If, as Johnson says, to be happy at home is the end of all human endeavor, then political health consists in a legal system governed by the modest recognition that this may be so.

Unfortunately, liberalism has made teleocratic assumptions the *lingua franca* of American politics. We speak of "war on poverty," for example, and though most people may be troubled by dumb reservations about such grandiose ambitions, they don't know how to talk back. Civility is a subtle refinement. By their very nature, civil relations are not the primary relations in anyone's life, and most people have no idea of how even to begin resisting political demands that would absorb those relations into a radically different kind of social order. For civil man, politics is generally a distinctly part-time matter. For the political fanatic, politics is everything.

Civility is natural in that even a band of Gypsies who live by theft and fraud need to have some rules of conduct among themselves. But in the West civility has been developed as a principle for cultural reasons: Christianity made a basic distinction between the things that are Caesar's and the things that are God's, and even secu-

larization has been advanced on Christian principles, which show up, for example, in the distinction between the public and the private, where the private is recognized as having a certain inviolability.

The development of civility in this specific form has been going on for a long time now, and John Murray Cuddihy points out that for certain “latecomers to modernity,” accustomed to more intimate cultural surroundings with few sophisticated differentiations, the impersonality of civil life can become “the ordeal of civility.” Such people tend to favor a politics that promises more immediate emotional rewards than mere civility can offer: warmth, brotherhood, compassion, the solace of a political leadership that “cares about the little man.” And people in this state of mind can only experience civility as coldness, inhumanity, alienation.

During the Depression, Franklin Roosevelt managed to convert feelings of this sort into a new political coalition, in which immigrant groups were prominent, though it also included plenty of cultural natives whose faith in the rule of law, as represented by Coolidge and Hoover, had suffered a shock. It used to be said that Roosevelt “ended” the Depression; then, more plausibly, that he “led us through” the Depression. The truth is probably that he somewhat prolonged it. But it didn’t matter to his admirers: what he really offered was the image of a loving autocrat who would dispense with the rule of law, if necessary, to help “the little man,” a disposition he conveyed, in cozy terms, through his “Fireside Chats.” He was actually one of the great demagogues of the Thirties; and he dealt American constitutional government a blow from which it may never fully recover.

As the indispensable Oakeshott reminds us, a rule doesn’t initiate action. The rule of law can’t supply motive power; it can only give its support to the normal energies that already exist in people. It may help maintain the value of things, but it is not a source of value in itself.

No mere system of law, therefore, can be a substitute for the affections and desires and imaginations of real people, and the project of “building a new society” is a worse than idle one. Governing, says Oakeshott, is a specific and limited activity, easily corrupted when combined with any other: “The conjunction of dreaming and ruling generates tyranny.” People who dream of what government could do are generally people who fail to appreciate what it does.

III. Native Aliens

Radicalism is born of disaffection with the world God made. This attitude is widely thought to be desirable.

Not long ago, I asked a liberal friend why liberals were picketing the South African embassy in Washington, but not the Soviet embassy. I took for granted (though maybe I shouldn’t have) that he agreed that South Africa is a far more civilized place.

He explained with the usual explanations: that we can have more impact on our friends than on our enemies. I thought this argument completely overlooked the disproportionate moral passion the liberal brings to his never-ending South Africa protest, a passion so absent from his attitude toward the Soviet Union.

Something strange has happened to liberalism — or at any rate to the word “liberalism.” In 1952 Sidney Hook, then a leading liberal argued that to be liberal, was to be *by definition* anti-Communist as well as anti-fascist, since both Communism and fascism crushed the personal and political freedoms liberalism held dear.

But today to speak of “liberal anti-Communism” is to utter not a redundancy but something like a contradiction in terms. To be anti-Communist is to be identified at once as a “right-winger.” Liberalism doesn’t identify itself as “left-wing,” but it is at least in close alignment with the Left — notably in its constant hostility to anti-Communism.

Later I will say more about the actual content of contemporary liberalism. For now I will make only an observation about its spirit.

At one time liberalism seemed almost identical with devotion to limited government and the rule of law. If the liberal argued for the rights of Communists and Negroes, it was because he saw these as test cases in which the rights of everyone were at stake. He wanted those who were widely hated or despised to have the same protections as everyone else.

This is no longer the case. Liberalism has come to stand for an obsession with the abnormal for its own sake — the minority, the dissident, the outsider, the deviant, and so on. One detects an actual preference for the Soviet Union in clashes between Soviet and American interests — and not because the Soviet Union is idealized, but because America is to be attacked on any pretext. The old liberal universalism has decayed into a generic anti-patriotism whose targets include just about anything traditionally central in the West: religion, family, country. The liberal finds something to say on behalf of Communism, abortion, homosexuality, pornography, or anything else irritating to a healthy sense of morality, as if the enlightened position could always be found at the opposite pole from normal instinct.

Liberalism made a powerful case for the Negro’s civil rights by appealing to a widely shared sense of justice, and it convinced the nation that the black man was being wrongly held in an abnormal condition. It argued for him *qua* human being whose race ought not to be held against him — particularly by government. It made segregation seem perverse.

Now it is liberalism that seems perverse. It is governed by a strange spite against what used to be regarded, even by liberals, as common sense and common morality.

Most people have a general affection for their homes and traditions. Their attachments can go too far, and sometimes do. The liberal seems to regard not only the excesses but the affections themselves with contempt.

The era of liberal ascendancy has given us a large vocabulary of censorious terms for these local attachments and their excesses: superpatriotism, jingoism, chauvinism, McCarthyism, prejudice, bigotry, ethnocentrism, xenophobia, nativism, racism, anti-Semitism — even sexism and homophobia have been added — to damn traditional sexual customs and attitudes.

What is striking is the lack of any term to condemn or even acknowledge hostilities in the other direction — the hostility of minorities for majorities, outsiders for insiders, aliens for natives, deviants for normal people. And yet these hatreds are moral and social realities too. In fact they are natural, and they are probably stronger, subjectively, than their opposites, for the simple reason that the marginal member of society has to be preoccupied with his situation in a way the ordinary member doesn't have to, just as the dwarf is bound to think about height more than the six-footer. The majority who enjoy a more or less normal position in society may be unconscious of and insensitive to the minority, while the minority are likely to feel envy and a chafing sense of inferiority.

In one respect the problems of minorities are probably exaggerated: most of their members have never personally suffered the assorted insults and injuries their “spokesmen” are forever talking about. People who dwell on Auschwitz and the lynch mob without having come within a thousand miles of either are really expressing outrage at what they think of as their low social status, rather than pointing to any relevant material suffering. They want the majority to feel guilt for wrongs neither party committed or endured, and they want the majority to feel also that it has to make some form of compensation. This style of moral blackmail become ridiculous in feminists who insist that the condition of women in the West can be summed up as one of “oppression”; it reaches a parodic extreme in homosexuals who claim what John Murray Cuddihy calls “accredited victim status” because their habits have suffered disapproval since the Great Flood.

What is at issue in these matters is not a set of facts but a way of looking at the facts. Most of the time Americans deal with each other civilly, and their antagonisms and rival interests form a small part of the whole picture. But liberalism insists on highlighting points of difference and treating moments of conflict as the essence of the relation between groups whose identities hardly enter into the ordinary transactions between their members.

Put another way, liberalism cultivates alienation. It does so because it has become a form of alienation. It has a heavy investment in estrangement. It is primarily interested in emergencies and social pathologies, and it makes policy prescriptions on the basis of abnormal situations, with no concern for the possible impact on the normal. It finds disease everywhere, without offering a useful image of health. And its remedies aggravate real diseases: redistribution, “gay rights,” abortion on demand, appeasement —

none of these policies has kept its promises, but liberalism was never really interested in the results.

There are two possible basic attitudes toward social reality. One of these, as I say, has many names, but I will call it, for convenience, Nativism: a prejudice in favor of the native, the normal, and so forth, reaching an extreme in lynchings and pogroms. Its most ghastly form was German National Socialism.

The other attitude I am forced, for lack of a better word — or any word at all — to call Alienism: a prejudice in favor of the alien, the marginal, the dispossessed, the eccentric, reaching an extreme in the attempt to “build a new society” by destroying the basic institutions of the native. The most terrible fulfillment of this principle is Communism.

It would be natural to assume that Nativism would be more destructive, because native forces would seem to be better situated in most cases to destroy the alien than alien forces to destroy the native. But for some reason history hasn’t worked out that way. What is plain, at any rate, is that Alienism is far from a marginal force. It offers malcontents of all sorts an ideology or *gnosis* that enables them to interpret normal life maliciously as a crude though somewhat disguised struggle between oppressors and victims. If the oppression isn’t obvious, that is because the oppressors are so cunning and their victims so totally subjugated that even their perceptual powers are in thrall. Acquiring the liberating *gnosis* is called “consciousness-raising.” The process enables the initiate to strip off the mask of oppressive structures and see capitalism as exploitation, freedom as “repressive tolerance,” and prosperity as “invisible poverty.”

Liberalism and Marxism are variant forms of Alienism; so are feminism and “gay liberation,” for that matter. Liberalism does all it can to accommodate its sister ideologies without overtly endorsing them; and it is bound to insist that the real peril to humanity is always some form of Nativism. This accounts for its obsession with the Nazi period, its endless search for old Nazis, its wild alarm over the most eccentric expression of neo-Nazism, and above all its attempts to link its enemies with Nazism. The liberal campaign against South Africa — whose racial caste system is far milder than the tribal caste systems of states like Burundi — is a symbolic effort to nominate a clear and present successor to Nazism, and the scale of material evil and suffering created by apartheid has nothing to do with its status in liberal demonology.

We don’t have to choose between Nativism and Alienism. A healthy native is not an all-out Nativist, but rather has a code of hospitality and gallantry that takes into account the position of the alien; and the reasonable marginal member of society is not bound to be a fanatical Alienist, even though there are those who would like to inflame his resentments. Both perspectives have their stories to tell. Both can be accommodated by civility and the rule of law, without privileges for either, although it is a mark of the surprising power of Alienism that its favored minorities do, in spite of majority sentiment, enjoy privileges based on race.

There is no militant Nativism to speak of in America; but there is militant Alienism, and it has power not only in the law but in the current culture propagated by the media and the academy. The very fact that Alienism was nameless until I came along, while there were a dozen words, all invidious, for Nativist attitudes, shows how thoroughly entrenched the Alienist perspective is.

The very meaning of Alienism's vocabulary has changed in keeping with the success of its aggression against traditional America. At one time "McCarthyism" referred to the smearing of putatively innocent liberals as Communists; but recently the identification of Communists *as* Communists has earned them the title of "victims of McCarthyism." "Racism" used to refer to conscious discrimination against blacks by whites who would probably have agreed that the term fit them; now it is used to intimidate opposition to racial quotas and busing by libeling people who still hold what used to be the liberal position, namely, that the state should be color-blind.

Shakespeare was well acquainted with alienation; several of his major characters are social malcontents. But he takes a different view from that of the liberal culture: he depicts them less as victims than as troublemakers. As always, he allows his characters their eloquent say; but Richard III, Shylock, Iago, and Edmund, for all the provocation of being hunchbacked, Jewish, passed over for promotion, and illegitimate, remain villains. Their societies are required to deal sternly with them. Their self-rationalizations cut no ice when the chips are down, and they know it. Whatever just resentments are generated by their social situations, they are expected to behave themselves. Coriolanus is both more magnificent and more monstrous than these other malcontents; when he is finally cut down, his tragedy lies in his having created the situation in which he is doomed, although he too has been wronged.

Its moral reflexes conditioned by liberalism, America today is incapable of such objectivity about evildoers bearing credentials as victims. All of us have had our consciousness raised, willy-nilly. Serious moral criticism of ethnic and sexual subcultures is pretty much taboo, despite unpleasant facts that stare us in the face. Even criminals (though not white-collar — i.e., white — criminals) have had their vogue as victims.

Alienism will settle for nothing less than the complete inversion of the normal perspective. Jean-François Revel catches the theme in an arresting remark: "Democratic civilization is the first in history to blame itself because another power is working to destroy it." The native in the West has accepted the Alienist critique with remarkable passivity; his morale is at an all-time low. He regards it as his duty to tolerate, without even voicing an objection, people who want to destroy his way of life, prey on his children, and desecrate everything he used to hold sacred.

Alienism even had a hit TV show of its own, *All in the Family*, whose message was that the native American (so to speak — Alienism has awarded even this title to a pet minority) is a bigot and buffoon. Archie Bunker was provided with a live-in moral monitor in the form of a liberal son-in-law, of "ethnic" derivation, who corrected his

grammatical and political solecisms (Archie used double negatives and voted for Nixon and Reagan).

Ronald Reagan himself committed what was in Alienist terms the ultimate solecism by describing the Soviet Union as an “evil empire” and “the focus of evil in the modern world.” He had, in a word, affronted the great embodiment of Alienism on this earth. The Soviet Union is not an evil to liberals; it is an embarrassment. Far more terrible in sheer scale than Nazi Germany ever was, it can’t be allowed to become the focus of the kind of direct moral attention Reagan gave it. It is a “reality” that “we have to learn to live with,” but its stupendous crimes are consigned by liberalism to unreality, and all liberal protest against South Africa and the like is a concerted distraction from history’s supreme moral horror, liberalism’s near relation in Moscow, which can neither be acknowledged nor completely disowned.

Nativism is the belligerent moral self-assertion of the native; Alienism is the subversive insistence that all’s wrong with the world. It can be illuminating to compare them, but they are not exactly parallel: Alienism is more subtle. It can use more discretion in deciding where to strike. One of its principal targets is “capitalism,” a blanket term for a free economy. Just because it is impracticable to attack all economic transactions at once, liberalism issues a general condemnation of “inequality” while homing in on vulnerable points. By calling the overall distribution of wealth unjust, it authorizes itself to call for state intervention anywhere, without bothering to specify the final distribution it would like to see. Private transactions embody “greed”; state pro-grams of redistribution to liberal client-groups represent “compassion.” In good gnostic fashion, liberalism damns the entire material world; but it redeems selected parts through piecemeal collectivization.

Like any political machine, liberalism passes its booty out among favored dependents, in the guise of succoring victims. Its moral pretensions have been so successful, its claims of idealism so unchallenged, that nobody thinks to call the liberal machinery a system of greed and corruption. The *gnosis* comprehensively denies that anyone in a free economic system can ever “earn” or “deserve” his income; to legitimate success in the free market would be to accept the normal, in violation of every Alienist principle — not to mention interest. Liberalism prefers to establish a tacit standard that no capitalist could possibly reach.

One of liberalism’s most successful strategies has been to establish a standing presumption of guilt against the native: his motives are always in question, his racism and bigotry “just beneath the surface.” But the native is forbidden to play this game: if he suggests that certain Alienist forces aren’t on the up-and-up, he “thinks there’s a Communist under every bed.” His bad faith can be inferred from “patterns of discrimination”; he has to make a “good-faith effort” to cleanse himself before Alienist arbiters of good faith.

One of the best studies of Alienist ideology and techniques is Kenneth Minogue’s book *Alien Powers*. It is typical of ideology, according to Minogue, to interpret the whole world under the aspect of power, and every concrete situation in terms of oppressors and victims. A key strategy is to assume a monopoly of both insight and honesty; by this

means the ideologue puts himself in the position of privileged accuser, always judging, never judged. The structure of ideological thought is heads, I win; tails, you lose.

The native American has fallen for this con game. He accepts the most malicious construction of his own words and acts, while extending a courteous benefit of the doubt to his enemies. The motives of the Alienist are never called in question; the native lets the Alienist take his wallet, and doesn't even count the change. He grumbles a little every April 15, but he never makes a connection between liberal ideology, government spending, and his own tax rates. Least of all does he suspect how he is hated by these people whom he is constantly trying to assure of his good intentions. He takes for granted his assigned role as perennial defendant.

Liberalism has succeeded brilliantly in controlling the perspective from which public discussion is conducted. It speaks piously of “the extremes of Left and Right” — i.e., of Communism and Nazism, Alienism and Nativism — while in fact it equates these two extremes only for the tactical purpose of helping one of them: it conceals its own alignment with the “Left,” while assigning its conservative critics to the “Right.”

In the same conversation with my liberal friend that I referred to at the beginning of this chapter, he remarked on how “right-wing” my views were. “I agree with James Madison,” I said. “Is that ‘right-wing’?”

“I suppose if Madison were alive today and held the same views he did then,” he replied, “we’d call him right-wing.”

I suppose “we” would — we liberals, at any rate. I pointed out that the assumption that one has a duty to move “leftward” with history might be a left-wing assumption.

The weary image of left and right wings (if you can even call it an image) conveys very little, and indirectly expresses the perspective of the “Left” itself. What, after all, is the common denominator of constitutional conservatism, libertarianism, fascism, monarchism, and for that matter Shiite Islam, that they should all be lumped together as “right-wing”? Left to themselves, in a world without Alienism, they would have bitter differences. All they really have in common is that they oppose the “Left.” But that is enough. We speak of right and left wings because it serves the purposes of the Left that we should do so.

IV. The Socialist Phenomenon

Whatever its current guise or label, socialism — the political expression of Alienism — has a characteristic shape.

Socialism is the pure expression of Alienism. It rejects in principle the entire current and traditional form of society and insists on total transformation. In order to accomplish this, it must replace consent with unlimited state power

There are those who espouse “democratic” socialism, but they are either fools or time-servers. They refuse to acknowledge or admit that socialism, a system of total coercion, is incompatible in principle with civility.

To say no more than this is to be harsh. Humanly speaking, there is a naïve and excusable form of socialism, a notional socialism that occurs to everyone in certain moods, as when the blinded Gloucester in *King Lear* prays that the gods will punish the rich to teach them compassion for the poor:

So distribution should undo excess,
And each man have enough.

But for some people such a sentiment is the beginning of a political career.

At one time it was plausible to think that socialism could be instituted with just and happy results. The young George Orwell predicted: “The rate of mechanical progress will be much more rapid once socialism is established.” But that was in the Thirties. Today socialism must be fired by different motives.

The best of these motives is a weariness with the world as it is, a world of contention in which there is both surplus and need. One does not have to be utopian to lament this state of affairs; but the error that propels men toward socialism is to blame it all on the forces of production.

The naïve mind sees capitalism as anarchy, “unbridled competition,” in which desire distorts the pattern of distribution. It reasons that the earth is abundant enough to provide for everyone, but that the price system prevents the equal satisfaction of universally felt needs. Supply follows demand. Control demand, and supply will reach its proper recipients.

What this view overlooks is that a price system itself is a way of taming desire. Desire exists in any case; it can be satisfied by rape and pillage, or even stimulated by the opportunity of rape and pillage. The rule of law forces desire to find satisfaction in compromise and consent.

A price system is one mechanism of consent. As Tom Bethell has put it, a price is the point of agreement between buyer and seller. Eliminate such mechanisms, and desire will take other forms than monetary offers. A warrior society or a band of Gypsies may find its own modes of satisfaction, but neither encourages production.

The naïve socialist imagines an abstract humanity in which all desires are more or less identical, and people produce more or less steadily, without such varying motives as the striving for status, revenge, worship, diverse forms of lust, envy — all the things that make this world so messy. The socialist is obsessed with only one motive, greed, which in any case he misconceives and thinks can be both blamed for what ails us and controlled by imposing a certain kind of order. He fails to see that these random motives

are here to stay; furthermore, he fails to see that socialist systems actually give some of the worst motives new scope.

In the Soviet Union, for instance, the lust for power is united with greed in the ruling class, which enjoys privilege along with wealth despite its “comradeship” with the workers whose production it appropriates for its own purposes. The naïve socialist has given little attention, much less indignation, to this kind of exploitation, though the Soviet laborer is a virtual slave, forced to accept the wage set by the state (far lower than the Western laborer’s wage) and forbidden to strike or to emigrate.

The moral prestige of socialism is such that we are still being warned about the excesses of capitalism, even after the extermination of tens of millions of people under socialist regimes. It makes no difference that socialism’s actual record is terribly bloody; socialism is forever judged by its promises and supposed possibilities, while capitalism is judged by its worst cases. It makes no difference, either, that immigration to America peaked during the period when capitalism was freest, its “robber barons” politically powerful and sometimes criminal, or that socialism not only attracts no immigrants but has to hold its native populations captive. Capitalism still has to justify itself before the socialist conscience.

The historical record makes a joke of dictionary definitions of socialism as “government control of the means of production.” The reality is much more comprehensive than that: it extends even to state control of the means of reproduction. China has lately been revealed to suffer not only mandatory contraception, but forced late-term abortion.

True, socialism begins with a command economy. But it doesn’t stop there. It doesn’t, because it can’t. Socialism is by nature anti-civil. A price system is civil, because a price is a compromise between two free agents who are each other’s equals. A command system is uncivil, because whoever commands is imposing his will on the one he commands, and it makes no difference if the strong party calls the weak party “comrade.” Under socialism, some enjoy the position of socialist planners; the rest are stuck with the unenviable role of New Socialist Man.

Not all socialist theorists are fanciful; Robert Heilbroner, for one, has been unusually frank in facing up to what is entailed in the very idea of socialism. Like most of his fellow believers, he envisions (writing in 1969) “a wholly new kind of society, free of invidious striving and built on motives of cooperation and confraternity.” So much for the end; his candor appears in his identification of the necessary means.

Heilbroner is well aware that socialism’s real enemy is the whole way of life of the people it would transform, and he accordingly devotes several lines to discussing “non-economic measures” necessary for hoisting a backward people into the wholly new kind of society:

For the objectives of economic development do not lie, like a military citadel, exposed to the thrust of a single daring campaign. In the contrary, the development assault [*mot juste!*] is better likened to a long grueling

march through a hostile hinterland. The real resistance to development comes not from the old regimes, which can be quickly overcome, but from the masses of the population who must be wrenched from their established ways, pushed, prodded, cajoled, or threatened into heroic efforts, and then systematically denied an increase in well-being so that capital can be amassed for future growth. This painful reorientation of a whole culture, judging by past experience, will be difficult or impossible to attain without measures of severity; and when we add the need to maintain a fervor of participation long beyond the first flush of spontaneous enthusiasm, the necessity for stringent limitations on political opposition and for forcible means of assuring economic cooperation seems virtually unavoidable.

... Some nations, unfortunate in their resource endowment or in their political connections with the industrialized nations, may be forced to undergo a more or less thorough-going totalitarian transition....

In general, however, when we seek to project the problems of socialism in the underdeveloped areas, we cannot sidestep the probability that intellectual stiflement, political repression, and enforced social conformity will figure prominently among them.

It sounds like a forecast — or prescription — of what was to happen in Cambodia in 1975. But Heilbroner leaves no doubt, at the end of his grim cost-accounting, that the dream is worth all the blood:

For taking socialism seriously means more than acknowledging its difficulties as a political movement. It means understanding as well that socialism is the expression of a collective hope for mankind, its idealization of what it conceives itself to be capable of. When the fires [*sic*] of socialism no longer burn it will mean that mankind has extinguished that hope and abandoned that ideal.

Here we have a rare case of a socialist who really lays his cards on the table, explicit in his contempt for both the physical suffering and the cultural loss imposed by the pursuit of the new society. This doesn't require much comment, but we may note that it is typical of the ideologue to treat socialism as a universal aspiration of "mankind," and all the habits, customs, beliefs, and desires that obstruct this putative aspiration as so much dross. Endowed with universalism, the socialist dream acquires its right to imperialism. If it takes purges and forced marches, purges and forced marches there will be.

The history of modern socialism illustrates Burke's dictum that "criminal means, once tolerated, are soon preferred." And yet the thing has somehow kept its moral credentials as the political model of "idealism." We still give its proponents credit for good intentions, instead of condemning their blind arrogance and greed for power over others. We apologize on behalf of human nature for its failure to live "up" to the socialist ideal, instead of condemning socialism for the violence it inflicts on human nature.

We even allow socialists to get off the hook by disowning the actual results of socialism. We let them say that the more grisly results are "excesses" (always to be

distinguished from an essence that somehow is never realized) or that socialism has been “betrayed” when it has only been remorselessly applied.

Various forms of socialism took root in Europe between the wars; to this day the European democracies have powerful socialist parties. But America’s socialist parties have never won more than a tiny part of the national vote. This might lead one to think that the socialist plague has missed us. Unfortunately, it hasn’t.

True, nominal socialist parties have stayed weak. But this means no more than that the socialist label lacks popular appeal, not that the socialist impulse doesn’t exist here. That impulse has merely been forced to adopt disguises and indirect means.

The ideological form of socialism in America has been liberalism; its political vehicle has been the Democratic Party. Unlike what we might call the “wholesale” (revolutionary or at least programmatic) forms of socialism, liberalism is a “retail” form: it brings us socialism piecemeal, dividing politics into discrete “issues” and choosing the collectivist option at every turn.

Modern liberalism is careful not to embrace socialism *in toto*, but it has no way of drawing the line against total collectivization, and doesn’t want to. It condemns as “ideological” any principled opposition to socialism, admires socialist experiments abroad, and treats anti-Communism rather than Communism as the major threat to peace. In any conflict between socialist and anti-socialist forces, liberalism blames the latter if it can plausibly do so. By now its behavior has shown itself so reliable that Europeans matter-of-factly explain to each other that when Americans say “liberal” they mean what Europeans mean by the word “socialist”; this is said not as an accusation, but as a simple translation.

“Liberalism” used to mean devotion to certain procedural freedoms, so that it was a feat of semantic perversity to take it for the cause of coercive collectivism. Even most liberals don’t fully realize what they have done. They prefer to think of themselves as engaged in the expansion of personal freedoms. They therefore use a rhetoric of procedure — civil rights, civil liberties, sexual freedom, freedom of choice, economic democracy — to mask a substantive agenda. They insist that their social-engineering programs are “pragmatic” (no matter how the programs fail or backfire) and deny any overall drift. But under it all, the contours of socialism can be seen.

How? In his book *The Socialist Phenomenon*, Igor Shafarevich points out that “socialism” is only the modern word for a perennially recurrent power formation. Socialist regimes have appeared in ancient Egypt and Mesopotamia, in the Catharite communities of the Middle Ages, in South America under both the Incas and the Jesuits, in Europe after the Reformation, and of course during the last two centuries. They have had a set of common structural features: a concentration of power in the name of equality, the annihilation of individualism, community of wives (also called free love), and the abolition of private property.

Socialism consistently attacks three basic social institutions that, by offering independent bases of action, loyalty, and authority, impede the state's monopoly of power: private property, the family, and religion. Marxism attacks these things directly: it confiscates property, breaks up families, and persecutes worshippers. (It may be forced to come to terms with all three in order to avoid collapse, but in its early phase it tries to abolish them, and it accepts them later only as dependencies — smaller subdivisions — of the state.) Liberalism avoids the direct attack; it prefers to subvert property, family, and religion more gradually, undermining their definitions rather than attempting open violence.

The socialist oversoul that governs today's liberalism may be discerned in the work of that most typical of liberal organizations, the American Civil Liberties Union. For all its rhetoric of resistance to state encroachment, the ACLU hasn't opposed collectivization in the slightest. Members of its national board, in fact, have been Communists, and the ACLU was founded for the principal purpose of advancing the cause of Communists and socialists. Its founder, Roger Baldwin, once averred that "Communism is the goal." He said that the Soviet Union had no need of a civil-liberties organization, since the workers already ruled.

The ACLU eventually began to keep its distance from Communism — Baldwin repented of his pro-Soviet days — but it has always opposed the state as conceived by the Left: the state as servant of capitalist interests. For this reason the ACLU has regularly been on the side of unions, tenants, protestors, and the like against the claims of private property. It has been on the side of sexual deviants, children, and feminism against the privileged status of the family. It has been on the side of unbelievers and deviants against religion and private religious institutions.

All this is not to say that the ACLU is always wrong; only that the structure of its passions betrays its conception as a socialist enterprise. One of the few occasions when it has taken the side of parental authority was its sponsorship of the parents of Walter Polovchak, who wanted to take their unwilling son back to the Soviet Union. And of course many of its clients have been Communists. It has tried to demonstrate an evenhanded concern for free speech by defending Nazis and Ku Klux Klansmen too, but its strategic goal has always been to promote agitation and subversion; besides, no Nazi or Klan member has ever sat on its national board.

In good liberal fashion, the ACLU tries to present itself as conservative: it affects to be "defending our constitutional rights." But its concern for these rights has been purposefully uneven. Though it wants to "expand" certain rights — the "freedom of expression" of pornographers, for instance — it has shown no desire to expand the right to keep and bear arms, or even to defend it against gun-control laws. Nor is it interested in the Ninth and Tenth Amendments as bulwarks against federal expansion. On the other hand, it vigorously supported the Equal Rights Amendment, though the ERA was of course never ratified: proving that the ACLU is not simply engaged in preserving the Constitution as it already exists, but is bent on filling selected provisions of the

Constitution with socialist substance, regardless of the original meaning of those provisions.

And in a broader sense, it is obvious that the ACLU and liberalism in general are not concerned with preserving the actual way of life the Constitution shelters. We may recall Burke's words about those sympathizers of the French Revolution who behaved "as if our Constitution were rather to be a subject of altercation than enjoyment." These are restless people, people not always aware of their own motives, not explicitly aiming at a socialist outcome, but deeply alienated from the normal social affections of Americans and feeling that a compulsion to change old arrangements is in itself a moral virtue.

Such people find it hard to enjoy or appreciate normal social life; they see it all as a perpetual and spreading emergency, in which, if an apocalypse is not immediately looming, we are at least faced with crucial test-cases of our devotion to freedom. If some misfit or malcontent — Communist, homosexual, radical feminist — is not accommodated by law, all our freedoms are endangered. The day-to-day freedoms everyone (including misfits) exercises constantly count for next to nothing. These people take no satisfaction in an overall prosperity: the existence of pockets of poverty, though the poverty is only relative, makes the general wealth a "scandal."

Not only are these people restless; they will allow the majority no repose. We must never congratulate ourselves on what we have already achieved and inherited; if our common possessions have any value at all, they are currently threatened by a Republican Administration, a Moral Majority, or some similar fascist menace. The witchhunt and the Inquisition (though never the Gulag) are always imminent.

The titles of liberal books tell the story by their tone: *The Fate of the Earth*, *The Closing Circle*, *The Population Bomb*, *Our Endangered Rights*, *Friendly Fascism*, *The Second Civil War*. And though the sentimental fashion is for apocalypse, the threat never comes from the socialist tyrannies that rule half the earth; the preferred enemy, as James Burnham has put it, is always to the right. The white race is the cancer of history; the entire male sex is a conspiracy against women; Ronald Reagan has launched a new class war; Nestlé's is killing babies, and Jerry Falwell would deprive us of the right to kill babies.

Liberalism has been in a state of hysteria for two decades, not only because this is its mood but also because it can't imagine a state of equilibrium. It tends constantly toward socialism without even being able to idealize socialism. It is obsessed with process without having a clear vision of nature, of normality. Lacking such a vision, it can't appreciate the good that is right under its nose.

Shafarevich thinks that socialism is driven by a "death wish" — a secret desire for the annihilation of humanity. This may or may not be so, but we have no need of that hypothesis. We can say for certain that what distinguishes the liberal is an incapacity for pleasure in the ordinary rhythms of life. It is hard to imagine a liberal taking enjoyment in the introspection that sustains a Montaigne, aloof from the agitations of politics, fashion,

and competition, willing to be eccentric in solitude and to find amusement in the pageant of human follies.

The liberal may not wish for death, but it is hard for the conservative to understand why he is so anxious for the preservation of a life that liberal rhetoric suggests is always precarious and never fulfilled. Is there never to be a moment for harvest and thanksgiving, for idleness or celebration? Apparently not. Although liberals are intelligent people, by and large, even what we call “intellectuals,” they have a remarkable penchant for causes and slogans in which their individuality is submerged, and whatever powers of expression they may have seem to be sacrificed in a positive aspiration to cliché — as if they feel their ready-made phrases gain authority by repetition. Not only do they form “the herd of independent minds”: they are always in stampede, marching, petitioning, chanting. They are accused of elitism, but they are happiest when they feel themselves part of a surging mass.

In fact one important and malign development in American culture is that the scholar (who lives the life of the mind in relative seclusion from events) has been displaced by the intellectual (who tries to conscript scholarship for mass movements). The intellectual is wrongly seen as living in an “ivory tower”; he is in the streets, an “activist.” The problem is not that the liberal intellectual is critical of America — self-criticism is necessary even to conservation — but that he criticizes by the wrong criteria. He blames America not for departing from her traditions, but for adhering to them. He measures her against the false ideals of socialism, less because he is a conscious socialist than because he doesn’t know how to criticize socialist criteria themselves. They are all he has.

The Jews are a highly self-critical people, but they judge themselves by a centripetal standard: Are we acting loyally? The liberal American, on the other hand, demands of his country not an intensification of loyalty but an attenuation of it. He sneers at the notion of patriotism, demands tolerance for subversives, and wants local attachments to be dissolved in the waters of a generalized concern for “humanity.” American history for him is largely a record of his country’s sins — against blacks, Indians, dissenters. At times it seems that his only identity is a negative one of shame. He is, as I say, alienated — a sort of native alien.

V. The ‘Liberal’ Strategy

*Unlike the rawer forms of socialism, liberalism uses indirect methods.
But its first goal is to concentrate wealth in the hands of the state.*

Socialism is usually discussed in terms of its alleged ideals — “social justice” and the like — and most conservative rebuttal has taken the form of showing that it doesn’t “work”: that is, that the alleged ideals of socialism aren’t realized under socialism. This is true enough, but it is relevant to note that the enthusiasts of socialism have never felt so disappointed as to abandon the dream. For the socialist ruling class, socialism works very well.

Nothing is more obviously characteristic of the socialist impulse than the desire to redistribute wealth. But the end — “social justice” — is less important than the means — the power to control an entire economy.

In its raw, wholesale form, socialism confiscates outright. Land is seized, major landowners are shot, farming is collectivized under state supervision. The produce is taken by the state, which unilaterally sets farmworkers’ wages at a considerable profit to itself. Since there are no competing employers to bid for the workers’ services, the workers have no choice but to accept what they are given. This is, of course, enslavement.

Trotsky appreciated this practical advantage of socialism. When the state is the sole employer, he remarked, disobedience means death by slow starvation. And the Soviet Union actually starved about seven million Ukrainian farmers during the early Thirties in order to implement what Stalin blandly called his “collective-farm policy” against recalcitrant elements.

Those who seek power have a natural interest in creating dependency on themselves. Where limited government and the rule of law prevail, politicians can do this only to a limited extent, through appointments and a certain amount of patronage. In this regard, socialism has opened new vistas: where the state can command a whole economy, it can make millions dependent on it for life itself. It is in this sense that socialism “works,” and the socialist ruler isn’t necessarily inconvenienced by the scarcity the system causes: the more desperate the people, the more they are at his mercy. Why should he want them to enjoy leisure and independent means? In such circumstances rebellions have been hatched.

Liberalism — retail socialism — doesn’t seek the direct confiscation of property; although it furtively admires such policies abroad, it knows they would make bitter enemies and create organized opposition in America. It prefers incremental measures: progressive taxation, redistributive programs of a piecemeal sort, regulations on the use of private property, inheritance taxes. It resents being identified as socialist, and pretends its assorted measures are “pragmatic,” ideologically unrelated to one another. It proceeds gradually, masking the principle involved even as it is consistently guided by principle: at every step it moves toward socialism, and furiously attacks any proposal to rescind its progress.

Liberalism is tactful. Its modus operandi is to anaesthetize its victims. It rarely seizes property that is already physically possessed; it prefers to intercept wealth at the transmission points, through such devices as withholding taxes, so that the owner’s loss is regularized and made painless. It makes good use of inflation: in combination with the graduated tax system, inflation drives the entire population into higher tax brackets without the necessity of a sudden tax increase, “bracket creep” being liberalism’s version of the Invisible Hand; and since inflation makes it hard for people to save for retirement, the elderly are made more and more dependent on Social Security, which can be adjusted upward to keep pace with inflation by the inflaters themselves. The whole system is just a

little too complicated for everyone to comprehend at once, and those who penetrate the fraud, after all, are only a minority of the electorate.

Any politician who is rash enough to challenge the dependency programs can be put back in his place by a spate of fearful demagoguery calculated to terrify and enrage dependent voters. He will be accused of “lacking compassion.” If he tries to represent the interests of taxpayers against these programs (which, if the Tenth Amendment and the *Federalist Papers* are any guide, are unconstitutional at the federal level), he will be accused of representing “greed” and “favoring the rich.” Liberalism, of course, professes to speak for “the poor,” even though, given a choice between the poor themselves and a program whose real effect is to hurt the poor, it will choose the program.

“The poor” are to liberalism roughly what “the proletariat” is to Communism — a formalistic device for legitimating the assumption of power. What matters, for practical liberals, is not that (for example) the black illegitimacy rate has nearly tripled since the dawn of the Great Society; it is that a huge new class of beneficiaries has been engendered — beneficiaries who vote, and who feel entitled to money that must be taken from others. It is too seldom pointed out that a voter is a public official, and that the use of proffered entitlements to win votes amounts to bribery. For this reason John Stuart Mill pronounced it axiomatic that those who get relief from the state should be disfranchised. But such a proposal would now be called inhuman, which helps account for the gargantuan increase in the size and scope of federal spending. Corrupt politicians make headlines; but no honest politician dares to refer to the problem of corrupt voters, who use the state as an instrument of gain.

And nobody identifies this sort of gain with “greed.” To hear liberalism talk (largely uncontradicted by conservatism), greed is exclusively a vice of private people operating in an economy of free exchange. “Compassion” is identified with redistribution by the state. Greed, in short, means capitalism, and compassion means socialism.

Conservatives have adopted various economic and pragmatic strategies for coping with redistributionism. One of the most publicized has been the “supply-side” approach, which argues that the way to maximize revenues is to reduce tax rates to a certain optimum level. High tax rates can be self-defeating even from the tax collector’s point of view. True enough. But the supply-siders made the mistake of thinking they were dealing with economists rather than ideologues. They were arguing that the goose, given a little more latitude, would lay more golden eggs. But the liberals didn’t want the golden eggs; they wanted the goose. It was not a matter of utility but of principle — perverse principle, but principle all the same. Conservatives have to stop being shy about arguing from the opposite principle.

Consider the implications of the word “compassion.” As used by liberalism, it implies that we owe a duty of sympathy, payable in cash through the liberal regime, to total strangers, a duty, in other words, to be discharged through acquiescence in redistributionism. The simplest reply is that the world doesn’t work that way, and it is morally presumptuous to censure nature for that fact. Even kindhearted people take no

satisfaction in beholding the portion of their paychecks that has been taken in taxes, regardless of whether they can infer that some of the money has gone to aid the poor. As far as they are concerned, the money is simply gone, they know not where, and the effort expended in earning it was wasted. A sense of futility ensues — the futility of all action divorced from knowable consequence and purpose. How can they feel compassion for others they can neither know nor see? Who can possibly feel satisfaction when looking at the withheld portion of a gutted paycheck?

There are natural limits to our sympathies, limits liberalism can only condemn, never respect. And there is no reason to credit its attitude with “idealism.” A robin that took worms to every nest in the forest would not be an ideal robin; it would only be an odd bird. And liberals are odd birds. They insist, in effect, that we should be ashamed of ourselves for being unable to feel pity for strangers who, as far as we are concerned, are strictly hypothetical. We don’t even have any assurance that the wealth we lose in taxes is serving its alleged purposes. We are expected to trust politicians (who themselves are not to be confused with Mother Teresa of Calcutta) to act more compassionately than we ourselves would in the normal course of life.

People will not exert themselves for the redistributionist state, and not because they are selfish, but because they are rational. To act is to be purposeful; when a man doesn’t even know what purpose his action has served, he can hardly be said to have acted at all; his effort has been rendered meaningless to him. He is, as the Marxists would say, alienated.

It would be inadequate to say that redistribution reduces profits; it deprives human action of the tangible results that make it even intelligible. Working for money is already a somewhat abstract form of activity; working for money that will be spent by strangers on other strangers means that the worker literally doesn’t know what he is doing.

Any system that disposes of wealth this way is, to begin with, demoralizing to its members. It routinely asks of people an altruism that is not so much heroic as simply unnatural, and it is idle to seek morality in a system whose roots are in fantasy. But positing a fantasy as a norm is a useful device of mystification, and liberalism has gained and consolidated power by alternately imposing new political obligations and releasing people from traditional family obligations, by this means approaching a total politicization of both society and personal identity.

And for liberalism there is no stopping point. As a species of socialism, it can’t draw a firm line against socialism; it can only go on improvising new occasions and excuses for increasing the power of the state. As a form of Alienism, it keeps finding or inventing new exceptions to undermine rules: and it has kept a rich and overfed nation (whose supermarket checkout counters have racks of tabloids full of Miracle Diets) gearing its politics to poverty and hunger. When all else fails, liberal ideologues speak of “invisible” poverty and “hidden” hunger, in a sort of reverse on the Emperor’s New Clothes. Michael Harrington, the great consciousness-raiser in this department, urges us to ignore mere statistics (that is, facts) and “perceive passionately.” We have been taught that we must

tax Peter to feed Paul, even a suppositious Paul; it is hard not to feel that the liberal regards feeding Paul as a mere excuse for taxing Peter. He is not solving problems (they always seem to be worse after he has favored them with his attentions) but creating an ideal order of his own, at whatever cost to reality.

Nor has liberalism acknowledged any limitation on the taxing power. The good Lord asks only 10 per cent, lacking as He does liberalism's ambition. Now, the taxing power is a serious power, since prison terms await tax evaders. Yet the daily press brings stories of the frivolous use of tax moneys, in reports of federally financed research on the love life of goldfish and the like, reports that amuse us, but that also intimate the anarchy of modern government. Anarchy, as Chesterton reminds us, consists not in doing something irregular, but in being unable to stop. And liberalism has no desire to stop.

Mill remarks that progressive taxation is "a mild form of robbery"; Friedrich Hayek points out that it "provides for no limitation" and recommends as a reform that the top tax rate apply to the majority of citizens, so that they will not be tempted to hurt others more than they are willing to be hurt themselves. "I voted for Mitterrand because he promised to make the rich pay," a middle-class French woman lamented to a reporter a few years ago. "Now the government tells us that *we* are the rich!"

George Will insists that we are "undertaxed," an opinion shared only by our elected representatives. To say that is not so much to err as to misstate the issue. The question is not how much the state should tax us, but for what purposes; which is another way of raising the fundamental question of what government is for. Governing, says Oakeshott, is "a specific and limited activity." When the powers of the Federal Government were specific and limited — "few and defined," as James Madison put it — taxes were low. They were held down not so much quantitatively as constitutionally, even, so to speak, philosophically. When the power of government is unfocused and unlimited, its power of taxing will be correspondingly great.

Promiscuous taxation has turned us into a nation of defendants. Not only property rights but the right of privacy and the presumption of innocence have been casualties of the limitless state and its taxing power. Every adult citizen must give a full annual account of his finances to the government, with the burden of proof resting on him if any questions are raised.

This state of affairs ought to enrage us, but doesn't. It evokes no protest from leftist "civil libertarians" who see threats to our precious liberties in public-school prayer. We take for granted the materialist premises of the liberal regime so thoroughly that, although the idea of a religious inquisition horrifies us, the actuality of an economic inquisition, armed to extort highly personal information from us, is second nature. It may be that our horror of the Spanish Inquisition is due less to our love of liberty than to the simple fact that we have become an irreligious people. We accept the huge and frightening apparatus of economic surveillance and enforcement much as most Spaniards no doubt accepted their Inquisition, that is, as an unpleasant institution that is nonetheless entailed in a whole way of life. We acknowledge *its* right to do these things to us.

And yet we don't — not completely. The redistributive regime is at odds with our moral habits, even with our nature, which is why so much menace and power have to be mobilized against us. Tax evasion has become as common as drinking under Prohibition; one survey found that three of every four people questioned would not turn in a tax cheat. And tax shelters — some permitted by the IRS, others more or less capriciously disallowed — have proliferated.

The person who seeks a tax shelter has nothing to be ashamed of. The money, if honestly acquired, is his. He instinctively tries to protect it from absorption in the federal bog, where it would lose its identity, its rationale, and would be channeled to heaven knows what purposes.

The money, in other words, was his *property*; it was “proper” to him. The Framers of the Constitution were emphatically partial not only to property rights, but to the right of acquiring property. One of the great political and legal battles of the eighteenth century concerned the freeing of property from the constraints of primo-geniture and entailment, which had limited the rights of disposition and exchange; “property rights” had truly been, to some extent, rights of property rather than of men. Our “commercial republic,” as it was called, was to honor and protect “different and unequal faculties of acquiring property” — in a word, opportunity.

Property rights are hard to justify or even to explain to those who begin with a utopian disposition, because property is always concrete, here and now, irregular and unequal, even incommensurable. It can't be equated with its market value. Every human being needs to possess something, to have a little area of sovereignty over the material world, in order both to express his will and to guarantee his independence. The power of disposing of matter will belong to someone, and ownership is society's acknowledgment of a continuing right of that power in a given individual. If it is not settled by law and convention, it will be settled by force. Stalin virtually owned the entire Soviet Union — and everyone in it — because there were no property rights. Property is, among other things, a base for freedom; when it goes, freedom perishes.

Socialist rhetoric has done wonders to obscure the nature and positive value of property rights; it implies that these rights, because they are unequal in their effect, are mere expressions of raw power. But in fact they are safeguards against such power. Like all genuine laws and rights, they protect the weak against the strong. They proclaim that what a man owns can't be taken from him without his consent; they prevent the chaos of what Burke calls “a general scramble” for physical possession. It is not the property of the rich and powerful that needs protecting, but the property of the poor, and the right of the poor to acquire property.

Socialism begins its course with an envious campaign against the rich, but it ends, of course, in universal subjugation. The opportunity of acquisition, on the other hand, is conducive to social peace; and Tocqueville ascribed the domestic tranquility of America to the circumstance that property ownership was nearly universal. Everyone had something to enjoy, something to appreciate, something to lose. Burke defended the

English system as an essentially happy one, because “it leaves acquisition free, but it secures what it acquires.”

Most of Burke’s *Reflections on the Revolution in France* is a polemic against revolutionary “confiscation” and a vindication of “the security of property.” Conservatives should pay close attention to the form of his argument. Though he was a fervent champion of the free market (Adam Smith said he found he had nothing to teach Burke, so closely did they agree), his emphasis is always on the *right* to property, the *security* of property, as the basis of free and civilized society, and as the first target of tyranny’s attacks. From that right and that security prosperity flows naturally. But our first consideration is the lawful security of property itself, not the maximizing of wealth. The free market derives from private property. It is impossible without it. Calvin Coolidge said sagely: “The prime element in the value of any property is the knowledge that its peaceful enjoyment will be publicly defended.” In maintaining property rights, therefore, the state is not “doing nothing.” It is doing all it can do for liberty and prosperity alike.

The settled rule of law is therefore like a high credit rating for a whole society. The project of “building a new society” is vain in part because, although the state can destroy suddenly, permanence takes a little more time. The business of innovating, so widely assumed to be a glorious political adventure, is usually a great vice. But in our time innovation has become a sort of venerable custom. Burke and Madison alike would have been shocked at the levity with which modern governments inflate their currencies; sober men of their time rightly recognized inflation as an outright crime, the moral and virtual equivalent of private counterfeiting.

So committed was Burke to property rights and economic freedom that he denounced as immoral government measures to relieve a famine. To his mind this was not callousness but strict political morality. If we disagree, we can at least appreciate from experience the readiness with which departures from principle turn into permanent habits. When the state becomes absorbed in activities not proper to governing, it neglects its essential functions. The crime rate in America — a far worse problem for the poor than hunger — bears witness to that.

It is true, as liberalism says (a little too often), that there are limits to property rights. But what liberalism really means, as its own practice testifies, is that there are no limits to the *violation* of property rights. There is always some excuse — safety, civil rights, poverty — for a new spending program, a new regulation. We have ceased regarding departures from the norm as abnormal. We have nearly forgotten what the norm is.

Redistribution can only consume wealth and dry up its springs. New wealth is created by imaginative men who have the freedom to acquire and use property, and the insight to appreciate the latent value of natural objects. It is the economic imagination — which is entirely beyond the calculations of economists — that turns natural objects into natural resources. It was Henry Ford who created the oil wealth of Arabia. It was Silicon Valley that saw a world in a grain of sand.

The free market is an arena of constant, daily little acts of appreciation, in which people surrender bits of their property in exchange for things they value more. To the socialist mind, this is mere chaos, a riot of maldistribution calling for a firm correcting hand. To the buyers and sellers, it is an ocean of opportunity to fashion their own worlds, domestic empires each with its unique kind of order. It is a riot of happy sacrifices.

There is no reason to idealize the market, but there is every reason to appreciate it. The socialist can't appreciate it, because he can't appreciate appreciation. But the order of the market, with all its irregularity and unpredictability, is better than any order he can envision. He denounces the profit motive, while he thinks of his own power motive as an innocent and even noble thing. In order to prosper as a capitalist, you have to please people. In order to prosper as a socialist, you have to threaten them. That distinction is worth appreciating too.

The market, in other words, is civil: men meet there as free equals. The socialist tells them they are unfree and unequal; he points a gun at them and tells them they are now his equals. And for some reason the wretches are ungrateful.

But the market, even more than the voting booth, is an institution of consent. Nobody has to accept another's price. There, as Kenneth Minogue puts it, conflict is turned into competition under rules of conduct. And this is what socialism finally fails to appreciate. It can only interpret orderly competition as "disguised" conflict or coercion, not as an essentially different thing. It blames the very system that tames desire for inflaming desire. It fails to see that desire is unquenchable; it fails to comprehend its own desires and the conflict it reintroduces into what was civilized life. It seeks to protect by coercing, never dreaming that it is the very thing civilized men need protection from.

VI. Sex, Etc.

There is a political telos in the sexual revolution: the state is to supplant family ties. Sexual freedom is accompanied by limitless political obligation.

The socialist vision of a social order in which all share with all — driven by what Robert Heilbroner calls "new motives of cooperation and confraternity" — is sheer sentimentalism. But the socialist's conception of the alternative — a society of unfettered greed and selfishness — is sheer cynicism. It is perfectly normal for people to share, to take satisfaction in generosity, but they don't do so impersonally, anonymously, through the medium of the state. A man may give a million dollars to a specific child or charity, but he won't leave a single dollar in the street as a gesture of benevolence to the next person who happens to come along. Such undifferentiated bounty is not in our nature, because we are rational creatures (more or less) who like to know what we are doing.

Love makes the world go round, all right, but the love in question is not a boundless love of all mankind — which may be an ideal, of sorts, but is pretty useless as a social norm. In the long run the most reliable kind of love is family affection. This is neither

altruistic nor selfish and therefore eludes the socialist's false dichotomy. A man regards his children as extensions of himself. It is hardly selfish of him to work long hours to provide for them, enduring hardships that would strike a carefree bachelor as an absurd waste of short life. On the other hand, the father's sacrifice is not what we regard as philanthropy, because we understand that he has a certain emotional investment in his children. This common and intermediate kind of love makes up the fabric of society.

Since the Sixties America has learned in the dear school of experience what it would not submit to learn from tradition: that the breakdown of the family means social disorder. We were told incessantly that "poverty causes crime," even as crime rates soared along with general prosperity and special anti-poverty measures. A more telling correlation occurred between crime and illegitimacy, as fatherless young men terrorized the cities.

George Gilder points out that young single men, who make up only 13 per cent of the population, commit 90 per cent of the violent crime. An even more disproportionate number of these men have grown up with their fathers absent. We shouldn't need careful statistical studies to confirm the intuition that children need parents to give them love and to initiate them into the traditions of the human race; anyone who has warm memories of his own parents will shudder with pity for those who miss the primal affections of childhood — surely a worse deprivation than mere relative poverty.

And yet the Alienist disposition is so preoccupied with the hard case that it will sacrifice the family in order to succor the orphan. It is as if the existence of families somehow constitutes an injustice to those who don't have them. Families create what socialism calls "privileges" and "accidents of birth," and result in what socialism sees as "gross inequities." Socialism (including liberalism) is always "correcting for" the family, finding fault with the family, monitoring the family for pathologies (wife beating, child abuse, incest) that can be invoked to warrant state intervention. Children must be accorded "rights" against their own parents, and education must be reformed, on what Chesterton calls "the principle that a parent is more likely to be cruel than anyone else." Sweden has even passed a law against parental cruelty that defines spanking and harsh words as "child abuse," punishable by the state.

In a natural reaction against this, conservatives are prone to glorify the family, as if they had never heard of Agamemnon or King Lear. The truth, as C.S. Lewis reminds us, is that since Adam fell every human institution has had a fatal tendency to go bad. Lewis points to the "savage anti-domestic literature," typified by Samuel Butler's *The Way of All Flesh*, that arose in reply to the Victorian sentimentalization of the family.

But the real fault is not in the family itself. It lies in human pride, egotism, sloth, blindness, and all the other defects that can pervert our most intimate affections and make the home a hell even where there is nothing to provoke the attentions of Swedish social workers. We fail in love all the time. Real love, which has been aptly defined as "practical concern," takes patience, perseverance, imagination, restraint, and simple good manners.

The point is not that the family is perfect but that there is no substitute for it. If parents fail in the domestic virtues, if children choose to misbehave, there is not much anyone can do. No social program could have saved King Lear.

The modern state, in trying to disregard, improve, or supersede the family, has done far more harm than good. Family violence in our time is almost a joke compared with the violence inflicted by the state. And part of the harm done by the state lies in its attempts to “liberate” people from family ties, while increasing its own demands on them.

Santayana remarked that the only thing the modern liberal wants to liberate man from is the marriage contract. And it is true that the liberal passion for sexual freedom seems an anomaly, set against the liberal’s general penchant for augmenting state power at every turn. But Igor Shafarevich has explained the apparent anomaly as an essential feature of “the socialist phenomenon.”

Traditional sexual morality, Shafarevich says, makes the family a locus of loyalty and authority. Sexual freedom breaks down the sacred bonds of kinship and deprives sex of its sacramental character. It profanes. It reduces us to interchangeable units in a mass, and destroys the intricate social structure of particular ties that impedes state power. Every socialist movement has included a campaign for what is variously called sexual freedom, free love, or community of wives. Once in power, of course, a socialist regime may be prudish and puritanical, but this is only because it wants to regulate the populace’s breeding habits and control its general behavior, not because it wants to restore the autonomy of the family. The Soviet regime has conducted an erratic population policy: legalizing, banning, and then again legalizing abortion; promoting birth control, then encouraging even illegitimate births. There is no real inconsistency in these fluctuations: the very phrase “population policy” means that the birth rate has become a subject of state concern — one more production standard to be set by the authorities.

Liberalism may be faintly embarrassed by certain twists in such Communist policies, but it is essentially at home with the whole idea of “population policy.” It looks on the statist approach to reproduction as “progressive,” though it dares to be fully explicit about this only where “backward” nations are concerned. In domestic discussion, the liberal plays down the prospect of state supervision and stresses personal “choice” — in premarital sex, homosexuality, birth control, divorce, and abortion. But he isn’t really indifferent to the choices people actually make. More or less consciously, he is aware that he is promoting some forms of behavior at the expense of others.

Liberals profess, for example, to be “pro-choice” in the matter of abortion, and they resent being described as “pro-abortion.” But when it transpired that Communist China has been imposing not only mandatory birth control but forced late-term abortion, liberal objections were curiously muted. Some openly justified the Chinese policy on the grounds that China has a serious overpopulation problem. (The state, it was assumed, should have the prerogative of deciding when a country is “over-populated” and of prescribing remedies. So much for “choice.”) A group of liberal congressmen even had

an amicable lunch with visiting administrators of the Chinese population-control program.

Again and again we find proof in liberal behavior that “liberalism” is not what it pretends to be. It pretends to be concerned with procedural freedoms; but its concerns nearly always turns out to mask a substantive agenda, the actual substance of which is socialist. This is the key to all the notorious “double standards” of liberal behavior. Free speech is demanded for the subversive of the Left — not, the liberal assures us, because he favors the Left, but because all points of view should be heard. But (as conservatives in such liberal strongholds as the academy and the mass media have discovered) the liberal will often take active measures to prevent “reactionary” views from being heard. Behind every double standard lurks an unacknowledged single standard: promoting socialism.

Consider another apparent contradiction of liberal behavior. The liberal argues for state-subsidized abortion on the grounds that a woman who can’t afford to exercise her “right” to abortion is effectively denied that right. But when conservatives (and those maverick liberals who actually mean what they say) propose a system of educational vouchers that would enable poor parents to choose schools for their children, the liberal community abandons the logic it adopts for abortion. It condemns private education as a “privilege” (while helping to keep it so) or a subterfuge for racism. What emerges from this contradiction is the inference that liberals don’t regard parental choice in education as a serious right.

A further inference is that liberals don’t regard education itself as a parental prerogative. They want public schools to have a monopoly (some of them openly advocate the abolition of private schools), and they want those schools to be rigorously secularized, with religion strictly excluded. What about parents who regard religion as central to education? The liberals’ answer is contained in their stony silence on this question.

The secularized public school, ironically, now enjoys the status of an established church. Everyone has to support it. If a dissenter prefers a different school system, he must pay for that himself, and his doing so in no way diminishes his obligation to support the established system. He can expect no sympathy from the keepers of the establishment — only thinly veiled hostility.

It is instructive to notice when the liberal resorts to the rhetoric of “choice” and when he abruptly drops it. There is a consistency behind his inconsistency. His alleged neutrality about substance tactically serves a body of very positive commitments.

Not that all liberals are fully conscious of a hostility to the family. Far from it. But liberalism inexorably chips away at any preferred status for the family. Its method is not to abolish but to neglect and “redefine.” It will say that our traditional concept of the family is “outmoded” and “unrealistic.” It will “broaden” the concept to include, for example, households of homosexuals — again, professing to be “value-free” when

affirming the right of homosexuals to adopt children. (How can you be neutral about “values” when announcing a “right”?)

The combination of graduated tax rates, inflation, and redistributive programs has had a punitive effect on the family, reducing the personal exemption to a fraction of its original value (roughly one-fifth of what it was worth in 1948). This has made large families prohibitively expensive for many people; the number of working mothers has tripled since World War II. The liberal regime has never said, in so many words, that it opposes large families; but does anyone suppose that it is merely “neutral” about them? Is it anxious to ensure them “equal opportunity” with small families, or child-less couples, or even homosexual couples?

It is interesting to note that New York City was recently found to be subsidizing a special private school for homosexual youths. City officials insisted that the subsidy in no way implied approval. The same officials would insist that even a slight subsidy to a private religious school would fatally compromise the state’s neutrality in religion. The total pattern of liberal concerns tells its own story over the head, so to speak, of all liberalism’s ad hoc justifications of its particular policies.

More and more parents see the public schools as threats to their children’s safety, well-being, and even educational needs. Liberalism’s response has been to tighten its own grip. It accuses parents of “failing” in sex education, for example, and assumes that this constitutes a mandate for the schools to do the job. It may be, of course, that parents also fail in religious education, but here again liberalism switches its logic according to the issue at hand. Parents whose children are economically trapped in the public schools are denied any right to control the curriculum: their attempts to exercise even a veto power over materials selected by teachers is denounced as “censorship.” The minds of the young must be kept under the liberal monopoly, no matter how egregiously the public schools themselves may be thought to fail.

Liberalism has of course had a serious impact on the general culture beyond the schools. The catch-phrase “freedom of expression” has been broadened to cover even the crudest pornography. What began as a campaign for “privacy” — consenting adults, plain brown wrappers, and all that — has become an open overthrow of traditional public morality. It is practically impossible to shield children from raw filth. What used to be called fornication is now a standard feature of popular entertainment, even on prime-time television. The degrees of explicitness vary; the denigration of chastity is nearly complete, however, even where the bodies remain clothed. Americans stand helpless as the cultural pimps go to work on their children.

And once again liberals take refuge in clichés of “choice” and “freedom” that are in flagrant contrast to their usual preference for government control. The liberal who is ordinarily hostile to commercialism and suspicious of the manipulative wiles of advertisers becomes an advocate of utter laissez-faire where the stimulation of sexual appetites is at stake.

What is sad, and horrible, is the crassness of it. At one time the liberal held at least the aesthetic high ground. It was the censor, with his narrow anxieties, who seemed crass, ready to ban from the local library any book that dealt frankly with serious subjects. But it is no longer the banning of *Ulysses* that is in question. No genuinely artistic purpose is served by 99 per cent of the sexual themes of popular entertainment; no Renaissance has come of the baring of breasts in public. It is as if, as the old taboos have fallen, new taboos have taken their place — taboos on the spiritual. Popular culture has adopted a general smirk. If the movies were really candid, they would show people praying, marrying, and having children as well as fornicating; the fornication might at least occasionally result in pregnancy, disease, and the heartache and shame that more than occasionally accompany such inveterate behavior in real life.

Have liberals had any regrets or second thoughts about the sexual revolution? Of course. At the personal level, many liberals recoil from the porn explosion. Some of them must have noticed that the “new freedom” has failed to pay the promised dividends in serious art — that nudity is a distraction rather than an enhancement of aesthetic experience.

But the liberal ideology has no way of accommodating these human reservations. It can only propose more programs, bigger budgets for government research for cures for the latest venereal diseases, new campaigns to “educate” the public about the real consequences of behavior that has now been declared licit. And the remedies are as crass as the malady. The real problem is that sexual freedom has meant, for millions of people, a cluster of debasing addictions.

Socialist utopianism has gone hand in hand with sexual utopianism. Many people who would never buy into the socialist delusion have fallen hard for the sexual one. But the price — in disease, abortion, guilt, frustration, hostility, suspicion, and coarse-ness — has yet to be acknowledged. The feminist movement, with its bitterness against men, is at least an understandable reaction against all the lies of sexual “liberation,” which has been particularly injurious and insulting to women; there was no such movement or general mood in the days when marriage was the norm. A woman was expected to be chaste; and though this was derided as a double standard, it gave woman a special protection against male aggression. There was no confusion about what a lecherous man was asking of her. She had the right not only to refuse, but to take offense at improper advances. If women could be virgins again, there would be no feminism. Women are now fair game for the men who prize them least, and they know it, and they resent it, and they are right; but they also know that to speak of a woman’s “honor” is to sound ridiculously quaint. By the same token, a man’s honor used to consist largely in respect for woman’s; that has changed too. Is everybody happy?

The sexual revolution that was declared in the name of privacy has resulted in a gross devaluation of privacy — the intuition that there are recesses of personality that deserve to be withheld from easy exposure. The more of a thing that can be seen at a glance, the less there is of it in the first place. Human beings are mysteries; they deserve to be respected as mysteries, not stripped open like a cellophane package. Sex is delicate;

it deserves to be handled with delicate restraint and ritual. Society should be organized so as to prevent the tyranny of boors and the prevalence of an easy-sex culture. Young people should be protected from making irreversible mistakes, and taught that love is a career, not a vacation.

People do fail in love, all the time. That is why the essential kinds of love need social support. The problem is that we are currently giving our support not so much to the wrong people as to the wrong side of our nature, the side that wants love on the cheap. We are offering human beings the kind of freedom appropriate to dogs. The “gain” they experience is really part of an overall loss.

We get what we pay for. What is natural — natural to human beings, as distinct from animals — is not necessarily easy, but that is all the more reason to insist on it. The price is high, but the rewards of loyalty and fidelity are priceless. To be a parent is more than a joy; it is to be related to the world in a radically different way from the way of youth, to see another who is not “wholly other,” but a strangely free part of yourself.

Every parent knows this; the wonder is that a knowledge so widely shared no longer forms the heart of our law and culture. It is almost as if parental affection has become a love that dare not speak its name, instead of being the social reality from which all other things take their bearings. To love a child is to love uniquely. It is astonishingly insensitive to denigrate as “privilege” or “accident of birth” the parent’s deep desire to give. From the perspective of the receiver, every gift is an accident. No child asks to be born; life is a gift. The first accident of birth is birth. It becomes the child to learn gratitude for this, though it is best if the parents don’t insist on gratitude.

Of course no parent is perfect. To have a child under the best of circumstances is to court tragedy, not to mention the disapproval of population planners. All one can say is that most of humanity has always found it worth the risks, for reasons that are hard to explain to outsiders, such as the people who write editorials in the *New York Times*. It is as well not to be too calculating about having babies, who will upset all calculations anyway. As Chesterton says, “If a thing is worth doing, it is worth doing badly.” Even King Lear might agree.

VII. Organized Irreligion

The unbelief of socialism is not merely an individual matter. It has a zealous missionary character, and is converting even churches.

In the Catholic Church it takes several centuries for a doctrine to become a dogma. In progressive circles the same process can be achieved within months.

There is no institution from which the progressive is so deeply alienated as from religion — or, as he calls it, “organized” religion, as if religion would be all right if only believers avoided association with each other. He can reconcile himself to the idea of a spontaneous internal belief, provided the believer stands under no ecclesiastical authority.

The enemy, for socialism, is any permanent authority, whether it is a long-standing church or a holy scripture, whose tendency is to put a brake on political power. In fact power and authority are often confused nowadays: the thoroughly politicized man who seeks power can only experience and interpret authority as a rival form of power, because it impedes his ambition for a thoroughly politicized society. But authority is more nearly the opposite of power. It offers a standard of truth or morality that is indifferent and therefore often opposed to current desires and forces, standing in judgment over them. If God has revealed Himself to man, the progressive agenda may find itself seriously inconvenienced.

For this reason, religion is a source of deep anxiety to the liberal. He harps on its historical sins: Crusades, Inquisitions, witch burnings, wars. He never notices that the crimes of atheist regimes, in less than a century, have dwarfed those of all organized religions in recorded history. He sees Christianity's sporadic persecutions as being of its essence; he regards Communism's unbroken persecution as incidental to its potential for good. He warns of the "danger" posed by American fundamentalists (one of the most gentle and law-abiding segments of the population) and is unchastened by the results of "peace" in Vietnam and Cambodia.

Religion offers, *par excellence*, anchorage in a tradition that can't be altered to suit current interests, whereas the liberal wants liberal interests to enjoy a sort of sacred status. He has his own orthodoxy, but it is a floating orthodoxy that requires its votaries to adapt quickly and unpredictably, as new occasions and passions dictate. To adhere to traditional doctrines (as on abortion) is to be "divisive"; the sin of divisive-ness is never imputed to the innovation he would have us adopt at once. He wants to invest his novelties with authority. He wants the church to become "relevant."

The liberal avoids a frontal assault on religion; he has no taste for persecution, even if he turns a blind eye to it when socialists inflict it on those believers he regards as reactionary. He typically expresses his objections to religion in procedural terms: he isn't against religion, he merely favors the "separation of church and state." But here his indifference to Communist persecution gives him away: the very idea of separating church and state presupposes firmly defined spheres for both. Without limited government, the sphere of the church is merely residual, and the state may crowd it out of any area of life the ruling power chooses to usurp, as when the Polish Communist regime invoked the principle of separation to demand the removal of crucifixes from all state classrooms, there being no other classrooms in Poland. (There was no protest from liberals in the West against this campaign of religious apartheid.)

The liberal's ill-disguised uneasiness with religion recalls C.S. Lewis's remark that some people say they dislike Milton's God when they really mean they dislike God. The most the liberal can bring himself to say in favor of religion is that it has given painters and poets and composers some pretty ideas from time to time; that is about as far as his appreciation goes. For the rest, religion in liberal rhetoric usually occupies the role of a dark and backward force, and progress is measured by the distance we have come from the "Dark Ages," the period of churchly ascendancy.

The liberal regime is one of virtual atheism; though it professes agnosticism, as if this were a form of neutrality between belief and unbelief, it constantly enlarges the range of the things that are Caesar's at the expense of the things that are God's. There is never a wholesale rejection of religion, only regular appeals to "pluralism" to justify stripping away features of the Western moral tradition as they offend the progressive agenda of the moment. In this way liberalism keeps the option of retaining what it likes of the Christian heritage, while ruling out as sectarian whatever it doesn't like. The content of "pluralism" in this way becomes a lowest common denominator that is continually reduced to liberal specifications by liberal vetoes. The result is a piecemeal apostasy that pretends to maintain continuity with the tradition it is destroying. Liberalism thus gains a furtive monopoly over the political culture. "Pluralism" serves, on the one hand, as an invitation to (say) homosexuals to make demands on the polity and, on the other, as a prohibition against Christians' doing the same.

Moreover, the current liberal position is asserted to be our constitutional tradition, "the American Way." Robert L. Cord, among other scholars, has shown this to be historical balderdash, since the first Congress after the ratification of the Constitution expressly tried to promote the spread of religion through the Northwest Ordinance, and several states retained their religious establishments well into the nineteenth century. In refusing to create a national religious establishment, the Framers of the Constitution aimed not to exclude religion from public life but to allow it to operate freely, on equal terms with other participants, and with all denominations on an equal footing. The Declaration of Independence itself has openly theological underpinnings. For the Founding Fathers, religion was a genuine way of knowing. That the Federal Government did not profess competence in deciding religious truth was no more a derogation of religion than its refusal to take sides in a scientific controversy would be a derogation of science. Those who say otherwise are reading their wishes into the Constitution.

Consider the endless debate over school prayer. The discussion begins and ends with the problem of the outsider — the occasional Jewish child, the largely hypothetical Buddhist — who would feel oppressed by having either to join the class or to excuse himself from the morning benediction. It is remarkable that the discussion never revolves around the possible *benefits* of prayer, e.g., that the good Lord might actually shower blessings on the children. No thought is given to the needs of piety, the social value of reverence, the sublime joy of adoration. The rights of the minority are of course a fully legitimate and necessary consideration, in some cases decisive, but they are hardly the *only* one.

And we have been so obsessed with the question whether children should be encouraged or pressured to worship that we have totally overlooked an equally pertinent one, namely, whether children should even be informed about religion. It is rather obvious that they should: that without understanding what people have believed, they are disabled from fully understanding history, literature, politics, and even each other. They remain ignorant of an area of concern that by its nature is central to the lives of millions of people. How can a young person even read *Hamlet* without understanding the Christian doctrines and practices involved in the play's references to heaven, hell, purgatory, the sacraments, revenge, and suicide? Is he to be exposed to sex education but

shielded from the beliefs of his own ancestors? Religious education is even a secular necessity. The child who is deprived of it is to be pitied.

The prevailing notion is that the state should be “neutral” as to religion, and furthermore that the best way to be neutral about it is to avoid all mention of it. By this sort of logic, nudism is the best compromise among different styles of dress. The secularist version of “pluralism” amounts to theological nudism. We are not “imposing” our beliefs on others (whatever that means) when we *act* on our beliefs. A culturally Christian society is not “discriminating against” non-Christians when it draws on its own moral idiom in its deliberations; what else can it use?

There is something strained and artificial about forcing ourselves to act as if we didn’t believe what we do in fact believe, just as much as if we were to force ourselves to act on beliefs we didn’t in fact hold. It is a little like speaking pidgin English in case a foreigner should happen to be present. As a practical matter, of course, a man who doesn’t believe in the Bible won’t be persuaded by arguments from Scripture; but this is no reflection on the right to argue from Scripture. The atheist is equally free to argue from his own premises, and equally at the mercy of those who find his premises irrelevant. But a lowest common denominator should not be taken for a universal. Public discussion can’t very well be oriented to the solipsist; a man who doesn’t believe other men exist hardly has a claim on their deference. There are some beliefs so widely shared that, as Chesterton puts it, those who reject them “are not so much a minority as a monstrosity.”

It may not clarify matters much to say that “America is a Christian society.” Many devout Christians will deny it, though they wish it were so; some non-Christians may believe it, while wishing it weren’t so. And if it is true in some sense, maybe nothing is gained by having the state affirm it. Elizabethan England and Byzantine Greece were both Christian societies, but in vastly different ways. The particular way in which Christianity penetrates a given culture is always subtle and hard to define, whether or not it is the official religion. But by the same token, nothing is gained by insisting that secularist “pluralism” is *the* American Way. It may be enough to say that America has a free market in faith. Every pair of interlocutors has to feel its way to the terms of its own special conversation.

There are even different styles of atheism. A visitor to Northern Ireland, appalled by the violence between Catholics and Protestants, asked if there weren’t any atheists. “Oh yes,” he was told. “We have Catholic atheists and Protestant atheists.” The *bon mot* has a serious point: unbelief may have its roots in a former belief and take shape from it; atheism may be a Christian denomination.

A man may lose his faith innocently, by inability to believe. But he may also refuse to believe. If faith is a gift, it is a gift that is sometimes rudely rejected. Atheism as well as religion may be “wish-fulfillment,” Lewis reminds us: and, he sardonically observes, to this day people talk as if St. Augustine had *avored* infant damnation. There is no

simple correlation between desires and creeds, and we are too charitable if we presume that the atheist is always acting in good faith when he rejects faith.

There is such a thing as the pious atheist, the man who comes sadly to unbelief, but with at least some appreciation of what he has lost. An ancient Roman convert to Christianity need not have despised everything in the polytheistic Roman culture; he might continue to love the *Aeneid*, the Pantheon, the old myths and the art they inspired. We are still grateful that the Christians didn't try to obliterate every trace of that culture, in the fanatical spirit that led some Puritans to want to destroy all records of English life before Cromwell's revolution.

A modern man who has lost the faith of his fathers will still, if he is morally sane, treasure the heritage of that faith — not only the art of Dante, Michelangelo, Shakespeare, Bach, and Mozart, but the philosophy, science, law, and general manners that have been generated by belief in a good Creator Who made man in His image and gave His only Son to redeem our sinful race. Only a boor could write all that off as bad or vain.

But there is also such a thing as organized irreligion, militant and bloody-minded, despising the entire past. If you hear *Rigoletto* performed in Moscow, you may be puzzled, as I was, to find that Gilda's dying aria is cut; the problem, it transpires, is that the aria refers to heaven, thus violating the decorum of the official atheism. A small thing like this can piercingly remind you of the horrors that have been visited on countless believers. As Chesterton wrote eighty years ago: "Earnest freethinkers need not worry themselves about the persecutions of the past. Before the liberal idea is dead or triumphant we shall see wars and persecutions the like of which the world has never seen." Only those possessed by the liberal idea have failed to notice.

In America religious people refer to organized irreligion as "secular humanism." The irreligionists scoff at this name, as if it were some gauche backwoods coinage; they forget that they used to use it themselves, as a euphemism for a militant unbelief that pretended its sole purpose was to separate (or segregate) religion from public life on constitutional grounds. Nobody is really deceived any more: the driving motive is hostility to Christianity. Anthony Lewis, the *New York Times* columnist who welcomed the Communist victory in Cambodia in 1975 as representing a "vision of a new society," was much less sanguine about the Religious Right during the 1980 presidential campaign: he saw the political activities and pronouncements of conservative Christians as "unconstitutional" and, yes, "dangerous." He had seen no violation of the Constitution in all the activism of left-wing clergymen over the years; and thereby hangs a tale.

If the American Left doesn't contemplate persecution of Christians, it has found its own alternative: seduction of the clergy. Why make martyrs of people who can be enlisted as allies? And the strange fact is that many of the clergy have accepted this role.

The liberal clergy see no tension between the sacred and the trendy; they virtually identify the two, hailing their own leftist protest as "prophetic" — as if they were defying

contemporary currents of power, rather than being swept up in them. They are embarrassed by dogma; they adapt their theology to politics. It is tempting to imagine them carrying loose-leaf Bibles, from which embarrassing passages about sodomy, fornication, and the subordination of women can be yanked out and replaced by the gospel of gay rights and feminism. Their fluidity offers anything but the kind of permanent truth against which the fashions of the day can be measured; their beliefs, such as they are, derive entirely from secular fashion. They fluctuate between claiming to return to pure and primitive Christianity and dismissing inconvenient parts of Scripture as “culturally conditioned.” For them, early Christianity dovetails nicely with the current radical agenda; and nothing is more plainly “culturally conditioned” than the trendy clergy themselves. They “speak out” against the targets of the Left — the “arms race,” South Africa, Chile — but are careful not to speak out against the Left’s persecution of their fellow Christians. They speak hopefully of “Christian-Marxist dialogue” — a diabolical fatuity best appreciated by imagining a “Christian-Nazi dialogue.” Some Christians were afraid to speak out against Nazism; but at least there was no attempt to find in the Nazi program a fulfillment of Christian social ethics.

Incredibly, even the Catholic hierarchy is beginning to play this game, echoing the secular progressive agenda instead of offering resistance to it. In its denunciations of poverty and prescriptions of collectivism, it forgets that even altruistic materialism remains materialism, and that its primary mission is to promote the saving of souls. There is a core of timidity in all this “speaking out,” a spirit of abdication in all this activism. The doctrine of the “seamless garment” — which holds that if one opposes abortion one must also oppose nuclear war — has ingratiated the hierarchy with the Left, but it hasn’t converted the Left. On the contrary: the Left continues to favor abortion, and the doctrine has been interpreted on all sides (correctly) as a rebuke to the Right. The bishops have weakened their authority by annexing it to “progressive” causes rather than risking embarrassment by continuing to oppose, in any effective way, Communism, pornography, and contraception. It can be exalting to belong to a church that is five hundred years behind the times and sublimely indifferent to fashion; it is mortifying to belong to a church that is five minutes behind the times, huffing and puffing to catch up.

C.S. Lewis says sensibly that Christian politics must come from laymen who are experienced in politics rather than from the clergy, who aren’t, “just as Christian literature comes from Christian novelists and dramatists — not from the bench of bishops getting together and trying to write plays and novels in their spare time.” And Burke, deploring the spectacle of “political theologians, and theological politicians,” comments that

politics and the pulpit are terms that have little agreement. No sound ought to be heard in the church but the healing voice of Christian charity. The cause of civil liberty and civil government gains as little as that of religion by this confusion of duties. Those who quit their proper character, to assume what does not belong to them, are, for the greater part, ignorant both of the character they leave, and of the character they assume. Wholly unacquainted with the world in which they are so fond of meddling and inexperienced in all its affairs, on which they pronounce with so much confidence, they have nothing of politics but the passions they excite.

Surely the church is a place where one day's truce ought to be allowed to the dissensions and animosities of mankind.

Which is in no way to deny the real relevance of religion to politics — provided that religion keeps its “proper character,” not as preceptor of daily policy, but as custodian of an eternal vision of God and man, from which practical policy can take its bearings. “Mankind more frequently require to be reminded than informed,” says Samuel Johnson. One gets the uneasy feeling that the clergy are trying to inform us when they ought to be reminding us, or that they want to posture as bold rebels *à la mode*. Perhaps they need reminding themselves.

Let Chesterton have the last word: “We often read nowadays of the valor or audacity with which some rebel attacks a hoary tyranny or an antiquated superstition. There is not really any courage at all in attacking hoary or antiquated things, any more than in offering to fight one's grandmother. The really courageous man is he who defies tyrannies young as the morning and superstitions fresh as the first flowers.”

VIII. Reds

There is a worldwide symbiosis between the enemies of America and our own native aliens. All sorts of socialists sense their affinity with each other.

Communism is our enemy, because it is the enemy of everything that obstructs its limitless ambition. Soviet strategic literature routinely refers to the United States as “the main enemy.” The official anthem of the Communist regime in Nicaragua calls the United States “the enemy of mankind.” The anti-Americanism of the worldwide Left, even when it is not overtly Communist, is its most characteristic feature.

All this should be so obvious as to guide our foreign policy. And yet liberalism has kept us confused and demoralized in the face of this global enmity. It attacks not Communism, but “superpatriotism,” “the arms race,” and “cold-war rhetoric.”

The issue is not superpatriotism. Even conservatives agree that there are many things wrong with America. The real problem is that the things that are wrong with it are in many cases the things liberalism thinks are right with it.

Communism and liberalism are variant forms of socialism, with this difference: the Communists are unsentimental socialists, whereas the liberals are sentimental socialists. Liberals think the socialist principle can be combined with the civil principle; Communists realize that they are incompatible principles, warring principles, to be numbered among “the contradictions of capitalism” that may be exploited to hasten the destruction of the West. The Communists see talk of “democratic socialism” as “bourgeois sentimentalism.”

To say that liberalism is socialism sounds like an accusation, but it is merely an identification that has been recognized by the Left itself. Michael Harrington has wondered why the Democratic Party, whose major elements are socialist, doesn't simply declare itself openly as a socialist party. The Communists have always counted on the assistance of communistic elements that are not formally Communist.

The word "communistic" may sound Birchite now, but it was used by Marx himself. It is only natural to use adjectives based on nouns to indicate affinity with those things the nouns stand for, as during the Thirties there were fascistic tendencies outside the official Fascist Party. Lenin spoke of "useful idiots." Stalin enlisted socialists and liberals in the Popular Front. Communists today use as resources abroad the "progressive forces" outside the various Communist parties. Liberals still march beside Communists in various "broad coalitions" for "peace," "civil rights," disarmament, and other causes. In the giant anti-nuclear demonstration in New York in June 1982, the liberal press spoke of a "rainbow spectrum" of demonstrators, and the event's organizers said the participants "cut across all ideologies" — but practically everyone present was of the Left, hard or soft. Tom Wolfe and I were there, looking vainly for conservatives, libertarians, Ku Klux Klansmen, fundamentalists, or anyone else of the "Right." Instead, we found only liberals, Communists, Communist-front groups, Trotskyists, feminists, gay-rights activists, and the like. Since, according to the organizers, nuclear disarmament is a universal interest, transcending all political philosophies, it shouldn't have been a particularly leftist event. Even neo-Nazis should oppose nuclear war; even Klansmen should be averse to annihilation. But of course it was tacitly understood on all sides that this was a leftist event, and nobody opposed in principle to any sort of socialist order saw any point in joining the march.

Liberals never acknowledge the affinity between themselves and the Communists that the Communists acknowledge. In fact, they never acknowledge *that* the Communists acknowledge it. They treat it instead as an exclusively "right-wing" delusion.

The West needs not only weapons against Communism, but clarity about Communism. And it is clarity that liberalism prevents. Liberals don't want an arms race: they say we must fight ideas with ideas. But when a conservative President uses even hard words about the Soviets, words that do no more than take Lenin at his word, he is guilty of "cold-war rhetoric," "stridency," "bellicosity," and "provocation." His words themselves are taken as acts of aggression. Official Soviet vituperation against the West, meanwhile, is dismissed as harmless rhetoric. What liberalism really opposes is precisely clarification in our minds about the principles at stake between East and West. Such clarification would help the West.

Liberals have long since given up trying to idealize the Soviet system; their current preferred tactic is to speak of it as a "reality" we must learn to live with. But they are averse to realism about this reality. Even to speak realistically of the Soviet Union is to "provoke" the Soviets. Refugees from countries ruled by right-wing regimes — Chile, South Africa, Nazi Germany — are recognized by liberals as authoritative witnesses; but refugees from Communism are dismissed as imbalanced and embittered, actually

disqualified as witnesses by their very experience. Even Solzhenitsyn gets only a grudging hearing from liberals.

No liberal would speak of “victims of Communism.” The armed borders, the persecution of religion, and the total annihilation of property rights are not among the topics of liberal protest. Liberals don’t seek economic sanctions against the Soviet Union; in fact they favor East-West trade, which incidentally is attractive to Western investors for an ironic reason: since wages in the Communist world are set by the state, not by the market, Communism offers the capitalist the very thing Communism was supposed to abolish — cheap labor, costing less than its real value, the workers having no recourse but to take what they are offered. (When non-socialists impose such conditions, it is called “exploitation.” When done under socialist auspices, it seems acceptable to liberals.)

All this is not to suggest that liberals *like* the Soviet system. Their attitude toward it is peculiar. They see it as a sort of death-god, a Moloch, that must be constantly appeased and propitiated, never angered. Moloch is beyond morality. He is a “reality,” which it is not our place to censure. That only makes him mad. And a good roar from Moloch sends liberals scurrying, indignant not at him, of course, but at whoever “provoked” him. Death, for thoroughly secularized people, is the final reality — not heaven, not even honor — and a power that can inflict death on a huge scale becomes a sort of ultimate from which it is prudent and even imperative to take one’s orientation. If the Soviet Union no longer offers paradise, at least it can threaten us with hell.

This probably accounts for liberal deference to the Soviet Union, along with many of liberalism’s rhetorical tactics. In some ways the liberal wants to equate the U.S. with the USSR: Soviet rulers are called “leaders,” rather than “dictators” or “strongmen” — the opprobrious terms applied to despots of the Right. Standard phrases like “the arms race” and “the two superpowers” imply moral symmetry between the two countries. On the other hand, liberals discourage defense and security methods that would make us as “bad” as (read: as effective as) the Soviets — even though liberal rhetoric generally implies that we are no better in the first place. There is only one principle of consistency here: the tactic being used at a given moment is the one best suited to Soviet interests at that moment.

If liberals don’t speak of victims of Communism, they speak of Communists themselves as victims. Domestically, of course, there are the “victims of McCarthyism.” (We should note that those who most loudly insist on Alger Hiss’s innocence are those who would be least offended by his guilt. That is probably what they mean by innocence.) The Soviet Union itself is also seen as a victim. It lost, allegedly, twenty million people in World War II, which made it afraid of war. (It really did lose more than that number under Stalin, but this hasn’t made it afraid of Communism.) It feels “encircled by hostile forces.” (It is always hostile to adjacent countries outside its control.) It is frightened by Reagan’s bellicosity. It saw its invasion of Afghanistan as “essentially defensive.” The United States sent troops into Vladivostok in 1918. And so forth.

The political liberal's tendency to "blame America first" has its counterpart in religion. The liberal (i.e., disaffected) Catholic blames his own church for maintaining uncompromised differences with the contemporary world; when the world and the Church come into conflict, he not only deplores the incompatibility but censoriously ascribes it to the intransigence of those who insist on retaining the core doctrines that give Catholicism its identity. As James Hitchcock shrewdly remarks, such Catholics see themselves not as the Church's missionaries to the world but as the world's missionaries to the Church; it is the Church that stands in need of conversion. In the same way, political liberals see "hard-liners" within America as the obstacles to global peace. They recognize no core of American principle as sacred, as beyond the possibility of being sacrificed to international socialism.

Although liberals call the Soviets "paranoid," they don't mean this as a criticism. It is merely a condition, eminently understandable, and it behooves the United States to act with "restraint" and avoid "overreaction" to the latest Soviet invasion. Liberals give the Soviets the benefit of the doubt on every question: the attempt to kill the Pope, yellow rain, arms-control violations, the shooting down of a civilian airliner. These are issues of fact, and it is easy to try to disguise an evaluation as an empirical judgment: conservatives may be too ready to convict the Soviets in every instance. But liberals are too ready to exonerate them. Again, the debate about whether Alger Hiss was a Communist was really a debate about the merits of Communism.

It has become a cliché of liberalism that the Soviets "no longer believe in their ideology." This is rather like saying that the later Borgias had lost their innocent faith in Machiavelli. True, Mikhail Gorbachev doesn't lie awake nights wondering whether the Marxian labor theory of value holds water; the question pretty obviously doesn't interest him and his colleagues. The point is that the Leninist techniques of subversion and amassing power work very well. And the Marxist ideology "works" as a device for demoralizing non-Communist societies, for enlisting support among them, and for lending an aura of legitimacy to the Soviet system itself.

Communism has a genius for finding the secret nerve of self-doubt in any society. It is not reliant exclusively on believing Communists; it owes much of its success to non-believing non-Communists who accept its critique of their native societies. Governments are often unjust; men are often greedy and selfish; religion is often practiced hypocritically; families often fail. If people can be induced to judge their institutions against utopian (and therefore irrelevant and destructive) criteria, the process of subversion is well under way.

Communism depends, in other words, on disaffected and restless men who seek political solutions to ill-defined problems. As the family was sentimentalized in the nineteenth century, so the state is sentimentalized in the twentieth. Despite mountains of evidence — in the form of mountains of corpses of people slaughtered by states — this prejudice in favor of solving problems by politicizing them persists. And we are still being warned that the robber-baron capitalist is the clear and present danger to human happiness.

Whether or not the Soviets still believe in socialism, the liberals do. They have abandoned the claim that socialism “works,” but they still find everything else morally intolerable; but then the real driving motive of socialism has never been empirical anyway, despite its scientific pretensions. Liberals still project socialist “aspirations” onto every oppressed people. If there appears to be a Soviet interest in some Third World trouble spot, the liberal reflex is always to deny that it is decisive and to insist that a given band of Soviet-backed rebels is “indigenous.” Of course a leftist insurrection *may* be indigenous. The point is that Soviet meddling may tip the balance, in the way that stuffing a ballot box may decide an election. Liberals object to American meddling broad, and they have no difficulty imagining that it may succeed in “destabilizing” a given regime. They impute the fall of Allende in Chile to covert action by the CIA, not to indigenous discontent. The approving term “indigenous” is never applied to anti-socialist forces.

To put it another way, liberalism today acts in coy partnership with Communism; it invokes its procedural freedoms almost exclusively for the purpose of advancing the Left. The free speech of Communists in free countries is a liberal passion; the free speech, religious freedom, and right to vote of people within the Soviet bloc are not even liberal concerns. The double standard has ceased being a flaw of liberalism and has become its very essence.

Liberalism has turned into a component of a larger and looser version of the Popular Front. Outside the United States, and often within, the strategic targets of Communism are also the targets of liberal indignation: Vietnam, Chile, Iran, Rhodesia, Nicaragua, South Africa. Liberal moral outrage against “corrupt and repressive” regimes ceases when Soviet objectives are achieved. Once a “progressive” regime is installed, it is measured against neither utopian standards nor even those of common decency: liberals award it the status of a “reality” and urge us to “normalize relations” with it, which means, for openers, not saying harsh things about it. Even to criticize it is to “try to impose our standards” on it. Socialism covers a multitude of sins. The moment a country goes socialist, it ceases to be a target of withering moral judgment and enters a state of complete exemption from liberal criticism.

In practice, though this is never openly admitted, liberalism divides the world into two broad zones: what might be called the “zone of morality” and the “zone of reality.” There is no moral continuity between them, since moralizing stops at the borders of the latter. The two zones correspond roughly to what Soviet strategists call the “zone of war” and the “zone of peace.” In the zone of war — the areas outside Soviet hegemony — everything is up for grabs, eligible for subversion and open aggression. Soviet conquest, domination, or alliance moves a country within the zone of peace, where no challenge to state power is tolerated. As Leonid Brezhnev put it, “What we have, we keep.” And Soviet territorial claims, as Jean-François Revel observes, are the only firmly assured property rights left in this world. Certainly those claims are never questioned by liberalism, which excludes those under Communist power from its lengthy list of “oppressed peoples.”

The pattern of liberal behavior is so clear and consistent that it is almost laughable that liberals should resent the accusation of Communist sympathies. As I said earlier, they have been making in practice a distinction they vehemently deny in principle — the distinction between “authoritarian” and “totalitarian” regimes — for many years. Since the fall of Hitler, they have regularly attacked the authoritarian and supported or excused the totalitarian. Even while Hitler lived, George Orwell noticed that the leftist intellectuals “want to be anti-fascist without being anti-totalitarian.” Of course it is a foolish mistake to suppose that the liberals are all working for Moscow. But once you grasp that they are working *with* Moscow, everything falls into place. They conceive of themselves, and ideally the entire West, as having a relation of partnership with the Soviets; hence their frequent use of words like “dialogue” and “cooperation” and the phrase “areas of common interest.” They never looked for common interests with Hitler; they never speak of setting aside our differences with South Africa.

Communism is not merely “another form of government.” It is the first in modern history to have the ambition not only to govern society, but to change it to its roots, even to change the nature of man. This is what we mean by the clumsy word “totalitarianism.” Before that word was in currency, a Western observer who had lived in Russia for half a century was struck by the novelty of Communism in this respect. In *Russia Today and Yesterday* (1930), E.J. Dillon wrote:

It never occurred to the most iconoclastic of the French revolutionists to do away with the conception of the family or of the wide-ranging power of the father as head of the family, to abolish marriage, to modify the current idea of property, or the many implications of these principles. The French Revolution was careful to preserve intact all these institutions, and to strengthen and spread them, and even to religion itself, which at first was jibed and scoffed at, certain important functions were allotted in the regenerate state. And all these symptoms of conservatism in the midst of a tremendous upheaval were consecrated in Chateaubriand’s overrated but highly seasonable book *Le Génie du Christianisme*.

Bolshevism, on the contrary, is first of all a relentless destroyer of the roots of past culture, religious, social, pedagogical, and also of those champions of that culture who remain true to it, refusing to be converted and live. The Bolsheviks created the new woman, endowed with full power over her body and her mind, and annihilated all the “crimes” against morality which still figure in our superannuated penal codes, and they turned marriage into an experiment capable of being renewed whenever the parties feel inclined to try their luck again, and abolished sexual honor. Between the two movements, therefore, there is no root likeness. They differ in all essentials.

The sin of liberalism is its refusal to acknowledge that the entire Communist project is monstrous. When, in 1975, Anthony Lewis of the *New York Times* wrote about the victorious Communists forced-marching three million people out of Phnom Penh, many of whom died along the way, he surmised that the Communists were acting on a “vision of a new society” — and he meant this not as an accusation, but as a justification. Even more telling, he avoided using the word “Communists.” Liberalism never holds the historical record of Communism against a new Communist regime; whereas the very

adoption of a swastika would be enough to earn a new regime condemnation from all sides, the flourishing of Marxist-Leninist symbols guarantees a new regime a favorable reception from liberals.

There is no serious Communist presence in American politics. But there is a serious communistic presence. The cancer of socialism has metastasized among us. As liberals say, labels are misleading; and the most misleading label of all is “liberalism,” which is what we have been taught to call the thing that teaches us to judge everything, including socialism, by socialist standards.

IX. Minority Rule

The Supreme Court has completely inverted the original role of the judicial brand. It has come to wield the sort of arbitrary power it was intended to check.

In January 1973, the United States Supreme Court handed down the most astonishing ruling in its history: it effectively struck down as unconstitutional the abortion laws of all fifty states.

This ruling made abortion on demand a fact of life in America, and abortion clinics sprang up across the nation overnight. An enormous new grass-roots political movement sprang up in response. The controversy over abortion has been one of the most heated and bitter in the annals of American politics. After all, the Court acted in defiance of a deeply rooted part of the Western moral tradition. Yet liberals expected the nation to acquiesce instantly and condemned anti-abortion protest as “divisive.” The entire pro-life movement, which until *Roe v. Wade* had generally prevailed through the normal legislative process, was accused of trying to “impose its views” on the country; liberals made no such charge, however, against the majority of the Court, which had committed an exercise of what Justice Byron White, in his dissent, called “raw judicial power.”

There was a further irony in the Court’s ruling. Precisely because the substantive issue of abortion aroused great moral passion, the procedural oddity of the decision attracted little notice. The Court had struck down the laws of all fifty states — not only the most restrictive, but even the most permissive. This was far more sweeping than its famous ruling in *Brown v. Board of Education*, which affected the laws of only a dozen states, and had far more popular moral sentiment on its side.

In *Roe*, as opposed to *Brown*, the Court virtually held that every state legislature in the nation had acted in violation of the Constitution. This had a remarkable implication: it meant that none of the states had understood the original agreement among themselves. All had been acting inconsistently with the federal social contract without knowing it until, of course, the U.S. Supreme Court set them straight.

But that was not all. The Court’s own constitutional qualms about legal restrictions on abortion were themselves a novelty. One would think there might have been earlier

qualms — at the time the abortion laws were first passed in the nineteenth century, in legislative debates along the way, in scholarly articles in the law journals, in earlier lower-court rulings. But apparently there were none, ever. The abortion issue had been debated on its substantive merits, but never in terms of constitutionality.

So *Roe* in effect held not only that popular and legislative majorities had always been wrong, *but that no minority had ever been right*. That was the measure of the Court's arrogance. "Discovering," in its anfractuous way, a "right of privacy," which itself is nowhere explicit in the Constitution, the Court found the "right" to abortion in the "penumbra" of this phantom — and swept away a whole century of diverse legislation whose common denominator was a minimal regard for the personhood of unborn human beings.

If the subject had been less inflammatory than abortion — if, say, the Court had struck down the traffic laws of all fifty states — our primary attention would have been given to the formal absurdity of the Court's claim to have discerned the true meaning of the Constitution for the first time. *Roe* marked the pinnacle of the Court's assumption not so much of unique expertise as of oracular authority.

It might be supposed that the Constitution was singularly opaque, if its meaning could elude so many generations of citizens, legislators, scholars, and judges. And it might be wondered how the Court was able so suddenly to achieve true insight into that deeply hidden meaning. But although the Court's reasoning seemed dubious even to some liberal scholars who themselves favored legal abortion as a matter of public policy, the ruling stood. For like so many of the Court's flashes of constitutional vision, *Roe* happily coincided with the current liberal agenda, which mandated abortion on demand.

For a generation the Court implemented the liberal agenda on social policy in the name of preserving (or somehow "expanding") constitutional rights. It struck down legislation or simply dictated policy in the areas of public-school prayer, aid to private schools, racial segregation, police arrest procedures, legislative districting, pornography, birth control, and abortion. Apart from *Roe*, the Burger Court has generally avoided radical innovations, but it has generally conserved the radical innovations of its predecessors, qualifying some of them without contradicting any of them. This practice has only increased the public's confusion about the Court's role, but it has been purposeful: a Court that accused its predecessors of simple error would damage its own institutional authority, just as a pope who repealed a dogma defined by the previous pope would damage the authority of the papacy. From the Court's point of view, it is better strategy to pretend that the Court has maintained an overall consistency than to acknowledge that (to take the obvious example) the Warren Court bequeathed the nation a substantial body of bogus constitutional law.

What has made this mess possible? One factor is that the liberal community, so powerful in the academy and mass communications, has run interference for the Court as long as the Court has promoted the liberal agenda — especially those parts of the agenda that would have a hard time getting through the legislative process. Liberals in other

branches of government have been happy to have the Court performing this service, thus sparing them the risks of advocating legal pornography and abortion before the voters. It is much easier for them to shrug that the “interpretation” of the Constitution is the Court’s prerogative under the Constitution itself, and to tell angry constituents that it would be improper for the legislative branch to interfere with the independence of the judiciary.

In addition, Americans have become sadly ignorant of their own Constitution and abjectly deferential to the supposed expertise of the Court. They have accepted the judicial mystique and the crippling ground rules it imposes on them. Most of them are totally unaware that the Constitution was intended as a social contract to which any citizen might appeal, that their own ancestors regularly adverted to it in legislative debate, and that it is only recently that it has been supposed that the interpretation of the Constitution was the special preserve of the judicial branch of government.

But thanks to the judicial mystique, American self-government has been seriously eroded. Major changes in our way of life (the omnipresence of pornography is testimony enough) can now be imposed by a body of nine unelected officials, answerable to nobody. Not only is the Court spared the necessity of facing either the voters or a reappointment proceeding: its members are nearly unremovable. The so-called “checks and balances” hardly inhibit it at all, since few citizens, even among conservatives, have the stomach for impeachment proceedings against an individual Justice, let alone against a majority of the Court. There are no day-to-day mechanisms for correcting the Court’s errors, real or perceived, corresponding to the veto or the votes to override that enable the executive and legislative branches to control each other’s individual acts. Far from having “separate and equal” status with the other two branches, the Court enjoys a kind of superiority, even supremacy.

Congress, it is true, can limit the Court’s appellate jurisdiction, but this too is an emergency measure it is properly reluctant to invoke. Besides, as I already said, the Court’s course has served interests shared, openly or furtively, by many congressmen and senators: by a gentleman’s agreement, the Court has done the dirty work of the liberal agenda.

The Framers of the Constitution envisioned a far more modest role for the Court. In the *Federalist*, Publius assures us that the judiciary will be “the least dangerous” of the three branches of the Federal Government, since it is to have “neither FORCE nor WILL, but merely judgment.” But times have changed. Thanks to the principle of *stare decisis* (the authority of judicial precedent), Supreme Court rulings can be undone only by the equally unlikely means of self-reversal or constitutional amendment. A ruling therefore has nearly the force of a constitutional amendment, since lower courts are obliged to follow it. It is still sometimes objected that *stare decisis*, a sound principle of common law, is inappropriate to constitutional law, as Publius would probably agree, since it gives a ruling the character of will and makes the Court’s reasoning (“judgment”) secondary or irrelevant. It identifies the Supreme Court’s interpretation of the Constitution with the constitution itself, and obliges lower courts to defer to the High Court’s interpretation

rather than do their own reasoning. *Stare decisis*, in short, gives the Supreme Court something more than “judgment,” and also deprives other parts of the judiciary of the same judgment that Publius tells us belongs to them too.

Publius even implies that the executive branch is within its rights to refuse to enforce a dubious ruling by the Court. In soothing apprehensions of judicial power, he points out that the judiciary not only lacks real power itself but “must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments.” He could hardly have meant that the executive arm would be acting improperly if it refused, as Andrew Jackson later did, to implement a Supreme Court decision.

Something else has happened to enlarge the Court’s power, which Publius could not have foreseen. Since 1925, the Court has used a dubious interpretation of the Fourteenth Amendment in “incorporate” the Bill of Rights into state constitutions. In a progressive and piecemeal way, it has held that the states are bound as much as Congress to observe the separation of church and state (though this is not a personal right), the free exercise of religion, the freedom of speech and of the press, the privilege against self-incrimination, and so forth. (It is an interesting anomaly — and a tip-off to the ideological motivation of the “incorporation” process — that the Court has not required the states to respect the right to keep and bear arms.)

By means of the incorporation doctrine, the Court has assumed a wide power to strike down state and local legislation. And in fact it strikes down state and local laws about a hundred times as often as federal legislation. (This is another tip-off: the states, unlike Congress, have no ready means of striking back at the Court even if they want to.)

And so the Supreme Court, conceived originally as a *check* on federal expansion, has turned judicial review into an *instrument* of federal expansion. Since the New Deal especially, the Court has materially assisted the centralization of power and the weakening of the original federal system. Publius would be aghast.

Furthermore, though the fact is seldom noticed, the Court’s recent career is even more remarkable for the federal legislation it has let pass than for the state and local laws it has struck down. The clear implication of Article I, Section 8, in conjunction with the Tenth Amendment, is that Congress is essentially limited to the powers explicitly conferred on it in the Constitution — or why enumerate them? The meaning of the Tenth Amendment has been debated endlessly (and there is some room for latitude on the question whether Congress can be strictly limited to its explicit powers), but it is unreasonable to suppose that Congress was to be able to assume new powers at its pleasure. Publius, after all, points out that the powers of Congress are “few and defined,” while the powers remaining to the states are “numerous and indefinite.” Yet the selective inaction of the “activist” Court has made the Tenth Amendment nearly a dead letter. Congress now legislates about anything it is in the mood to legislate about.

This means that the original federal system is now in ruins. The Tenth Amendment was more than an afterthought; in fact it is logically prior to the first eight amendments.

(Willmoore Kendall described the First Amendment as nothing more than the Tenth Amendment as applied specifically to the areas of religion and speech.)

It is worth recalling Publius's apprehensions about the Bill of Rights. He argued that a bill of rights might be necessary under a monarchy or despotic form of government, in which the powers of the state were general and unlimited, and freedom could only be achieved by specifying a few exceptions to this power. But under a free government, which had only such powers as were explicitly conferred on it by the people, freedom was the rule and those powers were the exception. If the government had no authority to regulate the press, he argued, it was superfluous to stipulate that the government must respect the freedom of the press: "For why declare that things shall not be done which there is no power to do?" Such rights would confuse people about the basic presumption that the government did *not* have a general and unlimited power, by implying that it did.

Such objections were taken seriously, and the Ninth and Tenth Amendments were framed to meet them. As Kendall says, the Tenth contains in miniature the whole theory of the Constitution. Its desuetude is a constitutional calamity. The Federal Government now has a general and unlimited power, to which the Bill of Rights offers only a handful of exceptions. Under the original plan, the creation of a socialist regime in Washington would have been impossible; now it can be voted, or smuggled, into existence.

Most Americans have only a vague knowledge of the Constitution, and they tend to identify it with a few provisions in the Bill of Rights as construed by liberal Justices and publicists. The liberal interpretation is so thoroughly established that even a Justice as conservative as William Rehnquist can't challenge it except in a few details. No reform is possible without a virtual renaissance of constitutional understanding. To put the problem in a few words, the Constitution is now widely identified with its corruptions.

But all is not lost. Scholarship has made inroads against the liberal misconstructions, and even some liberal scholars, including Leonard Levy and Raoul Berger, have helped recover the intentions of the Framers. Levy has found that the Framers conceived the freedom of speech far more narrowly than Justices Black and Douglas did; Robert Cord has found the liberal Court's understanding of religious establishment equally unhistorical. Berger has shown beyond any serious question that the liberal Court has played fast and loose with the Fourteenth Amendment. And in general the realization is spreading that the liberal interpretation of the Constitution has been profoundly anachronistic.

Even so, there are still those who insist, when all else fails, that the intentions of the Framers are irrelevant. Levy himself attacked Berger's book on the Fourteenth Amendment, accusing Berger of desiring to be ruled by "the dead hand of the past." The usual ploy is to say that the Constitution, that marvelous thing, is "a living document."

The purpose of such evasions is to license the judiciary to exercise its will, rather than the "judgment" contemplated by the Framers. It is essential to the rule of law that law be predictable. But it is equally essential to the liberal agenda that the Justices be free

to rule capriciously, to “expand” our rights, to “broaden” our protections, to “discover” new implications in the “penumbra” of our established liberties. The judiciary’s great achievement in our time has been to turn the great and permanent charter of American government into an instrument of utterly unpredictable inventions. Justice William O. Douglas even confessed that he would rather create a precedent than find one; he said that his opinions were guided by his “gut.” Given all this, it is not too surprising that nobody knows what our supposedly “fundamental” law is going to mean tomorrow.

And yet we are constantly being congratulated (by liberalism, of course) on our gains under the new regime, which is both wonderfully liberated from the dead hand of the past and yet somehow endowed with the spirit of the Framers. Most Americans, including highly educated ones, don’t appreciate the federal system well enough to appreciate the real loss involved in this supposed gain. They fail to see the way the federal structure supports liberty and therefore fail to see the loss of liberty entailed in the dissolution of that structure and in the federal arrogation of nearly total power.

This has important practical consequences. The level of federal spending, our oppressive tax rates, and our constant budget crises all flow from the removal of effective limits on federal power. Most of the money spent by the Federal Government is appropriated for purposes (“social programs,” as they are called — a phrase incongruous with the language of the Framers) that have no positive authorization in Article I of the Constitution. Publius would say that Congress is constantly acting *ultra vires*. Having forsaken constitutional limitations on congressional power, we are forced to fight difficult battles against its greed and profligacy, most of which we are doomed to lose. Our “budget crises” are really on an aspect of a protracted constitutional crisis.

What is worse than popular ignorance of the Constitution itself is the simple surrender of common sense. If people remembered what they were taught in school, they would realize that the Constitution is an instrument of popular self-government, and not the proper possession of technicians, specialists, and mystagogues. They would know, for instance, that the freedom of speech was never supposed to include hard-core pornography and topless dancing. But we are so used to deferring to accredited experts in every walk of life that it is only natural, in a baneful way, that we should entrust our self-government to someone else.

In the most famous number of the *Federalist* — No. 10 — Publius considers the commonest fault of popular government: its propensity to “the violence of faction,” or what we would call special-interest politics. Some have managed to read this paper as an actual celebration of special-interest politics, though Publius calls it “this dangerous vice.” His ideal is the “enlightened statesman” who is actuated by “patriotism” and devotion to “the public good.” But he knows human nature too well to rely exclusively on “moral [and] religious motives.”

He therefore argues that the constitutional plan is designed to filter out the influence of special interests in various ways, so that the system will tend, in its legislation, to express “the deliberate sense” of the nation, rather than the “passions” and “interests” of

factions. The design is a subtle one: though it allows for majority rule, it is also so constructed as to produce rule by a certain *kind* of majority, as Kendall keenly puts it. This is a large-minded majority, a public-spirited majority, a body united not by narrow interests but by loftier considerations. Far from trying to construct a sort of legislative contraption that will automatically produce good results by letting one faction cancel out another, Publius thinks that the Philadelphia plan, which “presupposes” certain estimable “qualities in human nature,” will tend to elicit patriotic rather than factional motives in citizens.

It is from this point of view that we should regard the passages on judicial review in No. 78. Publius there denies that judicial review implies “a superiority of the judicial to the legislative power.” It means, rather, that “the power of the people is superior to both.” But “the people” in this case is the people who have framed their Constitution as their fundamental law. This people, we might say, is an abiding majority, a permanent majority, whose constitutional consensus is superior to any momentary act of a current majority in the legislature. And so, when a court finds that a legislative act is inconsistent with the greater law that “We, the People,” have ordained, the court, in striking down that act, is not expressing its own will, but deciding in favor of the abiding majority against the current majority. In this sense, judicial review is one more safeguard against “faction.”

Unfortunately, the two-party system is to a great extent the triumph of faction over the Philadelphia plan. Because the Supreme Court since Roosevelt has been largely a complaisant accomplice of special-interest politics, we are burdened with a huge body of laws and concomitant taxes that embody “the violence of faction.”

The Court itself has been motivated by a factional passion: liberalism. But by ascribing liberal ideology to the Constitution itself, the Court has escaped due censure for promoting its own narrow interests. The Court’s traditional role, combined with the recent Court’s hypocritical rhetoric, has sustained the fiction that this Court, in striking down old laws regarding (for instance) pornography and abortion, is opposing a current majority on behalf of the abiding majority. But this is the reverse of the truth: the Court has been representing not the abiding majority, but a current *minority*, the liberal minority.

Liberalism has succeeded in perverting the judiciary in order to impose its will on the majority. Since many parts of its agenda could never have mustered a majority in their favor, it has adopted the insidious strategy of identifying its agenda with “constitutional values.” As the record shows, this strategy at least deserves high marks for cunning.

But nobody should be fooled. The Court “discovered” these values in the Constitution at just the same time the organs of liberal propaganda were pushing them, and those Justices who dominated the Court at the peak of its liberalism — William O. Douglas, Hugo Black, William Brennan, Thurgood Marshall — were also, in their personal lives, passionate advocates of liberal causes. They were promoting their own

policy preferences when they pretended to be reading the Constitution, and they got away with it. Their bad history and bad logic have been copiously exposed; their bad legacy remains in the body of constitutional law, and we are left to cope with it as we may.

If we set aside the merits of the abortion issue itself, *Roe v. Wade* stands as an especially clear case of the Court's imposing a novel minority agenda, a liberal fad, under the pretense of pursuing the intimations of the Constitution itself. I repeat: *constitutional* objections were practically never heard in America until the advocates of legal abortion decided on the strategy of smuggling their cause into law via the judiciary. Then the Court obligingly "discovered" in the Constitution what had never before been suspected of residing there: a right to abort. In order to do this, the Court had to pretend that every legislature that had ever considered the issue had misunderstood the Constitution, and it had to be able to count on widespread passivity before its usurpations of power. It was able to do both.

By such devices the Court performs an innovative role while it affects to perform a conservative one. It enlists our reverence for the Constitution in order to make us indiscriminately deferential to the Constitution's current interpreters. In a final inversion of the original constitutional plan, the modern Court has FORCE and WILL, but not judgment. The perversion of the judicial branch marks a pretty complete triumph of factional politics over the kind of republican government envisioned by the generation of Washington, Jefferson, Hamilton, and Madison.

X. Prospects

Conservatives now find themselves up against some conservative instincts that have become attached to the socialist status quo.

Solzhenitsyn tells us that the *zeks* of the Gulag came to love the place of their confinement; some long-term prisoners prefer staying in prison to resuming their old freedom. Affection can take root anywhere.

And this is natural. Most people are not disposed to rebel against their circumstances. They tend to accept as legitimate whatever they are used to. The signers of the Declaration of Independence adopted an apologetic attitude not toward George III, but toward "mankind," whose "decent opinion" they respected and owed an explanation for a radical act; thereby showing that they were not, at bottom, radicals in the current sense.

People are naturally conservative — not in holding certain definite doctrines, but in realizing that the things they intend to do with their lives depend on continuity and predictability. Overt political conservatism may or may not emerge from this realization. On the other hand, temperamental conservatism may incline them to hold unreflectively to the status quo, even if, in the long run, the currently prevailing political forces are destructive of the permanent conditions of social health.

What I call the Alienist regime therefore enjoys the support of some conservative instincts, and the conservative, “alienated” in his own way from this regime, has to do his own kind of “consciousness-raising,” unmasking and exposing the status quo. His task is to show the “natural” conservative the necessity for a dose of radicalism, in the short term, for the sake of ultimate preservation of a way of life.

He has to convince his instinctively conservative friend of several things. That property rights are not a vehicle of greed, but an *impediment* to greed, a greed seldom recognized as greed: the greed of the limitless state. That the family is menaced by evils that are proffered in the guises of assistance and freedom. That religion is not really free when it is confined to a shrinking residue of private activity. That the nation is threatened both internally and externally by the socialist principle of a totally politicized social order. That a whole way of life is being undermined by people who should be its guardians, such as the majority of the Supreme Court.

One of the difficulties the conscious conservative faces is that all of us have become habituated to the Alienist perspective. When we talk about school prayer, abortion, capital punishment, or poverty, we make the rule by the exception. The old maxim has it that hard cases make bad law; but we make so much of our law by focusing exclusively on the hard case. What about the child who doesn’t want to pray? the girl pregnant by her own father? the innocent man convicted of a capital crime? the man who simply can’t find a decent job?

These considerations are neither outlandish nor illegitimate. They deserve to be taken into account. But only *after* we have decided the primary considerations: whether public-school prayer is essentially a good thing, whether abortion is right or wrong, whether capital punishment is justified, whether it is right to deprive some people of their earnings for the benefit of others. The rule of law must not be distorted in such a way as to undermine the normal energies that keep society, in all its complexity, working healthily.

Not long ago the conservative perspective could be plausibly dismissed as “extreme.” It has turned out to be prophetic. The average American increasingly sees that the Alienist impulse, as expressed in the liberal agenda, has been destructive and sometimes disastrous. Government based on “social consciousness” has turned out to be the enemy not only of individual freedom but also of socially cohesive institutions, especially the home and the church. Despite its slogans of “cooperation, not competition,” the liberal regime has fostered bitter political conflict over the wealth it has put up for grabs — while discouraging the production of wealth.

“To make us love our country,” says Burke, “our country ought to be lovely.” Our country is still lovely in myriad ways, from its natural splendors to the spontaneous good manners of its citizens in their little daily transactions. But its uglier features — violence and crassness — have been worsened by a generation of misconceived social policies and bogus civil liberties. Liberalism’s promise of a “Great Society” has not been kept; it has become a sour joke.

America is unique, but we should not make too much of its uniqueness. In the long run we love our country for the same reasons any man loves his country — not for things that can be bragged about, but for things that can hardly be communicated, and are under-stood by outsiders mostly by analogy with their own patriotic affections. You communi-cate your love for your mother not by expatiating on your mother's singular virtues, still less by calling her the Great Mother, but simply by using the word "mother." Every man born of woman will understand. Well, almost every man. There is always the occasional misfit who is alienated from his mother, or who thinks that motherhood is outmoded. But it is wisest to direct the conversation to the others.