

state grew the smaller each additional billion became by comparison.

Moreover, Higgs notes, the statistics fail to take ideology into account. Economic progressivism may have lost some of its popularity since the collapse of Communism, but what has replaced it is not a new longing for limited government. Citing the evidence of opinion surveys, Higgs reveals, "During the past twenty-five years increasing proportions of the randomly sampled respondents have had no opinion at all about the size and power of the national government in the United States. They evidently view it either as a fact of nature or as beyond conceivable change. Maybe they just don't care." "Arriving at a condition against which Alexis de Tocqueville warned long ago," he later writes, "the American people have now become for the most part 'a flock of timid and industrious animals, of which the government is the shepherd.'"

Something in the American character had to change before a people who had revolted against George III's taxes on tea and sugar could accept an Internal Revenue Service—and before a nation whose statesmen had cautioned against entangling alliances and searching out monsters to destroy could become sheriff to the whole world. Higgs locates in

the Civil War "the Bloody Hinge of American History," with Union and Confederacy alike seizing vast new powers over the press, the judiciary, commerce, personal income, and even money itself—the era gave us both "Confederate currency" and the greenback. But the spirit of the Old Republic was not lost all at once; "something approximating classical liberalism retained a strong hold on most Americans, even on many opinion leaders, prior to the Progressive Era." It was only then that a combination of judicial activism and the imperial presidency of Theodore Roosevelt effected the fatal turn, as Higgs discusses in a review of Martin Sklar's book *The Corporate Reconstruction of American Capitalism, 1890-1916*.

The closing chapters of *Against Leviathan* leave the reader hoping that Higgs will soon return to his study of ideology at greater length. But in the meantime, this important and surprisingly readable collection provides an outstanding survey of the aggrandizement of Hobbes's artificial man. If it isn't exactly the most essential reading next to the Constitution itself, *Against Leviathan* is nonetheless the best critique of the relentless expansion of state power—and the perils that growth entails—since Higgs's own earlier book. ■

[*An Imaginative Whig: Reassessing the Life and Thought of Edmund Burke*, Ian Crowe, ed., University of Missouri Press, 242 pages]

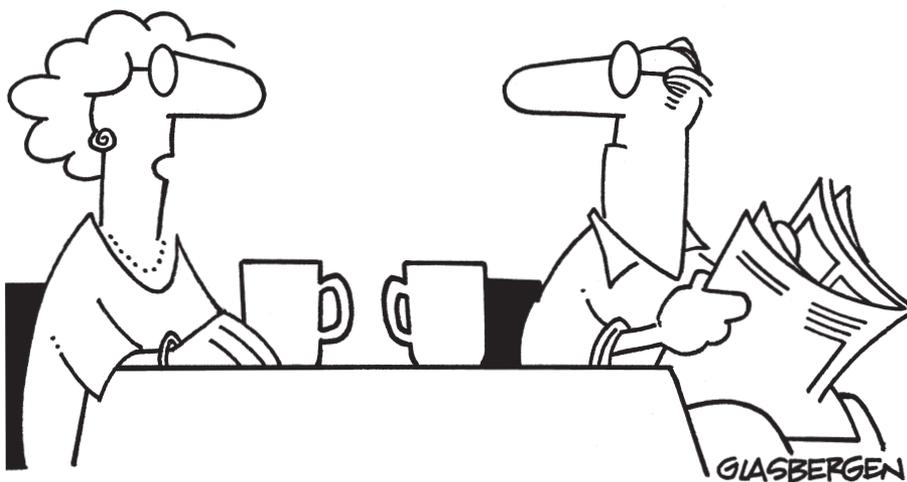
An Ambiguous Conservative

By Edward Feser

FOR SOME CONSERVATIVES, the value of tradition lies in its tendency to reflect an eternal order, a natural law of which tradition is but an approximation. For others, long-established practices and institutions are valuable because they provide the stability societies need for their well-being. The first sort of conservative is liable to advocate a departure from tradition if it too imperfectly reflects the natural law. The second is more likely to favor preserving tradition, even when this might entail a compromise on moral principle, in the interests of maintaining continuity with settled expectations and respect for precedent. Whereas conservatism of the first sort often rests on a robust metaphysical conception of human nature and systematic moral theory, the second type is commonly associated with skepticism about the possibility of metaphysical and moral knowledge.

Edmund Burke is interesting for many reasons, but perhaps chief among them is that he appears to straddle this divide between conservatisms. On the one hand, he clearly regarded those traditions he sought to preserve as deriving from a divine order to which we are duty bound to submit ourselves. On the other hand, he was highly suspicious of abstract theory of any sort. The essays in Ian Crowe's important new anthology reflect this tension and thereby illustrate how the conflicts that often arise among contemporary conservatives may well have their origin in the thinking of their common spiritual father.

Joseph L. Pappin III favors a reading of Burke as essentially a conservative of the metaphysical sort, and in an essay



"Same-sex marriage is nothing new. We've been having the same sex for 25 years."

on Burke's relationship to the Thomistic natural-law tradition he argues that, contrary to the common reading of Burke as a kind of empiricist, utilitarian, or pragmatist, he was in fact more or less in agreement with St. Thomas Aquinas concerning matters of philosophy. (Here Pappin follows Burke scholar Peter Stanlis, himself the subject of an essay in this volume by Jeffrey O. Nelson.) In defense of his interpretation, Pappin points out that Burke was hostile not so much to abstract theory *per se* but rather to skeptical conclusions in metaphysics and excessively rationalistic approaches in ethics. He also notes that Burke believed that God could be known through His works, rejected Hume's doubts about causality, and believed in natural human inclinations.

Nevertheless, it seems a stretch to conclude from all this that Burke was more or less committed to the sort of ambitious metaphysical project associated with Scholasticism. That one refuses to embrace skepticism does not entail that one has embraced Aquinas; and as Crowe indicates in his introduction to the volume, the Scottish "Common Sense School" of thought associated with Thomas Reid is more likely to have influenced Burke's thinking. In fact, there seems to be little in the philosophical views Pappin attributes to Burke that would differentiate him even from, say, John Locke, and Locke was definitely no Thomist. Locke was also not exactly a conservative, so it isn't clear that Burke's philosophical views have any essential connection to his conservatism.

F.P. Lock's account of Burke's religious views seems a likelier representation of Burke's actual philosophical position. As Lock notes, Burke's tendency was to look for the foundation of religion in psychology rather than in metaphysics—and in particular in instinctive human impulses rather than in the sort of theistic proofs favored by the medieval philosophers. He also tended to de-emphasize the importance of miracles and to doubt the reality of eternal punishment. He was, in general, latitudinarian in matters of doctrine and

stressed religion's moral and social utility over its metaphysical content. Indeed, he even seems to have been highly sympathetic to the idea that Hinduism was just as suitable a religion for the Indians as his own Anglican Christianity was for the English. (Burke's attitudes toward India and Indian culture are treated at greater length here in an essay by Frederick Whelan.) None of this is meant to imply that Burke was ultimately a skeptic: he had an unshakable belief in divine Providence and loathed atheism. But it is striking how modern—indeed, how unconservative—were his theological beliefs. As Lock notes, while Burke was certainly no deist, his "description of 'true religion' is one to which many deists could have subscribed."

If this seems to indicate that Burke's conservatism really was of the more flexible and pragmatic sort, that impression is only reinforced by David Bromwich's treatment of Burke's conception of human nature. On Bromwich's view, "Burke's philosophical idiom resembles Hume's in addressing a human nature that we know by observation and acquaintance," a methodology more beholden to the weighing of empirical and historical considerations than to classical metaphysical speculation. And while a look at Burke's famous *Reflections on the Revolution in*

current in human affairs, will appear rather to resist the decrees of Providence itself, than the mere designs of men. They will not be resolute and firm, but perverse and obstinate." If the *Reflections* present us with the classical image of Burke as the upholder of eternal truths against the purveyors of untested novelties, the Burke of the *Thoughts*, Bromwich tells us, "defers to nothing but the habits of thought that historically come to dominate a society."

At the same time, there is no denying that Burke would have had nothing but scorn for the notion that we could loose ourselves from our fundamental human obligations by writing them off as something historically contingent. Bromwich reminds us that the same Burke who penned the *Thoughts* also held that our "social ties and ligaments ... in most cases begin, and always continue, independently of our will" and that society is a partnership "not only between those who are living, but between those who are living, those who are dead, and those who are to be born." Bruce Frohnen's essay on Burke and human rights offers a way of reconciling these apparently conflicting aspects of Burke. On the one hand, Burke held that all men "have a right to the fruits of their industry; and to the means of making their industry fruitful. They have a right to the acqui-

BURKE'S TENDENCY WAS TO LOOK FOR THE FOUNDATION OF RELIGION IN PSYCHOLOGY RATHER THAN IN METAPHYSICS—AND IN PARTICULAR IN INSTINCTIVE HUMAN IMPULSES RATHER THAN IN THE SORT OF THEISTIC PROOFS FAVORED BY THE MEDIEVAL PHILOSOPHERS.

France might give the impression that he took the institutions he wanted to preserve to be rooted in an inflexible natural order, in his *Thoughts on French Affairs* "Burke appears to concede that all progress in society is a result of human adaptation and that the result may change the character of morality itself to the point of annulling what had once seemed permanent truths." Indeed, Burke wrote, "they, who persist in opposing this mighty

tions of their parents; to the nourishment and improvement of their offspring; to instruction in life, and to consolation in death." On the other hand, he emphasized that the manner in which these rights get their determinate content is conditioned by particular historical and cultural circumstances and that any responsible defense of these rights must be sensitive to these circumstances. Prudence rather than abstract

theory must guide the defender of human rights, and reform rather than revolution must be his program.

And yet when the *status quo* involves a defilement of institutions and norms that are absolutely essential to the order the conservative wants to conserve and a systematic violation of the most basic human rights, it can be hard to see how anything less than revolutionary change is called for. As Harvey C. Mansfield puts it in his essay on Burke's conservatism:

[T]he bias of conservatism in favor of tradition compels it to depart from the good and often leaves conservatives at a disadvantage and on the defensive. As we have seen, conservatives do not know whether in any particular case the wish to follow tradition will lead them to go back in order to recover the past or to go slow in order to maintain continuity between present and past. 'Traditional' can have either of these two opposed meanings.

Strictly speaking, these two conceptions need not be utterly opposed: one can consistently favor upholding timeless principle come what may while striving to do so in a manner that causes as little disruption as possible to existing institutions. Still, where upholding prin-

ciple might ultimately entail a very radical disruption indeed, the conservative must decide which sense of "traditional"—a return to changeless norms or deference to the *status quo*—he is going to put in the driver's seat.

In the world in which conservatives now find themselves, the need for such a decision seems more pressing every day. There will be many conservatives whose choice is to preserve the moral heritage of the West against those who would abort and euthanize the weakest members of our society. And as these conservatives come increasingly to clash with those who see in federalism and the preservation of liberal legal precedent the be-all and end-all of conservative principle, they will need to revisit Burke. They may find that for all his insight and eloquence, the father of modern conservatism is no less ambiguous than many of his spiritual children—and that it is perhaps to their spiritual grandfathers, the unambiguous and metaphysically robust thinkers of the medieval period, that conservatives should ultimately look for surer guidance in what threatens to be the darkest of Christian centuries. ■

Edward Feser is the author of On Nozick and the forthcoming Philosophy of Mind: A Short Introduction.

MUSIC

Jelly Roll & All That Jazz

By Ralph de Toledano

JAZZ, THE REAL AND RIGHTEOUS, is forever gone. Here and there a few embattled musicians attempt to give it life. And singers, most of whose talent is in their blonde hair, pretend they are Billie Holiday. "Lawdy, Lawdy, all the world's jazz crazy," Mamie Smith sang in the 1920s. But forget it. Jazz can now be found only on the CD reissues of the LP reissues of the 78 RPM shellacs, and these are being pushed off the shelf by gangsta rap and other new excrescences.

Jazz grew up almost coeval with the phonograph, so it is on those old discs that we can hear the music that emerged from the *bamboula*, the rhythmic work pats of field hands, the English four-part hymn, and the potpourri of opera and folk that swirled in New Orleans. Jazz moved up the Mississippi when Woodrow Wilson's secretary of the Navy, Josephus Daniels, shut down Storyville's brothels and honky-tonks to protect our sailors' morals. Chicago-bound and east to Harlem, giants and innovators like Louis Armstrong and Sidney Bechet and Jelly Roll Morton, followed by a host of sidemen, passed the baton to the rest of the country. But start here with Jelly Roll Morton, who like Brahms made his professional start playing piano in a whorehouse.

It has been written of him that he never found his rightful place in the American mythology of Paul Bunyan and Johnny Appleseed as a figure who might have graced Mark Twain's pantheon of characters and scalawags. Born Ferdinand Lamothe, of a middle-class New Orleans Creole family, sometime between 1885 and 1890, he was still a boy when he began playing in the

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