

On Remembering Who We Are: A Political Credo

M. E. BRADFORD

Colossians 2:8: "Beware lest any man tempt you through philosophy and vain deceit."

Cicero's "De Re Publica," I.3: "Quae est enim istorum oratio tam exquisita, quae sit anteponenda bene constitutae civiti publico jure et moribus?" ("For what speech of theirs is excellent enough to be preferred to a state well provided with law and custom?")

DESPITE THE FACT that they were men of prudence who recognized the limits placed upon their disposition to inventiveness by an America already in place and by the dynamic of the American experience prior to 1787, there is strong evidence that at least some of the Fathers of this Republic aspired to play the role of lawgiver and founder when they gathered in Philadelphia to draft a constitution for the United States. This ambition was, in their discourse, associated with its classical prototypes: Solon and Cleisthenes of Athens and Lycurgus of Sparta. According to the ancient authorities, these worthies without the aid of the gods, operating from the authority of their own character, reason, and judgment, made over their respective communities more or less from the ground up and gave to them new constitutions. Fortunately, the United States of America was not "invented" in imitation of these august examples. The impulse to earn the immortal fame of the statesman by devising and implementing paradigms insofar as it possessed James Madison, James Wilson, and Alexander Hamilton was thoroughly restrained: in some instances by the local and ancestral pieties of less "ambitious" Framers, such as Rutledge and Sherman; in others by their own anticipation of the likelihood of total failure for the entire enterprise should too many of the states be offended by what they had made. On

several occasions, individual delegates made it clear that the Convention was not at liberty to draft the finest constitution that the best of men might enjoy, and quoted Solon himself, as he appears in Montesquieu, on the advisability of giving the people no "better" than what they would endure. They did not quote this passage derived from Plutarch's biography of the Athenian hero out of embarrassment or regret. Rather, they invoked the authority of the most famous classical lawgiver to distinguish his role from their own.¹ Solon had been a cautious lawgiver. They would be even more cautious than he. Politics, they were saying, even in the preparation of a fundamental law for a federal union of states that already exist, is not an exercise in dialectics. The statesman is not the same thing as the philosopher. And when the roles are confused, there is likely to be trouble. The statesman's world is closer to that of the rhetorician, who rarely argues from definition and never speaks in character without first determining the boundaries that must shape and confine his discourse if it is to be of profit to men living in space and time; and also closer to the world of the man of law who always begins his work by "examining the cases." To elaborate upon these distinctions with reference to contemporary American political thought which may be identified as either conservative or libertarian is my self-imposed task on this occasion. Returning to the original model for an American politics as I have come to understand it, I am here to insist that efforts to institute the best regime that we can imagine or to lever away at our inherited polity because it falls short of the measure established in some *a priori* political principle (harmony or tranquility, justice, equality, efficiency,

liberty) are likely to result in an arrangement far less agreeable than the customary and inherited pattern of imperfection. And to make the corollary assertion that by working *from the non-negotiable "given" of our political identity* in our efforts at self-improvement, the "genius" of our particular tradition, we have more expectation of transcending mere prudence and performing service in which our descendants may take pride. My teaching is against the authority of the philosopher *qua* doctrinaire; in praise of the inhibition and limitation which come from remembering who and what we are, politically speaking.

Though like most scholars, I am somewhat uncomfortable with speaking in my own person, I describe what follows as a political credo. The conventional protective screen of expository intent will not in these circumstances answer to my purposes. As adversary, I postulate the outer reaches and the familiar rigid applications of theories of natural law and natural rights as they press upon the fabric of our present political situation as a people. Yet I do not attempt to draw lines of demarcation between my own reflections and the thoughts of other men concerning "the good city" because I might erect a "house of words" superior and more tempting to the envious fancy of the contemporary electorate than are their finest conjurations. Indeed I have little interest in that line of inquiry. Instead, as is my habit, I proceed from felt provocation and anxiety and am present to plead a case. Doubting the future prospects of a cherished but fragile social and political order in which I claim a portion by inheritance, I am outraged by the harm done to it by several decades of tinkering conducted on the authority of some theory of natural rights. From such a background, I am more and more frequently moved to ask the political questions. Following Cicero's Scipio Africanus in the *De Re Publica* (who is for the political philosophers the progenitor of the general position which I am defending), I speak as a rhetor, a legalist, and a republican (small "r")—though (as I have made obvious elsewhere) more in the tradition of 19th

century American Democrats than that of the party of Hamilton, Rufus King, William Seward, and Mr. Lincoln. I refuse to take seriously as proper to the discussion of political practice speculation on the rights of man apart from their embodiment in a specific polity. Or to think of founders and their paradigms apart from such modern illustrations of the breed as Hitler, Mao, and Lenin. But the open parochialism of this testimony does not betoken a lack of conscious affinity between my view of the American Republic and certain other regimes whose histories specify the kind of politics which I am here to recommend to your favor.

Aristotle, observes Robert Nisbet, in commenting on the *Politics*, ". . . did not have an ideal of government so much as he had an ideal of *the relation between government and the social order*. What was important was, not whether government was monarchy, oligarchy or democracy but whether the family, private property, legitimate associations and social classes were able to maintain themselves free of incessant political invasion or domination irrespective of what form of government existed." In the same chapter, speaking of Edmund Burke's passion for liberty, he observes that for the great traditionalist ". . . there are no rights . . . that are not grounded in the social order."² English liberties, says Burke, are "an estate especially belonging to the people of this Kingdom without any reference whatever to any other more general or prior right."³ Three European republics not planned by any local closet philosopher, not established to protect anything beyond prescriptive historic rights, and not at all threatening in their posture toward the social order which they were organized to protect are Iceland, Venice, and the United Netherlands. I will say a word concerning each as it sheds light on the characteristic virtues of earlier American politics before the time of overemphasis on natural rights.

Ancient narratives report (and archaeology confirms) that the age of first Viking settlement in Iceland ran from A. D. 870-930. Prior to that time there had

been a few visitors, and a small group of Irish hermits had resided on that great island of fire and ice. But it was the Norwegians who finally possessed the legendary Thule as a place of their own where Harold Fair-Hair (Harfagri), King of Norway, and his descendants, who were subjecting the semi-independent communities of the various Viking chieftains to a more vigorous overlordship, could be escaped and old free ways preserved. Naturally, given the fierce independence and heroic code of these archaistic immigrant chieftains, lack of law and scrupulous watchfulness against all infringements on one's personal rights or those of one's kinsmen produced in the "Settlement Age" too much violence, too many disputes over authority and territory. Therefore, by general agreement a national assembly or *Althing* was called for June of 930, where Ulfgoth the Emissary, who had been dispatched to Norway to study the ancient law of his people, proposed a version of that code suited to Icelandic circumstances for general adoption by the 36 gothar (chieftains) and their thingmenn (freemen). It was agreed at that time that future sessions of the *Althing* (modeled on the old Norwegian tribal assemblies) would be held each subsequent midsummer, that their parliament would have legal and legislative authority over the four local *Things*, and that a chosen law-speaker should preside over these proceedings and, during a term of three years, recite from the great Law-Rock of Thingvellir all of the law to the people as preserved in his memory. *Lex est Rex* was the motto of these people: "with law shall the land be built up, and with lawlessness laid waste" wrote one of their many poets. Yet an essential feature of their law was its relation to memory: memory as preserved genealogically by Ari the Learned in his *Landnámabók*, of the first 400 families and their descendants, defined the Icelandic identity; a memory of all the *freeholders*, living in voluntary submission to self-imposed regulations, not a memory of kings, emperors, or philosophers.⁴

The Venetian Republic lasted much

longer than did that of Iceland. The first Doge of Venice was elected by island-dwelling boat people and lagoon dwellers of the northern Adriatic about A. D. 697. Some kind of community called by the Romans "Venetia" and governed by local tribunes had existed along this coastal littoral at an even earlier date. But the Venice that became an independent commonwealth grew up only after the conquest of the western provinces of the Roman Empire by Germanic tribes such as the Lombards. For a time Ravenna, the great city of the region, resisted these intruders even though most of Italy had fallen under their sway between A. D. 568 and 600. Then, in 751, Ravenna fell. Wealthy Romans, during these years, moved their property and permanent residence out to the islands, which were never conquered by the invaders from the north. For a time a loose connection between the Venetians and Byzantium continued. But as the protection of the Eastern emperor was withdrawn, his suzerain authority faded into nullity and the Venetian Republic backed its way into existence. Its origins are therefore in princely inattention, not (as is often the case with republics) in monarchical excess and over-government. Yet in organizing themselves, the Venetians remembered the old Roman Republic—the Rome of Livy and Cicero, even though their Consul served for life.

The Doge of Venice was, according to the "official" histories, always elected by the General Assembly or *Arengo*, acting upon the advice of the leading families and (hopefully) with spiritual direction from the Lord. The chief magistracy of the *Serenissima Repubblica* was no hereditary post but rather a public trust. With the magistrates of the city and his councillors, a Doge was, by the time Venice emerged as a power, one of the officers of the Commune, a corporate identity, though above them as a personification of the state. Yet his task was chiefly administrative; he made no law and no decisions without the support of one of his councils. Nor was law made, technically, by the legislative components of the Venetian system of government

which developed in the late medieval period until what they proposed had been approved by the General Assembly.

Elements of the intermediate structure of the Venetian state shifted at various points in its history. Between 597 and 1797 (when Napoleon Bonaparte occupied the city), some of the Doges developed dynastic ambitions. In the early centuries there was no legal division between the nobility and other elements of the Venetian polity. The dignity of individual Venetians was, to their mind, connected directly to their loyalty to a common bond—their solidarity and freedom from faction in times of stress and matters of national importance. To a remarkable degree most Venetians were content to be equal before their law in those questions covered by its authority. Yet presumption and misconduct by members of the Oreolo dynasty led to their overthrow and with the election of a new Doge, Domenico Flabianico, to replace them, two councillors were also elected to prevent any future drift toward a *principate*. Out of this modest beginning grew a vast structure of intermediate positions between Doge and General Assembly. They included the Ducal Council, the Forty, the Council of Ten, the Collegio, and the Great Council—a pyramid of divided powers and interlocking responsibilities. And, out of these “necessary” extrapolations, each of which was justified by official concern for the stability of the Commune, Venice grew to be an aristocratic republic. The Great Council proposed laws. It was, by the 13th century, the center of political power. It encompassed even before its 1323 expansion to include all of the nobility (every male Venetian of at least 25 years whose ancestors had held positions of trust in *La Serenissima* and whose names were written in the Book of Gold), all elected magistrates, former military leaders, and the members of every council. Above it stood the Forty, a court of criminal appeal and fiscal watchdog, plus the Senate, a group of over 200 charged with the supervision of diplomacy, decrees concerning commerce, and the dispatch of fleets and armies. At the top of the pyramid was the

Council of Ten, a body able to deal with treason and other emergencies, and the *Signoria* (the six Ducal Councillors, the six Savie Grandi, and the three Chiefs of the Ten). This unbelievable exfoliation had no purpose but to preserve the Republic, to respond to threats of despotism or democracy and party politics, and to secure the authority of *vetus mos*—the inherited way. The Venetian Constitution was like the English Constitution, as understood by the Old Whigs. Not written, it was visible only in the official history (as preserved by such historians as Gaspard Contarini and Pietro Bembo), in the oaths of office for the Doge and certain magistrates, and in a style and tradition of political behavior. Everything that made Venice what it was could be called its Constitution, the spirit of the Commune. The Venetians never generalized their liberties, never connected them with propositions concerning human nature or the aboriginal rights of man, outside of the Commune, divorced from a particular place and time. Instead, they honored their *own particular law*, and thanked God for their inheritance as a free people. In their commercialism, in their caution about absorbing waves of immigrants and their restrictions of the franchise in respect to certain positions, they never forgot the history that had made them a special nation. Even Venetians who lacked the right to participate fully in the politics of the city, the *cittadina originari*, accepted their status so long as they believed in the public spirit of their betters. And that situation lasted as long as did the Serene Republic.

The United Netherlands were another kind of republic, a federal union of free cities and surrounding provinces with ancient governments of their own: the 1579 Union of Utrecht was the legal foundation of this composite identity; that, plus *The Apology* (1580) of their leader, William of Nassau, Prince of Orange, called the Silent; and in 1581, the Act of Abjuration by the Estates General of the Netherlands, the ancient Parliament of the Low Countries—an act which solemnly foreswore allegiance to Philip of Spain, who had, by

their construction, forfeited his "sovereign rights by breaking his oath to his people, abandoning his obligations (to preserve their inherited rights) and conspiring against the common weal of the Netherlands."⁵

Thus it is proper to maintain that the origin of what our American forefathers called "the Dutch Republic" was juristic and prescriptive, not philosophical. In the words of their patriarch, the Father of the Fatherland, they had made not ". . . a revolt but a resolution taken by the whole state of the Netherlands for the preservation of their lives and privileges." According to their Act of Abjuration, a true prince is a "shepherd" of his people, favored of God; yet "when he does not behave thus but oppresses them, seeking to infringe their ancient customs, exacting from them slavish compliance, then he is no longer a prince but a tyrant, and they may not only disallow his authority, but legally proceed to the choice of another prince for their defence." Says Professor C. V. Wedgwood, the authority on these events, they do not reflect a set of mind "where the 'rights of man' flourish, as it were, in vacuo."⁶ In a world where law makes a king, only law can unmake him.

As a defender of the old decentralized order of Europe, William the Silent drove Philip of Spain out of Holland. William did not act to install Protestantism where it was not wanted, to avoid tax, or to elevate himself to a throne. He was never King of the Dutch, as Philip in his abstraction understood the royal office. Nor were his descendants until after the Napoleonic Wars. Yet he took charge in order to preserve, not create. The Low Countries were full of Spanish troops and officials. Charters were suspended and persecutions attempted. William used the xenophobia of his countrymen, their resentment of an absentee monarch, and their affection for their own time-honored particularities. He found a way to make most of them united within their variety. The Dutch resistance to Spanish efforts to subjugate them altogether is an heroic story. Between 1559 and 1579 Philip of Spain forfeited the

richest crown in all Europe because he would not distinguish the functions of the general government, the local governments, and society—because he was a thoroughly teleocratic statesman, as Michael Oakeshott has taught us to use that term, inclined to conceive of the state with reference to its ends, not its "practice" or way of conducting political business.⁷ Early Americans saw a reflection of their own experience in this segment of history. What they did not find in the records of the Dutch was confirmation of the theory that (to borrow from the language of Professor Strauss) "the best Constitution is a contrivance of reason," the result of a process of lawgiving with its theoretical basis resting on presumptions concerning the universal nature of man, his prehistoric rights or his relation to human society.⁸ Nor is such the implicit burden of the two other slices of history summarized just above.

Yet I have drawn from only a small selection from a vast body of evidence, both republican and not republican, which points in the same direction. In the political history of Western man, these narratives are not exceptional, but normative. *Quem patrem*, what father, has more often than not been *the* political issue in the origination and development of European states which take their places on the stage of history before A. D. 1789. I reflect on only a few of my favorites. On that stage most men have either experienced despotism or enjoyed the shelter of inherited rights. On that stage almost no polity that was in any sense "founded" ever appears. And those regimes which most thoroughly ignored the connection between "the ancestral and the good" are those which we all despise: Cromwell's England, Jacobin France, the Marxist tyrannies of the Soviet Union, or the People's Republic of China, and Nazi Germany. What modern men have done in the name of their favorite political paradigm is not an argument for a new Lycurgus or stricter devotion to what are usually called "political principles"—abstract theories concerning the essential nature of man before he enters the social condition.

Of course, most conservatives, libertarians, and men of the Right have already rejected the *most* dangerous component of contemporary theoretical politics before they begin their conversation with each other and their respective flirtations with the paradigm. I refer to that portion of the pseudo-religion of equality that openly insists on equality of condition; and the attendant proposition that the state should foster such levelling. As I said, we have agreed on this much. And to our credit. Not religion, but the cult of equality is the "opiate of the masses" in today's world—part of the larger and older passion for uniformity or freedom from distinction. It flatters in us all that is worst. Yet most libertarians and some conservatives nod respectfully toward the related nostrum, "equality of opportunity," and cannot recognize that, as a matter of fact, as a matter of the record, egalitarians always mean by equality of opportunity a contest between people who enjoy equality of condition (as in a race between identical twins raised under identical circumstances), which, even if it existed without endless and monumental handicapping, would never satisfy them when it produced unequal results. As I have tried for many years to explain to some of my colleagues, only equal persons in equal situations may enjoy equal opportunities. Professor Robert Nozick has written instructively of these distinctions in his *Anarchy, State and Utopia*.⁹ Professor Tonsor has recently reminded us that the spiritual equality and liberty of Christians do not readily translate into political terms.¹⁰ And "equality before the law" is in the original American tradition only if we remember how restricted is the scope of the law's authority in most free societies. About confusion over equality of any kind beyond access to a law that remains the same to any citizen who comes before it we must take great care if we are to preserve the American political and social reality: the reality whose survival is the precondition of our liberty, or hopes for virtue, justice, and order. For no paradigm of the modern ideological aspirant to the role of lawgiver

is so potent or disruptive in its purchase on our future prospects as a people. Resisting its implementation is a labor which we should be able to share.

The paradigm of the libertarians is familiar to us all. Freedom, without being attached to some notion of its objective, does not sound like the "god term" of an ideology. Though it is true that liberty at its best is no more than the precondition of virtuous action, it is also difficult to imagine active virtue without it. In the evangelical tradition into which I was born as a Southern Baptist, we are taught that the great purpose of life is to exercise our free agency in making as many moral choices as possible. Yet as Professor Oakeshott insists, moral conduct is an art, insofar as it concerns the relations of men—an art learned by apprenticeship.¹¹ And society is the necessary context for that learning. Where society, in order to survive, imposes restraints, libertarians sometimes ask that law release them from those restraints. And government at the local level is almost a part of society—at least in traditional American politics, where pluralism usually signifies the possibility of numerous "closed" communities. To survive, liberty must accept the limitations necessary if it is to coexist with a *social and political* order. In a modern context the alternatives are either a society whose sphere is protected by and from the state or life under the absolute control of government, with no sacrosanct protective social buffer. Government, after having swallowed up society (even if it performs the act in the name of freedom) will then turn inevitably into a despotism. We forget easily that natural rights theory, depending as it does on postulates concerning an anterior "state of nature," is the worst enemy of human freedom yet to be devised by the mind of man. Liberty is precious to most of us, particularly to a people who have learned from their frontier heritage to connect a personal sense of worth and merit to what they achieve in making private decisions. Yet only men who belong to something are in any durable sense free. And belonging to a society also means

citizenship in some kind of commonwealth and submission to some kind of law restrictive of our presocial freedom to a degree that goes beyond the mere prevention or punishment of crime. Our forefathers knew the costs of the civil condition, but did not speak well of life in a state of nature. They avoided “constructivist rationalism” (to use Hayek’s terms), regardless of its ostensible connection with “the rights of man.” Even the most liberal spirits among the Framers of the Constitution and heroes of the Revolution fall short of compliance with the full libertarian paradigm. Thomas Jefferson, with very slight revisions, fought to keep the English common law in force in Virginia: that law “beyond the cunning of reason,” where custom reigns supreme. George Mason advocated including a few sumptuary clauses in the United States Constitution. And Roger Sherman agreed to language in the Bill of Rights concerning freedom of religion only because he expected the First Amendment to protect the “established” Congregational Church in Connecticut. Usually the freedoms of which they spoke with fervor were part of the warp and woof of an established way of life. Most of them understood that “. . . Liberty, like happiness, is most perfect when least remarked. As most misery is caused by the pursuit of abstract happiness, distinct from the occupations that make men happy, so most tyranny springs from the struggle for an abstract liberty, distinct from the laws and institutions that make men free.”¹³

The conservative versions of paradigmatic politics are just as bad. Though in most respects I am rightfully identified as a traditionalist conservative, I break away from some doctrines gathered under that rubric even more swiftly than I would avoid a libertarian label. For, as I mentioned, my political roots are among the Antifederalists, mild Federalists, and early Southern Democrats. I agree with Professor Rothbard that the American Revolution exploded against remote and arbitrary power. To that generalization I would add that the political impetus coming from those events and from the Great

Convention is not a sanction for assertions of the federal authority on behalf of normative theory. The notion of the Union as an engine of reform has had few advocates among my kindred since 1860. Or, for that matter, at any earlier date. As I am almost a Tory in my view of the proper operations of society at the local level, in my reading of the Parable of the Talents as a social teaching, I am also narrowly procedural in my interpretation of our national compact. Society does not rest on a contract. But the Constitution of the United States does. Some American conservatives, in their fondness for particular religious, philosophical, social, and political purposes, appear to have forgotten this basic truth.

It seems to me that these difficulties come from three sources. One is purely partisan—the doctrine that conservatives should learn to make “creative” use of national government in order to “confound” their enemies. I associate this teaching with Richard J. Walen, though it has other sources. A second version of ostensibly conservative statism comes from the spokesmen of the New Right. Its remote sources, its roots, are in Puritanism or in the Roman Catholic tradition of the natural law: on the one hand, the impulse to revive the godly commonwealth; on the other, the power of a natural theology to reason from the premise, downward—and to make of the state its agent.¹⁴ The third conservative version of what the French call *folie de grandeur*, is the paradigm of the national government as a source, defender, and enforcer of certain philosophical principles that reflect “the unity of truth” with respect to civil rights.¹⁵ The dream of the Good Authority which corrects our disposition to irreligion or compels us to respect each other’s capacity to reason and to seek the good is a heady dream, and not American. For teleocratic High Federalism has offended the citizens of this Republic on repeated occasions—offended them as political indecorum. Contrary to the opinions of many of my closest allies, the American regime at the national level was not created to promote virtue or religion

but to allow for the promotion of virtue by society—in some cases with the assistance of state and local authorities. Preventing the United States Supreme Court from disrupting this less ambitious process *would be* a conservative measure. Congress might restrict their jurisdiction by statute. A movement to repeal or revise the 14th Amendment would get my strong support. If nothing else can be done to restrain the federal courts, we might eventually be forced to attempt a change in the fundamental law—one or two amendments to see to it that the judges get the point. But my politics are generically American and not much indebted to Justinian's Code. I am uncomfortable even with normative measures of which I approve if initiated at the federal level. I acknowledge that sin and suffering are equalizers; death, an outright leveller; and God's free grace in the person of His Son, a compliment to our species that makes all talk of rights unimportant. True, we have had the 13th and 18th Amendments, plus an endless sequence of laws and court decisions to help the Negro. But these were anomalies. Principles derived from a definition of men (as opposed to animals) as vessels of reason lead only to some kind of levering on the cornerstones of our corporate liberty, our habits of order and virtue that are the usual targets of the rhetoric of the Left. In opposition to the paradigmatic politics of the champions of federalized moral law and moral principle, the good folk who would forbid *in the Constitution* discrimination of any kind in order to prevent busing and "affirmative action," I maintain the definition of Russell Kirk: "Principle signifies general concepts derived from historical experience and long respected authorities."¹⁶ In concluding, I will expand a bit on Kirk's definition to establish a few principles of my own: nomocratic principles.

To begin with, I must insist on the value of a little pyrrhonism in dealing with political theories—including our favorites. Those who reason from the unity of truth and of universal propositions concerning the best political practice might argue on *a priori* grounds that the best, most peaceful

regime, the polity most likely to survive, should be made up of men and women who are of one heritage, one blood, and one religion. But what is the value of such distinctions to a culture that has operated on another premise for over three hundred years. On the basis of so uniformitarian a calculus, we might in our religious preference set out to engineer a Methodist Spain, a Calvinist Jerusalem, a Roman Catholic Wales or Oklahoma. A completely libertarian or Straussian or traditionalist (in the European sense) America would be an aberration on the same scale. If conservatives and libertarians approached the question of the best policy for preserving the political order to which we already belong while refraining from over-insistence on the priority of claims against that establishment which derive from their favorite political model, and if they conducted their inevitable and appropriate disputes with at least one eye kept to points of congruity (*contra* the vulgar egalitarians and the omniscient state), I believe that their relations could continue to be mutually instructive and corrective. If it is true that all of us require admonition from art and literature designed to promote conclusions we cannot share—movies like *How Green Was My Valley*, based on Richard Llewellyn's novel, in its horror at the destruction of life in a mining village; poems and memoirs like the pacifist documents produced in outrage at the great loss of life in World War I—then we should be able to enter empathically into at least part of the opposing side in this measured conversation between more closely related positions.¹⁷ And to do so without forfeiting the integrity of our own conclusions, without being subject to charges of relativism or romantic nostalgia.

In my own case I resist with all my resources the argument from definition in prescribing for a polity to which I was at birth committed by ontological and historical realities, a polity in operation almost 200 years, with antecedents reaching far back into British and European history. Nonetheless, as I acknowledge the contingencies, the priority

of circumstance and prescription, I also listen to the broader authorities of reason and revelation, *once I am certain where I stand*. For principles, I would therefore suggest a political ethic, not a set of goals, a “way” within which to select among various prudential choices. To be a patriot is to embody our connection to the national bond through devotion to a “practice.” Oakeshott is right about this. And part of that practice should be good rhetorical manners: avoiding the use of the *diabole* (making a devil of our opponent) and the *oraculum* (speaking for the gods); taking care to eschew the *epideictic* note, the air of authority, where it is out of place; renouncing the favorite fallacies of the Left, such as the false dilemma and argument *post hoc, propter hoc*—disguising legitimate choices, or distorting causal connections. If our given political identity has logical priority in any discussion of proper strategies for its improvement, then we have to behave with civility in speaking of the civic necessities. Honor is also important to sanctify our loyalty to the common bond and to our

sworn word. And *political duty—patriotism*. No nation can be improved by being destroyed. For general propositions which are more than ethical obligations, I will (in response to the legitimate criticism of my good friend Jeff Hart) allow for at least one: that men may posit their “right” to an inherited politics generated by an inherited *social and political order*, and to civil condition within that politics.¹⁸ It is a question of self-preservation. Only projectors can live in a city “made of words,” spiritual exiles and emigres who belong to nothing but the delusory Republic of Letters. Enlightenment thought made that idea attractive at one point in the history of Western Civilization. But a better image of residence in the land of paradigm (as opposed to the historic republics which I discussed above—and to the United States of America) is what we get from Swift’s flying island of Laputa. Few who embark in such vessels ever return. Far better to stay at home, “enthralled” by “dogmas of the quiet past,” remembering who and what we are.

¹ One instance comes from Pierce Butler, delegate to the Constitutional Convention from South Carolina, on June 5, 1787. See *Notes of Debates in the Federal Convention of 1787, Reported by James Madison* (Athens: Ohio University Press, 1966), p. 73.

² Robert Nisbet, *The Social Philosophers: Community and Conflict in Western Thought* (New York: Thomas Y. Crowell Co., 1973), pp. 396 and 411. Nisbet suggests that Aristotle lost his taste for ecumenic empires organized by big ideas from his experience with Alexander the Great.

³ Quoted by Leo Strauss on p. 319 of his *Natural Rights and History* (Chicago: University of Chicago Press, 1953).

⁴ On the origins of the Icelandic republic, see Magnus Magnusson, *Vikings!* (New York: E. P. Dutton, 1980), pp. 181-211; also Stefan Einarsson, *A History of Icelandic Literature* (Baltimore: Johns Hopkins, 1957), pp. 3-13; and G. Turville-Petre, *Origins of Icelandic Literature* (Oxford: The Clarendon Press, 1953). The Icelanders also preserved the sagas of the Norse kings—because many of them were involved in that history.

⁵ On Venetian history I suggest Frederic C. Lane, *Venice, A Maritime Republic* (Baltimore: Johns Hopkins University Press, 1973); on the origins of the Dutch republic, I recommend C. V. Wedgwood’s *William the Silent: William of Nassau, Prince of Orange, 1533-1584* (New York: W. W. Norton & Co., 1968). Both are splendid books for the study of republican government.

⁶ Wedgwood, p. 224. The earlier American view of these events is preserved in John Lothrop Motley’s *The Rise of the Dutch Republic: A History*, 2 vols. (New York: A. L. Burt, n. d.). This reading of Dutch history overemphasizes the

religious significance of the struggle for independence.

⁷ Michael Oakeshott, *On Human Conduct* (Oxford: The Clarendon Press, 1975), pp. 203-206.

⁸ Strauss, p. 314; also p. 83 on the tendency to “identify the good with the ancestral.”

⁹ Rober Nozick, *Anarchy, State and Utopia* (New York: Basic Books, Inc., 1974), pp. 235-238.

¹⁰ Stephen J. Tonsor, “Equality in the New Testament,” *Modern Age*, XXIV (Fall, 1980), 345-354.

¹¹ *Rationalism in Politics* (New York: Basic Books, 1962), pp. 35-36 *et passim*.

¹² F. A. Hayek, *Law, Legislation and Liberty*, Vol. I, *Rules and Order* (Chicago: Univ. of Chicago Press, 1973), pp. 5-7.

¹³ Quoted from Christopher Hobhouse’s *Fox* (London: John Murray, 1964), p. 238.

¹⁴ Nisbet, *The Social Philosophers*, pp. 35-43; also Nisbet’s *Twilight of Authority* (New York: Oxford University Press, 1975), pp. 166-176.

¹⁵ Leo Strauss, *Liberalism, Ancient and Modern* (New York: Basic Books, Inc.), pp. vi-vii.

¹⁶ Russell Kirk, “Imagination and Ideology,” *National Review*, XXXII, No. 26 (December 31, 1980), 1583.

¹⁷ See Paul Fussell, *The Great War and Modern Memory* (New York: Oxford University Press, 1975).

¹⁸ On p. xvi of his “Introduction” to my book *A Better Guide Than Reason: Studies in the American Revolution* (La Salle, Illinois: Sherwood Sugden & Co., 1979), Professor Hart asks “what ‘political’ recourse was there” in France ca. 1770 and adds “I myself would be ready to posit a few rights ‘outside the context’ of politics were I residing in, say, the Soviet Union or China today.” I agree, in the terms I have tried to specify.